



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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April 26, 2012

TO: Parties and Intervenors

FROM: Linda Roberts, Executive Director *L Roberts*

RE: **DOCKET NO. 422** - North Atlantic Towers, LLC and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located at 655 Basset Road, Watertown, Connecticut.

As stated at the hearing in New Britain on March 6, 2012, after the Connecticut Siting Council (Council) issues its draft findings of fact, parties and intervenors may identify errors or inconsistencies between the Council's draft findings of fact and the record; however, no new information, evidence, argument, or reply briefs will be considered by the Council.

Parties and Intervenors may file written comments with the Council on the Draft Findings of Fact issued on this docket by May 4, 2012.

LR/CDM/laf

Enclosure

DOCKET NO. 422 – North Atlantic Towers, LLC and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located at 655 Bassett Road, Watertown, Connecticut.

Connecticut
Siting
Council

April 10, 2012

DRAFT

Findings of Fact

Introduction

1. North Atlantic Towers, LLC (NAT) and New Cingular Wireless PCS, LLC (AT&T), in accordance with provisions of Connecticut General Statutes (CGS) § 16-50g et seq. applied to the Connecticut Siting Council (Council) on August 8, 2011 for the construction, maintenance, and management of a telecommunications facility at 655 Bassett Road in the Town of Watertown (Town), Connecticut. (NAT 1, pp. 1-2)
2. NAT originally proposed erecting a 150-foot monopole at its facility. Subsequently, NAT revised its plans to propose a 130-foot monopine that would be located approximately 200 feet to the south of the originally proposed location. (NAT 1, pp. 1-2; NAT 13 – Supplemental Submission, dated 2/27/12)
3. Florida Tower Partners d/b/a North Atlantic Towers, LLC is a Delaware limited liability with an office at 1001 3rd Avenue West, Suite 420, Bradenton, Florida. NAT would construct and maintain the proposed facility and would be the Certificate Holder. (NAT 1, p. 3)
4. AT&T is a Delaware limited liability company with an office at 500 Enterprise Drive, Rocky Hill, Connecticut. AT&T is licensed by the Federal Communications Commission (FCC) to construct and operate a personal wireless services system. (NAT 1, p. 3)
5. The parties in this proceeding are the co-applicants and the Town of Watertown. Robert and Cathleen Alex are intervenors. (Transcript, October 27, 2011, 3:10 p.m. [Tr. 1], p. 5)
6. The purpose of the proposed facility would be to enable AT&T to provide wireless coverage in northwest Watertown along Bassett Road, including portions of Route 63 and Route 109 and the surrounding area. (NAT 1, p. 1)
7. Pursuant to CGS § 16-50(b), NAT and AT&T published public notice of their intent to submit this application on July 28 and August 4, 2011 in the Town Times, the newspaper utilized for the publication of planning and zoning notices in the Town of Watertown. (NAT 1, p. 4; NAT 4 – Affidavit of Publication submitted 10/4/11)
8. Pursuant to CGS § 16-50(b), NAT and AT&T sent notices of their intent to file an application with the Council to each person appearing of record as owner of property abutting the property on which the proposed site is located. (NAT 1, p. 5; Attachment 9)

9. The applicants received return receipts for all of the notices sent to abutting property owners except for one, Robert Velardo. The applicants sent Mr. Velardo another notice via first class mail. (NAT 2, A2)
10. Pursuant to CGS § 16-50l (b), NAT and AT&T provided copies of their application to all federal, state and local officials and agencies listed therein. (NAT 1, p. 4; Attachment 8)
11. On October 10, 2011, a representative of the applicants posted a sign on the host property notifying the general public of the pending application, the time and place of the scheduled public hearing, and contact information for the Council. (NAT 6 - Affidavit of Sign Posting, dated October 20, 2011)
12. The Council and its staff conducted an inspection of the proposed site on October 27, 2011, beginning at 2:00 p.m. The applicant flew a balloon at the site from approximately 8:30 a.m. to 6:00 p.m. to simulate the height of the proposed tower. Conditions were overcast with some periods of heavy rain and varying winds. Some balloons were lost when they got entangled in the trees (Tr. 1, pp. 32-34)
13. The applicants conducted another balloon float on November 3, 2011 from approximately 9:30 a.m. to 5:30 p.m. The balloon was flown at a height of 150 feet from a location approximately 200 feet south of the facility location proposed in the original application. (NAT 11 – Supplemental Information 12/23/11, Attachment 2 - Affidavit Regarding Balloon Float of John Favreau, dated December 8, 2011)
14. The applicants conducted an additional balloon float on November 9, 2011 from approximately 10:00 a.m. to 4:30 p.m. The balloon was flown at a height of 150 feet from a location approximately 200 feet south of the facility location proposed in the original application. (NAT 11 – Supplemental Information 12/23/11, Attachment 2 - Affidavit Regarding Balloon Float of John Favreau, dated December 8, 2011)
15. Pursuant to CGS § 16-50m, the Council, after giving due notice thereof, held a public hearing on October 27, 2011, beginning at 3:10 p.m. and continuing at 7:05 p.m. at the Watertown High School Auditorium, 324 French Street in Watertown, Connecticut. (Tr. 1, p. 3 ff.)
16. The Council's hearing was continued on March 6, 2012 at the Council's offices, Ten Franklin Square, New Britain, Connecticut from 1:10 p.m. to 4:07 p.m. (Transcript, March 6, 2012, 1:10 p.m. [Tr. 3], p. 3ff.)

