



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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August 22, 2014

Lucia Chiocchio, Esq.
Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, NY 10601

RE: **DOCKET NO. 440** – New Cingular Wireless PCS, LLC (AT&T) Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 522 Colebrook Road, Colebrook, Connecticut.

Dear Attorney Chiocchio:

At a public meeting of the Connecticut Siting Council (Council) held on August 21, 2014, the Council considered and approved the Development and Management (D&M) Plan submitted for this project on August 11, 2014, with the following conditions:

- The antennas and antenna mounts shall not extend beyond the limits of the monopole tree branches;
- The utilities shall be run underground to cross Smith Hill Road; and
- All construction shall remain within the delineated boundaries of the subject property

This approval applies only to the D&M Plan submitted on August 11, 2014. Requests for any changes to the D&M Plan shall be approved by Council staff in accordance RCSA §16-50j-77(b). Furthermore, the Certificate Holder is responsible for reporting requirements pursuant to Regulations of Connecticut State Agencies Section 16-50j-77.

Please be advised that changes and deviations from this plan are enforceable under the provisions of the Connecticut General Statutes § 16-50u. Enclosed is a copy of the staff report on this D&M Plan, dated August 21, 2014.

Thank you for your attention and cooperation.

Very truly yours,

A handwritten signature in black ink that reads "Robert Stein" followed by the initials "MAB" in a smaller, slanted font.

Robert Stein
Chairman

RS/MP/cm

Enclosure: Staff Report, dated August 21, 2014

c: Parties and Intervenor

Docket No. 440

AT&T

522 Colebrook Road, Colebrook

Development and Management Plan

Staff Report

August 21, 2014

On February 6, 2014, the Connecticut Siting Council (Council) issued a Certificate of Environmental Compatibility and Public Need to New Cingular Wireless PCS, LLC (AT&T) for the construction, maintenance, and operation of a wireless telecommunications facility located at 522 Colebrook Road, Colebrook, Connecticut. As required in the Council's Decision and Order (D&O), AT&T submitted a Development and Management Plan (D&M Plan) for the project to the Council on August 11, 2014. A copy of the D&M Plan was also provided to the Town of Colebrook (Town), a party in this proceeding. There were no other parties or intervenors in Docket No. 440.

The subject property consists of a largely wooded 73.1-acre residentially zoned parcel located between Colebrook Road (Route 183) and Smith Hill Road. The tower site will be located in the southern portion of the parcel. AT&T will construct a tree monopole capable of supporting a total four carriers including AT&T. Consistent with Order No. 1 of the Council's Decision and Order, the monopole or "tree trunk" will not exceed 120 feet above ground level (AGL). The monopole will be painted brown. The "tree top" or highest point of branch material will reach approximately 125 feet AGL. AT&T will install 12 panel antennas on T-arm mounts at the 116-foot level of the tower. AT&T will also install 21 remote radio heads stacked behind the antennas. The antennas and tower mounted equipment will be painted to match the tower. Staff suggests including a condition that the antennas and antenna mounts do not extend beyond the limits of the monopole branches. AT&T will be the only carrier located on this tower at this time.

The nearest property boundary from the tower is approximately 132 feet to the south (Campbell property). The tower is designed with a yield point so that, in the unlikely event of a tower failure, the failure would occur in the top 30-foot section of the tower. Thus, the tower setback radius will remain well within the subject property boundaries.

AT&T will construct a 75-foot by 75-foot equipment compound at the site. The compound will be enclosed by an eight-foot high chain link fence. AT&T will install an 11-foot 5-inch by 16-foot equipment shelter within the compound. A 50-kW diesel generator (sized for AT&T's use only) will be located on an 8-foot by 11-foot 5-inch concrete pad next to the equipment shelter. The generator will be capable of supplying approximately 48 hours of power before refueling. AT&T has reserved a 20-foot by 20-foot area within the fenced compound to accommodate a future shared generator in accordance with Order No. 4a of the D&O. Utility service to the site are proposed to run overhead across Smith Hill Road to a new utility pole on the same side of Smith Hill Road as the subject property. AT&T could run the utilities underground to cross Smith Hill Road if required by the Council. Utility service will continue underground and generally follow the access drive to reach the compound. Staff suggests including a condition that the utilities be run underground to cross Smith Hill Road.

