



Daniel F. Caruso  
Chairman

# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

Internet: [ct.gov/csc](http://ct.gov/csc)

October 25, 2010

TO: Parties and Intervenors

FROM: Linda Roberts, Executive Director 

RE: **DOCKET NO. 402** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public need for the construction, maintenance and operation of a telecommunications facility located at 16 Bell Road Extension, Cornwall, Connecticut.

---

By its Decision and Order dated October 21, 2010, the Connecticut Siting Council granted a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 16 Bell Road Extension, Cornwall, Connecticut.

Enclosed are the Council's Findings of Fact, Opinion, and Decision and Order.

LR/RDM/laf

Enclosures (3)

c: State Documents Librarian

STATE OF CONNECTICUT )

ss. New Britain, Connecticut :

COUNTY OF HARTFORD )

I hereby certify that the foregoing is a true and correct copy of the Findings of Fact, Opinion, and Decision and Order issued by the Connecticut Siting Council, State of Connecticut.

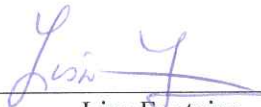
**ATTEST:**



\_\_\_\_\_  
Linda Roberts  
Executive Director  
Connecticut Siting Council

I certify that a copy of the Findings of Fact, Opinion, and Decision and Order in Docket No. 402 has been forwarded by Certified First Class Return Receipt Requested mail, on October 25, 2010, to all parties and intervenors of record as listed on the attached service list, dated July 16, 2010.

**ATTEST:**



\_\_\_\_\_  
Lisa Fontaine  
Fiscal Administrative Officer  
Connecticut Siting Council

**LIST OF PARTIES AND INTERVENORS**  
**SERVICE LIST**

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
<b>Applicant</b>	<input checked="" type="checkbox"/> E-mail	Cellco Partnership d/b/a Verizon Wireless	Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8345 (860) 275-8299 <a href="mailto:kbaldwin@rc.com">kbaldwin@rc.com</a>
	<input checked="" type="checkbox"/> U.S. Mail		Sandy Carter Regulatory Manager Verizon Wireless 99 East River Drive East Hartford, CT 06108
<b>Intervenor (granted 06/17/2010)</b>	<input checked="" type="checkbox"/> U.S. Mail	Town of Cornwall	The Honorable Gordon M. Ridgway First Selectman Town of Cornwall P.O. Box 97 Cornwall, CT 06753 (860) 672-4959 (860) 672-4068 <a href="mailto:cwselectmen@optonline.net">cwselectmen@optonline.net</a>
<b>Intervenor (granted 06/17/2010)</b>	<input checked="" type="checkbox"/> U.S. Mail	Frederic I. Thaler Kathleen Mooney 66 Popple Swamp Road Cornwall Bridge, CT 06754 (860) 672-0052 <a href="mailto:fthaler@snet.net">fthaler@snet.net</a>	
<b>Intervenor (granted 07/15/2010)</b>	<input checked="" type="checkbox"/> U.S. Mail	Nicholas and Caroline Daifotis 239 Brushy Ridge Road New Canaan, CT 06840 (203) 972-2820 <a href="mailto:Nicholas.daifotis@rbccm.com">Nicholas.daifotis@rbccm.com</a>	



Daniel F. Caruso  
Chairman

# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

Internet: [ct.gov/csc](http://ct.gov/csc)

October 25, 2010

Kenneth C. Baldwin, Esq.  
Robinson & Cole LLP  
280 Trumbull Street  
Hartford, CT 06103-3597

RE: **DOCKET NO. 402** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public need for the construction, maintenance and operation of a telecommunications facility located at 16 Bell Road Extension, Cornwall, Connecticut.

Dear Attorney Baldwin:

By its Decision and Order dated October 21, 2010, the Connecticut Siting Council (Council) granted a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance and operation of a telecommunications facility located at 16 Bell Road Extension, Cornwall, Connecticut.

Enclosed are the Council's Certificate, Findings of Fact, Opinion, and Decision and Order.

Very truly yours,

Linda Roberts  
Executive Director

LR/RDM/laf

Enclosures (4)

c: Sandy M. Carter, Verizon Wireless



Daniel F. Caruso  
Chairman

# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

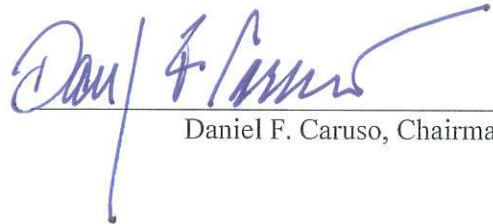
E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

Internet: [ct.gov/csc](http://ct.gov/csc)

**CERTIFICATE  
OF  
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED  
DOCKET NO. 402**

Pursuant to General Statutes § 16-50k, as amended, the Connecticut Siting Council hereby issues a Certificate of Environmental Compatibility and Public Need to Cellco Partnership d/b/a Verizon Wireless for the construction, maintenance and operation of a telecommunications facility located at 16 Bell Road Extension, Cornwall, Connecticut. This Certificate is issued in accordance with and subject to the terms and conditions set forth in the Decision and Order of the Council on October 21, 2010.

By order of the Council,



---

Daniel F. Caruso, Chairman

October 21, 2010



DOCKET NO. 402 - Cellco Partnership d/b/a Verizon Wireless } Connecticut  
 application for a Certificate of Environmental Compatibility and } Siting  
 Public need for the construction, maintenance and operation of a } Council  
 telecommunications facility located at 16 Bell Road Extension, }  
 Cornwall, Connecticut. }

October 21, 2010

**Findings of Fact**

**Introduction**

1. Cellco Partnership d/b/a Verizon Wireless (Cellco), in accordance with the provisions of Connecticut General Statutes (CGS) §§ 16-50g through 16-50aa, applied to the Connecticut Siting Council (Council) on May 6, 2010 for the construction, maintenance, and operation of a 110-foot wireless telecommunications facility located at 16 Bell Road Extension, Cornwall, Connecticut (refer to Figure 1). (Cellco 1, p. 12)
2. Cellco is a Delaware corporation with an office in East Hartford, Connecticut. Cellco is licensed by the Federal Communications Commission (FCC) to construct and operate a personal wireless service system in Connecticut. (Cellco 1, pp. 4-5)
3. Pursuant to CGS § 16-50m, the Council held a public hearing on July 20, 2010, beginning at 3:30 p.m. and continuing at 7:30 p.m. at the Cornwall Town Hall, 24 Pine Street, Cornwall, Connecticut. (Transcript 1 – 07/20/10, 3:30 p.m. [Tr. 1], p. 3; Transcript 2 – 07/20/10, 7:30 p.m. [Tr. 2], p. 3)
4. Intervenors to this proceeding are the Town of Cornwall, Frederic Thaler and Kathleen Mooney, and Nicholas and Caroline Daifotis. (Tr. 1, p. 5)
5. The Council and its staff conducted an inspection of the proposed site on July 20, 2010, beginning at 2:00 p.m. The applicant flew a red balloon at the site on a 110-foot tether from 12:40 p.m. to 7:00 p.m. to simulate the height of the proposed tower. During the field review, the balloon was caught in a tree branch, and, to compensate, the applicant released another twenty feet of string. The Applicant was able to free the string from the branch and the line was re-tethered at 110 feet above ground level (agl). Weather was favorable with sunny skies and light winds. (Tr. 1, pp. 31-32)
6. Notice of the application was sent to all abutting property owners by certified mail and all return receipts were received. (Cellco 1, p. 6, Tab 5; Cellco 4, Q. 1)
7. Public notice of the application was published in the Waterbury Republican-American on May 3 and May 4, 2010. (Cellco 1, p. 6; Cellco 3)
8. Cellco installed a four-foot by six-foot sign at the entrance to the property on Bell Road Extension on July 1, 2010. On July 15, 2010, at the request of Council staff, the sign was relocated to the corner of Bell Road Extension and Popple Swamp Road to make it more visible to members of the public traveling through the area. The sign presented information regarding the project and public hearing. (Cellco 5; Tr. 1, pp. 32-33)
9. Pursuant to CGS § 16-50l(b), Cellco provided notice to all federal, state and local officials and agencies listed therein. (Cellco 1, pp. 5-6)

### **State Agency Comment**

10. Pursuant to General Statutes § 16-50j(h), on June 2, 2010 and July 21, 2010, the following State agencies were solicited to submit written comments regarding the proposed facility: Department of Environmental Protection (DEP), Department of Public Health (DPH), Council on Environmental Quality, Department of Public Utility Control, Office of Policy and Management, Department of Economic and Community Development, the Department of Transportation (DOT), the Department of Agriculture, and the Department of Emergency Management and Homeland Security. (Record)
11. The Council received written no-comment responses from the DPH Drinking Water Section on June 4, 2010 and the DOT Bureau of Engineering and Highway Operations on June 28, 2010. (Record)
12. With the exception of the DPH and DOT, no other state agencies submitted comments in response to the Council's solicitation. (Record)