State Agency Comment

17. Pursuant to CGS § 16-50j, on September 9 and October 28, 2011, the Council solicited comments on this application from the following state agencies: Department of Agriculture, Department of Energy & Environmental Protection (DEEP), Department of Public Health, Council on Environmental Quality, Public Utilities Regulatory Authority, Office of Policy and Management, Department of Economic and Community Development, Department of Transportation (ConnDOT), and Department of Emergency Management and Homeland Security. (CSC Hearing Package dated September 9, 2011; CSC Letter to State Department Heads dated October 28, 2011)
18. The Connecticut Department of Public Health (DPH) responded to the Council's solicitation for comments on September 15, 2011. In its comments, the DPH noted that the proposed facility would be located within the public water supply watershed for the Wigwam Reservoir, an active public drinking water source for the Waterbury Water Department. Because of the facility's location, DPH made a number of recommendations to protect the source of public drinking water supply including: the installation and maintenance of appropriate erosion and sedimentation controls, the servicing of vehicles outside the watershed, keeping a fuel spill remediation kit on-site, storing fuel and other hazardous materials outside of the watershed, and contacting the Waterbury Water Department before starting construction of the proposed project. (Letter from DPH, dated September 15, 2011)
19. In response to DPH's comments, NAT and AT&T submitted information to DPH about the steps that would be taken to address its concerns. DPH responded by acknowledging receipt of the information and by reiterating its recommendation that servicing of machinery be completed outside of the watershed, that refueling of vehicles or machinery take place on an impervious pad with secondary containment, and that fuel and other hazardous materials be stored outside of the watershed or on an impervious surface with secondary containment. (Letter from DPH dated December 9, 2011)
20. ConnDOT responded to the Council's solicitation with a description of its process for leasing portions of rights-of-way for cell tower sites. (ConnDOT letter dated September 29, 2011)
21. The Council did not receive any comments from state agencies other than DPH and ConnDOT. (Record)

Municipal Consultation

22. The applicants submitted a Technical Report to the Watertown Town Council Chairman on May 3, 2011 and forwarded copies of the report to the Watertown Land Use Administrator, Ruth Mulcahy, on May 25, 2011. (NAT 1, p. 16)
23. Because the proposed site is within 2,500 feet of the town boundary of Thomaston, the applicants also submitted a Technical Report to Edmond Mone, First Selectman of Thomaston. (NAT 1, pp. 16-17)

24. Representatives of NAT and AT&T appeared before the Watertown Planning and Zoning Commission to discuss its Technical Report on June 1, 2011. (NAT 1, p. 17)
25. At its meeting with the NAT and AT&T representatives, the Watertown Planning and Zoning Commission was of the opinion that the proposed site was a good choice. (NAT 1, p. 17; Attachment 7 – Minutes of Watertown Planning and Zoning Commission, June 1, 2011)
26. At this meeting, the Watertown Planning and Zoning Commission questioned why the town-owned Crestbrook Park had not been considered as a potential site. It was subsequently determined that this property had a deed restriction that would not allow it to host a telecommunications facility. (NAT 1, p. 17; Attachment 7 – Minutes of Watertown Planning and Zoning Commission, June 1, 2011)
27. The Thomaston Board of Selectmen considered the NAT/AT&T Technical Report at its meeting of July 5, 2011. According to the minutes of this meeting, the selectmen had no objection to the proposed facility. (NAT 1, p. 17; Attachment 7 – Minutes of Thomaston Board of Selectmen, July 5, 2011)
28. NAT sent letters to the Watertown Police Chief and the Watertown Fire Department Chief offering to install town antennas on its proposed tower should the Town have such a need. (NAT 1, Attachment 7 – Letters to Chief Gavalias and Chief Black)
29. The Town's Public Safety Department has indicated that it may need space on the proposed tower in the future. (NAT 2 A5; Attachment 1)
30. The Watertown Town Engineer prepared a memorandum detailing his comments after reviewing the applicants' plans. His comments concerned the proposed vehicular access, erosion and sedimentation control measures, tree removal, and emergency services access. (Town 3 – Town Engineer Comments, 10/26/11)
31. The applicants agreed to comply with the Town Engineer's recommendations, with the exception that the applicants could not keep the slope of the access road from exceeding 7 percent in some locations. (Tr. 3, pp. 16-17)

Public Need for Service

32. 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. 4 - Telecommunications Act of 1996; NAT 1, p. 5)
33. 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. (Council Administrative Notice Item No. 4 - Telecommunications Act of 1996)

34. The Telecommunications Act of 1996 prohibits local and state bodies from discriminating among providers of functionally equivalent services. (Council Administrative Notice Item No. 4 - Telecommunications Act of 1996)
35. The Telecommunications Act of 1996 prohibits any state or local entity from regulating telecommunications towers on the basis of the 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. 4 - Telecommunications Act of 1996)
36. In recognition of the public safety benefits enhanced wireless telecommunications networks can provide, Congress enacted the Wireless Communications and Public Safety Act of 1999 (the 911 Act). 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. (NAT 1, p. 7)
37. AT&T's antennas would provide Enhanced 911 (E911) services as required by the 911 Act. (NAT 1, p. 7)
38. In December 2009, President Barack Obama recognized cell phone towers as critical infrastructure vital to the United States. (Council Administrative Notice Item No. 9 -Barack Obama Presidential Proclamation 8460, Critical Infrastructure Protection)

Existing and Proposed Wireless Coverage

39. AT&T is licensed to use 850 MHz for cellular technology, 1900 MHz for Personal Communications Services (PCS) technology, and 700 MHz frequencies for Long Term Evolution (LTE) technologies in Litchfield County. (NAT 2, A13)
40. AT&T designs its network for a signal strength of -82 dBm for in-vehicle coverage and -74 dBm for in-building coverage. (NAT 2, A15)
41. Current AT&T signal levels in the area that would be served by the proposed facility range from -110 dBm to -80 dBm due to terrain fluctuations. (NAT 1, A8)
42. Dropped calls in the area that would be served by the proposed facility are above AT&T's system wide averages. This area is known as a poor coverage area by benchmark data and customer experience. (NAT 2, A17)

43. The following table shows AT&T's existing coverage gaps at 850 MHz on the listed roads. AT&T coverage gaps at 1900 MHz would be longer.

