



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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### VIA ELECTRONIC MAIL

November 13, 2015

TO: Parties and Intervenors

FROM: Melanie Bachman, Acting Executive Director *MAB*

RE: **DOCKET NO. 463** – American 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 at East Lyme Tax Assessor Parcel ID 29.0 45, 351A Boston Post Road, East Lyme, Connecticut.

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Comments have been received from Department of Transportation on November 13, 2015. A copy of the comments is attached for your review.

MB/RDM/cm

c: Council Members



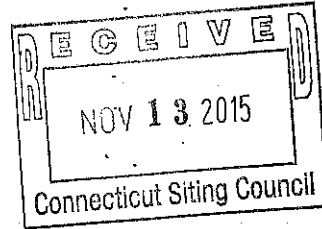
STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546  
NEWINGTON, CONNECTICUT 06131-7546

Phone:

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



Dear Ms. Bachman:

**Subject: Docket 463**  
**Telecommunications Facility**  
**351A Boston Post Road**  
**Town of East Lyme**


The Department of Transportation has reviewed the above-mentioned docket and offers the following comments.

The proposed project has utility work within state right of way on Route 1 (Boston Post Road) which could result in utility work, new curb cut, curbing, paving, tree/brush cutting or removal. Therefore, AT&T must attain a permit pursuant to the Highway Encroachment Permit Regulations in conjunction with the Connecticut General Statutes prior to performing any work within the state highway right of way. The District 2 Permit Office will need four complete sets of construction plans which show all work within the state highway right of way, all site work, any required easements and standard details for highway construction prior to issuing the encroachment permit.

The District 2 Permit Office will determine the bond amount, insurance coverage, maintenance and protection of traffic, inspection, roadway restoration and pavement restoration requirements. Please see attached D.O.T. Screening Check List.

Should you have any further questions, please contact, Ms. Latoya Smith, Utility Engineer (Utilities), at (860) 594-2533.

Very truly yours,

  
Sohrab Afrazi  
Transportation Principal Engineer  
Bureau of Engineering and Construction

Latoya Smith:ls

bcc: Thomas Harley

James A. Fallon-Sohrab Afrazi-Andrzej Mysliwiec, Kurt W. Von Hone-Latoya Smith

Charles Drda- Christopher Brochu

Edgar T. Hurle-Mark W. Alexander-Desmond P. Dickey



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Screening Checklist

Connecticut Department of Transportation

Potential Transportation Infrastructure Impacts

Connecticut Siting Council Docket # 463

Location: 351A Boston Post Rd

Town of East Lyme

1. Is the proposed facility abutting the right-of-way of a State maintained highway?

No

Yes - Specify the location and show location on a detail site plan.

2. Is access for construction and maintenance of the proposed facility needed directly from a State maintained highway.

No

Yes - Identify specify needs and access location.

3. Is the proposed facility within or abutting a State owned Railroad Right-of Way?

No

Yes - Please provide an area and site plan.

4. Is the proposed facility within a two mile radius of any lands classified as preserved scenic land in accordance with CGS Section 13a-85a, "Acquisition of land adjacent to state highways for preservation and enhancement of scenic beauty and development of rest and recreation areas", or any designated scenic road in accordance with CGS Section 13b-31c, "Designation of scenic roads"?

No

Yes

I. Introduction

A. Purpose and Authority

Pursuant to Chapter 277a, § 16-50g et seq. of the Connecticut General Statutes (C.G.S.), as amended, and § 16-50j-1 et seq. of the Regulations of Connecticut State Agencies (R.C.S.A.), as amended, American Towers, LLC ("ATC") and New Cingular Wireless PCS, LLC ("AT&T") hereby submit an application and supporting documentation (collectively, the "Applicants") for a Certificate of Environmental Compatibility and Public Need ("Certificate") for the construction, maintenance and operation of a replacement telecommunications tower facility (the "Facility"). The Facility is proposed on a 7.23 acre parcel of land owned by James A. and Bonnie L. Decosta (the "Parcel") with an address of 351A Boston Post Road in the Town of East Lyme. The Parcel is currently improved with a single family residence with the remainder of the Parcel primarily wooded. The Facility will permit AT&T and other FCC licensed wireless carriers to continue to provide wireless services to thousands of residents, miles of roads and significant portions of East Lyme. The tower is proposed to replace service from an existing tower issued a Certificate by the Connecticut Siting Council in Docket 67 and which will be decommissioned because the ground lessor of the tower site will not enter into a long term lease extension.

