

**CONNECTICUT SITING COUNCIL**  
**DOCKET NO. 410**

IN THE MATTER OF:

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APPLICATION OF CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS  
FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND  
PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE AND  
OPERATION OF A WIRELESS TELECOMMUNICATIONS FACILITY AT  
234 MELBA STREET, MILFORD, CONNECTICUT

APPLICANT'S POST-HEARING BRIEF

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## EXECUTIVE SUMMARY

On October 20, 2010, Cellco Partnership d/b/a Verizon Wireless (“Cellco”) filed an application (“Application”) with the Connecticut Siting Council (“Council”) for a Certificate of Environmental Capability and Public Need (“Certificate”) to construct a wireless telecommunications facility at 234 Melba Street in the Bayview section of the City of Milford, Connecticut (the “Bayview Facility”). The proposed Bayview Facility would provide wireless services along Route 162 and local roads, as well as commercial and residential uses in the southeast portion of Milford, Connecticut. The Bayview Facility would also provide service to significant portions of Long Island Sound.

### *Facility Description*

At the Bayview Facility, Cellco proposes to construct a 136-foot flagpole-type tower in the westerly portion of the 2.71 acre commercial parcel at 234 Melba Street. The parcel is in the Town’s BD – Business zone. Cellco would install a total of nine antennas on the tower; three (3) PCS antennas at the 130-foot level; three (3) cellular antennas at the 120-foot level; and three (3) LTE antennas at the 110-foot level. Cellco would also install a 12’ x 24’ shelter near the base of the tower to house its radio equipment and a propane-fueled back-up generator. Access to the Bayview Facility would extend from Melba Street along an existing paved driveway and parking area. The flagpole tower, equipment shelter and 1,000 gallon propane tank will be located within a 1,405 square-foot fenced compound.

Cellco’s proposed flagpole tower would be located approximately 124 feet west of an existing 135-foot T-Mobile flagpole tower at the site. The T-Mobile tower supports Sprint, T-

Mobile and AT&T antennas. The existing tower is not structurally capable of supporting additional antennas. In order to utilize a single flagpole tower at this site, the T-Mobile tower would need to be rebuilt and extended to a height of 165 feet to accommodate the needs of all carriers. A flagpole tower of this height would maintain a diameter of between 52” and 54” at the top.

**Public Need**

Cellco currently experiences significant gaps in wireless service in southeast Milford. The proposed Bayview Facility will provide reliable wireless service along portions of Route 162, Edgefield Street, Pond Point Avenue and Buckingham Avenue, residential and commercial land uses in the area and significant portions of Long Island Sound.

**Nature of Probable Impacts**

The Bayview Facility will have no effect on historic, architectural or archeological resources listed on or eligible for the National Register of Historic Places; will not adversely impact federally listed, threatened or endangered species or State species of special concern; and will not have any direct or indirect impact on wetland and watercourse on or near the subject site. The flagpole tower is not considered to be an obstruction or hazard to air navigation and, therefore, will not require any FAA marking or lighting. Lastly, the facility will operate well within safety limits established by the FCC for radio frequency emissions.

The overall area where some portion of the proposed Bayview Facility tower would be visible year round (above the tree line), is limited to approximately 3,276 acres, 99% of which is located over the open water of Long Island Sound. Areas where seasonal views are anticipated comprise an additional thirty-four (34) acres.

**Public Input**

Cellco commenced its local input process by meeting with Milford's Mayor James L. Richetelli on May 5, 2010. The City has express no interest in installing emergency service antennas on the proposed tower. No City representatives and no members of the general public appeared to speak at the Council's February 3, 2011 hearing on the proposed Bayview Facility.

**Conclusion**

The unrefuted evidence in the record clearly demonstrates that there is a need for the proposed Bayview Facility and that the environmental effects associated with the proposed Bayview Facility would be minimal when balanced against its benefits. Therefore, the Council should approve the Application as submitted.

