

Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

January 19, 2007

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

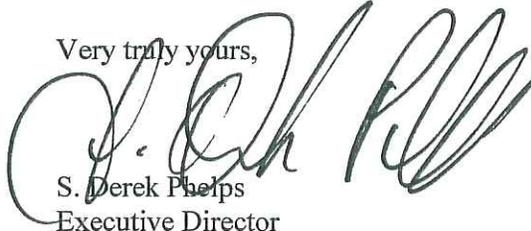
RE: **DOCKET NO. 318** – Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 1191 Terryville Avenue in Bristol, Connecticut.

Dear Attorney Baldwin:

By its Decision and Order dated January 18, 2007, the Connecticut Siting Council (Council) granted a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance and operation of a telecommunications facility at 1191 Terryville Avenue in Bristol, Connecticut.

Enclosed are the Council's Certificate, Findings of Fact, Opinion, and Decision and Order.

Very truly yours,



S. Derek Phelps
Executive Director

SDP/CDM/laf

Enclosures (4)

c: Sandy M. Carter, Verizon Wireless



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

www.ct.gov/csc

CERTIFICATE

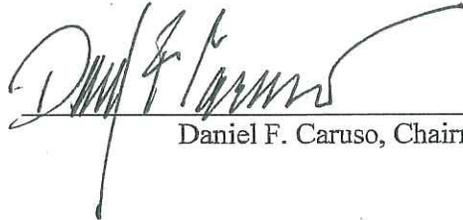
OF

ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED

DOCKET NO. 318

Pursuant to General Statutes § 16-50k, as amended, the Connecticut Siting Council hereby issues a Certificate of Environmental Compatibility and Public Need to Cellco Partnership d/b/a Verizon Wireless for the construction, maintenance and operation of a telecommunications facility at 1191 Terryville Avenue in Bristol, Connecticut. This Certificate is issued in accordance with and subject to the terms and conditions set forth in the Decision and Order of the Council on January 18, 2007.

By order of the Council,



Daniel F. Caruso, Chairman

January 18, 2007



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

January 19, 2007

TO: Classified/Legal Supervisor
318061019
The Bristol Press
99 Main St.
Bristol, CT 06010

FROM Lisa A. Fontaine, Administrative Assistant

RE: **DOCKET NO. 318** – Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 1191 Terryville Avenue in Bristol, Connecticut.

Please publish the attached notice as soon as possible, but not on Saturday, Sunday, or a holiday.

Please send an affidavit of publication and invoice to my attention.

Thank you.

LAF



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

NOTICE

Pursuant to General Statutes § 16-50p (d), the Connecticut Siting Council (Council) announces that, on January 18, 2007, the Council issued Findings of Fact, an Opinion, and a Decision and Order approving an application from Cellco Partnership d/b/a Verizon Wireless for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 1191 Terryville Avenue in Bristol, Connecticut. This application record is available for public inspection in the Council's office, Ten Franklin Square, New Britain, Connecticut



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

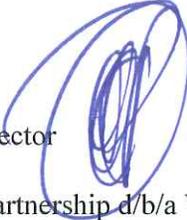
Internet: ct.gov/csc

January 19, 2007

TO: Parties and Intervenors

FROM: S. Derek Phelps, Executive Director

RE: **DOCKET NO. 318** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 1191 Terryville Avenue in Bristol, Connecticut.



By its Decision and Order dated January 18, 2007, the Connecticut Siting Council granted a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 1191 Terryville Avenue in Bristol, Connecticut.

Enclosed are the Council's Findings of Fact, Opinion, and Decision and Order.

SDP/CDM/laf

Enclosures (3)

c: State Documents Librarian

<p>DOCKET NO. 318 – Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 1191 Terryville Avenue in Bristol, Connecticut.</p>	<p>} } }</p>	<p>Connecticut Siting Council</p>
---	----------------------	---

January 18, 2007

Findings of Fact

Introduction

1. Pursuant to Chapter 277a, §16-50g et seq. of the Connecticut General Statutes (CGS), as amended, and Section 16-50j-1 et seq. seq. of the Regulations of Connecticut State Agencies (RCSA), Cellco Partnership d/b/a Verizon Wireless (Cellco) applied to the Connecticut Siting Council (Council) on July 27, 2006 for the construction, operation, and maintenance of a telecommunications facility to be located at 1191 Terryville Avenue in the City of Bristol, Connecticut. (Cellco 1, p. 1)
2. The proposed facility would provide coverage along Routes 6 and 72, as well as local roads, in the westerly portion of Bristol and the easterly portion of Plymouth. (Cellco 1, p. i)
3. Cellco is a Delaware Partnership with an administrative office located at 99 East River Drive, East Hartford, Connecticut. Cellco is licensed by the FCC to operate a wireless telecommunications system in Connecticut. The operation of wireless telecommunications systems and related activities are Cellco’s sole business in Connecticut. (Cellco 1, p. 3)
4. The party in this proceeding is the applicant. (Transcript, October 19, 2006, 3:00 p.m. [Tr. 1], p. 4)
5. Pursuant to CGS § 16-50m, the Council, after giving due notice thereof, held a public hearing October 19, 2006, beginning at 3:00 p.m. and continuing at 7:00 p.m. in Bristol, Connecticut. (Tr. 1, p. 2 ff.)
6. The Council and its staff conducted an inspection of the proposed site on October 19, 2006, beginning at 2:00 p.m. The applicant flew a balloon beginning at 12:30 p.m. at the proposed site to simulate the height of the proposed tower. Weather conditions were overcast and slightly breezy, but they did allow for an accurate assessment of the proposed tower’s visibility. (Tr. 1, p. 15)
7. Pursuant to CGS § 16-50l(b), notice of Cellco’s intent to submit this application was published on July 24 and 25, 2006 in The Bristol Press. (Cellco 1, p. 4)

