KENNETH C. BALDWIN

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Also admitted in Massachusetts and New York

July 17, 2020

Via Electronic and First Class Mail

Beth Heller, First Selectman Town of Woodbridge Woodbridge Town Hall 11 Meeting House Lane Woodbridge, CT 06525

Re: Submission of Technical Information Concerning a Proposal to Construct a Wireless Telecommunications Facility at 118 Newton Road, Woodbridge, Connecticut

Dear Ms. Heller:

This firm represents Cellco Partnership d/b/a Verizon Wireless ("Cellco"), in its proposal to construct a new wireless telecommunications facility on a 6.01 acre parcel at 118 Newton Road in Woodbridge, Connecticut (the "Property"). (See Site Location Map included in <a href="https://document.org/december-10"><u>Attachment 1</u></a>). The Property is owned by Michael Soufrine, Trustee. The proposed telecommunications facility is known as Cellco's "Woodbridge North 2 Facility".

This Technical Report is submitted pursuant to Connecticut General Statutes ("Conn. Gen. Stat.")  $\S$  16-50 $\underline{l}(g)$ , which establishes local input requirements for the siting of a wireless telecommunications facility under the exclusive jurisdiction of the Connecticut Siting Council (the "Council"). This statutory provision requires the submission of technical information to officials in the municipality where the proposed facility will be located and any municipality within 2,500 feet of the proposed facility location.

Correspondence and/or communications regarding the information contained in this report should be addressed to:

Beth Heller, First Selectman July 17, 2020 Page 2

> Andrew Candiello Sr. Manager – RE/Regulatory Cellco Partnership d/b/a Verizon Wireless 20 Alexander Drive Wallingford, CT 06492

A copy of all such correspondence or communications should also be sent to Cellco's attorneys:

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

Cellco intends to submit an application to the Council for a Certificate of Environmental Compatibility and Public Need ("Certificate") for the construction, maintenance and operation of a wireless telecommunications facility in the western portion of the Property. The Woodbridge North 2 Facility would provide reliable wireless service (coverage) to portions of north-central Woodbridge, in the vicinity of the Property including portions of Routes 63, 67 and 114 in Woodbridge. The Woodbridge North 2 Facility will also enhance coverage to the southeast, replacing coverage previously provided by Cellco's Hamden cell site (Gamma sector), which will be decommissioned later this year. Coverage plots showing Cellco's existing wireless service in the area alone and together with the proposed Woodbridge North 2 Facility in its 700 MHz, 1900 MHz and 2100 MHz frequencies are included in Attachment 2.

### **Cell Site Information**

Cellco proposes to install a 140-foot monopole tower within a 50' x 50' fenced compound and 100' x 100' leased area in the westerly portion of the Property. Cellco would install panel-type antennas and remote radio heads on a platform at the top of the tower, 140 feet above ground level ("AGL"). Cellco's antennas would extend above the top of the tower to a height of 144 feet AGL. Equipment associated with Cellco's antennas, a propane-fueled backup generator, and a propane fuel tank would also be located within the fenced facility compound. Space on the tower and in the facility compound would be made available to other wireless carriers and the Town of Woodbridge for municipal and emergency service purposes, if needed. Access to the Woodbridge North 2 Facility would extend from Soundview Drive along an improved portion of an existing driveway, then along a new gravel driveway extension to the proposed tower site. Utilities would extend from existing utility service on Soundview Drive. Included in Attachment 3 is a set of Project Plans including a tower elevation drawing.

Beth Heller, First Selectman July 17, 2020 Page 3

## **Connecticut Siting Council Jurisdiction**

Municipal jurisdiction over the siting of the proposed telecommunications facility described in this report is pre-empted by provisions of the Public Utilities Environmental Standards Act ("PUESA"), Conn. Gen. Stat. § 16-50g et seq. The PUESA gives exclusive jurisdiction over the location, type and modification of telecommunications towers, to the Council (Conn. Gen. Stat. § 16-50x(a); 16-50i(a)(6)). Accordingly, the telecommunications facility described in this report is exempt from the Town's land use (zoning and inland wetlands) regulations.