## **I. INTRODUCTION**

On October 20, 2010, Cellco Partnership d/b/a Verizon Wireless (“Cellco” or “Applicant”) filed with the Connecticut Siting Council (“Council”) an application (the “Application”) for a certificate of environmental compatibility and public need (“Certificate”), pursuant to Sections 16-50g et seq. of the Connecticut General Statutes (“Conn. Gen. Stat.”), for the construction, maintenance and operation of a wireless telecommunications facility (the “Bayview Facility”) on a 2.71 acre parcel at 234 Melba Street in the Bayview section of the City of Milford, Connecticut (the “Property”). (Cellco Exhibit 1 (“Cellco 1”)). Cellco currently experiences significant gaps in wireless service (PCS and cellular coverage) along portions of Route 162 and local roads, as well as residential and commercial land uses and portions of the Long Island Sound in southeast Milford. These existing coverage problems must be resolved in order for Cellco to continue to provide high-quality, uninterrupted and reliable wireless telecommunications service consistent with its Federal Communications Commission (“FCC”) license and to meet the demands of its wireless telecommunications customers. (Cellco 1).

## **II. PROCEDURAL BACKGROUND**

The Council conducted an evidentiary and public hearing on the Application on February 3, 2011. (February 3, 2011 Transcript (afternoon) (“Tr.1”) p. 2; February 3, 2011 Transcript (evening) (“Tr.2”) p. 2). Prior to the afternoon session of the hearing, the Council and its staff visited the Property. At the Council’s request, Cellco caused a balloon with a diameter of approximately four (4) feet to be flown at the proposed tower location, at 136 feet above ground level (“AGL”) between the hours of 8 a.m. and 5 p.m. on February 3, 2011. (Cellco 1, p. 15; Tr.1, pp. 9-10).

This Post-Hearing Brief and attached Proposed Findings of Fact are filed on behalf of the Applicant pursuant to Section 16-50j-31 of the Regulations of Connecticut State Agencies (“R.C.S.A.”) and the Council’s directives. (Tr.2, p. 8). This brief evaluates the Application in light of the review criteria set forth in Section 16-50p of the Connecticut General Statutes and addresses several other issues raised throughout the course of this proceeding.

### **III. FACTUAL BACKGROUND**

#### **A. Pre-Application History**

Cellco is licensed to provide PCS, cellular and LTE wireless services throughout Connecticut. As of the date of this filing Cellco has not deployed and is therefore not yet operating its LTE service in or around the Milford area.<sup>1</sup> Cellco currently experiences PCS and cellular coverage gaps along portions of Route 162, Edgefield Street, Pond Point Avenue and Buckingham Avenue in southeast Milford as well as residential and commercial land uses in the area and significant portions of Long Island Sound. Service to these areas cannot be provided by Cellco’s nearby Milford South, Forest Heights, Old Gate and Milford South 2 cell sites. (Cellco 1, pp. 1-2 and 9; Cellco 4, Q. 11 and Q. 12). Cellco began searching for an appropriate location for a facility to resolve these wireless service problems in September of 2006. (Cellco 1, Tab 8). As a first step in its site search process, Cellco investigates whether there are existing towers, or non-tower structures of suitable height in an area that can be used to satisfy its coverage objectives. Cellco explored the use of the existing T-Mobile flagpole tower at the Property. The T-Mobile flagpole currently supports Sprint, T-Mobile and AT&T antennas. Cellco determined

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<sup>1</sup> As discussed at the hearing, Cellco intends to provide PCS, cellular and LTE service from the proposed Bayview Facility and will install LTE antennas and equipment when the site is constructed. The LTE service would then be available for activation in accordance with the service launch schedule. (Tr.1, pp. 33-35).



that the existing T-Mobile flagpole was not structurally capable of supporting Cellco's antennas. The existing flagpole tower would need to be rebuilt and extended to a height of 165 feet to accommodate all existing and the proposed Cellco antennas. The top portion of this 165-foot flagpole would maintain a diameter of between 52" and 54". (Cellco 1; Tr.1, pp. 32-33). There are no other existing non-tower structures of suitable height in the area from which Cellco can satisfy its coverage objectives. If a new tower must be constructed, Cellco attempts to identify sites where the construction of a tower would not be inconsistent with area land uses and where the visual impact of the facility could be reduced to the greatest extent possible. (Cellco 1, pp. 11-12, Tabs 8 and 9). Under these circumstances, Cellco decided to build a second flagpole tower at the Property. This approach will allow Cellco to build and to operate a high-quality wireless system with the least environmental impact. (Cellco 4, Q. 3).

B. Local Contacts

On May 5, 2010, Cellco representatives met with Milford Mayor James L. Richetelli, Jr. regarding the proposed Bayview Facility. (Cellco 1, p. 20; Cellco 2). At this meeting, Mayor Richetelli received copies of technical information summarizing Cellco's plans to establish a telecommunications facility at the Property (the "Technical Report"). No municipal officials or members of the general public appeared at the Council's February 3, 2011 public hearing. (Tr.2, p. 2).

