

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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VIAL ELECTRONIC MAIL

November 25, 2013

TO: Parties and Intervenors

FROM: Melanie Bachman, Acting Executive Director *MAB*

RE: **DOCKET NO. 443** – 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 at 257 Perkins Road, Southbury, Connecticut.

The Connecticut Siting Council (Council) is in receipt of correspondence from the Town of Southbury, dated November 25, 2013, concerning the above-referenced application.

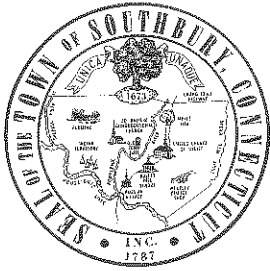
Pursuant to Connecticut General Statutes §16-50/(b), a copy of the application is to be submitted to the First Selectman's office for review. In the event that Town of Southbury does not avail itself of the opportunity to attain party status under Connecticut General Statutes §16-50n, this correspondence shall become part of the record in this proceeding.

Therefore, a copy of this correspondence is being distributed to all participants in this proceeding and will also be administratively noticed in the record.

MB/cm

Enclosure

c: Council Members



TOWN OF SOUTHBURY

OFFICE OF THE FIRST SELECTMAN

501 Main Street South

Southbury, Connecticut 06488-2295

(203) 262-0647

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ORIGINAL

November 21, 2013

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CONNECTICUT
SITING COUNCIL

Melanie A. Bachman
Acting Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

RE: **DOCKET NO. 443** – New Cingular Wireless PCS, LLC application for a Certificate of Environment Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 257 Perkins Road, Southbury, Connecticut.

Dear Ms. Bachman:

The purpose of this letter is to outline interests of the Town of Southbury and related issues for consideration by the CSC relating to **DOCKET NO. 443**.

Southbury's Plan of Conservation and Development, effective December 31, 2012, recognizes the need to "allow a wide range of wired and wireless utilities to add technological advances to business areas and community residences while striving to improve the appearance of the community". The Plan also states "Highly visible communications facilities, such as towers, communications sheds and attachments to utility poles must be designed and located so as to have minimal visual and aesthetic impact."

The Southbury Zoning Regulations, with latest revision date of October 13, 2013, address the installation of "Wireless Communications Facilities" under section 6.10 of the Regulations to "permit the location of wireless communication facilities within the Town of Southbury while preserving the rural, scenic and historic character of the community and protecting the public, neighborhoods, and minimizing the adverse visual and operational effects of wireless communication facilities."

The Zoning Regulations note location preferences and cite residential zones as the least preferred location for new towers over 60 feet in height. *The proposed tower is 170 feet.*

The Zoning Regulations also have "Special Standards" as follows:

6.10.2 No tower shall be located within 200 feet of a residence. *The proposed tower is within 200 feet of the host site and within only several hundred feet of several others.*

6.10.9 Towers shall be set back from all property lines a distance equal to their height plus 20 feet. *The application states the distances are less than the 170 feet plus 20 = 190 feet but they will incorporate a yield point in the tower structure. For the many nearby dwellings and residents this is unacceptable.*

These represent just a few of the examples where the current application before you does not comply with local criteria.

We are responding to your letter asking for other criteria to be considered as well as other sites. The Town of Southbury would like to recommend that the applicant consider the following alternate locations:

- 7-91-P14 – West Flat Hill Road, 88 acres – town undeclared use
- 12-92-1 – East Flat Hill Road, 65 acres – town undeclared use
- 6-87-5 – Brown Brook Road, 40 acres – privately owned, Tappe Trust
- 10-83-3 Flag Swamp Road, 84 acres – town open space parcel, no known restrictions.
- Cassidy Road, location of an old water tower owned by the state, it is to be abandoned and should be considered.

We look forward to a continued dialogue to seek an amiable solution for everyone.

Sincerely,



Edward Edelson,
First Selectman

C: State Representative Arthur O'Neill
Attorney Daniel Laub