



Washington Environmental Council

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May 11, 20090

Mr. Daniel Caruso
Chairman
Connecticut Siting Council
Ten Franklin Square
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CONNECTICUT
SITING COUNCIL

RE: Docket No. 378 – SBA Towers II, LLC, Application for a Certificate of Environmental Compatibility and Public Need.

Dear Sir:

The Washington Environmental Council (WEC) has been monitoring the referenced application since September of last year. We have become increasingly alarmed with the alternate sites proposed on the Tanner Farm Property on Rabbit Hill Rd., Warren, CT, for the construction of a single "state of the art" Cell Tower.

The first site selected would clearly violate the terms and conditions of the purchase by the State of Connecticut of the development rights to that section of the property. We believe that the Siting Council's approval of that site would set an extremely dangerous precedent. It would result in all properties where the development rights have been purchased by the State of Connecticut being put in play, not just for use by Cell Tower operators, but possibly for other commercial activities that are not permitted under Connecticut Chapter 422a – Agricultural Lands. A close reading of Secs. 22-26aa through Sec. 22-26cc of that Chapter, reveals in detail the permitted uses under a purchase of development rights by the State of Connecticut. It is clear that commercial Cell Towers are not amongst the permitted uses of such land.

With respect to the second site, WEC's Mission since its creation in 1971 has been:

"The Council is dedicated to being an advocate and providing leadership in maintaining, protecting and enhancing the environmental quality of the Town of Washington and the surrounding region."

The adverse environmental impact that a Cell Tower would have on what is one of the regions most scenic and environmentally sensitive natural resources is incalculable. As an example, the Cell Tower would be sited within fifty feet from the springs and wetlands that are the headwaters of Bee Brook, an important tributary of the Shepaug River. We fear that Bee Brook's whole ecosystem would be adversely impacted over time and, ultimately, the Shepaug River would also be affected in a negative way.

The scenic blight the Cell Tower would create would be unprecedented. It is proposed that the Cell Tower be sited directly on the ridge line. At a height of at least 150 feet and possibly going to 200 feet or more, its towering presence would be seen from many vantage points. Of special concern is the fact that it will be readily seen from the surrounding designated scenic roads and from the fields and trails of the Macricostas Preserve that is used actively by many people for recreational purposes. All the energy, effort and money that have been expended to make Macricostas a beautiful 256 acre Preserve would have been for naught. This includes the \$500,000. grant from the State of Connecticut under its Open Space and Watershed Land Acquisition Grant Program that made the acquisition of this property possible so it would be maintained as open space in perpetuity.

As stated earlier, we understand that this is a "state of the art" Cell tower that has a capability for new technologies that go far beyond just providing simple cell phone service. WEC was an intervenor in the Sempra Energy Power Plant application that came before the Siting Council a few years ago to build a power plant in New Milford, CT. Sempra too had a "state of the art" power plant. The Siting Council by unanimous vote denied the Sempra Application for a variety of environmental problems that emanated from one critical flaw in the application, namely, the location of the plant. WEC feels strongly that location is also a major flaw in the Docket No. 378 application. The location on either of the two sites proposed for a "state of the art" Cell Tower located in either Chapter 422a developments rights protected farmland or on a ridge line and towering at 150 feet to 200 feet and possibly more over one of the most scenic and environmentally sensitive natural resources we have in the area just should not happen.

WEC respectfully submits that the Application for Docket No. 378 should be denied by the Siting Council for the reasons we have cited above. We side with Governor Rell, Representative Chris Murphy, The Council on Environmental Quality, The Towns of Washington and Warren, the Washington Conservation Commission and the many others who oppose this application. The proposed Cell Tower is just in the wrong location.

We request that our letter be made part of the record of Docket No. 378 in opposition to the Application submitted therewith. If time permits, please read the letter into the record at the public hearing scheduled on May 21, 2009.

Thank you for your consideration of the points we have made in this letter.

Very truly yours,



Carlos Canal
Director

cc: The Washington Conservation Commission