



STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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

May 15, 2012

TO: Parties and Intervenors

FROM: Linda Roberts, Executive Director *LRoberts*

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.

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By its Decision and Order dated May 10, 2012, the Connecticut Siting Council granted 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.

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

LR/CDM/laf

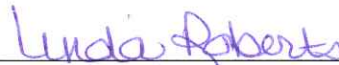
Enclosures (3)

c: State Documents Librarian

STATE OF CONNECTICUT        )  
ss. New Britain, Connecticut    :  
COUNTY OF HARTFORD        )

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

**ATTEST:**

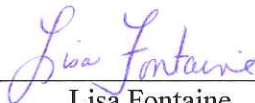


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Linda Roberts  
Executive Director  
Connecticut Siting Council

I certify that a copy of the Findings of Fact, Opinion, and Decision and Order in Docket No. 422 has been forwarded by Certified First Class Return Receipt Requested mail, on May 15, 2012, to all parties and intervenors of record as listed on the attached service list, dated October 21, 2011.

**ATTEST:**



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Lisa Fontaine  
Fiscal Administrative Officer  
Connecticut Siting Council

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

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



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May 15, 2012

Lucia Chiocchio, Esq.  
Christopher B. Fisher, Esq.  
Cuddy & Feder LLP  
445 Hamilton Avenue, 14<sup>th</sup> Floor  
White Plains, NY 10601

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.

Dear Attorney Chiocchio and Attorney Fisher:

By its Decision and Order dated May 10, 2012, the Connecticut Siting Council (Council) granted a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance and management of a telecommunications facility located at 655 Basset Road, Watertown, Connecticut.

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

Very truly yours,

Linda Roberts  
Executive Director

LR/CDM/laf

Enclosures (4)

c: John S. Stevens, North Atlantic Towers, LLC  
Michele Briggs, AT&T



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**CERTIFICATE  
OF  
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED  
DOCKET NO. 422**

Pursuant to General Statutes § 16-50k, as amended, the Connecticut Siting Council hereby issues a Certificate of Environmental Compatibility and Public Need to North Atlantic Towers, LLC for the construction, maintenance and management of a telecommunications facility located at 655 Basset Road, Watertown, Connecticut. This Certificate is issued in accordance with and subject to the terms and conditions set forth in the Decision and Order of the Council on May 10, 2012.

By order of the Council,

A handwritten signature in blue ink, appearing to read "Colin C. Tait".

Colin C. Tait, Vice Chairman

May 10, 2012

**DOCKET NO. 422** – North Atlantic Towers, LLC and New } Connecticut  
Cingular Wireless PCS, LLC application for a Certificate of }  
Environmental Compatibility and Public Need for the } Siting  
construction, maintenance and management of a } Council  
telecommunications facility located at 655 Bassett Road, }  
Watertown, Connecticut. May 10, 2012

## **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 and proposed 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 § 16-50f (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 made attempts to fly a balloon at the site from approximately 8:30 a.m. to 6:00 p.m. to simulate the height of the proposed tower. However, conditions for the balloon flight were not favorable due to strong winds and rain. Several balloons were lost or tangled in the trees. (Tr. 1, pp. 32-34)
13. The applicants conducted another noticed 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 noticed 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 noting that the operation of its proposed facility would not require the servicing of machinery or the refueling of vehicles. DPH acknowledged receipt of the information and reiterated 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. (NAT 2, A23; NAT 11; 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, on June 28, 2011. (NAT 1, pp. 16-17; Attachment 7)



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. On October, 26, 2011, 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, dated October 26, 2011)
31. On December 30, 2011, the Watertown Town Engineer prepared a follow-up memorandum to his memorandum of October 26, 2011. The second memorandum listed comments based upon his review of NAT's updated site plans and a field visit to the site of the proposed facility. (Town 4 – Updated Town Engineer Comments, dated December 30, 2011)
32. 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**

33. 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)

34. 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)
35. 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)
36. The Telecommunications Act of 1996 prohibits any state or local entity from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions, which include human health effects and effects on wildlife, 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)
37. 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)
38. AT&T's antennas would provide Enhanced 911 (E911) services as required by the 911 Act. (NAT 1, p. 7)
39. 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**

40. 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)
41. 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)
42. 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)
43. 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)

44. 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)

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

Road	Distance Covered from Site @ 1900 MHz	Distance Covered from Site @ 850 MHz	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)

46. 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)

47. 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)

48. 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

49. Lowering the height of the proposed tower to 130 feet 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

50. 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)
51. 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)
52. 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)
53. Within the search area, AT&T was unable to find any existing structures that would enable it to provide the desired coverage. (NAT 1, p. 8)

54. 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 would be able to provide the service needed in the area that AT&T is seeking to cover. 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)

55. In addition to the proposed site, NAT and AT&T investigated eight other properties as possible locations. 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 (Map 11/Block27/Lot 1) – 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 Crestbrook Park, which is not available due to a deed restriction. In addition, this site does not provide coverage as good as the coverage possible from the 655 Bassett Road site. (Tr. 3, p. 66)
  - d. 1206 Bassett Road, Watertown – A telecommunications facility on this property would not achieve AT&T's desired coverage.
  - e. 0 Linkfield Road, Watertown (Map 22/Block 26/Lot 3) – 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 (Map 23/Block 28/Lot 7) - 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 (Map 90/Block89/Lot 5A) – This existing 122-foot high water tank would not enable AT&T to provide its desired coverage from this location due to its distance from the area where coverage is needed.
- h. 0 Thomaston Road, Watertown (Map 40/Block 86/Lot 26) – 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)