### **Municipal Consultation**

13. Cellco discussed its plan to expand service in Cornwall with town officials in February of 2007 and continued the dialogue throughout 2007. By early 2008, Cellco put all of their site searches in Litchfield County on hold due to a merger with Alltel. Cellco located on all of the existing Alltel sites to provide maximum coverage to the area. Cellco resumed dialogue with the Town in the Fall of 2008, discussing further coverage needs. (Cellco 1, pp. 20-21; Tr. 1, pp. 33-34; Tr. 2, pp. 70-73)
14. Cellco formally commenced the 60-day municipal consultation process on July 21, 2009 by meeting Town officials and submitting a technical report that presented two alternative sites to serve the proposed service area: one at 78 Popple Swamp Road (Collins property) and one at the proposed site. (Cellco 1, pp. 20-21; Tr. 1, pp. 33-34; Tr. 2, pp. 70-73)
15. A public information meeting regarding the two alternative sites was held on August 20, 2009 at the Cornwall Town Hall. Abutters to both sites were notified of the meeting. (Cellco 1, pp. 20-21; Tr. 1, p. 33-34)
16. Cellco met with Town of Sharon's then First Selectman Malcolm Brown on July 21, 2009 to discuss the proposal. A technical report was also submitted on this date. (Cellco 1, p. ii, Tab 3; Cellco 2)
17. Cellco offered the Town of Cornwall lease-free space on the tower for emergency service antennas. The town did not respond to this offer. (Tr. 1, pp. 69, 73)
18. The Town of Cornwall did not state any preference for a tower location. The Town of Sharon did not comment on the proposal. (Record)

### **Public Need for Service**

19. In 1996, the United States Congress recognized a nationwide need for high quality wireless telecommunications services, including cellular telephone service. Through the Federal Telecommunications Act of 1996, Congress seeks to promote competition, encourage technical innovations, and foster lower prices for telecommunications services. (Council Administrative Notice Item No. 7)



20. In issuing cellular licenses, the Federal government has preempted the determination of public need for cellular service by the states, and has established design standards to ensure technical integrity and nationwide compatibility among all systems. Cellco is licensed by the FCC to provide wireless service to Litchfield County. (Council Administrative Notice Item No. 7; Cellco 1, p. 8)
21. The Telecommunications Act of 1996 prohibits local and state entities from discriminating among providers of functionally equivalent services. (Council Administrative Notice Item No. 7)
22. The Telecommunications Act of 1996, a Federal law passed by the United States Congress, prohibits any state or local entity from regulating telecommunications towers on the basis of environmental effects, which include human health effects, of radio frequency emissions to the extent that such towers and equipment comply with FCC's regulations concerning such emissions. This Act also blocks the Council from prohibiting or acting with the effect of prohibiting the provision of personal wireless service. (Council Administrative Notice Item No. 7)
23. In an effort to ensure the benefits of wireless technologies to all Americans, Congress enacted the Wireless Communications and Public Safety Act of 1999. The purpose of this legislation was to promote public safety through the deployment of a seamless, nationwide emergency communications infrastructure that includes wireless communications services. (Cellco 1, p. 8)
24. Congress enacted the Enhance 911 Act of 2004, to improve, enhance, and promote the Nation's homeland security, public safety, and citizen activated emergency response capabilities through the use of enhanced 911 services and to support in the construction and operation of a ubiquitous and reliable citizen activated system. (Cellco 1, p. 8)

#### Cellco - Existing and Proposed Wireless Coverage

25. Cellco proposes to operate cellular (800 MHz), personal communication service (PCS) (1900 MHz), and long term evolution (LTE) (700 MHz) equipment at the proposed site. Cellular and PCS service would begin immediately. LTE service would be deployed in 2011. (Cellco 1, pp. 2, 8-9)
26. The purpose of the proposed facility is to provide wireless service for Cellco to portions of Route 4 and Route 7 in west-central Cornwall, including Cornwall village. (Cellco 1, p. 2, Tab 7)
27. Existing Cellco facilities off North Road in Goshen, approximately 6.2 miles east of the site, at 7 Surdan Mountain Road in Sharon, approximately 2.2 miles northwest of the site, and on Toomey Road in Cornwall, approximately 3.8 miles southeast of the site, cannot provide adequate coverage to the proposed service area, including Cornwall village. (Cellco 1, pp. 1-2, Tab 7)
28. The existing signal level in the proposed service area ranges from -87 dBm to -109 dBm (refer to Figures 2 & 3). (Cellco 4, Q. 5)
29. To maintain reliable service, Cellco designs and operates at a signal level threshold of -85 dBm for in-vehicle service and -75 dBm for in-building service. Cellco is designing the site to the in-vehicle threshold. (Cellco 4, Q. 4; Tr. 1, pp. 38-40)
30. Cellco currently experiences a 2.6% drop call rate and 1.9% ineffective attempt rate within the proposed service area. (Tr. 1, p. 31)



31. Installing antennas at the proposed height of 110 feet agl would provide the following coverage to the proposed service area:

Coverage Type	Linear miles on Rt. 4	Linear miles on Rt. 7	Square miles
<i>Cellular (Fig. 4)</i>	2.4	2.0	10.0
<i>PCS (Fig. 5)</i>	0.9	1.8	3.0
<i>LTE</i>	2.5	2.1	12.0

(Refer to Figures 4 & 5). (Cellco 1, p. 2, Tab 7)

32. Reducing the antenna height to 100 feet agl would reduce coverage on both Route 7 (0.13 miles for PCS and 0.15 miles for cellular) and Route 4 (0.3 miles for PCS and 0.17 miles for cellular). (Cellco 4, Q. 5)
33. The proposed site would not be able to provide coverage to the villages of Cornwall Bridge (Route 4 and Route 7 intersection) or West Cornwall (Route 7 and Route 128 intersection). Cellco has an active search ring to provide coverage to the Cornwall Bridge area as well as three other active rings in the Sharon-Cornwall-Goshen area that would serve different areas of Cornwall. (Cellco 1, Tab 7; Tr. 1, pp. 30-31, 57-59, 91-93)

#### Site Selection

34. Cellco established a search area for the site in November of 2007. The initial search ring was centered along Route 7 west of Mine Mountain. with the entire ring contained within the Housatonic State Forest and Housatonic Meadows State Park. Since DEP property is not available for telecommunications use, Cellco shifted the search area eastward. (Cellco 1, Tab 9; Tr. 1, p. 30)
35. The search process includes identification of potential structures that could be used for telecommunications purposes and the examination of area properties, including municipal parcels, to identify potential telecommunications sites. (Cellco 1, Tab 9)
36. Cellco did not identify any structures that would be suitable for a telecommunications facility. (Cellco 1, Tab 9)
37. In addition to the two alternative sites presented in the technical report to the Town, Cellco investigated and rejected six other locations, as follows:
- a) Hare Property, Cornwall– would not meet coverage objectives on Route 7;
  - b) 10 Guinea Road, Sharon – would not meet coverage objectives on Route 7;
  - c) 260 Dibble Hill Road, Cornwall – would not meet coverage objectives;
  - d) Town parcel on Buck Mountain – would not meet coverage objectives on Route 7;
  - e) Trinity Episcopal Church property – located too far north of search area; and
  - f) Housatonic State Forest – property owned by the DEP, unavailable for telecommunications use.
- (Cellco 1, Tab 9)
38. After submission of the technical report to the Town, Cellco further examined the viability of the 78 Popple Swamp Road location and determined that the severe terrain of the site would create significant environmental impacts including excessive grading and the removal of 144 trees, as well as unmanageable runoff. (Cellco 2)

39. Due to these environmental impacts, Cellco notified the Town on November 18, 2009 that it was withdrawing the 78 Popple Swamp Road site from consideration. (Cellco 1, pp. 20-21; Cellco 2; Tr. 2, pp. 72-73)
40. Cellco also examined the feasibility of constructing a tower at another location on the Collins property (north side) with access off the same existing driveway that would serve the proposed 16 Bell Road Extension site. Cellco determined that there was no legal access to the Collins property from the driveway, and, additionally, that severe topography prevented any practical access to the northern portion of the Collins property from the south. Due to the lack of access, Cellco stated it would not propose a new location for a tower in the northern portion of the Collins property. (Cellco 2)