8. In accordance with CGS § 16-50(b), Cellco sent notices of its intent to file an application with the Council to each person appearing of record as owner of property abutting the property on which the site is located. (Cellco 1, p. 5; Attachment 5)
9. There are 22 abutting properties owned by 16 different individuals or entities. Of the 16 notices sent to abutting property owners, Cellco did not receive return receipts from three owners. Cellco confirmed the addresses of these owners and resent its notice via regular mail. (Cellco 4, Response 7)
10. Pursuant to CGS § 16-50(b), Cellco sent copies of its application to the following municipal, regional, state, and federal agencies and officials: Connecticut Attorney General, Department of Environmental Protection, Department of Public Health, Council on Environmental Quality, Department of Public Utility Control, Office of Policy and Management, Department of Economic and Community Development, Department of Transportation, Division Director/Deputy State Historic Preservation Officer, Central Connecticut Regional Planning Agency, Thomas Colapietro — State Senator from the 31st Senatorial District, William Hamzy — State Representative from the 78th Assembly District, Federal Aviation Administration, Federal Communications Commission, William Stortz — City of Bristol Mayor, Therese Pac — Bristol City Clerk, William Veits — Bristol City Planning Commission Chairman, Frank Johnson — Bristol City Zoning Commission Chairman, Jerald Raffaniello — Bristol Zoning Board of Appeals Chairman, Guy Morin — Bristol Zoning Enforcement Officer, William Englert — Bristol Inland Wetlands Commission Chairman, Jan Krampitz — Town of Plymouth Mayor, Barbara Rockwell — Plymouth Town Clerk, Patrick Herzing — Plymouth Planning and Zoning Commission Chairman, Martin Sandshaw — Plymouth Zoning Board of Appeals Chairman, Ronald Mormile — Plymouth Zoning/Wetlands Enforcement Officer, and Matthew Tellier — Plymouth Inland Wetlands Conservation Commission Chairman. (Cellco 1, p. 4; Attachment 3)

State Agency Comments

11. Pursuant to CGS § 16-50f, the Council solicited comments on Cellco's application from the following state departments and agencies: Department of Environmental Protection, Department of Public Health, Council on Environmental Quality, Department of Public Utility Control, Office of Policy and Management, Department of Economic and Community Development, and the Department of Transportation. Council letters requesting comments were sent on September 8 and October 20, 2006. (CSC Hearing Package dated September 8, 2006; SACADTLdo318 dated October 20, 2006)
12. The Connecticut Department of Transportation (ConnDOT) responded to the Council's solicitation with no comments. (ConnDOT letter dated October 2, 2006)
13. No comments were received from the Department of Environmental Protection, Department of Public Health, Council on Environmental Quality, Department of Public Utility Control, Office of Policy and Management, and the Department of Economic and Community Development. (Record)

Municipal Consultation

14. On May 26, 2006, Cellco representatives met with Bristol's Mayor William Stortz to discuss its proposed facility. Mayor Stortz received a technical report about the facility. (Cellco 1, p. 16)
15. Because the site of Cellco's proposed facility is within 2,500 feet of the Plymouth municipal boundary, Cellco representatives met with Plymouth town planner, William Kuehn, as the designee for Mayor Jan Krampitz. Cellco provided Plymouth officials with a copy of the technical report about this facility. (Cellco 1, p. 16; Cellco 4, Response 2)
16. Cellco asked both Bristol and Plymouth if they had any interest in placing antennas at the proposed site. Neither municipality expressed such an interest. (Tr. 1, p. 48-49)

Public Need for Service

17. The federal Telecommunications Act of 1996 (Act) recognized a nationwide public need for high-quality wireless telecommunication services. The Act also promoted competition among wireless service providers, tried to foster lower prices for consumers, and encouraged the rapid deployment of new telecommunications technologies. (Cellco 1, p. 5)
18. The Telecommunications Act of 1996 prohibits local and state bodies from discriminating among providers of functionally equivalent services. (Council Administrative Notice, Telecommunications Act of 1996)
19. The Telecommunications Act of 1996, a federal law passed by the United States Congress, prohibits any state or local entity from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions to the extent that such towers and equipment comply with FCC's regulations concerning such emissions. This Act also blocks the Council from prohibiting or acting with the effect of prohibiting the provision of personal wireless service. (Council Administrative Notice Item No. 7)
20. Cellco's antennas at this site would comply with E911 requirements. (Cellco 4, Response 5)

Site Selection

21. Cellco's search ring for this facility was issued in February, 2003. The ring is approximately one-half mile in diameter and was centered around the Pequabuck Golf Club property. (Cellco 4, Response 20)

22. Cellco maintains six wireless facilities within a four mile radius of the proposed site. None of these existing facilities, however, can provide adequate coverage for Cellco's identified problem areas. These six facilities are listed below.
- a. Carpenter Realty
32 Valley Street, Bristol
rooftop facility, 88' antenna height
 - b. Graziano Partners
192 Wolcott Road, Wolcott
lattice tower, 135' antenna height
 - c. SBA, Inc.
297 North Adams Street, Plymouth
monopole, 165' antenna height
 - d. SBA, Inc.
42 South Street, Plymouth
monopole, 169' antenna height
 - e. Omnipoint
171 Town Hill Road, Plymouth
monopole, 135' antenna height
 - f. Cingular
371 Terryville Avenue, Bristol
monopole, 140' antenna height

(Cellco 1, Attachment 9)

23. Cellco investigated three other sites in western Bristol. These sites and the reasons they were rejected are listed below.
- a. CL&P Transmission Line Towers – Cellco investigated the use of several transmission line structures in the area. The structures that were studied in detail were located at the southern end of Clark Road, south of Terryville Road (Route 72) on Waterbury Road, and west of the intersection of Waterbury Road and Tower Road. Antennas on any of these structures would have left significant coverage gaps along Routes 6 and 72.
 - b. Town of Plymouth Town Hall – There is an existing 100-foot tower at the town hall. Cellco considered extending this tower to 120 feet, but even at this height its antennas would have left significant coverage gaps in the target area.
 - c. City of Bristol Water Department – A tower at Bristol's Water Reservoir No. 1 property would have provided satisfactory coverage, but a taller tower than the one proposed would be required due to differences in ground elevation.