Upon receipt of an application, the Council will assign a docket number and, following a completeness review, set the schedule for the docket, including a hearing date. At that time, the Town may choose to become an intervenor or party in the proceeding. Other procedures followed by the Council include serving the applicant and other participants with interrogatories, holding a pre-hearing conference, and conducting a public hearing. The public hearing would, typically be held at a location in the Town<sup>1</sup>. Following the public hearing, the Council will issue findings of fact, an opinion and a decision and order. Prior to construction, the Council will also require the Applicant to submit a development and management plan ("D&M Plan") which is, in essence, a final site development plan showing the details of the facility incorporating any conditions imposed by the Council. These procedures are also outside the scope of the Town's jurisdiction and are governed by the Connecticut General Statutes, the Regulations of Connecticut State Agencies, and the Council's Rules of Practice. If the Council approves the cell site described in this report, Cellco will submit to the Building Official an application for approval of a local building permit. Under Section 16-50x of the General Statutes, which provides for the exclusive jurisdiction of the Council, the building official must honor the Council's decision.

## **Municipal Consultation Process**

Pursuant to Section 16-50<u>l</u> of the General Statutes, Town officials are entitled to receive technical information regarding the proposed telecommunications facility at least ninety (90) days prior to the filing of an application with the Council. This Technical Report is provided in accordance with these provisions and includes information on the need for improved reliable wireless service in the area; the location of existing wireless facilities in and around the area; details of the proposed facility; the location of alternative sites considered and rejected; the location of schools and commercial day care facilities in the area and the aesthetic impacts of the

<sup>&</sup>lt;sup>1</sup> In order to prevent the spread of Coronavirus and to protect the health and safety of the public, the Council's hearing may be held remotely.

Beth Heller, First Selectman July 17, 2020 Page 4

facility on those schools and day care facilities, if any; a description of the site selection process; and a discussion of potential environmental effects associated with the proposed facility.

Not later than sixty (60) days after the initial consultation, the municipality <u>may</u>, in cooperation with Cellco, hold a public information meeting on the facility proposal. If such a meeting is held, the applicant must notify all abutting landowners and publish notice of the meeting in a newspaper of general circulation in the municipality, at least fifteen (15) days prior to the meeting.

Not later than thirty (30) days after the initial consultation meeting, the municipality may present the prospective applicant with alternative sites, including municipal parcels, for its consideration. If not previously considered, these alternatives will be evaluated and discussed in its application to the Council.

Pursuant to Section 16-50*l*(e) of the General Statutes, Cellco must provide a summary of the Town's comments and recommendations, if any, to the Council within fifteen (15) days of the filing of an application.

## Need for the Proposed Wireless Facility

The Woodbridge North 2 Facility described in this Technical Report is needed so that Cellco can provide enhanced reliable wireless services (coverage) in north-central portions of Woodbridge, including portions of Routes 63, 67 and 114 and local roads in the vicinity of the Property. The Woodbridge North 2 Facility will also provide coverage to portions of the town currently served by Cellco's Hamden cell site, along West Rock Ridge, which will be decommissioned later this year.

### **Environmental Effects**

In our experience, the primary impact of a wireless facility such as the proposed Woodbridge North 2 Facility is visual. The visual impact of the proposed Woodbridge North 2 Facility tower will vary from place to place around the site location, depending upon factors such as vegetation, topography, distance from the tower, and the location of buildings or other structures (utility infrastructure) in the sight-line of the cell site.

To more fully assess the visual impact of the Woodbridge North 2 Facility, Cellco's consultant, All-Points Technology Corporation ("APT") has prepared a Preliminary Visual Assessment for the proposed tower location. This preliminary visual assessment indicates that predicted year-round visibility associated with the proposed Woodbridge North 2 Facility would

Beth Heller, First Selectman July 17, 2020 Page 5

include approximately 18-acres (less than 1% of the 8,042-acre study area). The majority of the predicted year-round visibility would be in the immediate area around the tower site. (*See* Attachment 4). A more detailed visual assessment, including a seasonal visual assessment and photosimulations of the tower, is being prepared and will be included in Cellco's Certificate application to the Council.

Pursuant to the provisions of Conn. Gen. Stat. § 16-50p(a)(3)(G), new telecommunications facilities must be located at least 250 feet from buildings containing schools (defined in C.G.S. §10-154a) and commercial day care facilities (defined in C.G.S. §19a-77(a)(1)) unless the location selected is acceptable to the Town's chief elected official or the Council finds that the facility will not have a substantial adverse effect on the aesthetics or scenic quality of the neighborhood where the school or commercial day care use is located. The proposed Woodbridge North 2 Facility is not located within 250 feet of any building containing a school or commercial day care facility.