#### **Facility Description**

41. The proposed facility would be located on the western portion of a 41-acre parcel at 16 Bell Road Extension in Cornwall (refer to Figure 6). (Cellco 1, p. 2)
42. The property is owned by Ralph Gulliver, Jr. (Cellco 1, Tab 2)
43. The property is zoned R-5, residential. (Cellco 1, p. 2)
44. A residence is located in the central portion of the property, approximately 512 feet southeast of the proposed tower. The remainder of the parcel is heavily wooded. (Cellco 1, Tab 2)
45. The tower site is 0.4 miles north of Popple Swamp Road and 0.6 miles east of Route 7. (Cellco 1, Tab 2)
46. The tower site is located on a small plateau at an elevation of 1,000 feet above mean sea level (amsl) on the east slope of Mine Mountain. (Cellco 1, Tab 2; Tr. 1, p. 13)
47. The site is approximately 450 feet east of and below the Mine Mountain ridgeline, and approximately 460 feet northeast of a notch in the ridge (979 feet amsl) that divides the north (1157 feet amsl) and south (1169 feet amsl) summits of Mine Mountain. The west slope of Mine Mountain is within the Housatonic State Forest. (Cellco 1, Tab 2; Tr. 1, pp. 35-37)
48. Surrounding terrain consists of Mine Mountain and the Housatonic River valley to the west, Buck Mountain to the north, Popple Swamp valley and Dean Hill to the south, and the village of Cornwall to the east. (Cellco 1, Tab 2, Tab 10)
49. Tree heights in the immediate area range from 60 to 80 feet agl. (Tr. 1, p. 12)
50. Land use within a quarter-mile of the site includes low-density residential, and extensive forestland, both public and private. (Cellco 1, Tab 2, Tab 9)
51. The nearest property line from the tower site is approximately 440 feet to the south at 78 Popple Swamp Road (Collins property). (Cellco 1, Tab 2)
52. Besides the residence owned by the lessor on the property, there are no residences within 1,000 feet of the tower site. (Cellco 1, Tab 1)
53. The nearest off-parcel residence is 1,245 feet southeast of the tower site at 66 Popple Swamp Road (Thaler residence). (Cellco 1, Tab 2)



54. Cellco proposes to construct a 110-foot monopole at the site, capable of supporting four levels of platform-mounted antennas with a 10-foot vertical separation. The monopole would be constructed in accordance with the Electronic Industries Association standard ANSI/TIA-222-F. (Cellco 1, Tab 1; Tr. 1, pp. 63-68)
55. Cellco would design the foundation and tower to support a 20-foot extension. (Tr. 1, p. 64)
56. Cellco proposes to install 15 panel antennas on a platform at a centerline height of 110 feet agl. (Cellco 1, Tab 1)
57. Cellco proposes to construct a 34-foot by 70-foot compound within a 100-foot by 100-foot lease area at the site. An eight-foot high chain link fence would enclose the compound. (Cellco 1, p. 3, Tab 2)
58. A 12-foot by 24-foot equipment shelter would be installed within the compound. An emergency diesel-fueled generator would be installed within the shelter. (Cellco 1, pp. 2-3, 12)
59. Although the compound area is in a fairly level area, the north and south edge of the compound development area encounters significant slopes that would require stabilization with retaining walls, which would average eight feet in height. Cellco may be able to use existing ledge at the site to retain slopes, reducing the size of the retaining walls. A final determination of the exact height and length of the retaining walls would be made upon completion of a site geotechnical survey. A six-foot high fence would be installed along the top of the walls. (Cellco 1, Tab 2; Tr. 1, pp. 14, 53-54)
60. Cellco could examine the feasibility of shifting the compound approximately 20 feet to the southeast onto a flatter portion of the plateau to reduce the height of the retaining walls and amount of grading. (Tr. 1, pp. 60-62)
61. Access to the site would be from an existing 1,420-foot long driveway that extends northwest from Bell Road Extension and ends at the on-site residence. From the residence, a new 12-foot wide, 780-foot long gravel drive would be constructed to the site. The new portion of driveway would generally follow an old roadway/logging path uphill, turning northwards to the compound location. (Cellco 1, Tab 2)
62. The existing driveway would be widened from 10 feet to 12 feet with 1.5-foot wide side slopes. (Cellco 1, Tab 2; Tr. 1, pp. 21, 49)
63. The existing driveway abuts the Thaler property, located to the southeast. Once widened, the driveway would only be a few feet from the property line. (Cellco 1, Tab 1)
64. An A-2 survey of the property line in relation to the existing driveway was not conducted. If the site were approved by the Council, such a survey would be performed to accurately determine the location of the property line and a drawing certified accurate to A-2 standards would be used in the Development and Management Plan required by the Council for the site. (Tr. 1, pp. 85-86; Tr. 2, pp. 52-53)
65. If the A-2 survey indicates that the driveway, or any feature thereof, is on the Thaler property, Cellco would re-design the driveway to keep it on the lessor's property. No part of the driveway or its associated drainage features would be constructed on the abutting Thaler property. (Tr. 2, pp. 52-53)



66. Most of the 2,220-foot long access drive is relatively flat, but as the access drive climbs the hill to the compound, the last 715 feet would have an average grade of 20 percent, with a maximum grade of 22 percent. (Cellco 1, Tab 1; Tr. 1, pp. 14-15)
67. This steep section would be constructed using a reinforced gravel design. The bed of the driveway would feature an interlocking grid material under eight-inches of gravel, preventing washouts normally associated with a standard gravel drive. Cellco is currently using this construction method at two similar sites in Massachusetts. Although a driveway built in this way requires more maintenance than conventional pavement, it is advantageous since it is pervious and inhibits icing conditions. (Cellco 1, Tab 2; Tr. 1, pp. 18-19, 56, 62-63; Tr. 2, pp. 80-83, 88-89)
68. The Town of Cornwall zoning regulations state driveways shall not be constructed with grades in excess of 15 percent and that all portions of driveways greater than 10 percent shall be paved. The Cornwall Planning and Zoning Commission is opposed to this application due to the grade of the new portion of the driveway. (Town 2; Tr. 1, pp. 76-77, 98-100)
69. Reducing the grade of the new portion of driveway would result in more site clearing, widening of the driveway bed, and the creation of embankments. (Tr. 1, pp. 80-82)
70. Cellco would be willing to pave the driveway instead of utilizing its proposed construction method, but runoff would increase due to pavement's impervious surface. (Tr. 1, pp. 19-20, 80-82)
71. An approximate two-foot high, 230-foot long guardrail would be installed where the driveway curves northward. (Cellco 1, Tab 2)
72. Underground utilities would be installed along the edge of the access drive from an existing utility connection on the property. The utility line would be installed within the center of the driveway where it traverses wetland areas. The utility line installation would not affect wetland drainage patterns. (Cellco 1, Tab 2; Tr. 1, pp. 50, 68-69)
73. A technician would visit the site approximately once a month to service equipment. (Cellco 1, p. 4)
74. The estimated construction cost of the facility is:

Tower, coax, and antennas	\$150,000.
Radio equipment	450,000.
Power systems	40,000.
Equipment building	50,000.
<u>Miscellaneous (site work)</u>	<u>305,000.</u>
<u>Total estimated cost</u>	<u>\$995,000.</u>

(Cellco 1, pp. 21-22)

#### Environmental Concerns

75. The proposed facility would have no adverse effect on historic, architectural or archeological resources listed in or eligible for the National Register of Historic Places. (Cellco 1, p. 22)