(Cellco 1, Attachment 9)

24. Repeaters, microcells, or distributed antenna system technology would not be practical or feasible for providing coverage to the area Cellco seeks to serve from the proposed site. (Cellco 4, Response 14)

Site Description

25. The proposed facility would be located on the 65 acre Pequabuck Golf Club at 1191 Terryville Road in Bristol between Routes 6, to the north, and 72, to the south. (Cellco 1, p. i; Attachment 1)
26. The property on which the golf club is located is zoned R-40 Residential. The Bristol zoning regulations do not regulate wireless telecommunications facilities like that proposed by Cellco. (Cellco 1, p. 15; Cellco 4, Response 3)
27. At this location, Cellco would construct a 120-foot telecommunications tower designed as a flagpole. Cellco would install six internally-mounted panel-type antennas on the tower—three PCS antennas at the 117-foot level of the tower and three cellular antennas at the 107-foot level. (Cellco 1, p. i)
28. Cellco chose a flagpole design for its tower at the request of the landowner, the Pequabuck Golf Club. (Tr. 1, p. 30)
29. Cellco's flagpole tower would be designed to have four positions available at which antennas could be installed. It would be possible to design a flagpole that could accommodate a fifth position for antennas if needed. (Tr. 1, p. 28)
30. Cellco would fly a flag from its flagpole tower. (Cellco 4, Response 30)
31. Cellco would lease a 55-foot by 70-foot area within which it would fence in a 55-foot by 49-foot compound that would include a 12-foot by 30-foot equipment shelter. The compound would be located adjacent to an existing golf course maintenance building. (Cellco 1, Attachment 1)
32. Cellco's tower would be located at 41° 40' 27.4" North latitude and 72° 59' 17.1" West longitude. The ground elevation at its base would be approximately 638 feet AMSL. (Cellco 1, Attachment 1)
33. Cellco's tower would be designed in accordance with the specifications of the Electronic Industries Association Standard EIA/TIA-222-F-96 "Structural Standards for Steel Antenna Towers and Antenna Support Structures." (Cellco 1, Attachment 1, p. 6; Cellco 4, Response 19)
34. Cellco's equipment compound would be enclosed with an eight-foot chain link fence topped with barbed wire. (Cellco 4, Response 18 and Tab 2)
35. Cellco would plant pine trees of similar nature to existing trees in the area along the southerly fence line of its equipment compound. (Cellco 1, Attachment 1, Drawing C-2)

36. Vehicular access to Cellco's facility would be over an existing 1,100-foot paved driveway that extends from South Street to the proposed site. (Cellco 1, p. 2)
37. Cellco would tap into existing utility service from a manhole located between the golf course maintenance buildings. (Cellco 4, Response 22)
38. Cellco would have a propane-fueled generator within its equipment building for use during power outages and maintenance activities. A propane tank would be located in the southeasterly portion of the enclosed compound. (Cellco 1, p. 2)
39. Cellco does not anticipate blasting would be required to develop this site. (Cellco 4, Response 25)
40. The proposed tower's setback radius would be contained within the golf course property. (Cellco 1, Attachment 1, Drawing C-1A)
41. The nearest residence is 900 feet to the northwest from the proposed tower site. It is owned by Jeffery Stone. (Cellco 1, Attachment 1, Drawing C-1A)
42. There are two residences within 1,000 feet of the proposed tower's location. (Cellco 1, p. 12)
43. Land use in the vicinity of the proposed site is generally residential with some industrial use. The area to the northwest of the golf course is primarily residential. There is some industrial development to the west of the golf course. There is a public water supply reservoir due north of the site. (Cellco 1, p. 15; Attachment 1, p. 2)
44. The estimated construction cost for this facility is \$670,000. The cost estimate includes:

Cell site radio equipment	\$450,000
Tower, coax, and antenna costs	125,000
Power system costs	20,000
Equipment building costs	60,000
<u>Miscellaneous costs</u>	<u>15,000</u>
Total	\$670,000

(Cellco 1, p. 18)

Environmental Considerations

45. The proposed project should have no effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places. (Cellco 1, Attachment 11, letter from State Historic Preservation Officer dated May 2, 2006)
46. No federally listed or proposed, threatened or endangered species or critical habitat under the jurisdiction of the U.S. Fish and Wildlife Service are known to occur in the project area. (Cellco 1, Attachment 1, letter from Fish and Wildlife Service dated May 11, 2006)

47. Cellco reviewed information in the Connecticut Department of Environmental Protection's (DEP) Natural Diversity Data Base to determine if any state endangered, threatened or special concern species are present in the vicinity of the proposed facility. Based on DEP's criteria, Cellco's facility would not impact any known occurrence of listed species or significant natural communities. (Cellco 4, Response 23)
48. The closest wetland/watercourse area to the proposed site is associated with the Bristol Reservoir approximately 460 feet to the north. (Cellco 1, p. 15)
49. Three existing trees would have to be removed to develop the proposed facility. (Cellco 4, Response 16)
50. Developing this site would require 20 cubic yards of cut and 225 cubic yards of fill. (Cellco 4, Response 17)
51. Cellco's back-up generator would require an air permit from the Department of Environmental Protection. (Cellco 1, p. 17)
52. During site construction, Cellco would establish soil erosion and sedimentation control measures in accordance with the Connecticut Soil Erosion Control Guidelines, as established by the Council for Soil and Water Conservation. Cellco would also employ construction management practices to avoid the discharge of pollutants to the nearest watercourses or wetland areas. (Cellco 1, p. 16)
53. The proposed site would not constitute an obstruction or hazard to air navigation based on FAA standards. No marking or lighting would be required. (Cellco 1, p. 17; Attachment 12)
54. According to calculations performed by Cellco, the maximum power density from the radio frequency emissions of Cellco's proposed antennas would be 11.13% of the standard for Maximum Permissible Exposure, as adopted by the FCC, at the base of the proposed tower. This calculation was based on a methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997) that assumes all antennas would be pointed at the base of the tower and all channels would be operating simultaneously. (Cellco 1, p. 14)