- 56. Existing Connecticut Light & Power transmission line structures in this area of Watertown are not high enough to enable AT&T to provide its desired coverage. (NAT 11, Attachment 4)
- 57. 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. (NAT 1, pp. 7-8)

### **Facility Description**

#### **Application Site**

- 58. 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 agricultural and forested land. It also includes a portion of the Linkfield-Bassett Historic District, a district eligible for listing on the National Register of Historic Places. (See Figures 1, 2, and 3) (NAT 1, p. 10; Attachment 4 – NEPA Screening Report)
- 59. 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)
- 60. 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)
- 61. 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)

62. 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)
63. 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)
64. 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)
65. 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)
66. 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)
67. AT&T's generator would be placed on an impervious surface and its fuel tank would be lined with a secondary bladder to contain fuel in the event of a fuel spill. (NAT 2, A23)
68. NAT anticipates that no substantial grading would be needed to develop the area around the proposed facility's compound. (NAT 2, A6)
69. Vehicular access would be from Bassett Road over an unimproved town road along the eastern property boundary for approximately 1,750 feet and then over a new, 12-foot wide gravel drive extending northwest for approximately 750 feet. (NAT 1, p. 3; Attachment 3 – Drawing Z2; Tr. 1, pp. 34-35)
70. NAT would assume responsibility for maintaining the unimproved town road for access to its proposed facility. (Tr. 3, pp. 44-45)
71. 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)
72. 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)
73. The setback radius of the proposed tower would be contained within the host property. (NAT 1, Attachment 3 – Drawing Z3)
74. There are five residences within 1,000 feet of the proposed facility. (NAT 2, A8)
75. 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)

76. Land uses within one-quarter mile of the proposed facility are primarily low density residential and agricultural. (NAT 1, Attachment 3 – Site Evaluation Report)
77. 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

78. 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 at the updated location would remain 150 feet. NAT relocated its proposed facility to increase the distance of the facility from the Evergreen Berry Farm, the abutting property to the north, while maintaining adequate service. (NAT 11 – Supplemental Information, dated 12/23/11, l.)
79. 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)
80. On February 27, 2012, the applicants submitted additional supplemental information stating that the tower at the updated location would be designed as a 130-foot monopine. The tower was redesigned to satisfy SHPO requirements. (NAT 13 – Supplemental Submission, dated 2/27/12; Attachment 1)
81. 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)
82. The monopine tower would be designed to accommodate a total of four wireless carriers. (Tr. 3, p. 12)
83. 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)
84. The access drive for the updated location would follow the same route as for the originally proposed facility but would extend 200 feet farther. It would include upgrades to the existing unimproved Town right-of-way and the maintenance of existing road grades. The drive would also include a "two-point" turn area and would be accessible to emergency vehicles. (NAT 13 – Supplemental Submission, dated 2/27/12, Attachment 1 – Revised Site Plans)



85. 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.)
86. 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)
87. 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

88. In a letter dated March 25, 2010 that was included with NAT's application materials, the State Historic Preservation Office (SHPO) stated that 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)
89. In a letter dated December 23, 2011, 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, approximately 0.77 mile from the proposed site. 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)
90. There are populations of the American kestrel (a State Threatened Species), the Bobolink (a State Species of Special Concern), and the Eastern meadowlark (a State 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 – Letter from Elaine Hinsch, DEEP Wildlife Division, dated January 6, 2012)
91. Thirty-eight trees with a diameter at breast height (dbh) of four inches or greater would be removed in the development of the proposed facility. (NAT 1, Attachment 3)
92. The nearest delineated wetland or watercourse to the proposed site is a pond located approximately 800 feet directly to the south. (NAT 1, p. 16)
93. NAT would establish and maintain appropriate soil erosion and sedimentation control measures, in accordance with the 2002 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)

94. With erosion controls in place, the proposed facility should have no impact on any wetlands or watercourses. (NAT 1, p. 16)
95. 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)
96. 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)
97. 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)
98. 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

99. 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)
100. There would be 38 additional trees removed (76 total trees) to develop the facility at its updated location. (NAT 12 – Responses to Alex Interrogatories, A28; Tr. 3, p. 16)
101. 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)
102. 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. (NAT Submission of Power Density for 130, 3/9/12)

**Visibility**

**Application Site**

103. 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)
104. The visibility of the proposed tower from different vantage points in the surrounding vicinity is summarized in the following table.