76. The Town of Cornwall is located within the Upper Housatonic Valley National Heritage corridor, encompassing 29 towns in northwest Connecticut and western Massachusetts. Congress established the corridor in 2006 to recognize the region as a unique national resource. The designation is intended to encourage preservation and promotion of the region's cultural, historical and natural heritage. The proposed site would not affect any identified cultural, historical or natural resources identified within the area. (Cellco 4, Q. 7; Thaler & Mooney 3; Tr. 2, pp. 89-91)
77. The site is not within the Housatonic River Overlay Zone, a Town zoning designation indicating a special concern area. (Cellco 1, p. 18; Cellco 1a; Tr. 1, p. 29)
78. The site is not within any designated area indicating the presence of Federally threatened or endangered species or State endangered, threatened or special concern species. (Cellco 1, p. 22)
79. Seventy-seven trees with a diameter of six inches or greater at breast height would be removed to develop the site. (Tr. 1, pp. 38, 73-74)
80. The site would require 1,375 cubic yards of cut and 1,265 cubic yards of fill. (Cellco 4, Q. 4)
81. The site is within Flood Zone X, designated by the Federal Emergency Management Agency as an area with minimal flooding above the 500-year flood level. (Cellco 1, p. 20, Tab 12)
82. Development of the compound area would not affect any wetlands or watercourses. The nearest wetland from the compound area is approximately 620 feet to the southeast along the existing driveway on the property. (Cellco 1, Tab 1, 12)
83. The existing driveway on the property bisects a forested wetland system and has a 24-inch corrugated pipe in the roadbed to convey water flow from the northeast side to the southwest side of the driveway. (Cellco 1, Tab 12)
84. Expansion of the existing driveway from 10 feet wide to 12 feet wide would result in the permanent filling of approximately 1,300 square feet of wetlands and the temporary disturbance of approximately 800 square feet of wetlands in two separate areas along the existing access road. Both areas are currently classified as disturbed wetlands due to their locations adjacent to the existing driveway. (Cellco 1, Tab 12)
85. One of the wetland areas is approximately 1,000 feet west of Bell Road Extension. In this area, a small pool abuts the northeast side of the driveway and drains to the southwest side through a metal pipe. To avoid any filling that would directly impact this pool, Cellco would widen the driveway and install necessary side-slope armoring on the southwest side of the driveway. This widening to the southwest would result in the filling of 1,000 square feet of wetlands adjacent to the road. (Cellco 1, Tab 12; Tr. 1, pp. 24-27)
86. The small pool, approximately 10 feet wide by 30 feet long, was formed when the existing driveway was constructed. The existing 24-inch metal drainage pipe would be replaced with a 24-inch reinforced concrete pipe that would be able to withstand greater loads than the existing pipe. The pipe outfall would be protected with stone armoring. (Cellco 1, Tab 1; Tr. 1, pp. 23-24)



87. The pool offers limited vernal pool habitat but is used by obligate vernal pool amphibians. Wood frogs and two sterile Spotted Salamander egg masses were identified in the pool during the wetland delineation inspection. Approximately 400 square feet of temporary wetland impact would occur in the vicinity of this pool, associated with the replacement of the driveway drainage pipe and the installation of erosion and sedimentation controls measures to prevent washout into the pool. No filling would occur around or in the pool. The new pipe would be installed in the same orientation as the existing pipe. In order to prevent changes to the pool's hydrology, the road substrate would be specifically compacted to prevent a flow path around the pipe. (Cellco 1, Tab 12; Tr. 1, pp. 22- 25, 50-51)
88. To prevent impacts to amphibians that may use the pool, Cellco would avoid construction from March 1 to May 15. (Cellco 1, Tab 12; Tr. pp. 25-26)
89. The second wetland area to be affected by proposed access drive improvements is located approximately 160 feet northwest of the pool area, where, again, the existing driveway passes through wetlands. Here, approximately 300 square feet of wetlands would be filled along the north side of the driveway in order to widen it. Existing flow paths from the north side of the driveway to the south side would be maintained. (Cellco 1, Tab 12; Tr. 1, pp. 24-27, 52)
90. Wetland areas that are disturbed temporarily would be restored through the replacement of native wetland soil and planting of native wetland vegetation. (Cellco 1, Tab 12)
91. Soils in the proposed construction areas are classified as having a severe or very severe erosion hazard (US Dept. of Agriculture Natural Resource Conservation Service). (Town 3)
92. Drainage and runoff from the steep portion of the access road would be controlled using riprap swales along the access drive and a ten-foot long level-spreader at elevation 934 that would dissipate driveway runoff. The pad outfall would discharge onto the site property. (Cellco 6; Tr. 1, pp. 15-16)
93. From the splashpad to Bell Road Extension, drainage from the access drive would be through natural sheet flow into riprap-lined swales along the access drive that would slow the water down, allowing it to infiltrate into the ground rather than running off at a high velocity. (Cellco 1, Tab 2; Tr. 1, pp. 17-18; Tr. 2, pp. 40-41)
94. Cellco performed a preliminary drainage assessment for the site using methods within the DOT Drainage Manual and the 2002 Connecticut Guidelines for Erosion and Sedimentation Control. Drainage features were designed to reduce site runoff to negligible levels. Final drainage calculations and a final drainage design would be submitted as part of the Development and Management Plan for the site, if the site were approved. (Tr. 1, pp. 48, 54-55; Tr. 2, pp. 40-42, 79-84)
95. The proposed drainage features would not adversely impact wetlands downstream from the access drive and would stabilize current erosion issues associated with the existing drainage pipe outfall. (Tr. 2, pp. 43-44, 47-49)
96. Construction of the access drive would not significantly increase runoff to the Daifotis property, located south of Bell Road Extension/Popple Swamp Road intersection. An existing, partially collapsed rock well on the north side of Popple Swamp Road is causing run-off issues on the Daifotis property. (Tr. 2, pp. 79-84; Daifotis 1)



97. The preliminary drainage design includes one level-spreader; however, the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control recommends use of water bars that divert runoff into an energy dissipater at a minimum interval of 50 feet for all grades above 15 percent. (Town 3)
98. Erosion and soil control fencing, as proposed, has siltation barriers running parallel to the slope, which could cause concentrated flows. The 2002 Connecticut Guidelines for Soil Erosion and Sediment Control specify that wing trenches should be installed perpendicular to the slope to capture runoff. (Town 3)
99. Aircraft hazard obstruction marking or lighting of the tower is not required or proposed. (Cellco 1, 21, Tab 13)
100. The cumulative worst-case maximum power density from the radio frequency emissions from the operation of the proposed Cellco's antennas is calculated to be 35.1% of the standard for Maximum Permissible Exposure, as adopted by the FCC, at the base of the proposed tower. This calculation was based on methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997) that assumes all antennas would be pointed at the base of the tower and all channels would be operating simultaneously, which creates the highest possible power density levels. Under normal operation, the antennas would be oriented outward, directing radio frequency emissions away from the tower, thus resulting in significantly lower power density levels in areas around the tower base. (Cellco 4, Q. 6)

#### Visibility

101. The proposed tower would be visible year-round from approximately 14 acres within a two-mile radius of the site (refer to Figure 7). Most of the year-round visibility would be from spot locations on Valley Road and Jewell Street, and adjacent open field areas, approximately 1.6 to 1.9 miles east of the site (Cornwall Plains area). (Cellco 1, Tab 10)
102. Cornwall Plains is an area of special concern identified in the Town Plan. The tower would be visible from select areas (see previous finding) of Cornwall Plains, silhouetted against the sky, (refer to Figure 8). According to the Town's zoning regulations, the viewshed of Cornwall Plains is one of the least preferred locations for a tower. (Cello 1, Tab 10)
103. Partial year-round views of the tower would be possible from four residential properties in the Cornwall Plains area approximately 1.6 miles east of the site, including three on Jewell Street and one off School Street. (Cellco 1, Tab 10)
104. The tower would be seasonally visible from an additional 13 acres within a two-mile radius of the site, mostly around the periphery of areas with year-round views and in the immediate area of the tower. (Cellco 1, Tab 10)
105. The tower would not be visible from abutting residential properties due to the heavily wooded and steep terrain in the area. (Tr. 1, pp. 27-28)
106. The tower would not be visible from West Cornwall village, Cornwall Bridge village or the Housatonic Overlay Zone, areas of special concern identified in the Town Plan. The Town's zoning regulations lists these viewsheds as least preferred locations for a tower. (Cellco 1a, 1c, Tab 10)
107. The tower would not be visible from Route 4 between Cornwall Bridge and Cornwall village. (Cellco 1, Tab 10)

108. The tower would not be visible from Route 7, a state designated scenic road, located in the Housatonic River valley west of the site. The road in this area ranges from 522 to 459 feet amsl. (Cellco Tab 2, Tab 10)
109. The Appalachian Trail traverses the ridgelines on the west side of the Housatonic River valley. The tower would not be visible from the trail. A spur trail, the Pine Knob Loop, branches off the Appalachian Trail to two overlooks of the valley directly west of the tower location. The overlooks, one at an elevation of 1,120 feet amsl, are oriented to the south and southeast. The edge of one overlook faces east, but the intervening Mine Mountain would obscure any view of the tower. (Council Administrative Notice Item No. 9; Cellco 1, Tab 10; Tr. 1, pp. 28-29)
110. Housatonic State Forest abuts the site to the west with the property boundary running generally along the Mine Mountain ridgeline. There are no formal DEP or Connecticut Forest and Parks Association (CFPA) maintained trails on this ridgeline. (Administrative Notice Item No. 9; Cellco 1d, Tab 2; Tr. 1, p. 29)
111. The tower would be visible from a road segment of the Mohawk Trail, a CFPA-maintained trail, along Valley Road and Jewell Street in Cornwall village. A trail viewpoint on top of the Mohawk Mountain ski area, approximately three miles east of the site, would have distant views of the tower. (Council Administrative Notice Item No. 9; Tr. 1, pp. 40-43, 74-75)
112. A tree-tower design would not be beneficial in this area, due to the existing heavy vegetation that already sufficiently screens near views of the tower. Most views of the tower are from a distance, silhouetted against the sky, where the bulky profile of a tree tower would draw attention. (Cellco 1, p. 3, Tab 10; Tr. 1, pp. 46-47)