Road	Coverage Gaps on Roads with Current Coverage (miles)	Town
Bassett Road	1.31	Watertown
Bryant Road	0.29	Watertown
Franson Road	0.50	Watertown
Gilbert Road	0.67	Watertown
Hidden Pond Drive	0.07	Watertown
Linkfield Road	1.56	Watertown
Munson Road	0.07	Watertown
Plungis Road	0.47	Watertown
Smith Pond Road	0.89	Watertown
State Highway 63	2.08	Watertown
State Highway 109	1.41	Thomaston

(NAT 2, A18)

44. The following table shows the distances that would be covered on the roads in the vicinity of the originally proposed tower.

Road	Distance Covered from Site @ 1900 MHz (miles)	Distance Covered from Site @ 850 MHz (miles)	Town
Bassett Road	1.25	1.30	Watertown
Bryant Road	0.01	0.27	Watertown
Franson Road	0.48	0.50	Watertown
Gilbert Road	0.53	0.67	Watertown
Hidden Pond Drive	0.01	0.07	Watertown
Linkfield Road	0.90	1.46	Watertown
Munson Road	0.02	0.07	Watertown
Plungis Road	0.11	0.43	Watertown
Smith Pond Road	0.05	0.46	Watertown
State Highway 63	0.01	0.61	Watertown
State Highway 109	1.37	1.41	Thomaston

(NAT 2, A19)

45. The total areas in square miles that AT&T would cover from the originally proposed facility are shown in the following table.

Coverage Prediction	Signal Level	Area (Sq Mi)
Stand Alone – 850 MHz	Greater than or equal to – 74 dBm	7.21
Stand Alone – 850 MHz	Greater than or equal to – 82 dBm	15.62
Stand Alone – 1900 MHz	Greater than or equal to – 74 dBm	1.75
Stand Alone – 1900 MHz	Greater than or equal to – 82 dBm	5.22

(NAT 2, A20)

46. From the proposed facility, AT&T's antennas would hand off signals to the adjacent sites identified in the table below.

Site Location	Distance and Direction from Site
310 Watertown Road, Morris	1.9 miles, NW
580 Chapel Street, Thomaston	3.3 miles, E
76 Westbury Park Road, Watertown	4.0 miles, S

(NAT 2, A14)

47. The lowest feasible height at which AT&T can fulfill its coverage objectives from the proposed site is an antenna centerline of 147 feet above ground level (agl). (NAT 2, A21)

Updated Location

48. Lowering the height of the proposed tower to 130 feet above ground level (AGL) at the updated location could result in some areas where in-building coverage and in-vehicle coverage would be unreliable within the area served by the proposed tower. (See Figure 6) (NAT 13 – Supplemental Submission, dated 2/27/12; Attachment 4)

Site Selection

49. AT&T established a search ring for a site in this area in September of 2005. The approximate center of the search ring was located at 41-39.676N longitude and 73-08.172W latitude. The search ring's diameter was approximately two miles. (NAT 2, A3)
50. When AT&T started searching for a site, it learned that TowerCo was investigating a town-owned property as a potential site for Sprint. AT&T reviewed the TowerCo site and determined that it would meet enough of its coverage objectives to be viable. However, TowerCo did not pursue this site, so AT&T re-initiated its own site search. AT&T then agreed to pursue this project jointly with NAT. (NAT 2, A3)
51. The town-owned property investigated by TowerCo is Crestbrook Park, which was acquired by the Town through a federal program that provides grants for municipalities to purchase property for recreation purposes only. (Tr. 1, pp. 15-16)
52. There are no existing structures suitable for a telecommunications facility in the area of Watertown that AT&T is seeking to cover from the proposed facility. (NAT 1, p. 8)

53. There are five existing telecommunications facilities within approximately four miles of the proposed site. AT&T has antennas on three of these facilities, but none of the five identified facilities would be able to provide the service needed in the area that AT&T is seeking to cover from the proposed facility. The existing facilities are listed in the following table.

Owner	Facility Height and Type	Location	AT&T Ant. Ht.	Distance from Proposed Site	Direction from Proposed Site
SBA	199' monopole	310 Watertown Rd, Bethlehem	165'	1.9 mi.	NW
T-Mobile	175' monopole	580 Chapel Street, Thomaston	142'	3.3 mi.	E
Scoville	122' water tank	1082 Buckingham St, Watertown	n/a	3.7 mi.	SE
First Cong. Church	Church steeple	28 DeForest Street, Watertown	n/a	3.7 mi.	S
Siemon Realty	140' smokestack	76 Westbury Park Rd. Watertown	132'	4.0 mi.	S

(NAT 1, Attachment 2 – Surrounding Sites List)

54. In addition to the proposed site, NAT and AT&T investigated eight other properties as possible locations for its facility. These properties and the determinations of their suitability are listed below.
- a. 918 Branch Road, Thomaston – This is a large privately owned parcel. When contacted, the property owner indicated that he was not interested in leasing any portion of his property for a telecommunications facility.
 - b. 0 Bassett Road, Watertown – This is water company land owned by the City of Waterbury. The City of Waterbury's Bureau of Water indicated that this property is part of the Wigwam Reservoir watershed and is not available to host a telecommunications facility.
 - c. 834 Northfield Road, Watertown – This is the site of Crestwood Park, which is not available due to a deed restriction.
 - d. 1206 Bassett Road, Watertown – A telecommunications facility on this property would not achieve AT&T's desired coverage.
 - e. 0 Linkfield Road, Watertown – This is one of two large parcels that make up the Gustafson Apple Orchards. The Gustafsons were not interested in leasing any portion of this property for a telecommunications facility.
 - f. 0 Linkfield Road, Watertown - This is the other of the two large parcels that make up the Gustafson Apple Orchards. The Gustafsons were not interested in leasing any portion of this property for a telecommunications facility.

- g. 0 Buckingham Street Extension, Watertown – This existing 122-foot high water tank would not enable AT&T to provide its desired coverage from this location.
- h. 0 Thomaston Road, Watertown – A telecommunications facility on this Town-owned parcel would not achieve AT&T's desired coverage.
- i. 1150 Basset Road, Watertown - A telecommunications facility on this parcel would not achieve AT&T's desired coverage.