<b>Location</b>	<b>Visibility</b>	<b>Approx. Portion of (150') Tower Visible (ft.)</b>	<b>Approx. Distance and Direction to Tower Site</b>
1 – Basset Road	Year round	80'	2,100 feet; N
2 – Gilbert Road	None	n/a	3,200 feet; SE
3 – Hidden Pond Road	Seasonal	20'	3,700 feet; E
4 – Franson Road Extension	None	n/a	4,200 feet; N
5 – Plugins Road	None	n/a	4,200 feet; N
6 – Bidwell Hill Road (State Park area)	None	n/a	2.3 miles; NW
7 – Town Recreation Area	None	n/a	3.6 miles; N
8 – Cemetery	None	n/a	2.7 miles; NE
9 – Open Space Area	None	n/a	2.7 miles; NNE
10 – Echo Lake Recreation Area	None	n/a	4.4 miles; NW
11 – Open Space	None	n/a	3.1 miles; NW
12 – State Park Entrance Area	None	n/a	1.6 miles; W
13 – Linkfield Road	Year round	50'	3,700 feet; N
14 – State Park	None	n/a	1.87 miles; NW
15 – Linkfield Road	Year round	10'	2,400 feet; N
16 – Basset Road	Seasonal	50'	2,100 feet; W
17 – Open Space	None	n/a	2.3 miles; NW
18 – Branch Road (Rt 109)	Year round	10'	1.1 miles; SSE
19 – Wigwam Road	None	n/a	3.1 miles; S
20 – Newton Road	None	n/a	3.4 miles; SW
21 – Entrance to Humaston Brook State Park	None	n/a	3.5 miles; SW

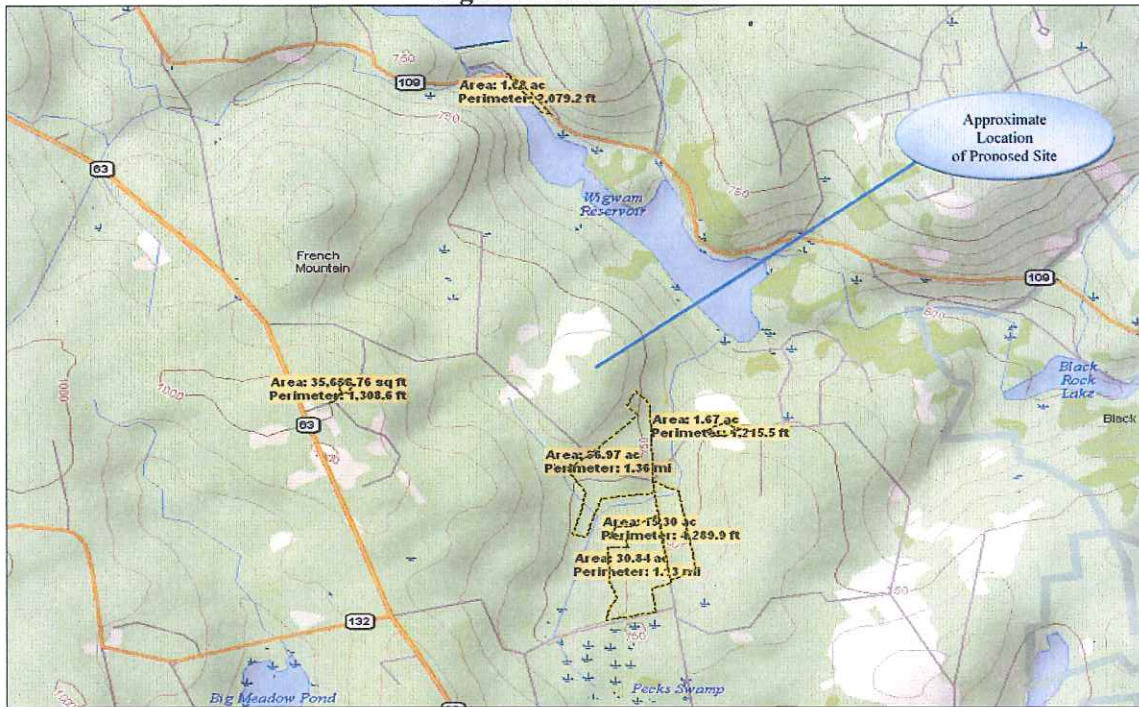
(NAT 1, Attachment 5 – Visual Resource Evaluation Report)

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. A 150-foot 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.)
107. A 150-foot tower at the updated location would not be expected to be visible from the historical 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)
108. A 150-foot tower at the updated location would not be visible from 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 10 – Visual Resource Evaluation Report)
109. The 130-foot monopine 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 black raspberry bushes are located on the farm property. (Tr. 3, pp. 12-13)
110. Approximately 10 to 20 feet of the top of the 130-foot monopine tower would be visible from the entrance road to the Evergreen Berry Farm. (Tr. 3. P. 13)
111. Some views of the 130-foot monopine might be possible from the Mattatuck Trail. (Tr. 3, pp. 96-97)
112. The tower at the updated location might be visible from the flood-control dam at Black Rock Lake, located at a distance of approximately 1.5 miles to the east. (Tr. 3, pp. 98-99)

