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Chairman

# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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March 29, 2010

TO: Parties & Intervenors

FROM: S. Derek Phelps, Executive Director

RE: **DOCKET NO. 396** – SBA Towers II, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located at 49 Brainerd Road, Niantic (East Lyme), Connecticut.

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During the continued evidentiary hearing for the above-referenced docket, the Connecticut Siting Council (Council) ruled on SBA Towers II, LLC's (SBA) Objection dated March 16, 2010 to the Friends of the Pattagansett Trust's (FOPT) Request for Administrative Notice dated March 1, 2010 and FOPT's Reply to SBA's Objections to Intervenor's Request for Administrative Notice dated March 18, 2010.

SBA's Objection was **granted in part** as to the following items identified in FOPT's Request for Administrative Notice:

1. "The Impact of Wireless Towers on Residential Property Values", Carol C. McDonough, PhD., Assessment Journal, Summer 2003, pp. 25-32.  
[http://www.broadbandwirelessreports.com/uploads/1/Appraisal\\_Journal\\_Cell\\_towers\\_bad\\_for\\_home\\_prices.pdf](http://www.broadbandwirelessreports.com/uploads/1/Appraisal_Journal_Cell_towers_bad_for_home_prices.pdf).
2. "The Impact of Cellular Phone Base Station Towers on Property Values", Sandy Bond, PhD, Ninth Pacific-Rim Real Estate Society Conference, January, 2003.  
[http://www.prrs.net/Papers/Bond\\_The\\_Impact\\_Of\\_Cellular\\_Phone\\_Base\\_Station\\_Towers\\_On\\_Property\\_Values.pdf](http://www.prrs.net/Papers/Bond_The_Impact_Of_Cellular_Phone_Base_Station_Towers_On_Property_Values.pdf).
3. Connecticut Siting Council Docket 393, Letter from Connecticut Council on Environmental Quality, dated January 27, 2010.  
[http://www.ct.gov/csc/lib/csc/pendingproceeds/docket\\_393/d391392393ceqcommentsdatedjanuary272010.pdf](http://www.ct.gov/csc/lib/csc/pendingproceeds/docket_393/d391392393ceqcommentsdatedjanuary272010.pdf).

SBA's Objection was **denied in part** as to the following items identified in FOPT's Request for Administrative Notice:

8. Other Siting Council dockets for towers in the coastal area evidencing nearly 9,000 acres of cumulative visual impact to the scenic views of the shoreline from Long Island Sound.
  - a. Docket No. 333 – Viewshed map Attachment A to Application (2700 acres of Long Island Sound)
  - b. Docket No. 392 – Viewshed Analysis and Map Exhibits N1 and N2 (679 acres)
  - c. Docket No. 391 – Viewshed Analysis and Map Exhibits N1 and N2 (1,773 acres)



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- d. Docket No. 390 – Viewshed Analysis and Map Exhibits M1 and M2 (690 acres of marsh and Long Island Sound)
- e. Docket No. 393 – Viewshed Analysis and Map Exhibit M1 and M2 (263 acres marsh/Long Island Sound)
- f. Docket No. 386 – Viewshed Analysis and Map Exhibit M1 and M2 (633 acres of Branford Harbor/Long Island Sound)

The Council also denied SBA's Request for Administrative Notice dated March 16, 2010 for Department of Public Utility Control Docket No. 08-06-19, "Department Investigation Into the Deployment of Distributed Antenna Systems (DAS) in Public Rights of Way."

The continuation of the evidentiary portion of this hearing shall be held on Thursday, April 22, 2010 beginning at 2:00 p.m. in Hearing Room One, Ten Franklin Square, New Britain, Connecticut.