(NAT 1, Attachment 2; NAT 5 - Supplemental Information, dated October 20, 2011:
Updated Site Search Summary)

- 55. Existing Connecticut Light & Power transmission line structures in this area of Watertown would not enable AT&T to provide its desired coverage. (NAT 11, Attachment 4)
- 56. Repeaters, microcell transmitters, distributed antenna systems (DAS) and other types of transmitting technologies would not be practicable or feasible means for AT&T's provision of service in the area surrounding the proposed facility. These technologies are better suited for specifically defined areas where new coverage is necessary, such as commercial buildings, shopping malls, and tunnels or to address highway capacity. (NAT 1, pp. 7-8)

Facility Description

Application Site

- 57. The proposed site is on a 51.53-acre property located at 655 Bassett Road. The property is owned by the Frank E. Gustafson Revocable Trust, the Edward Gustafson Revocable Trust, Frank E. Gustafson Jr., Trustee, and Thomas W. Calkins, Independent Trustee for the Gustafson Trust Property. The property consists of vacant agricultural and forested land. (See Figures 1, 2, and 3) (NAT 1, p. 10; Attachment 4 – NEPA Screening Report)
- 58. The Gustafson Trust property is classified as an R-90 zoning district, which allows for single family residences on lots of a minimum 90,000 square feet. Telecommunication facilities are permitted in R-90 zoning districts by Special Permit and site plan approval. (NAT 1, p. 10; Bulk Filed Watertown Zoning Regulations)
- 59. The proposed facility would be located in the northern portion of the Gustafson Trust property. NAT would lease a 100-foot by 100-foot parcel, within which it would erect a 150-foot tall monopole tower inside a 75-foot by 75-foot compound that would be enclosed by a six-foot high chain link fence. (NAT 1, p. 10; Attachment 3)
- 60. The proposed tower would be located at 41° 39' 27.63" North latitude and 73° 08' 10.74" West longitude. Its elevation at ground level would be approximately 839 feet above mean sea level. (NAT 1, Attachment 3)

61. NAT's proposed tower would be designed in accordance with the specifications of the Electronic Industries Association Standard EIA/TIA-222-F "Structural Standards for Steel Antenna Towers and Antenna Support Structures." The diameter of the tower would be approximately four feet at its base and two feet at its top. (NAT 1, Attachment 3)
62. The proposed tower would be designed to accommodate a minimum of six wireless carriers as well as the Town and local emergency service providers. (NAT 1, p. 10; Tr. 14)
63. AT&T would initially install nine multi-band antennas that would operate on cellular, PCS, and LTE frequencies at a centerline height of 147 feet agl. (NAT 1, p. 10; Tr. 1, pp. 12-13)
64. AT&T's ground radio equipment would be housed in a 12-foot by 20-foot shelter. (NAT 1, p. 2; Attachment 3 – Drawing Z4)
65. AT&T would use a diesel generator for backup power. It would be located on a four-foot by eleven-foot concrete pad near the equipment shelter. The generator could provide power for approximately 48 hours on one tank of fuel. (NAT 1, pp. 2-3; Tr. 1, p. 38)
66. The fuel tank of AT&T's generator would be a steel containment chamber lined with a bladder to contain fuel in the event of a fuel spill. (NAT 2, A23)
67. NAT anticipates that no substantial grading would be needed to develop the proposed site. (NAT 2, A6)
68. Vehicular access would be from Bassett Road over an unimproved town road along the eastern property boundary for approximately 1,750 feet and then approximately 750 feet to the northwest over a new, 12-foot wide gravel drive. (NAT 1, p. 3; Attachment 3 – Drawing Z2; Tr. 1, pp. 34-35)
69. NAT would assume responsibility for maintaining the unimproved town road for access to its proposed facility. (Tr. 3, pp. 44-45)
70. Utility service to the proposed facility would extend underground from Bassett Road and would follow the facility's access drive. (NAT 1, p. 3; NAT 2, A25; Tr. 1, pp. 13-14)
71. Any need for blasting would be determined by a geotechnical survey. Should this survey discover the presence of ledge, chipping would be the preferred method of removal instead of blasting. If blasting were to be required, it would be done according to protocols specified by State law. (NAT 2, A7)
72. The setback radius of the proposed tower would be contained within the host property. (NAT 1, Attachment 3 – Drawing Z3)
73. There are five residences within 1,000 feet of the proposed facility. (NAT 2, A8)
74. The nearest residence to the proposed facility is located approximately 544 feet to the north at 435 Bassett Road. It is owned by Robert Alex. (NAT 2, A9)

75. Land uses within one-quarter mile of the proposed facility are primarily low density residential and agricultural. (NAT 1, Attachment 3 – Site Evaluation Report)

76. The estimated cost of the proposed facility is:

Tower and foundation	\$90,000
Site development costs	130,000
Utility installation	75,000
Facility installation	100,000
<u>Antennas and equipment</u>	<u>250,000</u>
Total cost	\$645,000

(NAT 1, p. 18)

Updated Location

77. On December 23, 2011, the Applicants submitted an updated location for the proposed facility. The new location would be approximately 200 feet to the south of the facility location originally proposed in the application. The height of the proposed tower would remain at 150 feet at the updated location. (NAT 11 – Supplemental Information, dated 12/23/11, I.)

78. NAT's relocation of its proposed facility was prompted by its desire to satisfy SHPO requirements while meeting AT&T's desire to provide satisfactory coverage to this part of Watertown. (Tr. 3, pp. 18-19)

79. The applicants submitted additional supplemental information on February 27, 2012 in which it was stated that the tower at the updated location would be designed to be a 130-foot monopine. (NAT 13 – Supplemental Submission, dated 2/27/12; Attachment 1)

80. As a monopine, the proposed tower in the updated location would reach an overall height of approximately 135 feet agl with its branches in place. (Tr. 3, p. 12)

81. The monopine tower would be designed to accommodate a total of four wireless carriers. (Tr. 3, p. 12)

82. The proposed tower at the updated location would be located at 41° 39' 26" North latitude and 73° 08' 11" West longitude. Its elevation at ground level would be approximately 833 feet above mean sea level. (NAT 12 – Responses to Alex Interrogatories, A1; Tr. 3, p. 10)

83. At the updated location, the access drive would be approximately 1,000 feet from unimproved town road to the proposed facility. The access drive would include a "two-point" turn area and would be accessible to emergency vehicles. (NAT 13 – Supplemental Submission, dated 2/27/12)

84. The access drive for the facility's updated location was designed after consultation with the Watertown Town Engineer. (NAT 11 – Supplemental Information 12/23/11, I.)