**Figure 1: Site Location**



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

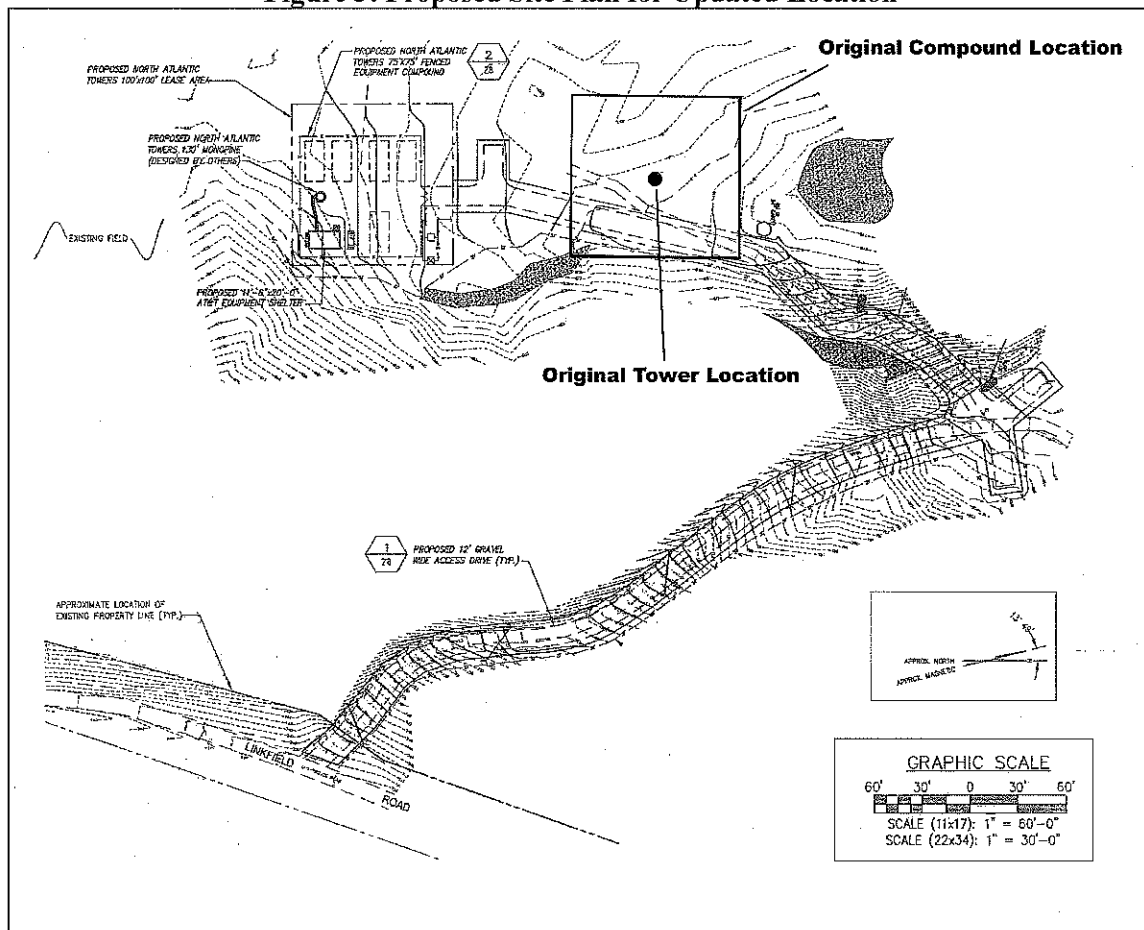
**Figure 2: Aerial Photograph of Site Vicinity**



