



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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September 16, 2016

Kenneth C. Baldwin, Esq.  
Robinson & Cole LLP  
280 Trumbull Street  
Hartford, CT 06103-3597

RE: **DOCKET NO. 462** – Celco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 15 Great Pasture Road, Danbury, Connecticut.

Dear Attorney Baldwin:

At a public meeting of the Connecticut Siting Council (Council) held on September 15, 2016, the Council considered and approved the Development and Management (D&M) Plan submitted for this project on August 15, 2016 with the following conditions:

1. Use of off-road construction equipment that meets the latest EPA or California Air Resources Board standards, or in the alternative, equipment with the best available controls on diesel emissions, including, but not limited to, retrofitting with diesel oxidation catalysts, particulate filters and use of ultra-low sulfur fuel;
2. Compliance with the provisions of Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies that limit the idling of mobile sources to 3 minutes;
3. The monopole shall have a standard gray, galvanized finish as noted in the Council's Opinion dated December 10, 2015; and
4. The bottom of the compound fence should be elevated not less than six inches above grade to protect against turtle entrapment.

This approval applies only to the D&M Plan submitted on August 15, 2016 and other supplemental data dated August 24, 2016. Requests for any changes to the D&M Plan shall be approved by Council staff in accordance with Regulations of Connecticut State Agencies Section (RCSA) §16-50j-77(b). Furthermore, the Certificate Holder is responsible for reporting requirements pursuant to RCSA 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 September 15, 2016.

Thank you for your attention and cooperation.

Sincerely,

Handwritten signature of Robert Stein with the initials "MAB" written in the upper right corner of the signature.

Robert Stein  
Chairman

RS/MP/cm

Enclosure: Staff Report, dated September 15, 2016

- c: Parties and Intervenors  
The Honorable Mark D. Boughton, Mayor, City of Danbury  
Sharon Calitro, Director of Planning & Zoning, City of Danbury



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### Docket 462 – Danbury

### Development and Management Plan

### Staff Report

September 15, 2016

On December 10, 2015, the Connecticut Siting Council (Council) issued a Certificate of Environmental Compatibility and Public Need to Cellco Partnership d/b/a Verizon Wireless (Cellco) for the construction, maintenance, and operation of a wireless telecommunications facility located at 15 Great Pasture Road, Danbury, Connecticut. As required in the Council's Decision and Order (D&O), Cellco submitted a Development and Management Plan (D&M) for the project to the Council on August 15, 2016. A copy was also provided to the City of Danbury on or about August 12, 2016. No comments have been received to date.

Consistent with the Council's D&O, Cellco will construct a 120-foot monopole on an approximately 14.0-acre parcel owned by Eppoliti Industrial Realty Inc. The subject property is zoned Industrial (IL-40) and is used for light industrial purposes. There is an existing Connecticut Department of Energy and Environmental Protection (DEEP) dig-restricted area (DRA) on the subject property. This DRA is an environmental land-use restriction on a portion of the subject property that resulted from some historic releases in contamination that were identified approximately 10 to 15 years ago. The DRA encompasses an area beneath the southwest corner of the existing industrial building on the subject property and extends approximately 25 feet beyond the building to the west and the south. Cellco will not be performing any construction within the DRA.

Consistent with the Council's Opinion dated August 15, 2016, no painting of the monopole tower is proposed in the D&M Plan. Accordingly, if approved, staff suggests including a condition that the tower have a standard galvanized gray finish. The tower and foundation will be capable of supporting three levels of platform-mounted antennas at its approved height. The tower and foundation is also designed to accommodate a 20-foot extension, which could allow two additional platform-mounted arrays, bringing the total to five. The distance from the center of the tower to the nearest property line is 224 feet. Thus, no yield point is required for the tower design.

Cellco will install 12 panel antennas and nine remote radio heads on a low-profile antenna platform at a centerline height of 120 feet above ground level (agl). The tops of Cellco's antennas will reach a maximum height of 123 feet agl.

Cellco will construct a 2,500 square-foot (50-foot by 50-foot) equipment compound within a 2,500 square-foot lease area at the site. The compound will be enclosed by an eight-foot high chain link fence with black privacy screening mesh. The screening mesh will act as a visual barrier and an anti-climbing measure. Within the fenced compound, instead of an enclosed equipment shelter as originally proposed, Cellco will install a 12-foot by 26-foot concrete equipment pad with a steel canopy on top.