Visibility

55. The proposed tower would be visible year-round from approximately 69 acres within the surrounding vicinity. Of this total, the top of the tower would be visible from approximately 14 acres; the upper 25% of the tower would be visible from 25 acres; the upper 50% of the tower would be visible from 19 acres; 75% of the tower would be visible from 2 acres; and the entire tower would be visible from 9 acres. (Cellco 1, Attachment 10, Viewshed Map)

56. Of the 69 acres estimated to have year-round views of the proposed tower, 18 acres are on the Pequabuck Golf Course property, 16 acres are open water of the Bristol Reservoir No. 1, four acres are on watershed/water company property, and 14 acres are on a gravel pit property located approximately 3,000 feet east of the proposed facility. (Cellco 1, p. 12; Cellco 4, Response 29)
57. The tower would be visible on a seasonal basis from another 43 acres. (Cellco 1, Attachment 10, Viewshed Map)
58. Approximately 12 residences would have year-round views of the proposed tower, and six residences would have seasonal views. (Cellco 4, Response 27)
59. The visibility of the proposed site from different vantage points in the surrounding vicinity is summarized in the following table. The locations of the vantage points listed are identified by their corresponding number in the Visual Resource Evaluation Report contained in Attachment 10 of Cellco's application.

<u>Location</u>	<u>Visible</u>	<u>Approx. Portion of (120°) Tower Visible (ft.)</u>	<u>Approx. Distance and Direction to Tower</u>
	<u>Site</u>		<u>Site</u>
1 – Route 6 at Bristol Reservoir No. 1	Yes	10	2220 feet; S
2 – #40 Makara Street	Yes	5	1700 feet; SE
3 – William Street at Kearney Street	Yes	10	1900 feet; SE
4 – Route 72, west of site	Yes	10	1900 feet; E
5 – Tower Road at Waterbury Road	Yes	10	3000 feet; NW
6 – 503 Waterbury Road	Yes	10	2430 feet; N
7 – 44 Kearney Street	Yes	10	2270 feet; SE

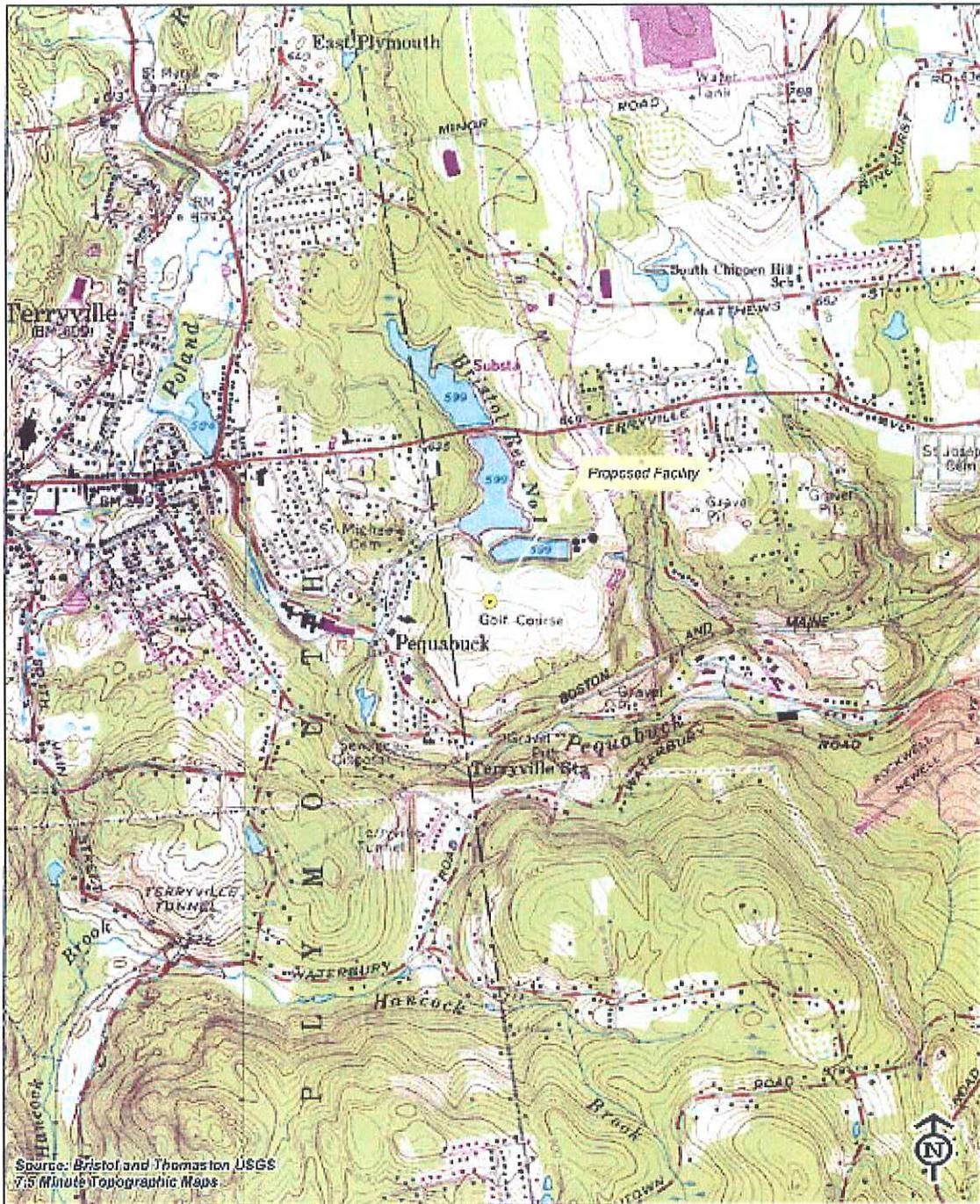
(Cellco 1, Attachment 10)