Access to the compound will be from a new 12-foot wide and approximately 1,200-foot gravel driveway from Smith Hill Road. This is access drive number three per Order No. 3 of the D&O. Access drive three avoids crossing Wetland 3. The number of trees six inches in diameter or greater to be removed is not expected to exceed 170. The access gate will be located about 50 feet away from Smith Hill Road to block its view from Colebrook Consolidated School per Order No. 3 of the D&O. AT&T will also install a construction debris anti-tracking pad to minimize the tracking of mud and debris onto the street. Silt fencing will be installed along both sides of the access road and around the compound. Drainage swale and outlets will also be included on both sides of the access road.

AT&T has included functions and values assessments for affected wetlands on the subject property per Order No. 4c of the D&O. The portion of Wetland 1 on the subject property is relatively small (~1,000 square feet) with the bulk of the wetland located off-site to the south. Wetland 1 is located approximately 470 feet west of the proposed facility compound and approximately 430 feet west of the proposed access drive number 3. No impact to this wetland is anticipated, and thus no functions and values assessment was provided for Wetland 1.

Wetland 2 is located approximately 145 feet east of the proposed facility compound and 220 feet east of the access drive. This wetland is considered marginal vernal pool habitat, but could be used by migrating amphibians as "staging habitat" as they make their way to Wetland 3, which has more significant amphibian breeding habitat. Accordingly, AT&T has provided the functions and values assessment for Wetland 2.

Wetland 3 is located approximately 600 feet east/northeast of the proposed facility compound and approximately 17 feet east of the access drive. Grading activities will extend within approximately five feet of Wetland 3. The southern portion of Wetland 3 potentially supports cryptic vernal pool habitat. The nearest proposed development activities to the portion of Wetland 3 that supports cryptic vernal pool habitat is approximately 670 feet east of the proposed access drive and about 760 feet east of the proposed fenced compound. Thus, AT&T has provided the functions and values assessment for Wetland 3.

Wetland 4 is located approximately 70 feet northwest of the proposed compound or about 65 feet from proposed grading activities. However, given its small size and general lack of wetland features, no significant wetland functions or values are supported by this wetland. Therefore, a detailed evaluation of wetland functions and values were not provided for Wetland 4.

Wetland 5 is located approximately 370 feet north of the compound. The nearest proposed development activities to Wetland 5 are associated with the access drive, located approximately 25 feet to the west. Grading activities will extend within 20 feet of this wetland location. No vernal pool habitat was observed at this wetland. Nevertheless, given that this wetland has similar form and characteristics to Wetland 3, the functions and values were provided for Wetland 5.

AT&T will also implement its Wetland and Vernal Pool Protection Program (WVPPP) as requested by the Council on page 3 of the Opinion document. Such plan will include elements intended to protect herpetofauna should construction activities occur during peak amphibian movement periods such as March 1st to May 15th and July 15th through September 15th. A qualified professional from All Points Technology Inc. will serve as the environmental monitor for the project to ensure that the vernal pool protection measures are implemented properly. The WVPPP consists of several components including: isolation of the project perimeter; periodic inspection and maintenance of isolation structures; herpetofauna sweeps; education of all contractors and sub-contractors prior to initiation of work at the site; protective measures; and reporting. With the WVPPP, proper erosion and sedimentation controls in accordance with the *2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control*, stormwater management features in accordance with the *2004 Connecticut Stormwater Quality Manual*, and Best Development Practices (Calhoun and Klemens, 2002), the proposed AT&T project is not expected to result in a likely adverse impact to wetland resources.

Consistent with the Council's Decision and Order, the cumulative worst-case radio frequency power density level at the base of the tower would be 9.8% of the applicable standard.

All of the Development and Management Plan requirements set forth in the Council's Decision & Order for Docket 440 are in compliance; therefore, Council staff recommends approval. Council staff recommends that approval of requested significant changes to the approved D&M Plan be delegated to Council staff in accordance with Regulations of Connecticut State Agencies §16-50j-77(b). In accordance with that section, if advance written notice is impractical, the Certificate Holder shall provide verbal notice of the changes and shall submit written specifications to the Council within 48 hours after the verbal notice. All changes pursued without advance notification and approval shall be subject to a penalty, enforceable by the Attorney General pursuant to C.G.S. §16-50u.