B. Executive Summary

The proposed replacement tower facility at 351A Boston Post Road in East Lyme is needed in conjunction with other existing facilities in order for AT&T and T-Mobile to replace service in this part of the state currently provided by an existing tower facility which is slated for decommissioning (the "Docket 67 Tower"). When approved nearly 30 years ago by the Council, the Docket 67 Tower was located in a remote wooded and agricultural area of East Lyme with access off of Scott Road. A copy of the Council's findings of fact, opinion and decision and order in Docket 67 are included in Attachment 1.

Since the time of the existing tower's approval and construction in the 1980s, the property itself (approximately 240 acres) was approved for subdivision as part of a single family residential community. Homes are planned in a development now known as "The Orchards". Initial phases of The Orchards, along with community facilities for

#### IV. Site Selection and Tower Sharing

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##### A. Site Selection

In this case, the site search was focused on replacing an existing operational cell site originally built with access off of Scott Road and which must be decommissioned. AT&T currently provides reliable wireless services in this area of East Lyme, which will be interrupted when the existing 150' tower approved in Docket 67 is decommissioned. Based on the location of the existing tower site, terrain and coverage objectives, the search area focused on two areas of geography in East Lyme. The first being the area around The Orchards development and the existing tower site and the second being higher elevations off of Ancient Highway. These search areas are shown as "red" polygons on the site search map in Attachment 2.

The site search for a replacement tower dates to 2014 and includes work undertaken by various tower companies and site acquisition firms not all of which was done under AT&T or ATC's direction. The site search also includes municipal consultations by AT&T in the fall of 2014, conversations with the Town and public as part of Petition 1152 as withdrawn, and a Section 16-50/ technical consultation with the Town in the Summer of 2015. At this point in time, AT&T has investigated and evaluated over thirty (30) potential sites not all of which are in the site search areas and as listed in Attachment 2. Various additional sites have been suggested to AT&T during the Section 16-50/ municipal consultation processes which were far removed from the site search area and which have been summarily rejected by AT&T's RF engineers and not necessarily included in the catalog of sites searched by various entities and listed in Attachment 2.

As noted in the Executive Summary, one potential tower replacement site is known to be available to AT&T and which is being presented in this Application to the Siting Council. As more fully detailed in Attachment 2, any other sites were either legally unavailable for tower siting, technically inadequate to satisfy coverage requirements in this part of the state, unavailable as a result of THPO determinations and federal laws or otherwise determined by the Applicants to have comparatively greater overall environmental effects than the Facility as proposed. At this time, AT&T does not

DOCKET NO. 67

AN APPLICATION OF THE SOUTHERN : CONNECTICUT SITING  
NEW ENGLAND TELEPHONE COMPANY FOR  
A CERTIFICATE OF ENVIRONMENTAL :  
COMPATIBILITY AND PUBLIC NEED FOR THE : COUNCIL  
CONSTRUCTION, MAINTENANCE, AND  
OPERATION OF FACILITIES TO PROVIDE  
CELLULAR SERVICE IN THE TOWNS OF  
EAST LYME AND WATERFORD, CONNECTICUT. : December 22, 1986

DECISION AND ORDER

Pursuant to the foregoing Opinion, the Council hereby directs that a Certificate of Environmental Compatibility and Public Need (Certificate) as provided by section 16-50k of the General Statutes of Connecticut (CGS) be issued to the Southern New England Telephone Company for the construction, operation, and maintenance of telecommunications towers and associated equipment buildings to provide cellular mobile telephone service at Scott Road, East Lyme, and the Town of Waterford landfill, Waterford.

The facilities shall be constructed, operated, and maintained as specified in the Council's record on this matter, and subject to the following conditions.