Figure 1: Site location in Cornwall. (Celco 1, p. 3)





### Legend

-  Proposed Verizon Wireless Facility
-  Existing Verizon Wireless Facilities
-  Existing Verizon Wireless Cellular Coverage

**Figure 2:** Existing cellular coverage. (Cellco 1, Tab 7)



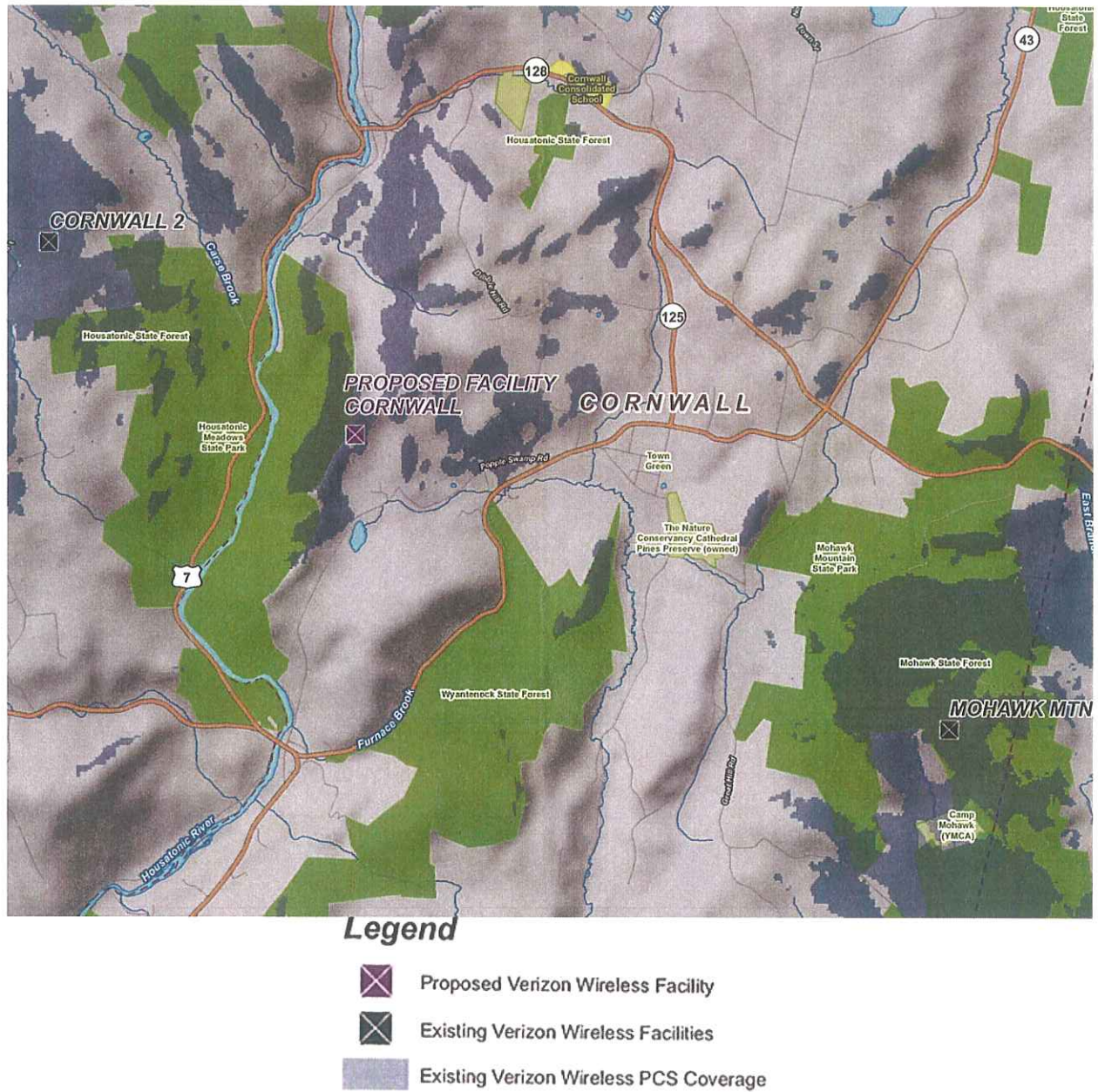


Figure 3: Existing PCS coverage. (Cellco 1, Tab 7)





**Legend**

-  Proposed Verizon Wireless Facility
-  Existing Verizon Wireless Facilities
-  Proposed Verizon Wireless Cellular Coverage

**Figure 4:** Existing and proposed cellular coverage. (Cellco 1, Tab 7)



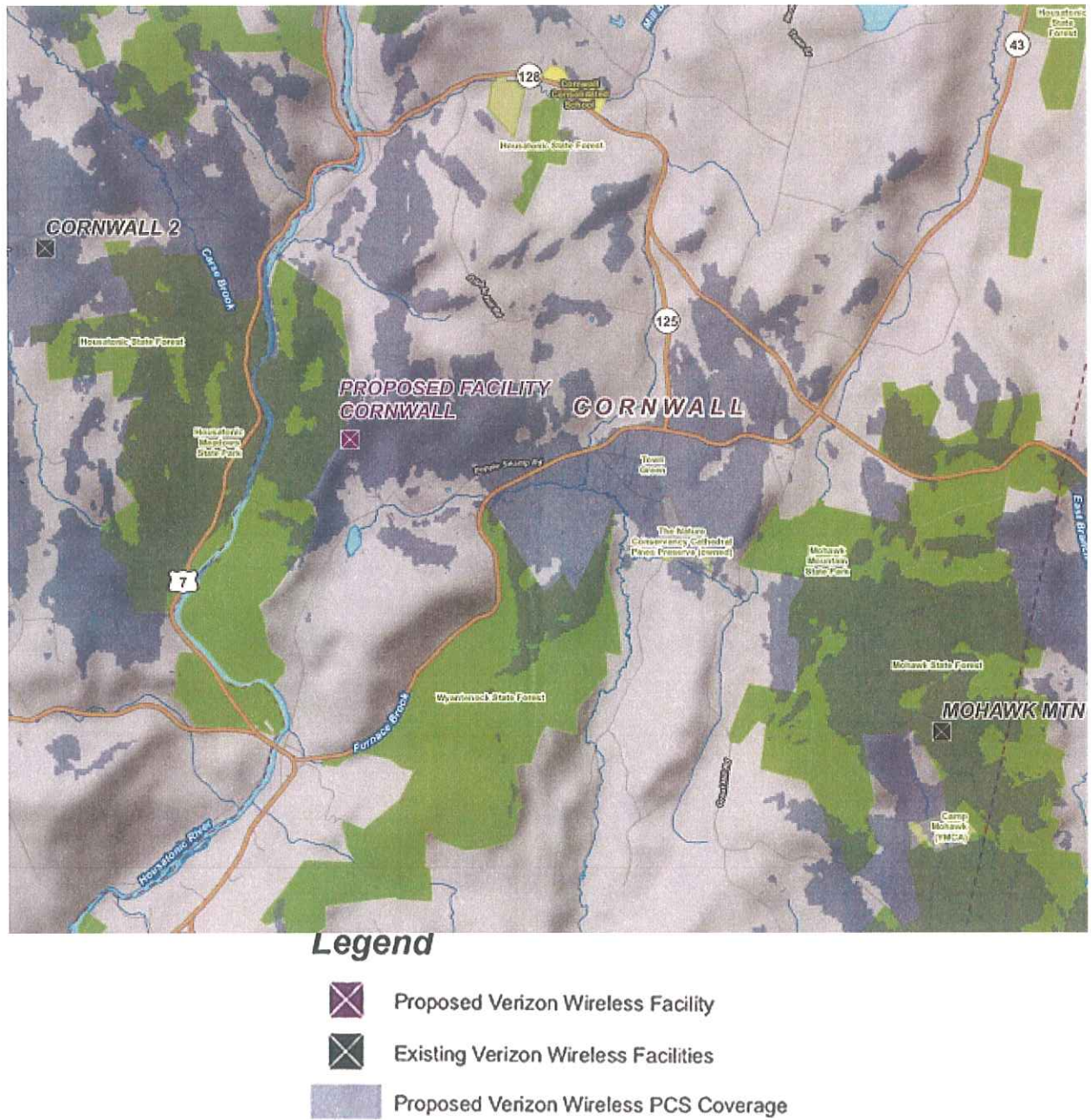


Figure 5: Existing and proposed PCS coverage. (Cellco 1, Tab 7)



