



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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January 27, 2011

TO: Parties and Intervenors

FROM: Linda Roberts
Executive Director 

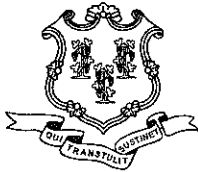
RE: **DOCKET NO. 409** - New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 8 Barnes Road, Canaan (Falls Village), Connecticut.

The Connecticut Siting Council (Council) is in receipt of correspondence from the Litchfield Hills Greenprint Collaborative dated January 19, 2011 concerning the above-referenced application.

In the event that the Litchfield Hills Greenprint Collaborative does not avail itself of the opportunity to attain party or intervenor status under Connecticut General Statutes §16-50n, this correspondence shall become part of the record in this proceeding in the form of a limited appearance.

Therefore, copies of this correspondence is being distributed to all participants in this proceeding and will also be administratively noticed in the record.

SDP/CMW/jbw



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January 27, 2011

Tim Abbott, Director
Litchfield Hills Greenprint Collaborative
150 Kent Road
P.O. Box 28
Cornwall Bridge, CT 06754

RE: **DOCKET NO. 409** - New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 8 Barnes Road, Canaan (Falls Village), Connecticut.

Dear Mr. Abbott:

The Connecticut Siting Council (Council) is in receipt of your correspondence dated January 19, 2011 concerning the above-referenced application. Thank you for taking the time to provide us with your comments.

Pursuant to Connecticut General Statutes §16-50/(b), a copy of each application is to be submitted to your office for review. In reaching a final decision on an application, the Council carefully considers all of the facts contained in the record that is developed by the Council, applicant, parties and intervenors in the proceeding, as well as members of the public who present oral or written statements to the Council.

In the event that you do not seek formal party or intervenor status under Connecticut General Statutes §16-50n, which provides full participation at the hearing, including the right to cross examine witnesses, parties and intervenors, your comments shall nevertheless become part of the official record in this proceeding in the form of a limited appearance defined under subsection (f) of Connecticut General Statutes §16-50n.

Therefore, copies of your correspondence will be distributed to all participants in the proceeding and will be administratively noticed in the record. Please note that you can view all of the documents related to this proceeding on our website at www.ct.gov/csc under the "Pending Proceedings" link located along the left margin.

Thank you for your interest and concern in this matter.

Very truly yours,

Linda Roberts
Executive Director

LR/CMW/jbw



Housatonic Valley Association

150 Kent Road
P.O. Box 28
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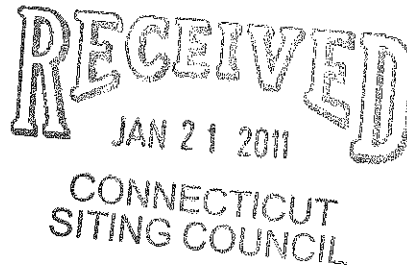
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1/19/2010

Connecticut Siting Council
Ten Franklin Square
New Britain CT 06051



THE LITCHFIELD HILLS
GREENPRINT

To the members of the Connecticut Siting Council:

I write as Director of the Litchfield Hills Greenprint Collaborative in reference to Docket 409 - New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 8 Barnes Road, Canaan (Falls Village), Connecticut.

The Litchfield Hills Greenprint Collaborative is a partnership of 22 land trusts and community leaders sponsored by the Housatonic Valley Association and committed to strengthening local conservation efforts and protecting more land of regional significance across Northwest Connecticut.

We are greatly concerned that the proposed cellular tower under consideration at the Cobble Hill location will materially impair the regionally significant and locally-valued conservation attributes of this area, and that the application by Cingular Wireless does not adequately account for these negative impacts. Our objections on these grounds are detailed and documented more fully, below, and I am willing to make myself available to answer questions at any time in connection with this matter.

The development of Cobble Hill for the construction of a cellular tower is incompatible with state policy:

Connecticut's statewide Conservation and Development Policies Plan (2005-2010) identifies the Cobble Hill location as a Conservation Area. The definitional criteria for this designation state that it is Connecticut's policy for such Conservation Areas to "plan and manage, for the long-term public benefit, the lands contributing to the State's need for food, fiber, water and other resources, open space, recreation and environmental quality and ensure that changes in use are compatible with identified conservation values." According to the Office of Policy and Management; "A full review under the Connecticut Environmental Policy Act (CEPA) may be necessitated if the proposed development is of a greater dimension or intensity than the past use; Thereby requiring a thorough analysis of all potential impacts and mitigation measures, as well as, consideration of alternative sites within the region." This Statewide policy should govern the actions of the Siting Council and an alternative site be selected that is not within a state prioritized conservation area.