85. The longer access road required for the updated location would add \$20,000 to \$30,000 to the facility's site development costs. (Tr. 3, pp. 75-76)
86. The closest residence to the facility's updated location would be approximately 600 feet to the west. It is owned by Priscilla Mambrino. (Tr. 3, p. 75; NAT 13 – Supplemental Submission, dated 2/27/12; Attachment 1, Sheet Z1)

Environmental Considerations

Application Site

87. The proposed facility would have no effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places. (NAT 1, p. 13; Attachment 6 – Letter from Deputy State Historic Preservation Officer)
88. The State Historic Preservation Office (SHPO) revised its initial opinion that the proposed facility would have no effect after learning that a property listed on the National Register of Historic Places, the Roderick Bryan House, is located at 867 Linkfield Road in Watertown. SHPO staff also identified a National Register of Historic Places eligible Historic District, which includes the residence, outbuildings and surrounding property at 655 Bassett Road. SHPO's revised opinion is that the proposed facility would have an adverse effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places. (SHPO Letter dated December 23, 2011)
89. There are populations of the American kestrel (a Threatened Species), the Bobolink (a Species of Special Concern), and the Eastern meadowlark (a Species of Special Concern) in the vicinity of the proposed tower location. However, these bird species inhabit grassland areas and would not be impacted by the tower since it would be located in a forest habitat. (NAT 13 – Supplemental Submission, dated 2/27/12, Exhibit 5)
90. There would be 38 trees with a Basal Diameter Height of four inches or greater removed in the development of the proposed facility. (NAT 1, Attachment 3)
91. NAT would establish and maintain appropriate soil erosion and sedimentation control measures, in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Control established by the Connecticut Council for Soil and Water Conservation, in cooperation with the Connecticut Department of Energy and Environmental Protection, throughout the construction period of the proposed facility. (NAT 1, p. 16)
92. With erosion controls in place, the proposed facility should have no impact on any wetlands or watercourses. (NAT 1, p. 16)
93. NAT's proposed facility would comply with the recommendations of the United States Fish and Wildlife Service for minimizing the potential for telecommunications towers to impact bird species. (NAT 2, A10; Attachment 2)

94. NAT's proposed facility would not impact any Important Bird Areas (IBAs) as designated by the Audubon Society. The closest IBA is White Memorial Foundation Natural Preserve, which is located approximately 5.5 miles to the northwest of the proposed facility. (NAT 2, A11; Attachment 3)
95. The proposed facility would not constitute an obstruction or hazard to air navigation and, therefore, would not require any obstruction marking or lighting. (NAT 1, pp. 13-14; Attachment 3)
96. The cumulative worst-case maximum power density from the radio frequency emissions from the operation of AT&T's proposed antennas would be 7.3% 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. (NAT 1, Attachment 4 – SAI Communications RF Power Density Calculation)

Updated Location

97. SHPO submitted an additional opinion letter dated January 31, 2012 in which it stated that a 130-foot tower at the updated location would have no adverse effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places. (SHPO Letter dated January 31, 2012)
98. There would be 38 additional trees removed to develop the facility at its updated location. (NAT 12 – Responses to Alex Interrogatories, A28; Tr. 3, p. 16)
99. The tower at the updated location would not constitute an obstruction or hazard to air navigation and, therefore, would not require any obstruction marking or lighting. (NAT 13 – Supplemental Submission, dated 2/27/12, Exhibit 6)
100. At the updated location with a 130-foot tower, the cumulative worst-case maximum power density from the radio frequency emissions from the operation of AT&T's proposed antennas would be 9.79% 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. (NAT Submission of Power Density for 130, 3/9/12)