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

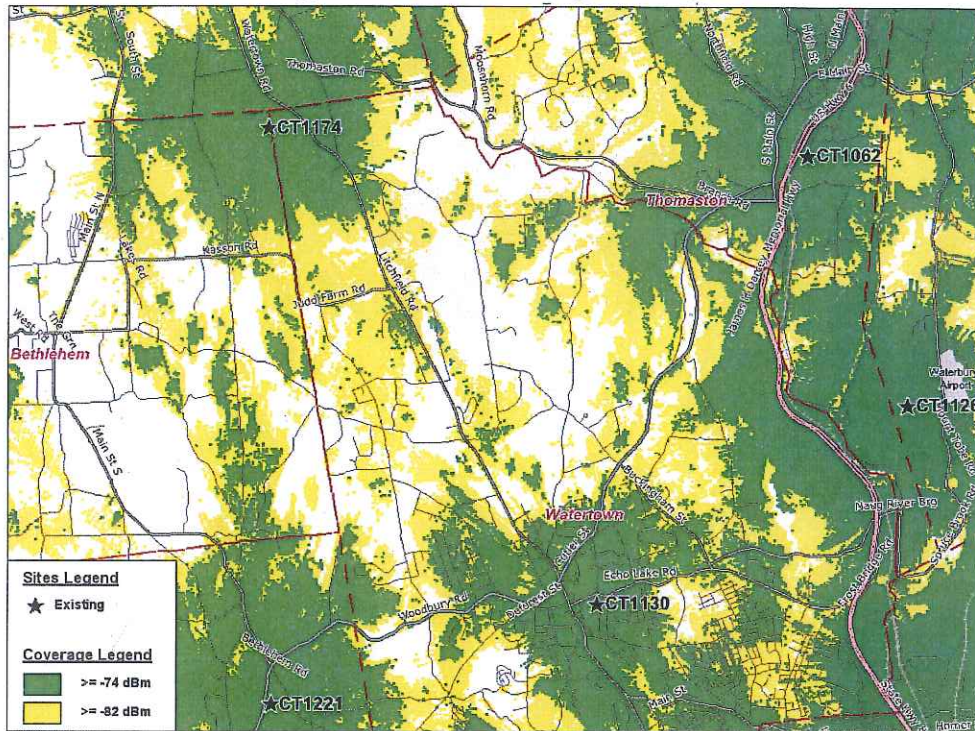


Figure 3: Proposed Site Plan for Updated Location



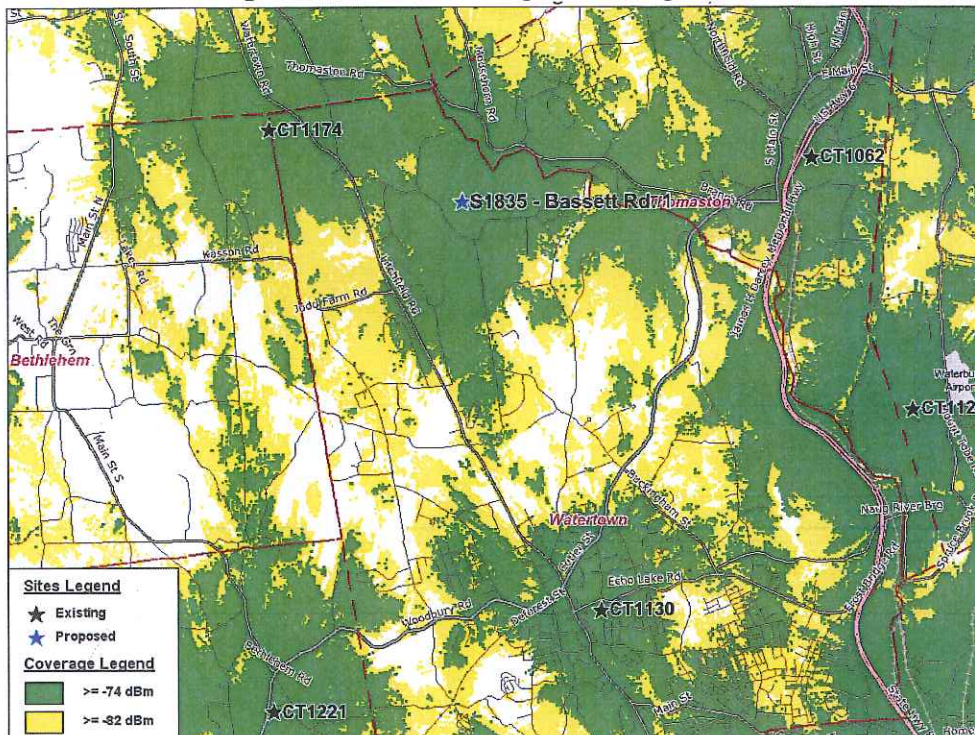
(NAT 13 - Supplemental Submission, dated February 27, 2012, Attachment 1 – Sheet Z5, Grading Plan; NAT 1, Attachment 3 – Sheet Z5, Grading Plan)

Figure 4: AT&T Existing Coverage



(NAT 1, Attachment 1, Map 1)

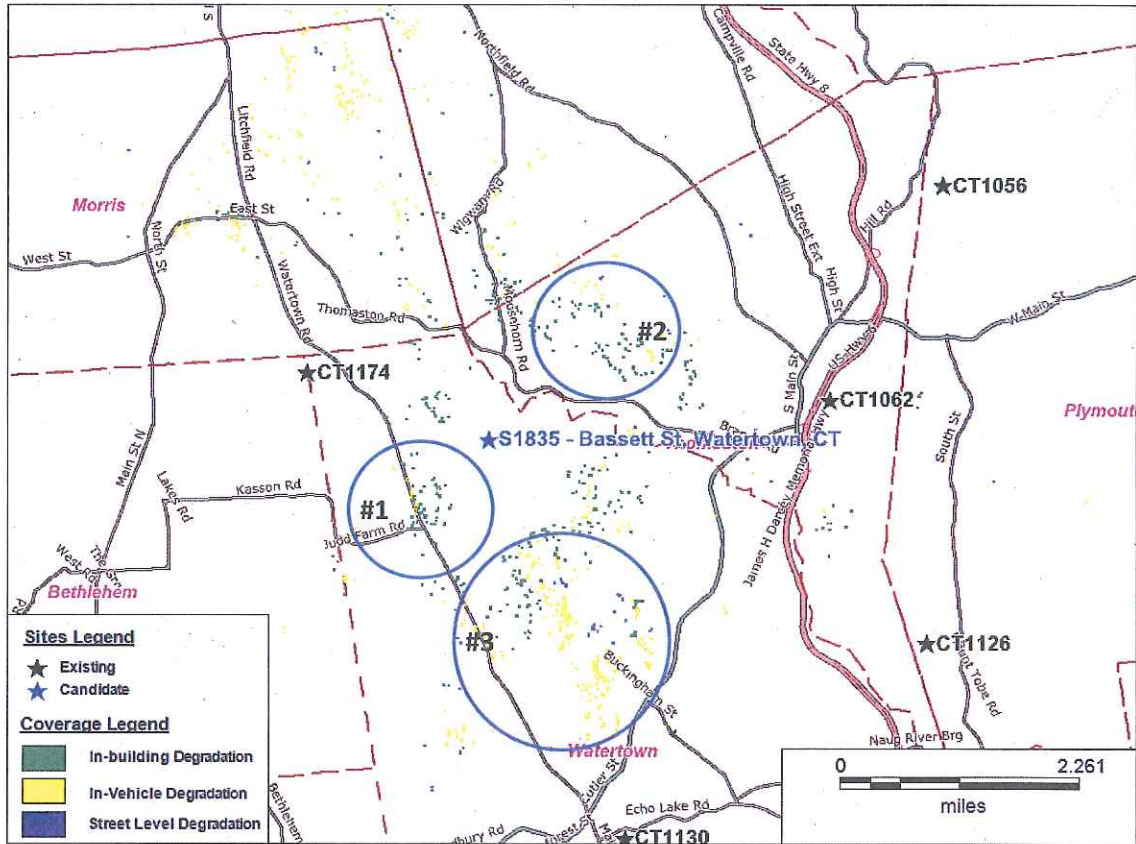
Figure 5: AT&T Coverage with Original Site



