

CONNECTICUT SITING COUNCIL
DOCKET NO. 415

IN THE MATTER OF:

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
87 WEST QUASSET ROAD, WOODSTOCK, CONNECTICUT

APPLICANT'S POST-HEARING BRIEF

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EXECUTIVE SUMMARY

Cellco Partnership d/b/a Verizon Wireless (“Cellco”) established its existing Woodstock Facility in 1991. The existing facility consists of two omni-directional whip antennas located at the top of an existing 150-foot narrow profile lattice tower, owned by American Tower Corporation (“ATC”). The ATC tower is located in the southeast corner of a 29.5 acre parcel at 87 West Quasset Road in Woodstock, Connecticut. (“Property”). Cellco’s radio equipment is located in a 12’ x 20’ shelter located near the base of the ATC tower.

Cellco’s omni-directional whip antennas on the ATC tower currently provide wireless service, at cellular (850 MHz) frequencies only, along portions of Route 169, Route 171 and local roads as well as residential, agricultural and commercial areas in southeast Woodstock. The existing Woodstock Facility is Cellco’s only non-sectorized cell site in the State of Connecticut. As a consequence, Cellco cannot provide its customers with a full array of wireless services, in all of its FCC licensed frequencies, from this existing cell site. The ATC tower is not structurally capable of supporting Cellco’s typical three-sector antenna array and would need to be replaced with a more traditional monopole structure to accommodate Cellco’s needs. Unfortunately, ATC was unable to obtain all of the necessary property rights that would allow it to rebuild the tower in or near its current location.

In 2009, Cellco began its own search for an alternative cell site location as a replacement for the ATC tower. After investigating several alternative locations, including two municipal properties, Cellco was able to lease a 100’ x 100’ parcel in the central portion of the Property. The new replacement facility will allow Cellco to improve wireless service and utilize all of its

FCC licensed frequencies in southeast Woodstock.

On January 28, 2011, Cellco filed an application (“Application”) with the Connecticut Siting Council (“Council”) for a Certificate of Environmental Capability and Public Need (“Certificate”) to construct the new Woodstock Facility. If the Application is approved, Cellco would remove its antennas from the ATC tower and remove its existing shelter from the Property.

Replacement Facility Description

The new Woodstock Facility would consist of a 150-foot monopole tower within a 50’ x 50’ compound in the central portion of the Property. Cellco would install fifteen (15) panel-type antennas at a centerline height of 147 feet above ground level. The top of Cellco’s antennas would not extend above the top of the tower. Cellco would also install a 12’ x 24’ shelter in the compound area to house its radio equipment and a diesel-fueled back-up generator. Access to the new Woodstock Facility would extend from Quasset Hill Road along portions of an existing dirt and gravel farm road on the Property, a distance of approximately 1,465 feet.

Public Need

Cellco currently provides wireless service, at cellular frequencies only, along portions of Routes 169 and 171 and local roads, as well as residential, agricultural and commercial areas in southeast Woodstock. Cellco needs to sectorize its Woodstock Facility in order to improve its existing cellular service in the area and provide wireless services in its PCS (1900 MHz) and LTE (700 MHz) frequency ranges. The new Woodstock Facility would provide Cellco with an opportunity to do just that.

From the new Woodstock Facility, Cellco will provide reliable wireless service to a 3.5 mile portion of Route 171, a 3.6 mile portion of Route 169 and an overall area of 14.8 square miles at 850 MHz frequencies; a 2.3 mile portion of Route 171, a 3.0 mile portion of Route 169, and an overall area of 7.5 square miles at 1900 MHz frequencies; and a 3.6 mile portion of Route 171, a 3.7 mile portion of Route 169, and an overall area of 15.6 square miles at 700 MHz frequencies.

Nature of Probable Impacts

The new Woodstock Facility will have no effect on historic, architectural or archeological resources listed on or eligible for the National Register of Historic Places. The new Woodstock Facility will not adversely impact federally listed, threatened or endangered species or State species of special concern. The access driveway will need to cross an existing drainage ditch approximately 75 feet south of the facility compound resulting in minimal (approximately 500 square feet) impact to this intermittent watercourse. The new Woodstock Facility 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 FCC safety limits for radio frequency emissions.

The overall area where some portion of the new Woodstock Facility tower would be visible year round (above the tree line), would be limited to 179 acres, approximately 2.2 percent of the two mile radius study area (8,042 acres). Areas where seasonal views are anticipated comprise an additional 205 acres. Most of these areas are located in open agricultural fields to the west of the facility location.

