

DOCKET NO. 423 – 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 operation of a telecommunications facility located off Route 198, Woodstock, Connecticut. } Connecticut } Siting } Council

June 21, 2012

Opinion

On October 20, 2011, North Atlantic Towers, LLC (NAT) and New Cingular Wireless PCS, LLC (AT&T) applied to the Connecticut Siting Council for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance and operation of a wireless telecommunications facility to be located off Route 198 in Woodstock, Connecticut. The proposed facility would provide AT&T with coverage in the western and southwestern portions of Woodstock along Route 198, Route 171 and the surrounding area.

The proposed compound would be located within a 75-foot by 75-foot fenced area in the southeastern corner of an approximately 128-acre parcel owned by Woodstock Tower Partners, LLC located off of Route 198. The host parcel is undeveloped, wooded, and landlocked (with no access to a public road). The applicants originally proposed a 4,690-foot access road extending southwest from Route 198 through an adjacent property at 530 Route 198. During the proceeding, the applicants revised the proposed access road. The new access road would extend 2,550 feet from Route 171 northwest over an adjacent parcel owned by Michael Farley along Route 171.

The applicants propose the installation of a 150-foot monopole designed to accommodate the antennas of six carriers, including AT&T. As an alternative, the monopole could be designed as a monopine tower.

There are no residences within a 1,000-foot radius of the proposed tower. The nearest residence is approximately 2,000 feet to the east at 382 Route 198, owned by Robert & John Wrobel.

The Council finds that there is a need for a tower at the proposed site because AT&T has no coverage in the area. While a 150-foot tower at the proposed site provides AT&T with coverage along Route 171, Route 198 and much of the surrounding area, a tower height of 110 feet would be adequate for AT&T to provide coverage to the main roadways in the area.

No other carriers intervened in the proceeding to demonstrate a need for the tower.

At 150 feet, the tower would be visible year-round from 134 acres within a two-mile radius of the site, approximately half of which is over open water on Lake Bungee and Witches Woods Lake. The 150-foot tower would be seasonally visible from an additional five acres.

At 110 feet, the proposed tower would be visible year-round from 92 acres within a two-mile radius of the site, with approximately half over the open water of Lake Bungee and Witches Woods Lake.

Whether a tower at the proposed site were 150 feet high or 110 feet, it would be visible from many of the same locations within a two-mile radius; however, a 110-foot tower would extend just above the treetops from most locations. Therefore, the Council finds that a 110-foot tower at the proposed site would have less visual impact on the surrounding area, while still meeting the coverage needs of AT&T. Furthermore, the Council rejects a monopine design alternative for the facility, since, as depicted in the photosimulations, the visual impact of a monopine would not differ significantly from that of a plain monopole with antennas.

The revised access road would cross two wetland areas, requiring the installation of a road base and two elliptical culverts. The construction of this road would result in approximately 3,100 square feet of wetland disturbance. Overall, construction of the proposed site and new access road would require the removal of 166 trees six inches or greater in diameter at breast height. In comparison, the original access road would require three culverts, the removal of 300 more trees, and a total disturbance to inland wetlands double that of the revised access road. Therefore, the Council will order that the revised access road be developed.

No Federal or State-listed endangered or threatened species or State Species of Special Concern are known to occur in the area of the proposed site and access road.

The proposed facility would have no effect upon historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places.

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 5.96% 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.

Based on the record in this proceeding, the Council finds that the effects associated with the construction, maintenance, and operation of the proposed 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 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 operation of a 110-foot monopole telecommunications facility at the proposed site located off Route 198 in Woodstock.