(NAT 1, Attachment 1, Map 2)



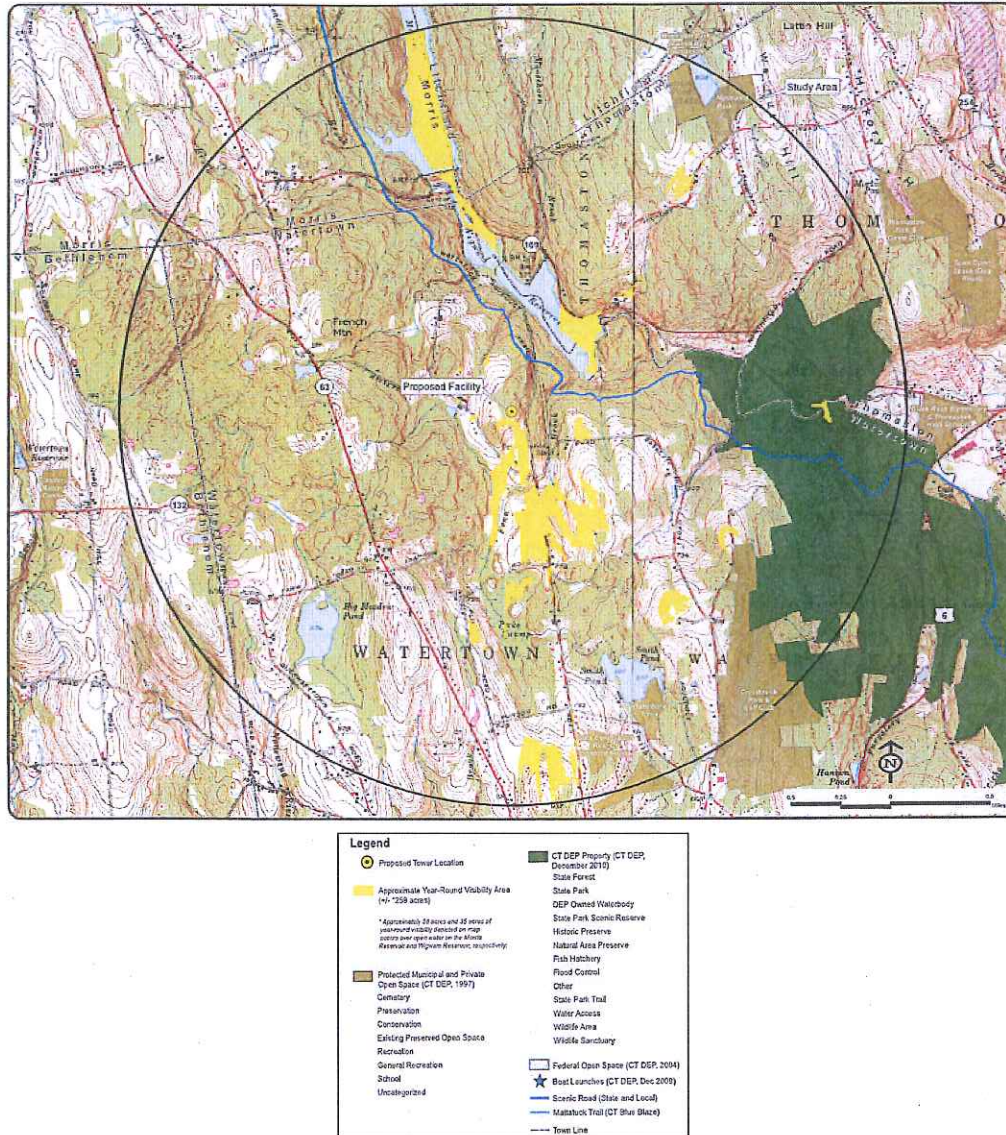
Figure 6: Areas with Signal Degradation at Lower Tower Height



(NAT 13 - Supplemental Submission, dated February 27, 2012, Attachment 4)



**Figure 7: Tower Visibility, at Updated Location (150-foot tower)**



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

**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  
May 10, 2012

### Opinion

On August 8, 2011, North Atlantic Towers, LLC (NAT) and New Cingular Wireless PCS, LLC (AT&T) applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance and management of a wireless telecommunications facility to be located on a 51.33-acre parcel at 655 Bassett Road in Watertown, Connecticut and 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 parcel consists of vacant agricultural and forested land. It also includes a portion of the Linkfield-Bassett Historic District, a district eligible for listing on the National Register of Historic Places. NAT would be the certificate holder, and AT&T would install antennas on the proposed tower. AT&T's objective at this location is to provide wireless coverage in northwest Watertown along portions of Route 63 and Route 109, Bassett Road and the surrounding area.