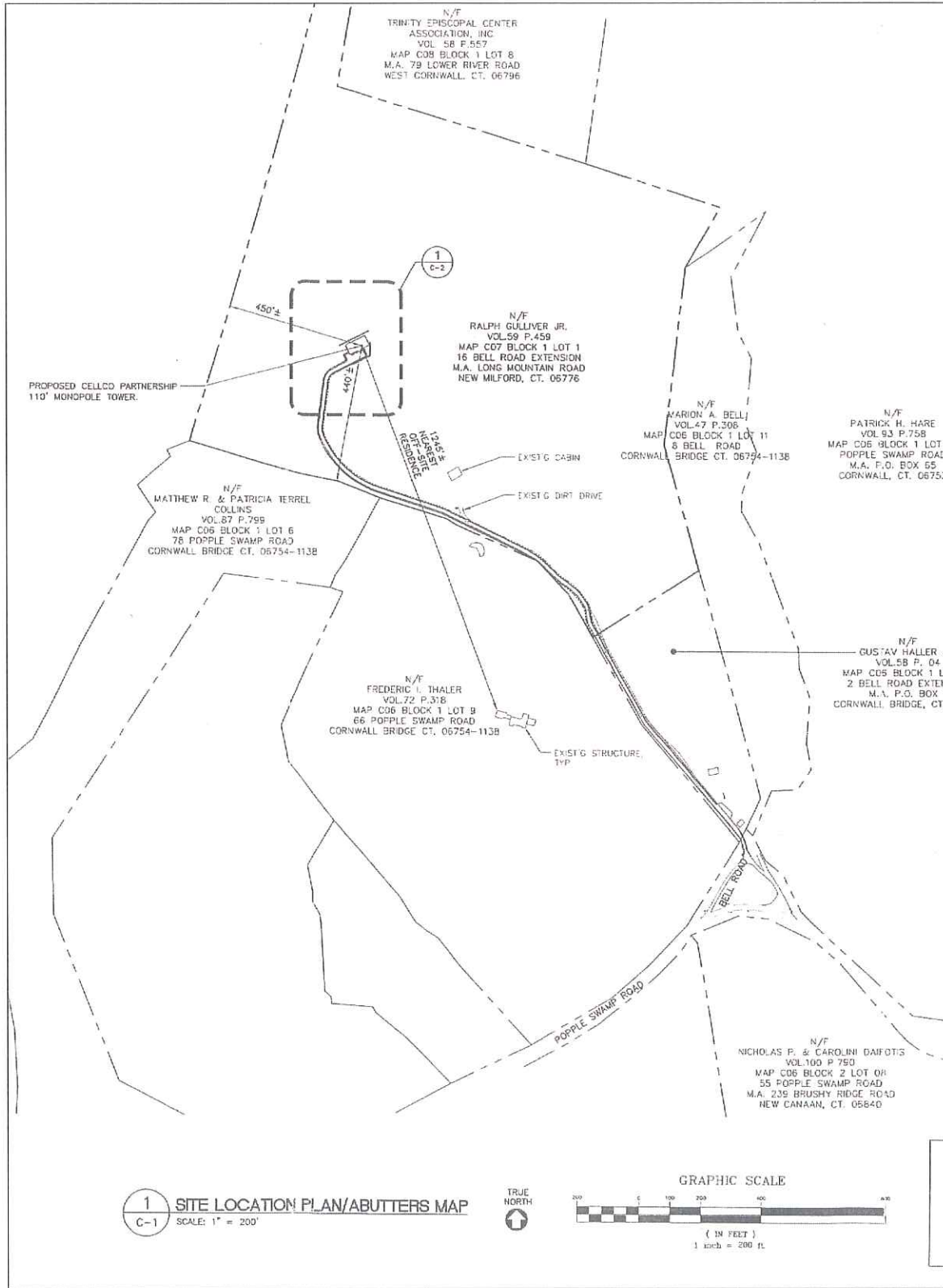
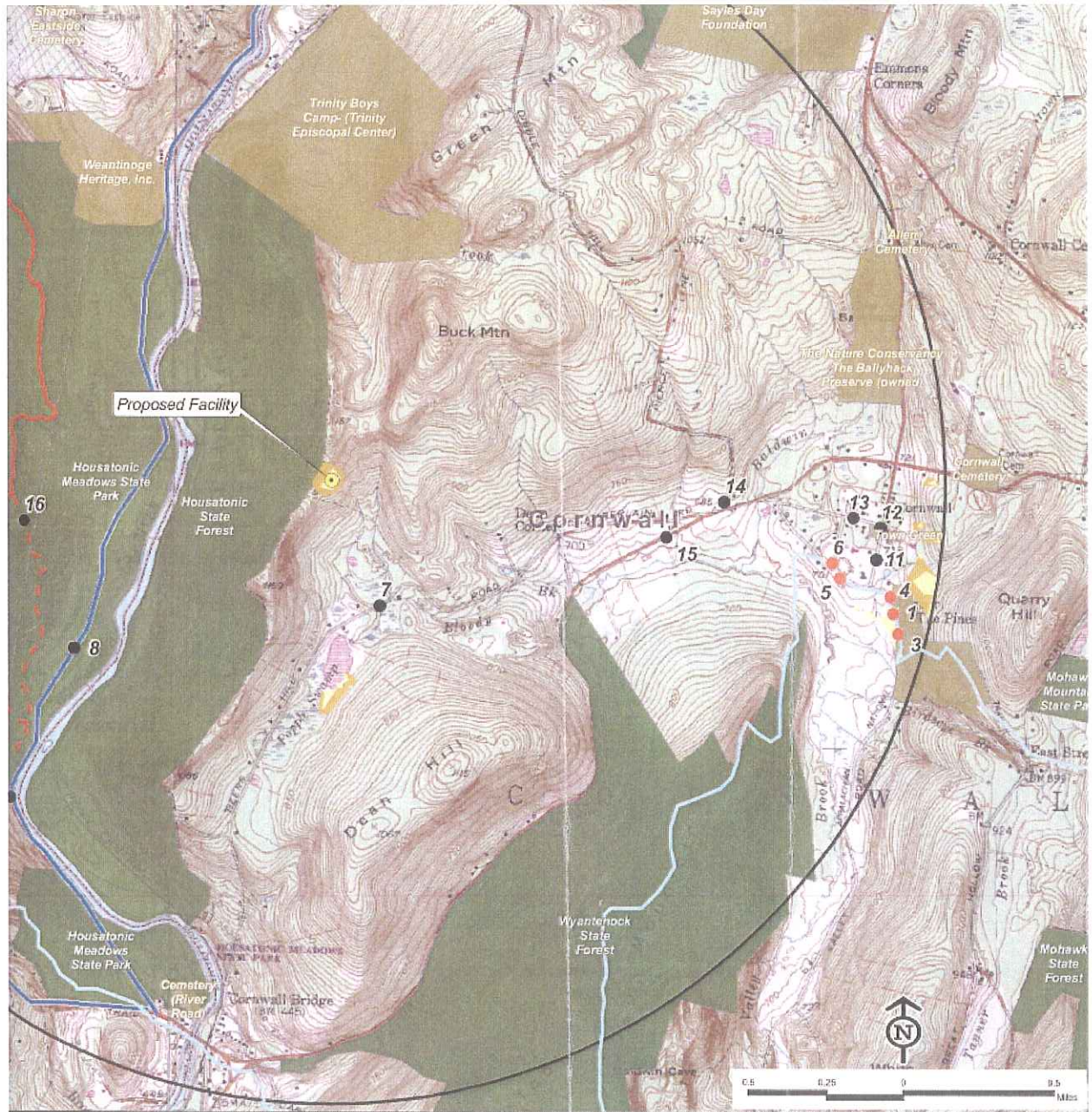


Figure 6: Site Plan. (Cellco 1, Tab 2)



**Legend**

● Proposed Site Location

Photographs - August 7, 2009 and December 2, 2009

● Balloon is not visible

● Balloon visible above trees

Orange shaded area: Potential Seasonal Visibility (Approximately 13 acres)

Yellow shaded area: Year-Round Visibility (Approximately 14 acres)

Green shaded area: Protected Municipal and Private Open Space Properties (1997)

**Figure 7:** Visibility of proposed site. (Cellco 1, Tab 10)





**Figure 8:** Photosimulation of proposed tower from School Street, adjacent to house #42. (Cornwall Plains). (Cellco 1, Tab 10)

<p><b>DOCKET NO. 402</b> - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public need for the construction, maintenance and operation of a telecommunications facility located at 16 Bell Road Extension, Cornwall, Connecticut.</p>	<p>} } }</p>	<p>Connecticut  Siting  Council</p>
--	----------------------	---

October 21, 2010

### Opinion

On May 6, 2010, Cellco Partnership d/b/a Verizon Wireless (Cellco) applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance and operation of a wireless telecommunications facility at 16 Bell Road Extension in Cornwall, Connecticut. The proposed facility would provide Cellco with wireless service to portions of Route 4 and Route 7 in the west-central portion of Cornwall.