C. Tower Sharing

Consistent with its practice, Cellco regularly explores opportunities to share its facilities with other wireless service providers. During the course of its meeting with Mayor Richetelli in Milford, Cellco agreed to provide access to the tower, at no cost, to local emergency service

providers interested in sharing the tower. No such entities have expressed any interest in the Bayview Facility tower. (Cellco 1, p. 12; Tr.1, p. 15). In addition to the three antenna locations occupied by Cellco, the proposed flagpole tower would be designed to accommodate antennas at the 100' and 90' levels. (Cellco 1, Tab 1; Tr.1, pp. 28-29).

D. The Bayview Facility Proposal

The Bayview Facility would be located within a 1,405 square-foot fenced compound in the westerly portion of a 2.71 acre parcel ("Property") owned by Melba Realty LLC. (Cellco 1, Tab 1). At the Bayview Facility, Cellco would construct a 136-foot tall flagpole tower. The tower will maintain a diameter of 56" at its base, tapering to a diameter of 42" at a height of 83 feet above ground level. The top portion of the flagpole tower will maintain a consistent diameter of 42". Cellco will install a total of nine (9) antennas behind RF transparent panels, three (3) PCS antennas at the 130-foot level; three (3) cellular antennas at the 120-foot level; and three (3) LTE antennas at the 110-foot level. (Cellco 1, Tab 1).

Cellco would install a 12' x 24' single-story shelter near the base of the tower to house its receiving, transmitting, switching, processing and performance monitoring equipment and the required heating and cooling equipment. A propane-fueled back-up generator would be installed within a segregated room in Cellco's equipment shelter for use during power outages and periodically for maintenance purposes. The tower, equipment shelter and 1,000 gallon propane tank would be surrounded by an 8-foot high security fence and gate. Vehicular access to the Bayview Facility would extend from Melba Street along the existing driveway and parking area at the Property. Utilities would extend underground from the existing utility backboard at the base of the T-Mobile flagpole tower. (Cellco 1, Tab 1).

**IV. THE APPLICATION SATISFIES THE CRITERIA OF CONN. GEN. STAT. § 16-50p FOR ISSUANCE OF A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED**

Section 16-50p of the Public Utility Environmental Standards Act (“PUESA”), Conn. Gen. Stat. § 16-50g *et seq.*, sets forth the criteria for Council decisions in Certificate proceedings and states, in pertinent part:

In a certification proceeding, the council shall render a decision upon the record either granting or denying the application as filed, or granting it upon such terms, conditions, limitations or modifications of the construction or operation of the facility as the council may deem appropriate . . . The council shall file, with its order, an opinion stating in full its reasons for the decision. The council shall not grant a certificate, either as proposed or as modified by the council, unless it shall find and determine: (1) A public need for the facility and the basis of the need; (2) the nature of the probable environmental impact, including a specification of every significant adverse effect, whether alone or cumulatively with other effects, on, and conflict with the policies of the state concerning the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forests and parks, air and water purity and fish and wildlife; (3) why the adverse effects or conflicts referred to in subdivision (2) of this subsection are not sufficient reason to deny the application. . . .

Conn. Gen. Stat. § 16-50p(a).

Under Section 16-50p, the Applicant must satisfy two key criteria in order for the Application to be granted and for a Certificate to issue. First, the Applicant must demonstrate that there is a “public need for the facility.” Conn. Gen. Stat. § 16-50p(a)(1). Second, the Applicant must identify “the nature of the probable environmental impact” of the proposed facility through review of the numerous elements specified in Conn. Gen. Stat. § 16-50p(a)(2), and then demonstrate that these impacts “are not sufficient reason to deny the application.” Conn. Gen. Stat. § 16-50p(a)(3). The evidence in the record for this docket establishes that the above criteria have been satisfied and that the Applicant is entitled to a Certificate.