60. Based upon a balloon test that was conducted at the request of the City of Bristol, the main areas from which the proposed tower would be visible would be from Route 6 where it crosses the Bristol reservoir near the Bristol/Terryville town line and from Waterbury Road, which parallels Route 72 to the south of the Pequabuck River. Waterbury Road is considerably higher than Route 72, and there are several vantage points along this road from which the proposed tower would likely be visible. (Tr. 1, pp. 6-7)
61. Bristol's City Planner concluded from the balloon test that the proposed tower would be relatively unobtrusive compared to other towers in Bristol. (Tr. 1, p. 8)

Existing and Proposed Wireless Coverage

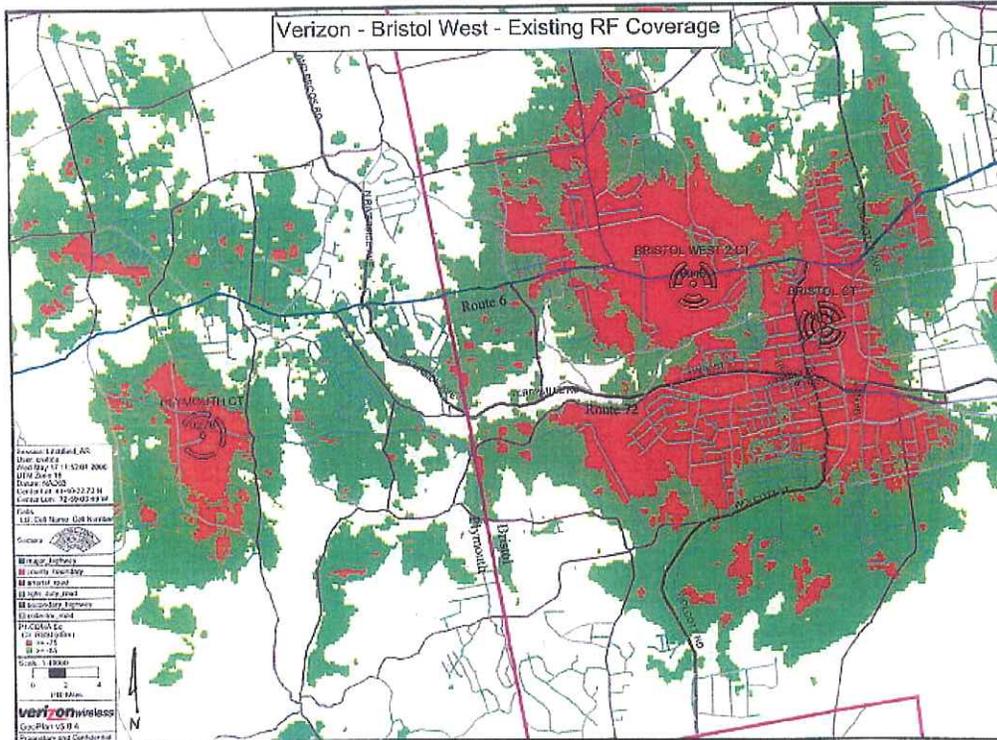
62. Cellco is licensed to operate on cellular frequencies (869-880, 890-891.5 MHz) and PCS F Block frequencies (1970-1975 MHz). (Cellco 4, Response 5)
63. At this location, Cellco would install PCS antennas at the 117 foot height and cellular antennas at the 107 foot height. (Tr. 1, p. 14)
64. Most of Cellco's new phones are tri-mode phones that work at analog 800, digital 800, as well as digital PCS frequencies. (Tr. 1, p. 16)
65. Cellco designs its system for a signal strength of -85 dBm. (Cellco 4, Response 11)
66. Cellco's existing signal strength in the area that would be served by the proposed facility is below its -85 dBm threshold. (Cellco 4, Response 12)
67. Cellco experiences coverage gaps of approximately 1.2 miles on Route 6 and 2.1 miles on Route 72, as well as gaps along local roads in western areas of Bristol and eastern areas of Plymouth. (Cellco 1, pp. 2,7)
68. Antennas at the proposed site would hand off signals to adjacent sites located at 171 Town Hill in Plymouth, 32 Valley Street in Bristol, and 371 Terryville Avenue in Bristol. (Tr. 1, p. 29)
69. At their proposed heights, Cellco's PCS antennas would cover an additional 1.1 miles on Route 6 and 3.2 miles on Route 72. Its cellular antennas would cover an additional 0.5 miles on Route 6 and 0.8 miles on Route 72. If antenna heights were lowered ten feet, Cellco's cellular coverage on Route 6 would remain reliable, but there would be a 0.1 mile coverage gap in PCS frequencies. Coverage on Route 72 would remain reliable for both PCS and cellular frequencies. (Cellco 4, Response 10; Tr. 1, p. 44 ff.)
70. At the proposed heights of 117 feet and 107 feet respectively, Cellco's PCS antennas would cover an area of approximately 4.95 square miles, and its cellular antennas would cover an area of approximately 6.5 square miles. If the antennas were to be installed ten feet lower, the PCS antennas would cover 3.8 square miles, and the cellular antennas would cover 6.1 square miles. (Cellco 4, Response 9)
71. The proposed antenna heights are the lowest heights at which Cellco could achieve its coverage objectives at this location. (Cellco 4, Response 24)