Cellco proposes to construct a 110-foot monopole and an associated equipment compound on a mostly wooded, 41-acre parcel known as 16 Bell Road Extension. The parcel is located on the east slope of Mine Mountain, a prominent ridgeline that extends in a north-south direction along the Housatonic River. A single family residence is located on the flatter, eastern portion of the parcel, accessed by an existing gravel driveway extending from Bell Road Extension. The tower site would be constructed on a small plateau on the east slope of Mine Mountain, approximately 450 feet east of and downhill from the ridgeline. The parcel is located in a rural residential area with the nearest off-parcel residence approximately 1,245 feet southeast of the tower site. There are no off-parcel residences within 1,000 feet of the tower site.

Cellco proposes to install 15 panel antennas on a platform at a tower centerline height of 110 feet. The tower would be designed to support a 20-foot extension to accommodate future carriers that may need additional tower height to meet coverage objectives. Cellco would construct a 34-foot by 70-foot equipment compound at the base of the tower.

Cellco proposes to operate 800 MHz (cellular), 1900 MHz (PCS) and long term evolution equipment (700 MHz) at this site. Cellco currently has no reliable, continuous coverage on Route 4 or Route 7 in west-central Cornwall, including the Cornwall village area (Cornwall Plains). The proposed site would provide adequate cellular coverage to 10 square miles of Cornwall, including 2.4 linear miles of Route 4 and 2.0 linear miles on Route 7. The facility would also provide 3.0 square miles of PCS coverage to Cornwall, including 0.9 linear miles on Route 4 and 1.8 linear miles on Route 7. An examination of coverage models indicates a lower tower height would degrade cellular and PCS coverage on both Route 4 and Route 7.

Based on the lack of suitable existing structures and gaps in Cellco's existing PCS and cellular coverage, the Council finds a need for a new tower. As to the height, the Council finds a 110-foot facility would provide Cellco sufficient coverage to the proposed service area while allowing space for other telecommunication providers that may wish to locate on the tower in the future. In addition, Cellco would provide space on the tower for no compensation for any municipal emergency service communication antennas, provided such antennas are compatible with the structural integrity of the tower.



The proposed facility would be accessed by utilizing an existing 1,420-foot long gravel driveway that serves the on-site residence and 780 feet of an old road/logging path that ascends the east slope of Mine Mountain. The existing gravel driveway would be widened from 10 feet to 12 feet. Since the existing gravel driveway abuts another property (Thaler), and since town records do not provide certainty regarding the exact location of the property line, the Council will order Cellco to perform a certified A-2 survey. If portions of the tower access driveway are on the abutting property, the driveway will have to be re-designed to keep it on the lessor's property.

From the end of the existing driveway serving the residence, a new gravel drive would be constructed generally along the route of the old road/logging path to the compound site. This new portion of the driveway would be on steep slopes with an average grade of 20 percent. To control erosion, Cellco would utilize a reinforced gravel design for the driveway surface and would install drainage features along the driveway, including a level spreader and drainage ditches. To address concerns regarding the control of stormwater run-off, a final drainage design that incorporates methodology set forth in the Connecticut Department of Transportation Drainage Manual and the 2002 Connecticut Guidelines for Erosion and Sedimentation Control would be submitted as part of the Development and Management Plan.

The existing driveway bisects a forested wetland system and abuts a small pool that was formed when the driveway was constructed. Widening the driveway would require filling of 1,300 square feet of wetlands. These wetland areas are considered disturbed due to their location along the edge of the existing driveway. An additional 800 square feet of wetlands along the driveway would be temporarily disturbed during driveway construction, but would be restored by stockpiling, then re-using the native wetland soils that are dug up, and by re-seeding the area with native vegetation. The Council finds the wetland impact associated with the widening of the driveway minimal, given that a wetland crossing here already exists.

Although there are no endangered, threatened or special concern species identified in the site area, the pool adjacent to the driveway supports obligate vernal pool amphibians. The Council notes that while the pool would be temporarily disturbed during the installation of a new culvert, its hydrologic functions would be maintained: thus, construction would not affect the pool's use by amphibians, as long as the work is done outside of the breeding season. To avoid potential impacts to amphibian species, the Council will order that construction of the access road shall not occur between March 1 through May 15.

Development of the site would require the removal of 77 trees. Construction of the site would not affect any archaeological, architectural or historic resources.

Views of the tower would primarily be from select locations associated with open fields on Valley Road, Jewell Street, and School Street in the Cornwall Plains area, approximately 1.6 to 1.9 miles east of the site. Although the Town has identified Cornwall Plains as an area of special concern, the Council notes the tower is over 1.5 miles away: the views would not be obtrusive, given this distance. The Council finds that there would be no year-round off-parcel views of the tower within a half-mile of the site due to the heavily wooded nature of the surrounding area. Additionally, the tower would not be visible from Route 4, Route 7, the villages of Cornwall Bridge and West Cornwall, or from a viewpoint on the Pine Knob Loop trail, a hiking trail maintained by the Connecticut Forest and Park Association.

A tree tower design at this site would not be an effective visual mitigation. Because the surrounding tree line averages 65 feet, a 110-foot monopine would appear out of place. Furthermore, a tree design would actually widen the tower's profile considerably, especially when viewed from a distance, drawing attention to it.

According to a methodology prescribed by the Federal Communications Commission Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997), the combined worst-case radio frequency power density levels of Cellco's antennas proposed to be installed on the tower have been calculated to amount to 35.1% of the FCC's Maximum Permissible Exposure, as measured at the base of the tower. This percentage is well below federal and state standards established for the frequencies used by wireless companies. If federal or state standards change, the Council will require that the tower be brought into compliance with such standards. The Council will require that the power densities be recalculated in the event other carriers add antennas to the tower. The Telecommunications Act of 1996 prohibits any state or local agency from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions to the extent that such towers and equipment comply with FCC's regulations concerning such emissions.

Based on the record in this proceeding, the Council finds that the effects associated with the construction, operation, and maintenance of the telecommunications facility at the proposed site, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate either alone or cumulatively with other effects when compared to need, are not in conflict with policies of the State concerning such effects, and are not sufficient reason to deny this application. Therefore, the Council will issue a Certificate for the construction, operation, and maintenance of a 110-foot monopole telecommunications facility at 16 Bell Road Extension in Cornwall, Connecticut with the following conditions: 1) an environmental inspector be retained to inspect environmental conditions during road construction; 2) construction of the access road shall not occur from March 1 through May 15; and 3) a certified A-2 survey be performed to determine the location of the southern property line along the existing driveway.



<p><b>DOCKET NO. 402</b> - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public need for the construction, maintenance and operation of a telecommunications facility located at 16 Bell Road Extension, Cornwall, Connecticut.</p>	<p>} } }</p>	<p>Connecticut  Siting  Council  October 21, 2010</p>
--	----------------------	---

**Decision and Order**

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, maintenance, and operation of a telecommunications facility, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate, either alone or cumulatively with other effects, when compared to need, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application, and therefore directs that a Certificate of Environmental Compatibility and Public Need, as provided by General Statutes § 16-50k, be issued to Cellco Partnership d/b/a Verizon Wireless, hereinafter referred to as the Certificate Holder, for a telecommunications facility at 16 Bell Road Extension, Cornwall, Connecticut.

Unless otherwise approved by the Council, the facility shall be constructed, operated, and maintained substantially as specified in the Council’s record in this matter, and subject to the following conditions:

1. The tower shall be constructed as a monopole, no taller than necessary to provide the proposed telecommunications services, sufficient to accommodate the antennas of the Certificate Holder and other entities, both public and private, but such tower shall not exceed a height of 110 feet above ground level. The height at the top of the Certificate Holder’s antennas shall not exceed 112 feet above ground level.
  