A. A Public Need Exists for the Bayview Facility

The first step in the review of the pending Application addresses the public need for the proposed facility. As noted in the Application, the FCC in its Report and Order released on May 4, 1981 (FCC Docket No. 79-318) recognized a public need on a national basis for technical improvement, wide area coverage, high quality and a degree of competition in mobile telephone service. The Federal Telecommunications Act of 1996 (the “Telecommunications Act”) emphasized and expanded on these aspects of the FCC’s 1981 decision. Among other things, the Telecommunications Act recognized an important nationwide public need for high quality personal wireless telecommunications services of all varieties. The Telecommunications Act also expressly promotes competition and seeks to reduce regulation in all aspects of the telecommunications industry in order to foster lower prices for consumers and to encourage the rapid deployment of new telecommunications technologies. Most recently, President Barak Obama issued in Presidential Proclamation 8460, in which “cellular phone towers” were identified as critical infrastructure vital to national security. (Cellco 1; Council Adm. Notice 8).

Cellco currently experiences significant gaps in wireless service along portions of Route 162, Edgefield Street, Pond Point Avenue and Buckingham Avenue, as well as residential and commercial land uses in the southeast Milford area. The Bayview Facility will also provide a significant amount of reliable service to portions of Long Island Sound, off the Milford coast. (Cellco 1, Tab 7; Cellco 4, Q. 12). Cellco cannot provide service to these areas from its existing Milford South, Forest Heights, Old Gate and Milford South 2 cell sites. (Cellco 1, p. 2, Tab 6; Cellco 6, Q. 21). These existing coverage problems must be resolved in order for Cellco to continue to provide high-quality, uninterrupted and reliable wireless telecommunications service

consistent with its FCC license and to meet the demands of its wireless telecommunications customers.

As the Council is aware, Cellco holds licenses to provide PCS, cellular and LTE services in New Haven County, and throughout Connecticut and proposes to operate these frequencies at the Bayview Facility. (Cellco 1). The PCS, cellular and LTE services Cellco plans to deploy, operate at different frequencies, and will allow customers to use the same cell site for voice and/or data services. By installing PCS, cellular and LTE antennas at the Bayview Facility, Cellco can ensure that it has more capacity available to meet the growing demand of its customers for wireless voice and data services. (Cellco 1).

The record contains ample, written evidence and testimony that a 136-foot tower at the Property would allow Cellco to achieve and maintain high quality wireless telecommunications service at PCS, cellular and LTE frequencies without interruption from dropped calls and interference. (Cellco 1, Tab 6; Cellco 4, Q. 10, Q. 11 and Q. 12; Cellco 6, Q. 20). The Bayview Facility would be incorporated into a network design plan, intended to provide Cellco customers with reliable wireless service in southeast Milford. (Cellco 1; Cellco 4, Q. 10, Q. 11 and Q. 12).

**B. Nature of Probable Impacts**

The second step in the statutory review procedure addresses the probable environmental impacts of the proposed facility and particularly the following factors:

**1. Natural Environment and Ecological Balance**

The proposed development of the Bayview Facility has eliminated, to the extent possible, impacts on the natural environment. All Bayview Facility improvements would be located within a 1,405 fenced compound. Access to the Bayview Facility would extend from Melba Street to

the cell site, utilizing the existing driveway and parking area on the Property. Minimal grading would be required to improve the site compound. (Cellco 1, Tab 1; Cellco 4, Q. 7) Construction of the site compound will require the removal of only six (6) trees, all within or near the site compound, with a diameter at breast height of 6" or greater. Overall, the limited construction activity would have a negligible physical impact on the environment on the Property. (Cellco 1, Tab 1). No evidence to refute this conclusion was presented to the Council.

## 2. Public Health and Safety

Cellco has considered several factors in determining that the nature and extent of potential public health and safety impacts resulting from installation of the proposed facility would be minimal or nonexistent.

First, the potential for the Bayview Facility tower to fall does not pose an unreasonable risk to health and safety. The proposed tower would be designed and built to meet Electronic Industries Association ("EIA") standards. The closest property line to the Property is located approximately 55 feet to the west. The proposed 136-foot flagpole tower could be designed with a yield point to ensure the tower setback remained on the Property. The nearest off-site residential structure is a multi-family apartment complex located approximately 100 feet to the west of the Bayview Facility at 159 Platt Street. (Cellco 1, Tab 1; Cellco 6, Q. 25).

Second, worst-case potential public exposure to RF power density for operation of the Bayview Facility at the nearest point of uncontrolled access (the base of each tower) would be 19.05% of the FCC standard. Power density levels would drop off rapidly as distance from the tower increases. (Cellco 1, Tab 1). The combined worst-case RF emission levels for the proposed Bayview Facility together with the emissions from the existing T-Mobile facility would be 41.19%

of the FCC standard. (Cellco 6, Q. 17).