1. The towers, including antennas, shall be no taller than necessary to provide the proposed service, and in no event shall exceed
  - a) 167 feet at the East Lyme site, and
  - b) 167 feet at the Waterford site.
2. A fence not lower than eight feet shall surround each tower and its associated equipment building.
3. Unless necessary to comply with condition number four, below, no lights shall be installed on these towers.
4. The facilities shall be constructed in accordance with all applicable federal, state, and municipal laws and regulations.

## ATTACHMENT 3

### GENERAL FACILITY DESCRIPTION

351A Boston Post Road  
Map 29.0, Lot 45  
East Lyme, Connecticut  
Owner: James A. and Bonnie L. Decosta  
7.23 Acre Parcel

The proposed tower location is on an approximately 7.23 acre parcel with an address of 351A Boston Post Road ("Parcel"). The Parcel is owned by James A. and Bonnie L. Decosta and is improved with a single family residence. The remainder of the Parcel is mostly wooded.

The proposed telecommunications facility includes an approximately 8,400 s.f. lease area located in the northern corner of the Parcel. The tower is proposed as a new self-supporting monopole 194' in height. AT&T would install up to twelve (12) panel antennas and related equipment at a centerline height of 190' above grade level (AGL) on the tower. The tower would be designed for future shared use of the structure by additional FCC licensed wireless carriers. An AT&T 11'-5" x 16' equipment shelter would be installed at the tower base on a concrete pad within the tower compound together with provisions for a fixed emergency back-up power generator.

The tower compound would consist of a 70' x 100' area to accommodate AT&T's equipment and provide for future shared use of the facility by T-Mobile and other carriers. The tower compound would be enclosed by an 8' high chain link fence. Vehicle access to the facility would be from Boston Post Road, over the existing on-site access drive, then over a proposed gravel access drive a total distance of approximately 650' to the tower compound. Utility connections would be routed underground from existing utilities on-site and at Boston Post Road.



## SITE AND FACILITY DESCRIPTION

### I. LOCATION

- A. COORDINATES: 41° 21' 48.131" N 72° 14' 20.279" W
- B. GROUND ELEVATION: 199.4'± AMSL
- C. USGS MAP: USGS 7.5 Quadrangle for Niantic, CT
- D. SITE ADDRESS: 351A Boston Post Road, East Lyme, CT 06333
- E. ZONING WITHIN ¼ MILE OF SITE: Abutting areas are zoned residential (RU-40).

### II. DESCRIPTION

- A. SITE SIZE: 7.23 acres  
(VOL 791, PAGE 198)
- B. LEASE AREA/COMPOUND AREA: 8,500SF
- C. TOWER TYPE/HEIGHT: 194' AGL Monopole
- D. SITE TOPOGRAPHY AND SURFACE: Proposed facility is located on a mostly wooded portion of a single family residential parcel of property.
- E. SURROUNDING TERRAIN, VEGETATION, WETLANDS, OR WATER: The proposed compound is located in the northern corner of the mostly wooded 7.23 acre Parcel of property. There are no on-site wetlands. The nearest wetland is approximately 730' from the project site.
- F. LAND USE WITHIN ¼ MILE OF SITE: Single family residential.

### III. FACILITIES

- A. POWER COMPANY: Connecticut Light and Power
- B. POWER PROXIMITY TO SITE: 650'±
- C. TELEPHONE COMPANY: Frontier
- D. PHONE SERVICE PROXIMITY: 650'±
- E. VEHICLE ACCESS TO SITE: Proposed access to the site will be from Boston Post Road over a shared existing access drive then to a proposed gravel access drive extension to the tower compound.
- F. OBSTRUCTION: None known at this time.
- G. AREA OF DISTURBANCE: Some tree clearing and grading will be needed to develop the tower site and driveway, the total amount for which is less than typically associated with single family residential construction on 1 acre parcels of land.

### IV. LEGAL

- A. PURCHASE  LEASE
- B. OWNER: James A. and Bonnie L. Decosta/American Tower Corporation (Tower Site Lessor)
- C. ADDRESS: 351A Boston Post Road  
East Lyme, CT 06333
- D. DEED ON FILE AT: VOL. 791, PAGE 198