Visibility

Application Site

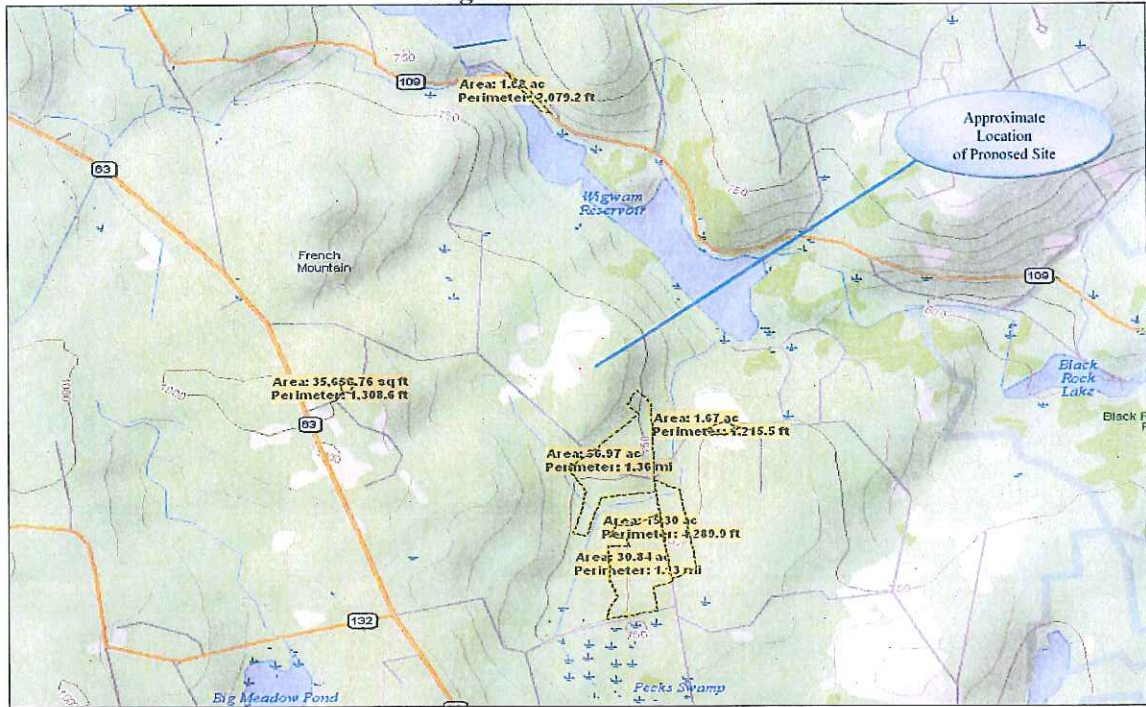
101. Based on field observations, areas from which the proposed tower could be visible above or through the tree canopy during leaf-off conditions are estimated to comprise approximately 170 acres. Approximately 20 of these acres are located on the host property and are used for agricultural purposes. (NAT 1, Attachment 5 – Visual Resource Evaluation Report; Tr. 1, pp. 30-31)
102. The majority of the area from which the proposed tower would be visible is confined to secondary roads and private lands inaccessible to the public. (NAT 1, Attachment 5 – Visual Resource Evaluation Report)
103. Less than 12 residential structures would be likely to have partial seasonal views of the proposed tower, and less than four residential structures would be likely to have year-round views of the proposed tower. (NAT 1, Attachment 5 – Visual Resource Evaluation Report)
104. No views of the proposed tower would be likely from Black Rock State Park, Mattatuck State Forest, Veterans Memorial Park, or Echo Lake; locations that are between one and five miles to the east and south of the Gustafson property. (NAT 1, Attachment 5 – Visual Resource Evaluation Report)
105. No views of the proposed tower would be likely from the Watertown Center Historic District, which is located approximately 3.5 miles to the south-southeast. (NAT 1, Attachment 5 – Visual Resource Evaluation Report)

Updated Location

106. The tower at the updated location would not be visible from the perimeter and central portions, where the blueberry bushes are located, of the Evergreen Berry Farm located at 435 Bassett Road. There could be some visibility of the tower during leaf-off conditions from where raspberry bushes are located on the farm property. (Tr. 3, pp. 12-13)
107. Approximately 10 to 20 feet of the top of the monopine tower would be visible from the entrance road to the Evergreen Berry Farm. (Tr. 3, P. 13)
108. The tower at the updated location would not be visible from the Mattatuck Trail, Crestbrook Park, the Echo Lake recreational area, Black Rock Lake, Black Rock State Park, Humaston Brook State Park Scenic Reserve, Nystroms Park, Smith Pond, or Echo Lake. (See Figure 7) (NAT 11 – Supplemental Information, dated 12/23/11, II.)
109. The tower at the updated location would be expected to be visible from approximately 259 acres during the leaf-on time of the year; 93 of these acres would be over open water on the Morris Reservoir and the Wigwam Reservoir, both of which are not publically accessible. The leaf-off visibility would be the same as the leaf-on visibility. (NAT 11 – Supplemental Information, dated 12/23/11, II.)

110. The tower at the updated location would not be expected to be visible from the residence at 867 Linkfield Road due to intervening trees. Views of the tower would be expected from the driveway of this property and from Linkfield Road, just south of this property. (NAT 10 - Visual Resource Evaluation Report, p. 11)
111. The tower at the updated location might be visible from the dry dam at Black Rock Lake. (Tr. 3, pp. 98-99)

Figure 1: Site Location



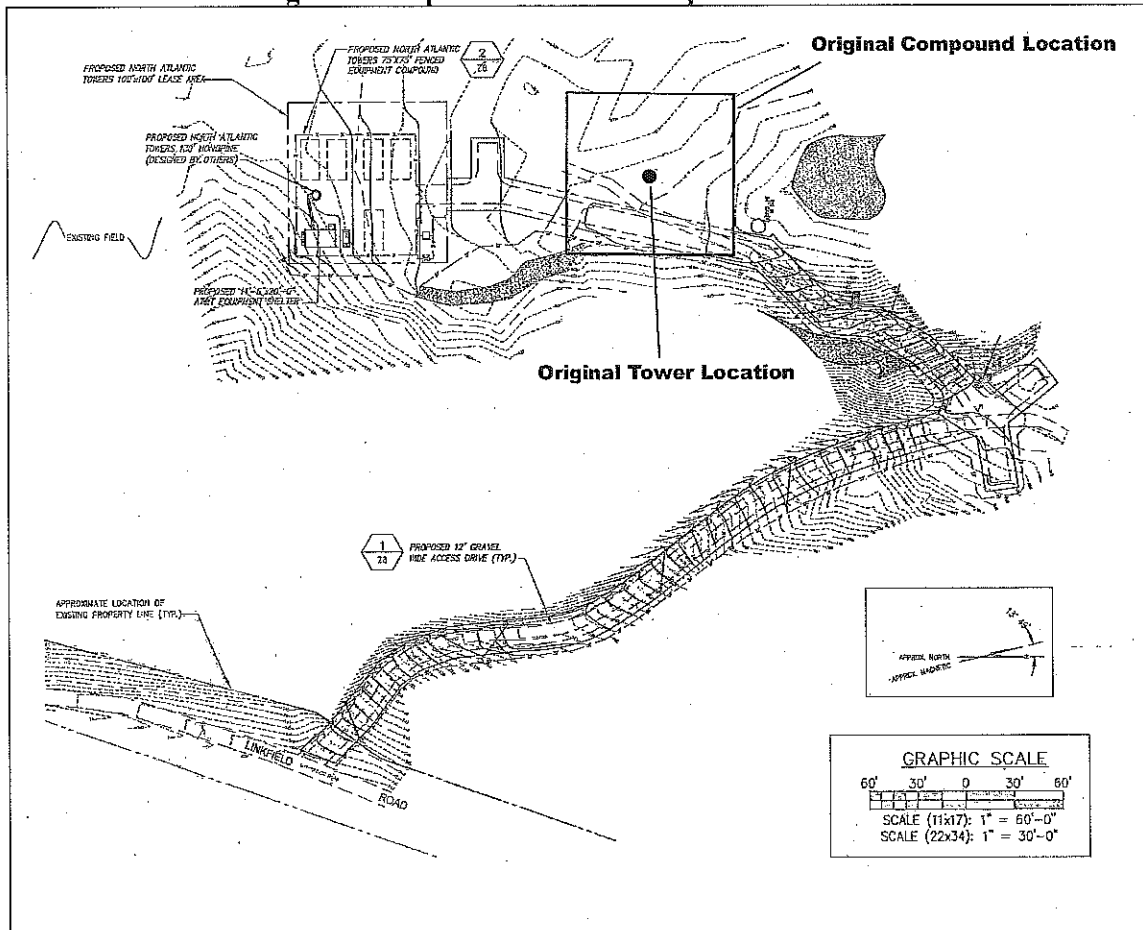
(NAT 1, Attachment 5 – Visual Resource Evaluation Report, Acreage Determination Map)