Overall, the nature and extent of potential, adverse public health and safety impacts resulting from construction and installation of the Bayview Facility would be minimal or nonexistent. No evidence to refute this conclusion was presented to the Council.

### 3. Scenic Values

As noted in the Application, the primary impact of any tower is visual. Cellco's site search methodology, described in the Site Search Summary, is designed in large part to minimize such visual impacts. As discussed above, wherever feasible, Cellco avoids construction of a new tower by first attempting to identify existing towers or other tall non-tower structures in or near the search area. Cellco currently maintains four (4) existing cell sites within approximately four miles of the proposed Bayview Facility, including its Milford South, Forest Heights, Old Gate and Milford South 2 cell sites. Except for the existing T-Mobile flagpole tower on the Property, there are no existing non-tower structures of suitable height in southeast Milford. (Cellco 1, Tab 8; Cellco 6, Q. 21).

If it determines that a new tower must be constructed, Cellco attempts to identify sites where the construction of a tower would not be inconsistent with area land uses and where the visual impact of the site would be reduced to the greatest extent possible. Cellco explored the use of several alternative sites in the area. (Cellco 1, Tabs 8 and 9).

The Property is surrounded by wooded areas and is occupied by an existing commercial (retail) building. The Property is surrounded by the Milford Fire Department, single and multi-family housing, institutional uses, and a public park to the south. The Bayview Facility, in the

western portion of a 2.71 acre parcel, is buffered from adjacent properties and nearby residential land uses to the north and west by existing mature vegetation. (Cellco 1, pp. iii, Tabs 1 and 9).

Cellco submitted a Visual Resource Evaluation Report prepared by VHB Inc. (“VHB Report”) as a part of the Application. Prior to preparing its report, VHB conducted a balloon float at the Property and field reconnaissance to assess visibility of the Bayview Facility. VHB determined that the proposed Bayview Facility tower would be partially visible above the tree canopy from only approximately 3,311 acres. A vast majority (99%) of this area is over the open water of Long Island Sound. Areas where seasonal views are anticipated comprise an additional 34 acres and are generally located in the immediately surrounding area. (Cellco 1, pp. 14-15, Tab 9; Cellco 7). Views of the Bayview Facility flagpole tower from Long Island Sound and the Bayview Beach area are limited primarily, to the upper portion of the structure. Intervening vegetation and other structures in the area also help soften any visual effects from the water. (Cellco 1, Tab 9; Cellco 7; Tr.1, pp. 18-20). A 165-foot tall, 52” to 54” wide flagpole tower at the Property, as discussed during the hearing, would start to “dominate the landscape” in the area, resulting in a more significant visual impact than two shorter flagpole towers at the site, as proposed. (Tr.1, pp. 20-24).

#### 4. Historical Values

As it does with all of its tower proposals, prior to filing the Application with the Council, Cellco requested that the State Historic Preservation Office (“SHPO”) of the Connecticut Historical Commission (the “Commission”) review the proposed facility and provide a written response. Based on his review of the information submitted by Cellco, the Deputy State Historic Preservation Officer determined that the development of Cellco’s telecommunications facility at the Property



would have no effect on the historic, architectural or archeological resources listed on or eligible for the National Register of Historic Places. (Cellco 1, Tab 10). No evidence to the contrary was presented to the Council. Furthermore, Cellco has no reason to believe that there are any other impacts on historical values not addressed by the SHPO's review.

5. Recreational Values

There are no recreational activities or facilities at or near the Property that would be negatively impacted by development of the Bayview Facility. (Cellco 1, Tabs 9 and 10). In fact, the public safety benefits of improved wireless service in the area, particularly on Long Island Sound, an active recreational resource, are significant. (Cellco 1, Tab 6; Cellco 4, Q. 12).

6. Forests and Parks

There is no State or local forests or park land that will be impacted by the proposed Bayview Facility. (Cellco 1, Tabs 9 and 10). No evidence to refute this conclusion was presented to the Council.

7. Air and Water Quality

a. Air Quality.

The equipment at the site would generate no air emissions under normal operating conditions. During power outage events and periodically for maintenance purposes, Cellco would utilize a propane-fueled back-up generator to provide emergency power to the Bayview Facility. The use of the generator during these limited periods would result in minor levels of emissions. Pursuant to R.C.S.A. § 22a-174-3, Cellco will obtain an appropriate permit from the Connecticut Department of Environmental Protection ("DEP") Bureau of Air Management prior to installation of the proposed generator. (Cellco 1, p. 21).

b. Water Quality.