In its original application, NAT proposed constructing a 150-foot monopole tower within a 75-foot by 75-foot graveled compound at a location in the northerly portion of the host property. In response to concerns of the State Historic Preservation Office (SHPO) about the proposed tower's impact on a historical property located at 867 Linkfield Road, NAT updated its plans by moving the location of its compound approximately 200 feet to the south and proposing to construct a 130-foot monopine, even though the lower tower would compromise the coverage AT&T could achieve from this location. The updated location would also reduce the visual impact the proposed tower would have on the Evergreen Berry Farm, a popular berry-picking business located on the adjacent to the north of the Gustafson property. The proposed tower's setback radius would lie completely within the host property's boundaries at either the original location proposed in NAT's application or at its updated location.

The facility's vehicular access would be from Bassett Road over an unimproved town road for approximately 1,750 feet and then over a new, 12-foot wide gravel drive extending northwest for approximately 950 feet. The new gravel drive would follow an existing woods road for the steepest portion of its length. Utility service to the proposed facility would extend underground from Bassett Road and would follow the facility's access drive. The access drive to the proposed facility was of some concern to the Town of Watertown, which was a party to this proceeding. However, the Council is satisfied that NAT has taken steps to address the town's concerns and protect the town's unimproved road during construction and provide access for emergency vehicles.

A 150-foot tower at NAT's updated location would be visible on a year-round basis from approximately 259 acres. Ninety-three 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 approximately the same as the leaf-on visibility. The visibility of the 130-foot monopine tower at this location would be somewhat less. At the updated location, the tower 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 some visibility of the tower during leaf-off conditions from where black raspberry bushes are located on the farm property. Approximately 10 to 20 feet of the top of the 130-foot monopine tower would be visible from the entrance road to the Evergreen Berry Farm.

At the updated location, a total of 76 trees would be removed to develop the proposed facility. NAT would establish and maintain appropriate soil erosion and sedimentation control measures, in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Control, throughout the construction period of the proposed facility. With these erosion controls in place, the construction of the proposed facility should have no impact on any wetlands or watercourses.

There are populations of the American kestrel (a State Threatened Species), the Bobolink (a State Species of Special Concern), and the Eastern meadowlark (a State 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. Kestrels do use the edge of forested areas to find perches from which to hunt prey. But in its proposed location, the tower site would not impinge on kestrel nesting areas.

In its updated location and at its reduced height, the proposed tower would not be visible, due to intervening trees, from the historic residence at 867 Linkfield Road, which is the property of concern to SHPO. Views of the tower would be expected from the driveway of this property and from Linkfield Road, just south of this property.

According to a methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997), the worst-case combined radio frequency power density levels of the antennas proposed to be installed on the tower have been calculated by Council staff to amount to 9.79% of the FCC's Maximum Permissible Exposure, as measured at the base of the tower. This percentage is well below federal and state standards established for the frequencies used by wireless companies. If federal or state standards change, the Council will require that the tower be brought into compliance with such standards. The Council will require that the power densities be recalculated in the event other carriers add antennas to the tower. The Telecommunications Act of 1996 prohibits any state or local agency from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions to the extent that such towers and equipment comply with FCC's regulations concerning such emissions. The potential harm to wildlife from radio emissions is, like potential health effects to the public, a matter of federal jurisdiction and, therefore, beyond the scope of the Council's deliberations.

During this proceeding, the Council heard about a number of different environmental concerns from the owners of the Evergreen Berry Farm and the Town of Watertown. These concerns and those expressed by SHPO led the applicant to make several changes to its proposed facility, which the Council took into its consideration. As a result of this proceeding's deliberations, the Council has determined that AT&T has demonstrated a need for coverage in this area of Watertown and that the location of the proposed facility best achieves its coverage objectives. There was much discussion about locating the facility at the Town's Crestbrook Park, but this property is encumbered by deed restrictions associated with the federal funding used for its acquisition. Furthermore, the coverage from a facility at Crestbrook Park would not be as good as that possible from the proposed location. In addition, the updated location of the proposed facility and the lowered height of the proposed tower will reduce visual impacts on the Evergreen Berry Farm and the historical property at 867 Linkfield Road to the south of the host property.

Based on the record in this proceeding, the Council finds that the effects associated with the construction, maintenance and management of the telecommunications facility with a 130-foot monopine tower at the NAT's updated site, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate either alone or cumulatively with other effects when compared to need, are not in conflict with policies of the State concerning such effects, and are not sufficient reason to deny this application. Therefore, the Council will issue a Certificate for the construction, maintenance, and management of a 130-foot monopine telecommunications facility at the updated site at 655 Bassett Road, and deny certification for the site originally proposed in NAT's Certificate application.