Federal and State Recognition of Conservation Significance:

- Federal designations: The Cobble Hill site is located within the federally designated **Upper Housatonic River Heritage Area, The Highlands Conservation Act Connecticut Highlands Region, and the Federal Forest Legacy Program Western Connecticut Legacy Area.** More specifically, Cobble Hill is within an area designated on page 44 of the USFS *Highlands Regional Study Pennsylvania and Connecticut 2010 Update* as a locally valued and regionally important special place. The Highlands Study ranks Cobble Hill itself as of moderate conservation value regionally on its maps of forest and recreational/cultural/values. The South Canaan Congregational Church, located immediately to the west and below the Tower site on Cobble Hill, is recognized on the National Register of Historic Places and its **scenic attributes would be profoundly impacted by the proposed tower when approached from the south and west on Rte 7 with Cobble Hill immediately to the right and above the steeple of the South Church.**

State designations: As previously mentioned; Connecticut's statewide Conservation and Development Policies Plan (2005-2010) identifies the Cobble Hill location as a Conservation Area and development of communications infrastructure at this site is counter to that designation.

Connecticut's Natural Diversity Database (NDDDB) Dec 2010 identifies no less than 14 known locations of state listed endangered, threatened or special concern species or significant natural communities that completely surround and intersect with the Cobble Hill site. These species and natural communities are located downslope of the tower site. A thorough inventory of rare species and natural communities should be conducted at the Cobble Hill Site and in surrounding wetlands to determine their vulnerability to altered surface water hydrology, siltation and pollution associated with the construction and maintenance of communications infrastructure at this site.

As recognized in the applicant's viewshed analysis report, Rte 7 in Canaan is a **State Designated Scenic Rd.** from the intersection with Rte 128 to the North Canaan Line (but see below for critique of the viewshed analysis report).

The University of Connecticut's Center for Land Use and Research (CLEAR) analysis of forest fragmentation recognizes an area of core forest >500 acres on Cobble Hill. Development of a cellular tower at this location will dramatically reduce the amount of unfragmented forest at this site due to the fragmenting impacts of clearing associated with the service road and tower construction.

The Soil Geographic Survey database for Connecticut, informed by data from the USDA Natural Resources Conservation Services (NRCS), identifies soils classified as (75C) Hollis-Chatfield-Rock Outcrop Complex (3-15%) slopes and (76F) Rock-Outcrop-Hollis Complex 45-60% slopes at the Cobble Hill Site. The Connecticut State Soil Survey page 189 states that, "erosion is a moderate to severe hazard during construction" for 75C classified soils and very severe for 76F classified soils. Furthermore, it notes that shallow depth to bedrock can lead to groundwater pollution and slope and frost action can affect new road construction. The construction of a service road to the communications infrastructure will require mitigation of these factors, yet even if steps are taken which would permit the construction of an all-weather road to the tower site, its **impacts on surface water hydrology and forest fragmentation cannot be adequately mitigated.**

Viewshed Analysis:

The viewshed analysis provided by the applicant is incomplete and inadequate. A 2 mile radius for this analysis is profoundly inadequate and fails to account for sightlines and topography that make the tower site clearly visible from much further away. To give but one example, the Appalachian Trail lies less than 3 miles to the west of the tower site but is not considered by the applicant. A 150' tower located at an elevation nearly 1,200' above sea level would certainly be visible from locations less than 3 miles away in Salisbury. **A viewshed analysis for this application should extent as far as the topography permits and not a seemingly arbitrary 2 miles.**

Open Space Impacts: There is significantly more permanently protected open space within the 2 mile radius than is shown by the applicant that needs to be considered in analysis of viewshed impacts. The Litchfield Hills Greenprint maintains the most complete record of permanently protected open space in Northwest Connecticut, and is happy to provide additional records of parcels under permanent protected through ownership or easement. These areas include parcels contiguous to those shown in the application north of the Hollenbeck River in Robbin's Swamp and connecting to Housatonic State Forest south of Rte 128. Robbin's Swamp is the largest inland wetland of its kind in Connecticut and has long been the focus of conservation activity by the state and conservation non-profits.

In Summary:

- Development of communications infrastructure at Cobble Hill is incompatible with state policy and its designation in the Connecticut's statewide Conservation and Development Policies Plan as a "Conservation Area."
- Federal and State policies and formal designation recognize the conservation value of Cobble Hill and the surrounding area, especially as intact core forest and for its recreational, cultural and historic value.
- Connecticut's Natural Diversity Database recognizes at least 14 known locations of state listed endangered, threatened or special concern species or significant natural communities that completely surround and intersect with the Cobble Hill site and could be impacted by erosion and surface water hydrology alteration construction of a service road and communications infrastructure.
- The visual impact analysis conducted by the applicant is inadequate and fails to account for additional protected open space within an insufficient 2 mile radius.

On behalf of the Litchfield Hills Greenprint Collaborative, I respectfully urge the Siting Council not to approve the application for a new cellular tower on Cobble Hill and to find an alternative site that does not have this degree of impact and is consistent with the CT Conservation and Development Policies Plan.

Sincerely,



Tim Abbott
Greenprint Director

CC: Ellery Sinclair