Figure 2: Aerial Photograph of Site Vicinity



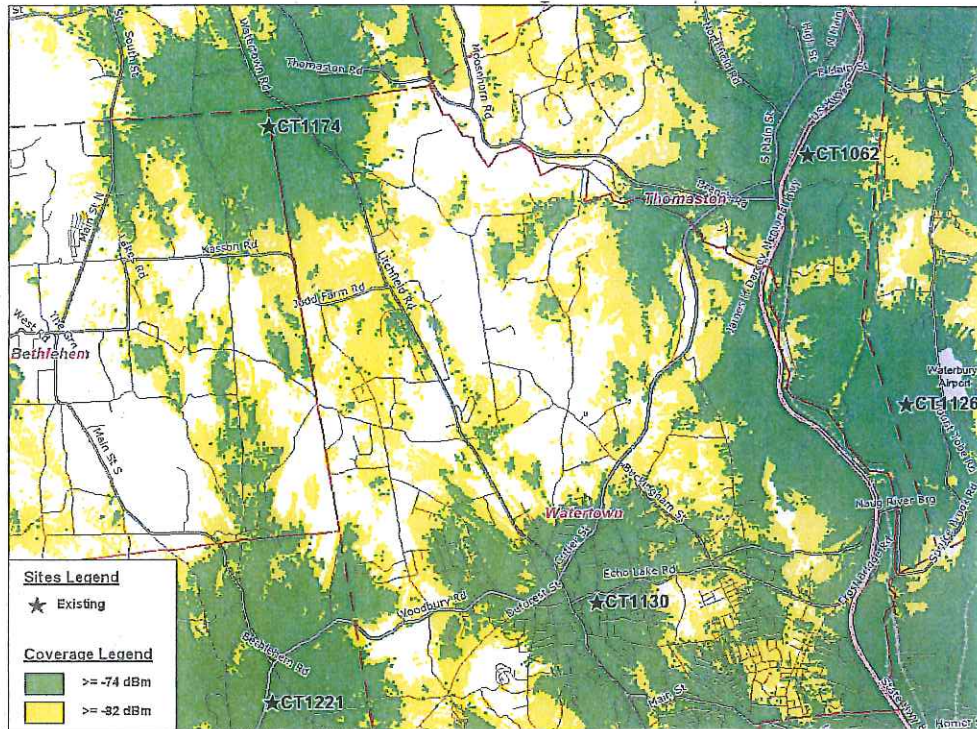
(NAT 1, Attachment 5 – Visual Resource Evaluation Report, Site Vicinity Map)

Figure 3: Proposed Site Plan for Updated Location



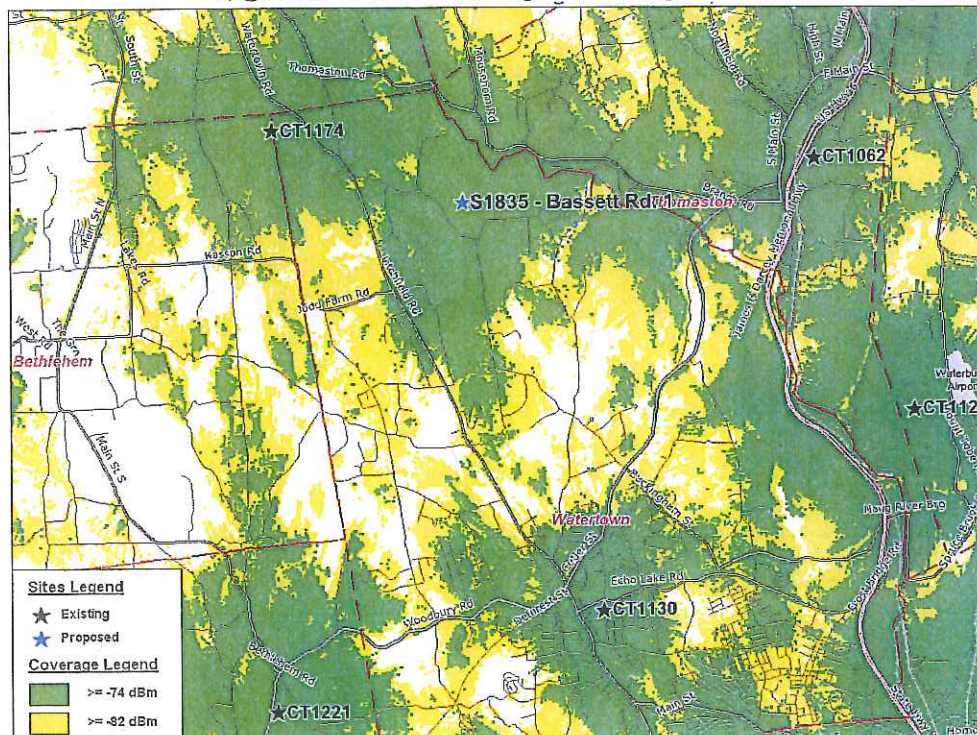
(NAT 13 - Supplemental Submission, dated February 27, 2012, Attachment 1 – Sheet Z5, Grading Plan; NAT 1, Attachment 3 – Sheet Z5, Grading Plan)