**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  
May 10, 2012

### Decision and Order

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, maintenance, and management of a telecommunications facility, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate, either alone or cumulatively with other effects, when compared to need, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application, and therefore directs that a Certificate of Environmental Compatibility and Public Need, as provided by General Statutes § 16-50k, be issued to North Atlantic Towers, LLC, hereinafter referred to as the Certificate Holder, for a telecommunications facility at the updated location at 655 Bassett Road, Watertown, Connecticut. The Council denies certification of the facility location proposed in the Certificate Holder's original application for the same property.

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

1. The tower shall be constructed as a monopine, no taller than necessary to provide the proposed telecommunications services, sufficient to accommodate the antennas of New Cingular Wireless PCS, LLC and other entities, both public and private, but such tower shall not exceed a height of 130 feet above ground level.
2. The Certificate Holder shall prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-75 through 16-50j-77 of the Regulations of Connecticut State Agencies. The D&M Plan shall be served on the Town of Watertown for comment, and all parties and intervenors as listed in the service list, and submitted to and approved by the Council prior to the commencement of facility construction and shall include:
  - a) a final site plan(s) of site development to include specifications for the tower, tower foundation, antennas, equipment compound, radio equipment, access road, utility line, and landscaping; and
  - b) construction plans for site clearing, grading, landscaping, water drainage, and erosion and sedimentation controls consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended.

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

12. This Certificate may be transferred in accordance with Conn. Gen. Stat. §16-50k(b), provided both the Certificate Holder/transferor and the transferee are current with payments to the Council for their respective annual assessments and invoices under Conn. Gen. Stat. §16-50v. In addition, both the Certificate Holder/transferor and the transferee shall provide the Council a written agreement as to the entity responsible for any quarterly assessment charges under Conn. Gen. Stat. §16-50v(b)(2) that may be associated with this facility.
13. The Certificate Holder shall maintain the facility and associated equipment, including but not limited to, the tower, tower foundation, antennas, equipment compound, radio equipment, access road, utility line and landscaping in a reasonable physical and operational condition that is consistent with this Decision and Order and a Development and Management Plan to be approved by the Council.
14. If the Certificate Holder is a wholly-owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the Certificate Holder within 30 days of the sale and/or transfer.

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

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

The parties and intervenors to this proceeding are:

**Applicant**

North Atlantic Towers, LLC and  
New Cingular Wireless PCS, LLC

**Its Representatives**

Lucia Chiocchio, Esq.  
Christopher B. Fisher, Esq.  
Cuddy & Feder LLP  
445 Hamilton Avenue, 14<sup>th</sup> Floor  
White Plains, NY 10601

John S. Stevens  
North Atlantic Towers, LLC  
1001 3<sup>rd</sup> Ave. West., Suite 420  
Bradenton, FL 34250

Michele Briggs  
AT&T 500 Enterprise Drive  
Rocky Hill, CT 06067-3900

**Party**

Town of Watertown

**Intervenor**

Robert and Cathleen Alex  
435 Bassett Road  
Watertown, CT 06795

**Its Representatives**

Paul R. Jessell  
Town Attorney  
Slavin Stauffacher & Scott LLC  
27 Siemon Company Drive  
Suite 300W  
Watertown, CT 06795

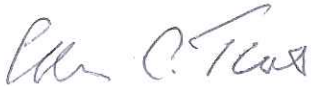

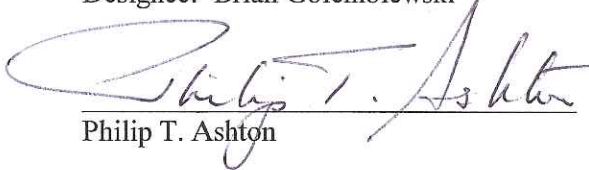
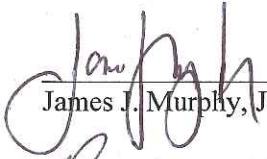
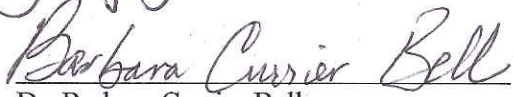

Charles Frigon, Town Manager  
Watertown Town Hall  
424 Main Street  
Watertown, CT 06795

**Its Representative**



**CERTIFICATION**

The undersigned members of the Connecticut Siting Council (Council) hereby certify that they have heard this case, or read the record thereof, in **DOCKET NO. 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, and voted as follows to approve the proposed telecommunications facility:

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

Dated at New Britain, Connecticut, May 10, 2012.



STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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

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

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

May 15, 2012

TO: Classified/Legal Supervisor  
**422111027**  
Town Times (Weekly)  
469 Main Street, P.O. Box 1  
Watertown, CT 06795-0001

FROM: Lisa A. Fontaine, <sup>ly</sup>Fiscal Administrative Officer

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.

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

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

Thank you.

LAF



STATE OF CONNECTICUT  
*CONNECTICUT SITING COUNCIL*

Ten Franklin Square, New Britain, CT 06051

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

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

NOTICE

Pursuant to General Statutes § 16-50p (a), the Connecticut Siting Council (Council) announces that, on May 10, 2012, the Council issued Findings of Fact, an Opinion, and a Decision and Order approving an application from North Atlantic Towers, LLC and New Cingular Wireless PCS, LLC 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. This application record is available for public inspection in the Council's office, Ten Franklin Square, New Britain, Connecticut.