Based on field surveys, Cellco has determined that the construction of the Woodbridge North 2 Facility and it's access driveway will have no direct impact on inland wetlands or watercourses, within or near either of the tower compound. Cellco anticipates that all other physical environmental effects associated with the proposed facility would also be minimal.

## Radio Frequency Emissions

The Federal Communications Commission ("FCC") has adopted a standard (the "Standard") for exposure of radio frequency ("RF") emissions from telecommunications base stations like the Woodbridge North 2 Facility. To ensure compliance with the Standard, Cellco has performed a worst-case RF emissions calculation for the proposed facility according to the methodology described in FCC Office of Science and Technology Bulletin No. 65 ("OST Bulletin 65"). This calculation is a conservative, worst-case approximation of RF emissions at the closest accessible point to the antenna (i.e., the base of the tower), and assumes that all antennas are transmitting simultaneously, on all frequencies and all channels, at full power. The worst-case calculated RF emissions level would be 42.38% of the FCC Standard for the proposed 140-foot antenna centerline. (See Attachment 5). Actual RF emissions levels from this facility will be far less than this "worst-case" approximation.

## Scenic Natural Historic or Recreational Impacts

To further assess the environmental impacts of the proposed facility, Cellco will be working with its consultant team to prepare a National Environmental Policy Act ("NEPA") Environmental Screening Checklist (the "NEPA Checklist") and other related environmental

Beth Heller, First Selectman July 17, 2020 Page 6

reviews to determine if the facility will have any significant adverse environmental effects. The NEPA Checklist will include information from the Environmental and Geographic Information Center of the Connecticut Department of Energy and Environmental Protection ("DEEP"), the U.S. Fish and Wildlife Service ("USFWS") and the State Historic Preservation Officer ("SHPO"). Copies of the DEEP, USFWS and the SHPO determinations will also be submitted as a part of the Council's Certificate Application.

#### Site Search Process

Cellco conducted a search for suitable cell site locations in north-central Woodbridge and identified the Property as a site that would satisfy its wireless service objectives in the area. In addition to the proposed location, Cellco identified and investigated six (6) additional alternative parcels in the area. A complete list of alternative parcels investigated is included in <u>Attachment</u> 6.

#### **Tower Sharing**

As stated above, Cellco intends to build a tower that is capable of supporting its antennas and those of other wireless telecommunications providers, the surrounding municipalities, and emergency service providers, if a need exists. The provision to share the tower is consistent with the intent of the General Assembly when it adopted Conn. Gen. Stat. § 16-50aa and with Council policy. The availability of space on the proposed tower may reduce, if not eliminate, the need for additional towers in the area for the foreseeable future.

#### Conclusion

This Technical Report is submitted in accordance with Conn. Gen. Stat. § 16-50½ which requires Cellco to supply the Town with information regarding its proposed Woodbridge North 2 Facility. This report includes information regarding the site selection process, public need, and the potential environmental impacts of the facility. Cellco submits that its proposed Woodbridge North 2 Facility would not have any significant adverse environmental effects. Moreover, Cellco submits that the public need for high quality wireless service, and a competitive framework for providing such service has been determined by the FCC to be in the public interest and that such public need far outweighs any perceived environmental effects of the proposed facility.

Beth Heller, First Selectman July 17, 2020 Page 7

Please contact me if you have any additional questions regarding the proposed facility.

Sincerely,

Kenneth C. Baldwin

KCB/kmd Enclosures

Copy to:

Robert Blythe, Chair, Woodbridge Inland Wetlands Commission Robert Klee, Chair, Woodbridge Town Plan and Zoning Commission Kristine Sullivan, Land Use Analyst and Acting Inland Wetlands Officer Andrew Candiello, Sr. Manager Regulatory/Real Estate Ziad Cheiban, RF Design Engineer Julia Coughlin, Structure Consulting Group Chuck Webberly, Structure Consulting Group

# ATTACHMENT 1



#### Legend

Site

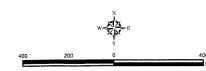
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Subject Property

Municipal Boundary

Map Notes: Base Map Source: CT ECO 2019 Imagery Map Scale:1 inch = 400 feet Map Date: April 2020





#### **Site Location Map**

Proposed Wireless Telecommunications Facility Woodbridge N2 CT 118 Newton Road Woodbridge, Connecticut

verizon√



# ATTACHMENT 2