Public Input

Cellco and Woodstock Town officials, including the Town's Telecommunications Task Force, have been discussing the relocation of the Woodstock Facility since the Fall of 2007, during the pre-application process for Cellco's Sherman Road facility (Docket No. 369) and worked with Town officials in its efforts to find an alternative location for the replacement facility.

Cellco formally commenced its local input process for the relocation of the Woodstock Facility by meeting with the Woodstock First Selectman Alan Walker on September 17, 2010. On October 25, 2010, Cellco representatives appeared before the Woodstock Telecommunications Task Force to discuss the Woodstock Facility relocation proposal. Neither the First Selectman nor the Telecommunications Task Force expressed any concern or opposition to the relocation plan.

Conclusion

The unrefuted evidence in the record clearly demonstrates that there is a need for improved wireless service in southeast Woodstock and that the relocated Woodstock Facility will satisfy that need. In addition, the environmental effects associated with the new Woodstock Facility would be minimal when balanced against its overall public benefits. Therefore, the Council should approve the Application as submitted.

I. INTRODUCTION

On January 28, 2011, Cellco filed with the Council an Application for a Certificate, pursuant to Sections 16-50g et seq. of the Connecticut General Statutes (“Conn. Gen. Stat.”), for the construction, maintenance and operation of a new wireless telecommunications facility at the Property. (Cellco Exhibit 1 (“Cellco 1”)). The new Woodstock Facility would replace Cellco’s existing telecommunications facility located on the Property, approximately 710 feet to the southeast. Cellco’s existing facility consists of two omni-directional whip antennas at the top of a 150-foot narrow profile lattice tower owned by ATC and a 12’ x 20’ equipment shelter. (Cellco 1, pp. 2-3). Cellco’s existing facility provides wireless service, at cellular frequencies only, along portions of Routes 171 and 169, and local roads as well as residential, agricultural and commercial areas in southeast Woodstock. The existing ATC tower is not structurally capable of supporting Cellco’s full array of cellular, PCS and LTE antennas. The new Woodstock Facility would allow Cellco to provide high-quality, uninterrupted and reliable wireless telecommunications service in each of its existing operating frequencies consistent with its Federal Communications Commission (“FCC”) license and meet the demands of its wireless telecommunications customers in the area. (Cellco 1).

II. PROCEDURAL BACKGROUND

The Council conducted an evidentiary and public hearing on the Application on May 26, 2011. (May 26, 2011 Transcript (afternoon) (“Tr.1”) p. 2; May 26, 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 150 feet above ground level (“AGL”) during the site visit. (Cellco 1, p. 14; Tr.2, pp. 3-4).

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. 5). 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 wireless services in the 850 MHz (cellular), 1900 MHz (PCS) and 700 MHz (LTE) frequency ranges throughout Connecticut including the Town of Woodstock. Cellco established its existing Woodstock Facility in 1991. This facility consists of two omnidirectional whip antennas at the top of a 150-foot narrow profile lattice tower owned by ATC and a 12’ x 20’ shelter all located in the southeast corner of the Property. Cellco’s whip antennas provide reliable service to portions of southeast Woodstock at cellular frequencies only. Cellco is the only carrier on the ATC tower. The ATC tower is not structurally capable of supporting the installation of Cellco’s standard sectorized antenna array and associated cables. (Cellco 1, pp. 2-3 and 10-11; Tr.1, pp. 35-37).

To utilize the existing facility location, ATC would need to replace the existing tower with a new monopole or lattice structure. ATC could not, however, obtain the necessary property rights needed to construct a new tower and expand the existing facility compound. (Cellco 1, pp. 10-11). In 2009, Cellco commenced its own site search effort to identify potential alternative locations for a replacement tower. Cellco explored the use of several privately owned parcels and two municipal parcels before ultimately signing a lease to use a 100’ x 100’ portion of the Property

approximately 710' northwest of the ATC tower. (Cellco 1, Tab 8). The proposed relocated Woodstock Facility would allow Cellco to provide improved cellular service and new PCS and LTE service in southeast Woodstock between its existing Coatney Hill and Pomfret East cell sites. (Cellco 1, pp. 1-2 and 10-11, Tab 6).

B. Local Contacts

Cellco and Woodstock Town officials, including the Telecommunications Task Force, have been discussing the need to rebuild the existing Woodstock Facility since the Fall of 2007. This issue remained a topic of discussion during the Council's review of Cellco's Sherman Road facility (Docket No. 369) and Prospect Avenue facility (Docket No. 397) applications. Cellco worked with Town officials in its effort to find alternative locations for a replacement tower including the consideration of municipal parcels in the area.