Proposed Site Location Map



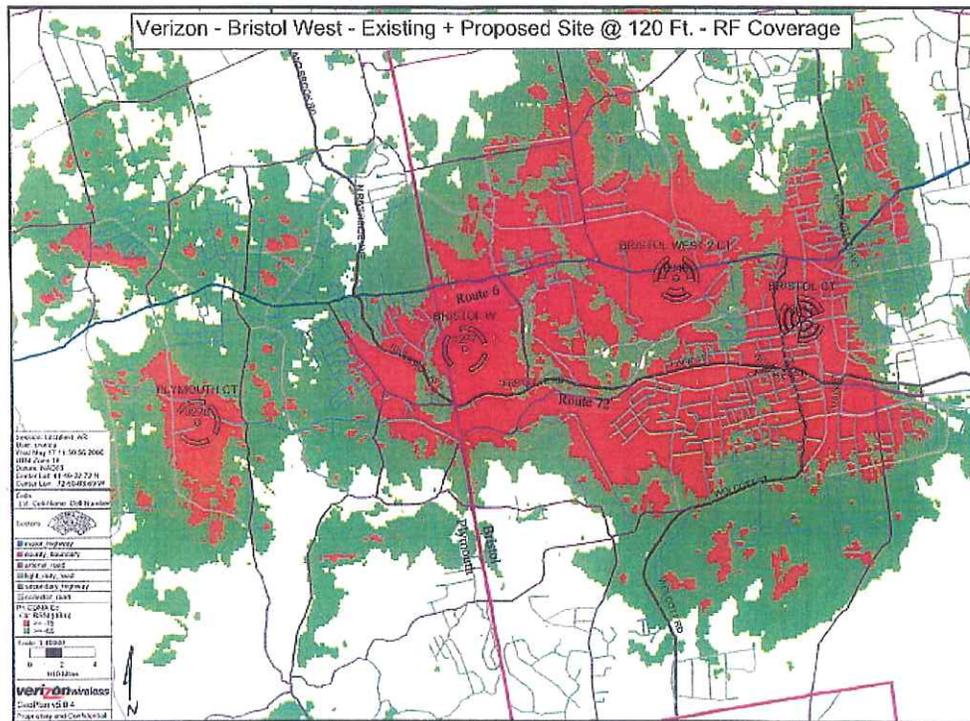
(Cellco 1, Attachment 1, p. 2)

Cellco Existing Coverage (without facility)



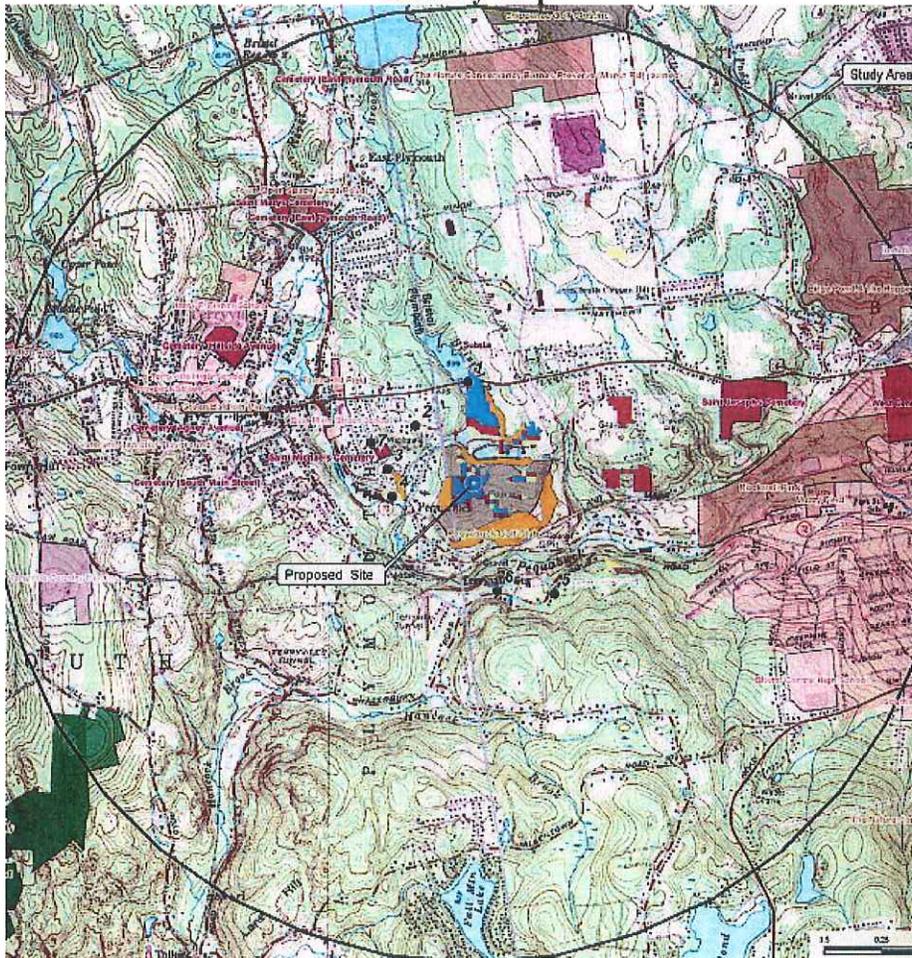
(Cellco 1, Attachment 7)

Coverage with proposed site at 120 feet



(Cellco 1, Attachment 7)

Visibility Map



(Cellco 1, Attachment 10)

DOCKET NO. 318 – Cellco Partnership d/b/a Verizon Wireless } Connecticut
application for a Certificate of Environmental Compatibility and }
Public Need for the construction, maintenance and operation of a } Siting
telecommunications facility at 1191 Terryville Avenue in Bristol, }
Connecticut. } Council

January 18, 2007

Opinion

On July 27, 2006, Cellco Partnership d/b/a Verizon Wireless (Cellco) applied to the Connecticut Siting Council (Council) for the issuance of a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance and operation of a wireless telecommunications facility at 1191 Terryville Avenue in Bristol, Connecticut. The applicant sought to develop a facility on the 65-acre Pequabuck Golf Course located in the western part of Bristol, near the Plymouth town line. This location would enable Cellco to fill existing coverage gaps along Routes 6 and 72 and nearby local roads in western Bristol and eastern Plymouth. There were no parties or intervenors in this proceeding other than the certificate applicant.