The source of backup power is the battery backup system, with a typical run time of four to eight hours. Cellco will also install a 15-kilowatt DC propane-fueled generator on the equipment pad to keep the batteries charged and thus add about 388 hours of run time before refueling. A 1,000 gallon propane tank will be installed on a 5-foot by 8-foot concrete pad inside the fenced compound.

No air conditioning units are required to keep the equipment cool because of the "open canopy" design, rather than an enclosed equipment shelter. The backup generator is exempt from DEEP noise standards as a device relating to an emergency. Notwithstanding, with noise levels of 59 dBA at 25 feet and the nearest



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property line at over 200 feet away, Cellco conservatively predicts that the generator will not exceed the noise limits specified in DEEP noise standards at the property boundaries.

Access to the proposed site compound from Great Pasture Road will be provided over an existing paved driveway and parking area for a total distance of 645 feet. No new access is required. Utilities will be installed underground to the site from Great Pasture Road following the existing paved access drive. Utilities will connect to an existing Eversource pole number 1979, located on the same side of Great Pasture Road as the subject property. Cellco has located the utility trench and tower compound outside of the DRA. The trench will be roughly 30 inches in depth, compared with the DRA depth of about four feet. The trench will be approximately 10 feet south of the DRA (measured horizontally), but could be shifted farther to the south if required by the Council.

There is one wetland on the subject property. Wetland 1 is located to the south and west of the proposed tower compound. Wetland 1 is approximately 77 feet to the south-southeast of the compound fence at its closest point. Up slope of the wetland, a riprap-lined level spreader 38 feet long by 8 feet wide by 1 foot deep would be installed for stormwater control. Erosion and sedimentation controls (E&S Controls) will be installed to isolate the construction area and protect the wetland. The E&S Controls will comply with the *2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control*.

Two State-listed Species of Special Concern, the eastern box turtle and the wood turtle, may occur in the vicinity of the proposed site. The bog turtle, a federally-listed Threatened Species and State-listed Endangered Species, and the northern long-eared bat, a federally-listed Threatened Species and a State-listed Endangered Species, are documented in the vicinity of the subject property. No impact on the northern long-eared bat is expected because no trees will be removed. Furthermore, the nearest bat hibernaculum is located over 10 miles from the proposed tower site.

To protect the three turtle species noted above and Wetland 1, Cellco included a combined Turtle and Wetland Protection Plan (TWPP) in its D&M Plan. Collectively, the TWPP includes isolation measures, erosion and sedimentation control recommendations, contractor education plans, petroleum and materials storage and spill prevention plans, species protective measures such as daily turtle sweeps, herbicide and pesticide restrictions, and reporting requirements. The compound fence was originally proposed with a 1.5-inch gap between the bottom of the fence and grade. However, as an additional turtle protection measure, Cellco is willing to raise the fence by six to eight inches to leave a sufficient gap to allow turtles to pass through and greatly reduce the risk of entrapment. Council staff believes that this is a prudent measure. If approved, staff suggests including a condition that the gap under the fence be not less than six inches.

The site is located in the Federal Emergency Management Agency Zone X, an area outside of the 500-year flood zone. Thus, no flood mitigation measures are proposed.

No landscaping is proposed because of the industrial nature of the site, and any views of the compound and lower portions of the monopole will be limited to locations on the subject property.

Consistent with the Council's Decision and Order, the calculated power density of Cellco's proposed antennas will be 0.33 percent of the applicable limit using a -10 dB off-beam adjustment.

Cellco expects that construction will commence on or about September 16, 2016 and will be completed within three to five months, weather permitting. Typical construction hours and days of the week will be Monday through Friday, 7:00 a.m. to 5:00 p.m. Any noise related to construction will be exempt per DEEP noise regulations. Operation of the (completed) project is expected to meet the DEEP noise standards at the property boundaries.

All of the Development and Management Plan requirements set forth in the Council's Decision & Order for Docket 462 are in compliance; therefore, Council staff recommends approval with the following conditions:

1. Use of off-road construction equipment that meets the latest EPA or California Air Resources Board standards, or in the alternative, equipment with the best available controls on diesel emissions, including, but not limited to, retrofitting with diesel oxidation catalysts, particulate filters and use of ultra-low sulfur fuel;
2. Compliance with the provisions of Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies that limit the idling of mobile sources to 3 minutes;
3. The monopole shall have a standard gray, galvanized finish as noted in the Council's Opinion dated December 10, 2015; and
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