On September 17, 2010, Cellco representatives met with Woodstock First Selectman Alan Walker to commence the local input process for the relocation of its Woodstock Facility. (Cellco 1, pp. 19-20; Cellco 3). At this meeting, Mr. Walker received copies of technical information summarizing Cellco's plans to relocate the existing telecommunications facility at the Property (the "Technical Report"). On October 25, 2010, Cellco representatives appeared before the Woodstock Telecommunications Task Force to describe its proposal and answer any questions. (Cellco 1, pp. 19-20, Tab 8; Cellco 3).

C. Tower Sharing

Consistent with its practice, Cellco regularly explores opportunities to share its facilities with other wireless service providers. To date, no other wireless carrier has expressed any interest in the proposed replacement tower. During the course of its meetings with the First Selectman and

the Telecommunications Task Force, Cellco also agreed to provide access to the tower, at no cost, to any of the Town's local emergency service providers interested in sharing the tower. Cellco would also make ground space in the facility compound available, if needed. (Cellco 1, p. 11; Tr.1, p. 17).

D. The Woodstock Facility Proposal

The new Woodstock Facility would be located within a 50' x 50' fenced compound (100'x 100' leased area) in the central portion of a 29.5 acre parcel owned by Quasset Hill Farm LLC. (Cellco 1, Tab 1). Cellco would construct a 150-foot tall monopole tower and install fifteen (15) panel-type antennas – six (6) cellular, six (6) PCS and three (3) LTE – with their centerline at 147 feet above the finished grade of the site compound. Cellco's antennas would not extend above the top of the proposed tower. (Cellco 1, pp. 2-3, 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 diesel-fueled back-up generator would be installed within a segregated room in Cellco's shelter for use during power outages and periodically for maintenance purposes. The tower and equipment shelter would be surrounded by an 8-foot high security fence and gate. Vehicular access to the relocated Woodstock Facility would extend from Quasset Hill Road over an existing gravel farm road to the cell site a distance of 1,465 feet. Utilities would extend underground from existing service along West Quasset Road. (Cellco 1, p. 3, 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 approved 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 Woodstock 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. More recently, President Barak Obama issued Presidential Proclamation 8460, in which “cellular phone towers” were identified as critical infrastructure vital to national security. (Cellco 1; Council Adm. Notice 8 and 38).

Cellco currently provides only cellular service from its existing Woodstock Facility. Cellco cannot, due to structural limitations of the existing ATC tower, install its standard array of cellular, PCS and LTE antennas at this site. Cellco, therefore, experiences significant gaps in wireless service at PCS frequencies in southeast Woodstock between its existing Coatney Hill and Pomfret East cell sites¹. (Cellco 1, Tab 6). These existing service 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

¹ Cellco provides both cellular and PCS service from its existing Coatney Hill and East Pomfret cell sites, both of which currently interact, at cellular frequencies, with Cellco’s Woodstock Facility.

telecommunications customers. The relocated Woodstock Facility described above would provide for enhanced cellular coverage and much needed PCS and LTE coverage along Routes 171 and 169 and local roads, as well as residential, agricultural and commercial areas in southeast Woodstock. (Cellco 1, Tab 6).

As the Council is aware, Cellco holds licenses to provide cellular, PCS and LTE services throughout Connecticut and proposes to operate these frequencies at the relocated Woodstock Facility. (Cellco 1). The cellular, PCS 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 enhancing its existing cellular service and installing PCS and LTE antennas at the Woodstock 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 150-foot tower at the Property would allow Cellco to achieve and maintain high quality wireless telecommunications service at cellular, PCS and LTE frequencies without interruption from dropped calls and interference. (Cellco 1; Cellco 4, Q. 7; Tr.1 pp. 26-27). The new Woodstock Facility would be incorporated into a network design plan, intended to provide Cellco customers with reliable wireless service along Routes 171 and 169 and local roads, as well as residential, agricultural and commercial areas in southeast Woodstock. (Cellco 1).

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 relocation of Cellco's existing Woodstock Facility has eliminated, to the extent possible, impacts on the natural environment. All Woodstock Facility improvements would be located within a 50' x 50' site compound. Access to the new Woodstock Facility would extend from Quasset Hill Road a total distance of approximately 1,465 feet to the cell site, utilizing an existing farm road on the Property. (Cellco 1, Tab 1). Minimal grading (93 cubic yards of fill and 510 cubic yards of cut) would be required to improve the site compound and access driveway. (Cellco 1, Tab 1; Cellco 4.a., Q. 4). Construction of the site compound will require clearing of only 11 trees with a diameter at breast height of 6" or greater. Improvements to the existing farm road and utility easement will not require the removal of any additional trees. (Cellco 1, Tab 1). Overall, the limited construction activity would have a negligible environmental impact on the Property. 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 new Woodstock 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/TIA-222-F Standards for Steel Antenna Towers and Antenna Support Structures. Other than Cellco's proposed equipment shelter, there are no structures within the 150-foot fall radius of the tower. The fall radius of the tower would remain entirely within the

limits of the Property. The nearest off-site residence is located approximately 820 feet to the southeast of the new Woodstock Facility tower location. (Cellco 1, Tab 1).