2. The Certificate Holder shall prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-75 through 16-50j-77 of the Regulations of Connecticut State Agencies. The D&M Plan shall be served on the Town of Cornwall for comment, and all parties and intervenors as listed in the service list, and submitted to and approved by the Council prior to the commencement of facility construction and shall include:
  - a) a final site plan(s) of site development to include specifications for the tower, tower foundation, antennas, equipment compound, radio equipment, access road, utility line, and landscaping; and
  - b) construction plans for site clearing, grading, landscaping, water drainage, and erosion and sedimentation controls consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended, and the Connecticut Department of Transportation Drainage Manual;
  - c) delineation of the south property line through a certified A-2 survey; and,
  - d) provisions for an independent environmental inspector to be on-site bi-weekly to ensure environmental controls are in place during road construction activities. A final report of the inspector’s findings shall be issued to the Council once road construction is complete.
  
3. Construction of the access road shall not occur from March 1 through May 15.

4. Prior to the commencement of operation, the Certificate Holder shall provide the Council worst-case modeling of the electromagnetic radio frequency power density of all proposed entities' antennas at the closest point of uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin No. 65, August 1997. The Certificate Holder shall ensure a recalculated report of the electromagnetic radio frequency power density be submitted to the Council if and when circumstances in operation cause a change in power density above the levels calculated and provided pursuant to this Decision and Order.
5. Upon the establishment of any new State or federal radio frequency standards applicable to frequencies of this facility, the facility granted herein shall be brought into compliance with such standards.
6. The Certificate Holder shall permit public or private entities to share space on the proposed tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
7. The Certificate Holder shall provide reasonable space on the tower for no compensation for any Town of Cornwall public safety services (police, fire and medical services), provided such use can be accommodated and is compatible with the structural integrity of the tower.
8. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed with at least one fully operational wireless telecommunications carrier providing wireless service within eighteen months from the date of the mailing of the Council's Findings of Fact, Opinion, and Decision and Order (collectively called "Final Decision"), this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's Final Decision shall not be counted in calculating this deadline. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The Certificate Holder shall provide written notice to the Executive Director of any schedule changes as soon as is practicable.
9. Any request for extension of the time period referred to in Condition 8 shall be filed with the Council not later than 60 days prior to the expiration date of this Certificate and shall be served on all parties and intervenors, as listed in the service list, and the Town of Cornwall. Any proposed modifications to this Decision and Order shall likewise be so served.
10. If the facility ceases to provide wireless services for a period of one year, this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made.
11. Any nonfunctioning antenna, and associated antenna mounting equipment, on this facility shall be removed within 60 days of the date the antenna ceased to function.
12. In accordance with Section 16-50j-77 of the Regulations of Connecticut State Agencies, the Certificate Holder shall provide the Council with written notice two weeks prior to the commencement of site construction activities. In addition, the Certificate Holder shall provide the Council with written notice of the completion of site construction, and the commencement of site operation.



13. The Certificate Holder shall maintain the facility and associated equipment in a reasonable physical and operational condition, including but not limited to, the tower, tower foundation, antennas, equipment compound, radio equipment, access road, utility line and landscaping, that is consistent with this Decision and Order and a Development and Management Plan to be approved by the Council.
14. The Certificate Holder shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v.
15. This Certificate may be transferred in accordance with Conn. Gen. Stat. §16-50k(b), provided both the Certificate Holder/transferor and the transferee are current with payments to the Council for their respective annual assessments and invoices under Conn. Gen. Stat. §16-50v. In addition, both the Certificate Holder/transferor and the transferee shall provide the Council a written agreement as to the entity responsible for any quarterly assessment charges under Conn. Gen. Stat. §16-50v(b)(2) that may be associated with this facility.

Pursuant to General Statutes § 16-50p, the Council hereby directs that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed below, and notice of issuance shall be published in the Waterbury Republican-American and The Register Citizen.

By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

The parties and intervenors to this proceeding are:

**Applicant**

Cellco Partnership d/b/a  
Verizon Wireless

**Intervenor**

Town of Cornwall

**Intervenor**

Frederic I. Thaler  
Kathleen Mooney  
66 Popple Swamp Road  
Cornwall Bridge, CT 06754

**Intervenor**

Nicholas and Caroline Daifotis  
239 Brushy Ridge Road  
New Canaan, CT 06840

**Its Representative**



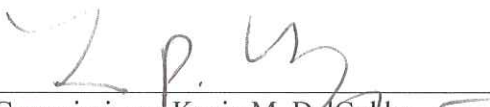
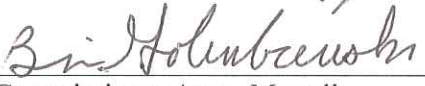
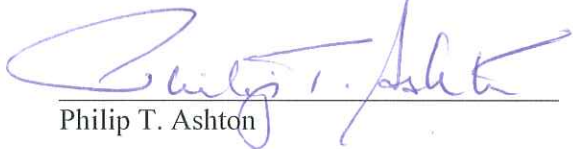
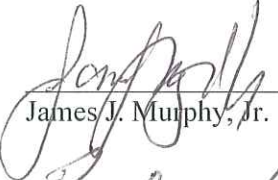
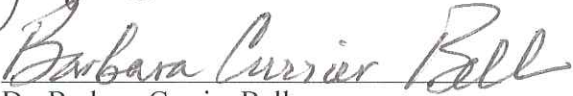
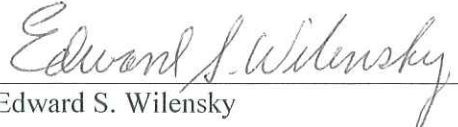
Kenneth C. Baldwin, Esq.  
Robinson & Cole LLP  
280 Trumbull Street  
Hartford, CT 06103-3597

**Its Representative**

The Honorable Gordon M. Ridgway  
First Selectman  
Town of Cornwall  
P.O. Box 97  
Cornwall, CT 06753

CERTIFICATION

The undersigned members of the Connecticut Siting Council (Council) hereby certify that they have heard this case, or read the record thereof, in **DOCKET NO. 402** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public need for the construction, maintenance and operation of a telecommunications facility located at 16 Bell Road Extension, Cornwall, Connecticut and voted as follows to approve the proposed telecommunications facility:

<u>Council Members</u>	<u>Vote Cast</u>
 _____ Daniel F. Caruso, Chairman	Yes
 _____ Colin C. Tait, Vice Chairman	Yes
 _____ Commissioner Kevin M. DeGobbo Designee: Larry P. Levesque	Yes
 _____ Commissioner Amey Marrella Designee: Brian Golembiewski	Yes
 _____ Philip T. Ashton	Yes
_____ Daniel P. Lynch, Jr.	Absent
 _____ James J. Murphy, Jr.	Yes
 _____ Dr. Barbara Currier Bell	Yes
 _____ Edward S. Wilensky	Yes

Dated at New Britain, Connecticut, October 21, 2010.





Daniel F. Caruso  
Chairman

# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

Internet: [ct.gov/csc](http://ct.gov/csc)

October 25, 2010

TO: Classified/Legal Supervisor  
**402100720**  
Waterbury Republican-American (Daily)  
389 Meadow Street, P.O. Box 2090  
Waterbury, CT 06722

Classified/Legal Supervisor  
**402100720**  
Register Citizen, The (Daily)  
190 Water Street, P.O. Box 58  
Torrington, CT 06790-0058

FROM: Lisa A. Fontaine, Fiscal Administrative Officer

RE: **DOCKET NO. 402** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public need for the construction, maintenance and operation of a telecommunications facility located at 16 Bell Road Extension, Cornwall, Connecticut.

---

Please publish the attached notice as soon as possible, but not on Saturday, Sunday, or a holiday.

Please send an affidavit of publication and invoice to my attention.

Thank you.

LAF



*Daniel F. Caruso*  
*Chairman*

# STATE OF CONNECTICUT

## *CONNECTICUT SITING COUNCIL*

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

Internet: [ct.gov/csc](http://ct.gov/csc)

### NOTICE

Pursuant to General Statutes § 16-50p (e), the Connecticut Siting Council (Council) announces that, on October 21, 2010, the Council issued Findings of Fact, an Opinion, and a Decision and Order approving an application from Cellco Partnership d/b/a Verizon Wireless for the construction, maintenance and operation of a telecommunications facility located at 16 Bell Road Extension, Cornwall, Connecticut. This application record is available for public inspection in the Council's office, Ten Franklin Square, New Britain, Connecticut.