At the proposed location, Cellco would erect a 120-foot steel communications tower designed as a flagpole. The tower would be located within a 55-foot by 49-foot compound that would include a 12-foot by 30-foot equipment shelter. The compound would be enclosed by an eight-foot high chain link fence. The flagpole tower would have four positions at which antennas could be installed. Cellco chose the flagpole tower design at the request of the golf course. Vehicular access to the facility would be over existing driveways and parking areas of the golf course. For utility service, Cellco would tap into the service for the nearby maintenance buildings.

The tower's setback radius would be completely contained within the golf course property.

The proposed tower would be visible year-round from approximately 69 acres. Much of the acreage from which the tower would be visible is located on the golf course, on water company property, or on a nearby gravel pit. The tower would be seasonally visible from approximately 43 acres. Approximately 12 residences would have partial year-round views of the tower; six residences would have seasonal views of the tower. The City of Bristol requested Cellco fly a balloon at the height of the proposed tower to assess the tower's likely visible impact. Based on this balloon flight, the Bristol City Planner concluded that the tower would be relatively unobtrusive compared to some other wireless communications towers in the city. The Council concurs with the city planner's assessment.

Cellco's proposed compound would be located in a grassy, mostly cleared area behind the golf course maintenance buildings. Three trees would need to be removed to develop this facility. Some filling would be required. The nearest wetland area is approximately 460 feet to the north.

There are no known federally listed or proposed, threatened or endangered species or critical habitats near Cellco's proposed site. The proposed project would have no effect on Connecticut's historic, architectural, or archaeological resources.

According to a methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997), the combined radio frequency power density levels of the antennas proposed to be installed on the tower have been calculated to amount to 11.13% of the FCC's Maximum Permissible Exposure, as measured at the base of the tower. This percentage is well below federal and state standards established for the frequencies used by wireless companies. If federal or state standards change, the Council will require that the tower be brought into compliance with such standards. The Council will require that the power densities be recalculated in the event other carriers add antennas to the tower. The Telecommunications Act of 1996 prohibits any state or local agency from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions to the extent that such towers and equipment comply with FCC's regulations concerning such emissions.

Based on the record in this proceeding, the Council finds that the effects associated with the construction, operation, and maintenance of the proposed telecommunications facility, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate either alone or cumulatively with other effects when compared to need, are not in conflict with policies of the State concerning such effects, and are not sufficient reason to deny this application. Therefore, the Council will issue a Certificate for the construction, operation, and maintenance of a telecommunications facility, which would include a 120-foot flagpole tower, at the proposed site at 1191 Terryville Avenue in Bristol, Connecticut.

DOCKET NO. 318 – Cellco Partnership d/b/a Verizon Wireless } Connecticut
application for a Certificate of Environmental Compatibility and }
Public Need for the construction, maintenance and operation of a } Siting
telecommunications facility at 1191 Terryville Avenue in Bristol, }
Connecticut. } Council

January 18, 2007

Decision and Order

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, operation, and maintenance of a telecommunications facility including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate either alone or cumulatively with other effects when compared to need, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application and therefore directs that a Certificate of Environmental Compatibility and Public Need, as provided by General Statutes § 16-50k, be issued to Cellco Partnership d/b/a Verizon Wireless for the construction, maintenance and operation of a wireless telecommunications facility to be located at 1191 Terryville Avenue in Bristol, Connecticut.

The facility shall be constructed, operated, and maintained substantially as specified in the Council's record in this matter, and subject to the following conditions:

1. The tower shall be designed as a flagpole and shall be constructed no taller than 120 feet above ground level to provide telecommunications services to both public and private entities.
2. The Certificate Holder shall prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-75 through 16-50j-77 of the Regulations of Connecticut State Agencies. The D&M Plan shall be served on the City of Bristol and all parties and intervenors, as listed in the service list, and submitted to and approved by the Council prior to the commencement of facility construction and shall include:
 - a) a final site plan(s) of site development to include specifications for the tower, tower foundation, antenna mountings, equipment building, access road, utility line, and landscaping; and
 - b) construction plans for site clearing, water drainage, and erosion and sedimentation control consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended.

3. The Certificate Holder shall, prior to the commencement of operation, provide the Council worst-case modeling of electromagnetic radio frequency power density of all proposed entities' antennas at the closest point of uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin No. 65, August 1997. The Certificate Holder shall ensure a recalculated report of electromagnetic radio frequency power density is submitted to the Council in the event other carriers locate at this facility or if circumstances in operation cause a change in power density above the levels calculated and provided pursuant to this Decision and Order.
4. Upon the establishment of any new state or federal radio frequency standards applicable to frequencies of this facility, the facility granted herein shall be brought into compliance with such standards.
5. The Certificate Holder shall permit public or private entities to share space on the proposed tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
6. The Certificate Holder shall provide reasonable space on the tower for no compensation for any City of Bristol public safety services (police, fire and medical services), provided such use can be accommodated and is compatible with the structural integrity of the tower.
7. If the facility authorized herein is not fully constructed and providing wireless services within eighteen months from the date of the mailing of the Council's Findings of Fact, Opinion, and Decision and Order (collectively called "Final Decision"), this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's Final Decision shall not be counted in calculating this deadline.
8. If the facility ceases to provide wireless services for a period of one year, this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made.
9. The Certificate Holder shall remove any nonfunctioning antenna, and associated antenna mounting equipment, within 60 days of the date the antenna ceased to function.
10. Any request for extension of the time periods referred to in Conditions 7, 8, and 9 shall be filed with the Council not later than sixty days prior to the expiration date of this Certificate and shall be served on all parties and intervenors and the City of Bristol, as listed in the service list. Any proposed modifications to this Decision and Order shall likewise be so served.