The proposed Bayview Facility would not utilize water, nor would it discharge substances into any surface water, groundwater, or public or private sewage system. Dean Gustafson, Professional Soil Scientist with VHB, Inc., conducted a field investigation and completed a Wetlands Delineation Report (the “Wetlands Report”) for the Bayview Facility. According to the Wetlands Report, the closest wetland area is located approximately 13 feet north of the facility compound, however, no direct wetland impacts are expected. As such, development of the Bayview Facility will not result in any adverse impacts to nearby wetland resources. With proper erosion and sedimentation controls, maintained throughout construction and the seeding of all disturbed areas following construction, impacts to the existing disturbed wetland area will be minimized. (Cellco 1, p. 19, Tabs 1 and 10; Tr.1, pp. 25-27). No evidence to refute these conclusions was presented to the Council.

8. Fish and Wildlife

As a part of its National Environmental Policy Act (“NEPA”) Checklist, Cellco received comments on the Bayview Facility from the U.S. Department of Interior, Fish and Wildlife Service (“USFWS”) and the Environmental and Geographic Information Center of the DEP. According to the USFWS, the Piping Plover, a federally-listed threatened species occurs in Milford, Connecticut. Habitat for this species does not, however, exist on the Property. The Bayview Facility will not, therefore, have an adverse impact on this species (Cellco 1, Tab 10). According to the DEP, there are no known extant populations of Federal or State Endangered, Threatened or Special Concern Species at the Property. (Cellco 1, Tab 10). Finally, the closest Important Bird Area (IBA) is located more than two miles from the Bayview Facility and the facility tower will comply with the USFWS recommended guidelines for minimizing impacts on

birds. (Cellco 6, Q. 26 and Q. 27).

9. Noise

Cellco proposes to introduce certain noise control devices, including baffling along the fence line and modifications to the standard exhaust and intake louvers to ensure that its generator will comply with all applicable noise standards. (Tr.1, pp. 16-17).

C. The Application Should Be Approved Because The Benefits Of The Proposed Facility Outweigh Any Potential Impacts

Following a determination of the probable environmental impacts of the Bayview Facility, Connecticut General Statutes § 16-50p requires that the Applicant demonstrate why these impacts “are not sufficient reason to deny the Application.” Conn. Gen. Stat. § 16-50p(a)(3). The record establishes that the impacts associated with the proposal would be limited and outweighed by the benefits to the public from the proposed facility and, therefore, requires that the Council approve the Application.

As discussed above, the only potential adverse impact from the proposed towers involves “scenic values.” As the record overwhelmingly demonstrates, the Bayview Facility would have minimal impacts on scenic values in the area. (Cellco 1, Tab 9). These limited aesthetic impacts may be, and in this case are, outweighed by the public benefit derived from the establishment of the Bayview Facility. Unlike many other types of development, telecommunications facilities do not cause indirect environmental impacts, such as increased traffic and related pollution.

The limited aesthetic and environmental impacts of the proposed Bayview Facility can be further mitigated by the sharing of the facility. Cellco intends to design the 136-foot flagpole tower so that it could be shared by additional carriers. (Cellco 1, Tab 1). Cellco has also agreed to provide access to the tower, at no cost, to the Town and to emergency service providers in the

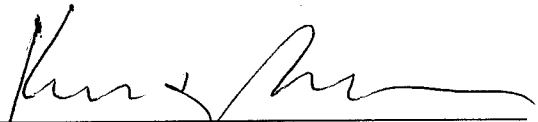
Town, if a need exists. (Tr.1, p. 15).

In sum, the potential environmental impacts from the proposed Bayview Facility would be minimal when considered against the benefits to the public. These impacts are insufficient to deny the Application. The site, therefore, satisfies the criteria for a Certificate pursuant to Connecticut General Statutes § 16-50p, and the Applicant's request for a Certificate should be granted.

**V. CONCLUSION**

Based on the overwhelming evidence in the record, the Applicant has established that there is a need for the proposed Bayview Facility and that the environmental impacts associated with the Application would be limited and outweighed by the benefits to the public from the proposed facility and, therefore, requires that the Council approve the Application. Therefore, the Council should approve the Application as submitted.

Respectfully submitted,  
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WIRELESS

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