Figure 4: AT&T Existing Coverage



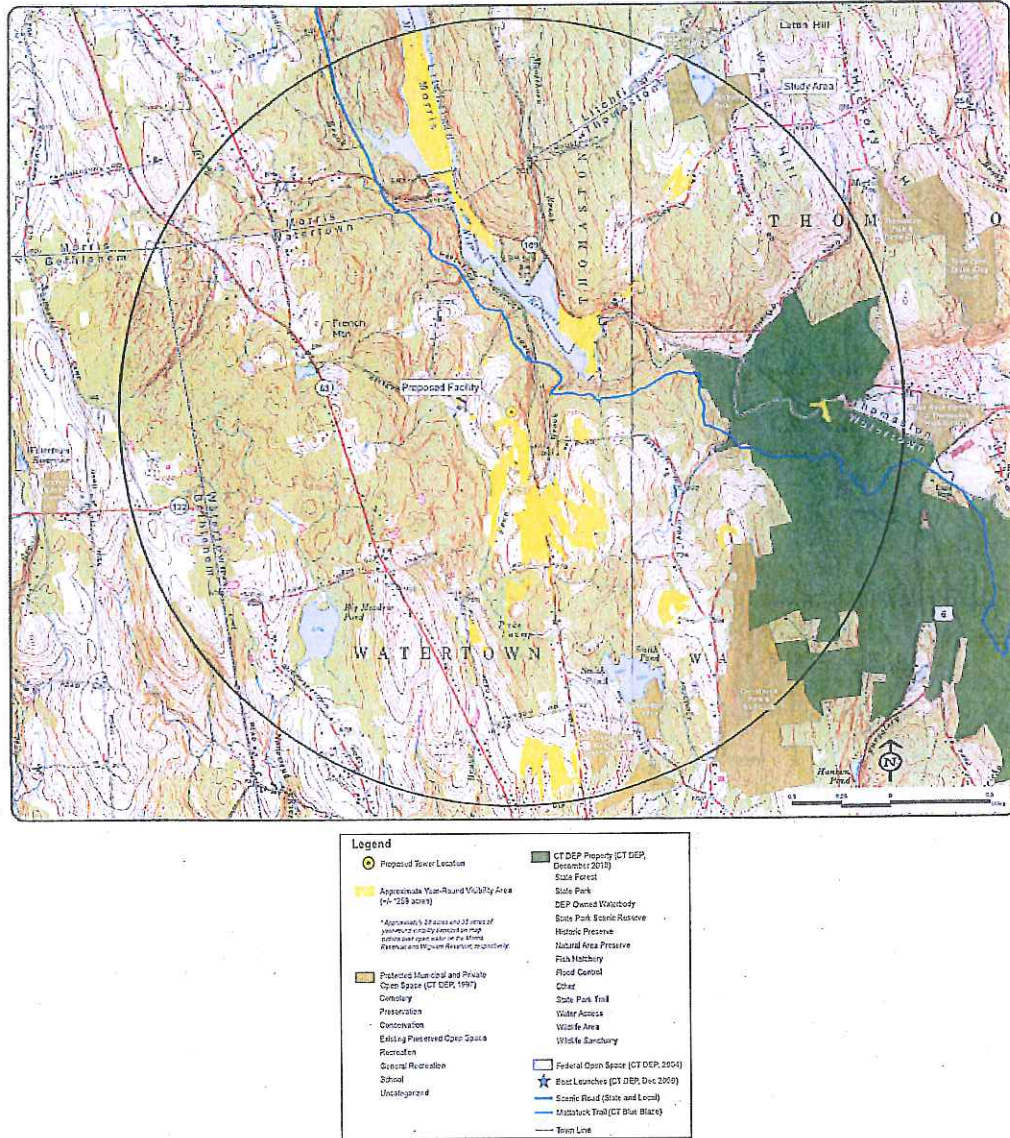
(NAT 1, Attachment 1, Map 1)

Figure 5: AT&T Coverage with Original Site



(NAT 1, Attachment 1, Map 2)

Figure 7: Tower Visibility, at Updated Location



(NAT 10 - Visual Resource Evaluation Report, dated December 16, 2011, Viewshed Analysis Map)

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> U.S. Mail	North Atlantic Towers, LLC and New Cingular Wireless PCS, LLC	<p>Lucia Chiocchio, Esq. Christopher B. Fisher, Esq. Cuddy & Feder LLP 445 Hamilton Avenue, 14th Floor White Plains, NY 10601 (914) 761-1300 (914) 761-5372 fax cfisher@cuddyfeder.com lchiocchio@cuddyfeder.com</p> <p>John S. Stevens North Atlantic Towers, LLC 1001 3rd Ave. West., Suite 420 Bradenton, FL 34250</p> <p>Michele Briggs AT&T 500 Enterprise Drive Rocky Hill, CT 06067-3900 michele.g.briggs@cingular.com</p>
Party (granted on 10/20/11)	<input checked="" type="checkbox"/> U.S. Mail	Town of Watertown	<p>Paul R. Jessell Town Attorney Slavin Stauffacher & Scott LLC 27 Siemon Company Drive Suite 300W Watertown, CT 06795 (860) 274-2511 (860) 274-2513 fax pjessell@sssattorneys.com</p> <p>Charles Frigon, Town Manager Watertown Town Hall 424 Main Street Watertown, CT 06795 frigon@watertownct.org</p>
Intervenor (granted on 10/20/11)	<input checked="" type="checkbox"/> U.S. Mail	Robert and Cathleen Alex 435 Bassett Road Watertown, CT 06795 (860) 274-7920 Bobcat230@gmail.com	