11. In accordance with Section 16-50j-77 of the Regulations of Connecticut State Agencies, the Certificate Holder shall provide the Council with written notice two weeks prior to the commencement of construction activities. In addition, the Certificate Holder shall provide the Council with written notice of the completion of site construction and the commencement of site operation.

Pursuant to General Statutes § 16-50p, we hereby direct that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed below, and notice of issuance shall be published in the Bristol Press.

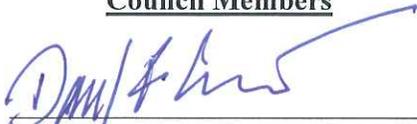
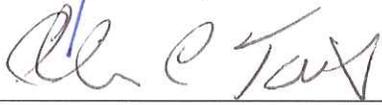
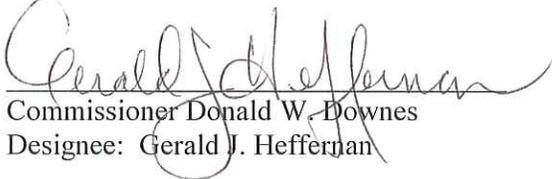
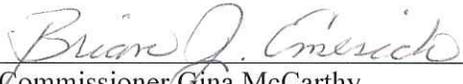
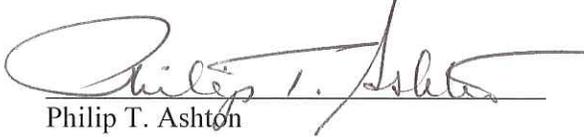
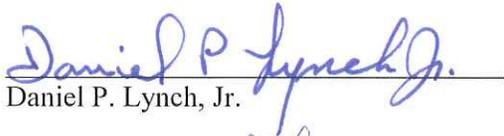
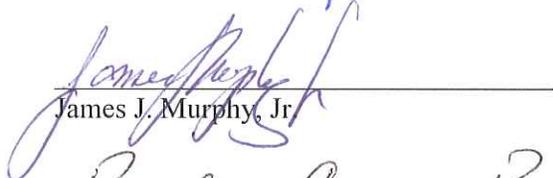
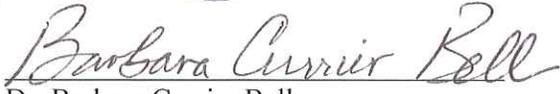
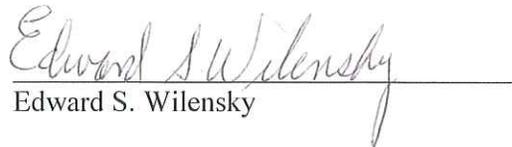
By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

The parties and intervenors in this proceeding are:

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	Cellco Partnership d/b/a Verizon Wireless 99 East River Drive East Hartford, CT 06108	Sandy Carter Regulatory Manager Verizon Wireless 99 East River Drive East Hartford, CT 06108 Kenneth Baldwin, Esq. Robinson & Cole, LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200 (860) 275-8299 fax kbaldwin@rc.com

CERTIFICATION

The undersigned members of the Connecticut Siting Council (Council) hereby certify that they have heard this case, or read the record thereof, in **DOCKET NO. 318** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 1191 Terryville Avenue in Bristol, Connecticut, and voted as follows to approve the proposed site located at 1191 Terryville Avenue in Bristol, Connecticut:

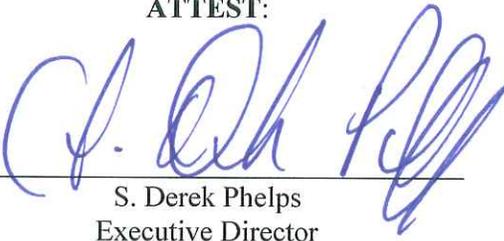
<u>Council Members</u>	<u>Vote Cast</u>
 _____ Daniel F. Caruso, Chairman	Yes
 _____ Colin C. Tait, Vice Chairman	Yes
 _____ Commissioner Donald W. Downes Designee: Gerald J. Heffernan	Yes
 _____ Commissioner Gina McCarthy Designee: Brian J. Emerick	Yes
 _____ Philip T. Ashton	Abstain
 _____ Daniel P. Lynch, Jr.	Yes
 _____ James J. Murphy, Jr.	Yes
 _____ Dr. Barbara Currier Bell	Yes
 _____ Edward S. Wilensky	Yes

Dated at New Britain, Connecticut, January 18, 2007.

STATE OF CONNECTICUT)
ss. New Britain, Connecticut):
COUNTY OF HARTFORD)

I hereby certify that the foregoing is a true and correct copy of the Findings of Fact, Opinion, and Decision and Order issued by the Connecticut Siting Council, State of Connecticut.

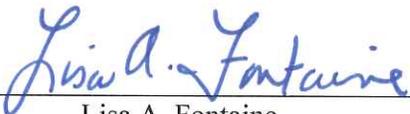
ATTEST:



S. Derek Phelps
Executive Director
Connecticut Siting Council

I certify that a copy of the Findings of Fact, Opinion, and Decision and Order in Docket No. 318 has been forwarded by Certified First Class Return Receipt Requested mail on January 19, 2007, to all parties and intervenors of record as listed on the attached service list, dated August 8, 2006.

ATTEST:



Lisa A. Fontaine
Administrative Assistant
Connecticut Siting Council

**LIST OF PARTIES AND INTERVENORS
SERVICE LIST**

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	Cellco Partnership d/b/a Verizon Wireless 99 East River Drive East Hartford, CT 06108	Sandy Carter Regulatory Manager Verizon Wireless 99 East River Drive East Hartford, CT 06108 Kenneth Baldwin, Esq. Robinson & Cole, LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200 (860) 275-8299 fax kbaldwin@rc.com