Second, worst-case potential public exposure to RF power density for operation of Cellco's cellular, PCS and LTE antennas at the proposed Woodstock Facility at the nearest point of uncontrolled access (the base of the tower) would be 17.44% of the FCC standard. Power density levels would drop off rapidly as distance from the tower increases. (Cellco 1, p. 15, Tab 1, p. 8, Tab 11).

Overall, the nature and extent of potential, adverse public health and safety impacts resulting from construction and installation of the new Woodstock 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 antennas on two (2) existing towers within four miles of the proposed Woodstock Facility. No existing non-tower structures of suitable height exist in southeast Woodstock that would satisfy Cellco's objectives. (Cellco 1, Tab 8).

If it determines that a new tower must be constructed, or, as in this case, an existing tower needs to be reconstructed, 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 including two municipal parcels and more remote portions of the Property. (Cellco 1, Tab 8).

The Property and the surrounding area are largely undeveloped and used primarily for agricultural purposes. The Woodstock Facility, in the central portion of a 29.5 acre parcel, is adequately buffered from all adjacent properties and nearby residences. There are only three (3) residences within 1,000 feet of the relocated Woodstock Facility. (Cellco 1, pp. iii, Tab 1, p. 3, Tab 9; Tr.1, pp. 10-11).

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 relocated Woodstock Facility. VHB determined that the relocated Woodstock Facility tower would be partially visible above the tree canopy from only approximately 179 acres, approximately 2.2 percent of the two mile radius (8,042-acre) study area. Areas where seasonal views are anticipated comprise an additional 205 acres and are located in the general vicinity of the relocated tower, in areas that remain undeveloped or used for agricultural purposes. (Cellco 1, pp. iii and 13-14, Tab 9). Some year round visibility will exist along the easterly shore of Wappaquasset Pond. No significant views of the tower will occur from local or State scenic roads within two miles of the proposed tower location. (Cellco 1, pp. 13-14, Tab 9; Tr.1, p. 19).

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 relocated 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 a telecommunications facility at the Property would have no effect on architectural or archeological resources listed on or eligible for listing in 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 impacted by development of the new Woodstock Facility. (Cellco 1, Tabs 9 and 10).

6. Forests and Parks

There is no State or local forests or park land that will be impacted by the proposed Woodstock 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 diesel-fueled back-up generator to provide emergency power to the new Woodstock 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 Woodstock 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 relocated Woodstock Facility. According to the Wetlands Report, the proposed access driveway will cross an existing drainage ditch, approximately 75 feet south of the facility compound. This feature is regulated as an intermittent watercourse. The crossing will result in a direct impact to approximately 500 square feet of regulated area. These impacts will not have an adverse impact on this wetland resource. (Cellco 1, pp. 18-19, Tabs 10 and 12). 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 relocated Woodstock Facility from the U.S. Department of Interior, Fish and Wildlife Service (“USFWS”) and the Environmental and Geographic Information Center of the DEP. The USFWS has determined that there are no federally-listed or proposed, threatened or endangered species or critical habitat known to occur at the Property. Likewise, 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, pp. 20-21, Tab 10).

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 Woodstock 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 tower involves “scenic values.” As the record overwhelmingly demonstrates, the relocated Woodstock Facility would have minimal impacts on scenic values in the area. (Cellco 1, Tab 9; Tr.1, pp. 11-13 and 19-20). These limited aesthetic impacts may be, and in this case are, outweighed by the public benefit derived from the establishment of the new Woodstock Facility. Unlike many other types of development, telecommunications facilities do not cause indirect environmental impacts, such as increased traffic and related pollution.

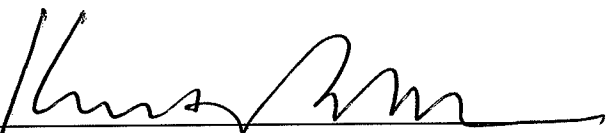
The limited aesthetic and environmental impacts of the proposed Woodstock Facility can be further mitigated by the sharing of the facility. Cellco intends to design the 150-foot tower so that it could be shared by other carriers. (Cellco 1). Cellco has also agreed to provide access to the tower, at no cost, to the Town and to emergency service providers in the Town (Tr.1, p. 17).

In sum, the potential environmental impacts from the proposed Woodstock 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 new Woodstock 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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