



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](mailto:siting.council@ct.gov)

Internet: [ct.gov/csc](http://ct.gov/csc)

October 23, 2007

TO: Parties and Intervenors

FROM: S. Derek Phelps, Executive Director 

RE: **DOCKET NO. 336** - 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 located at 811 Blue Hills Avenue, Bloomfield, Connecticut.

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By its Decision and Order dated October 16, 2007, the Connecticut Siting Council granted a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 811 Blue Hills Avenue, Bloomfield, Connecticut.

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

SDP/CDM/laf

Enclosures (3)

c: State Documents Librarian

<b>DOCKET NO. 336</b> - 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 located at 811 Blue Hills Avenue, Bloomfield, Connecticut.	} } }	Connecticut  Siting  Council
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October 16, 2007

## Findings of Fact

### Introduction

1. Pursuant to Chapter 277a, Sections 16-50g et seq. of the Connecticut General Statutes (CGS), as amended, and Section 16-50j-1 et 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 April 25, 2007 for the construction, operation, and maintenance of a telecommunications facility to be located at 811 Blue Hills Avenue in the Town of Bloomfield, Connecticut. (Cellco 1, p. 1)
2. Cellco is a Delaware Partnership with an administrative office located at 99 East River Drive, East Hartford, Connecticut. Cellco is licensed by the Federal Communications Commission (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. 4)
3. The parties in this proceeding are the applicant and Buckley Broadcast-WDRG (WDRG). (Transcript, July 24, 2007, 3:00 p.m. [Tr. 1], p. 5)
4. WDRG intervened in this proceeding out of concern about the possible effects of Cellco's proposed tower on the antenna pattern of its radio station, the antenna towers of which are located approximately 1,300 feet to the north of Cellco's site. (Tr. 1, p. 8; Cellco 1, Attachment 1)
5. The proposed facility would provide PCS coverage and capacity relief along Routes 187 and 218 in Bloomfield and cellular coverage and capacity relief in the southeasterly portion of Bloomfield and the northeasterly portion of the City of Hartford. (Cellco 1, p. i and pp. 1-2)
6. Pursuant to CGS § 16-50m, the Council, after giving due notice thereof, held a public hearing on July 24, 2007, beginning at 3:05 p.m. and continuing at 7:04 p.m. in Bloomfield, Connecticut. (Tr. 1, p. 2 ff.)
7. The Council and its staff conducted an inspection of the proposed site on July 24, 2007, beginning at 2:00 p.m. The applicant flew a balloon from 7:45 a.m. until 5:00 p.m. at the proposed site to simulate the height of the proposed tower. Weather conditions for the balloon flight were favorable in the morning. In the afternoon, light winds moved the balloon around. (Tr. 1, p. 15)

8. Pursuant to CGS § 16-50(b), notice of Cellco's intent to submit this application was published on April 23 and 24, 2007 in The Hartford Courant. (Cellco 1, p. 5)
9. 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 4)
10. Cellco did not receive return receipts from two of the adjacent property owners to whom notices were sent. The two owners from whom receipts were not received were Phillip Colley and the Blue Hills Fire Department. Notices were resent to these owners via regular mail. (Cellco 5, Response 7)
11. Pursuant to CGS § 16-50(b), Cellco provided notice to all federal, state and local officials and agencies listed therein. (Cellco 1, p. 5; Attachment 2)
12. Cellco posted a sign advising the general public of its pending application at the driveway entrance to the property on which the proposed facility would be located on July 9, 2007. The sign was four feet by eight feet. (Tr. 1, p. 15)

#### **State Agency Comment**

13. Pursuant to CGS § 16-50, 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. The Council's letters requesting comments were sent on July 7 and 25, 2007. (CSC Hearing Package dated July 7, 2007; CSC Letter to State Department Heads dated July 25, 2007)
14. The Connecticut Department of Public Health (DPH) responded to the Council's solicitations for comments with no comment. (Memorandum from DPH dated May 11, 2007)
15. The Connecticut Department of Transportation (ConnDOT) responded to the Council's solicitation with no comments. (ConnDOT Letter dated July 20, 2007)
16. No comments were received from any other state agency. (Record)

#### **Municipal Consultation**

17. On February 21, 2007, Cellco representatives met with Thomas Hooper, Bloomfield Director of Planning and Zoning, who was representing Bloomfield's Town Manager, Louie Chapman, to begin the sixty day municipal consultation process. (Cellco 1, p. 18)
18. At this meeting, Cellco gave Mr. Hooper copies of technical information summarizing Cellco's proposed telecommunications facility. (Cellco 1, p. 18)

19. Mr. Hooper suggested that Cellco contact the Blue Hills Fire Department to determine if it might have any interest in locating on the tower. As of the date of its application to the Council, Cellco had not received any indication of interest from the Fire Department. (Cellco 1, p. 18)
20. Cellco would provide space for Town of Bloomfield antennas and ground equipment at no charge if requested by the Town. (Cellco 5, Response 22)

#### Public Need for Service

21. Cellco's existing network currently experiences significant gaps in coverage along Route 187 and Route 218 and along local roads in the southeasterly portion of Bloomfield, particularly at PCS frequencies. (Cellco 1, p. 7)
22. In its Report and Order issued May 4, 1981 in FCC Docket No. 79-318, the FCC recognized the public need for technical improvement, wide-area coverage, high quality service and a degree of competition in mobile telephone service. (Cellco 1, p. 5)
23. 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. 6)
24. Cellco's proposed Bloomfield Blue Hills Facility would be part of its expanding wireless telecommunications network envisioned by the Act. (Cellco 1, p. 6)
25. In issuing cellular licenses, the federal government has preempted the determination of public need for cellular service by the states, and has established design standards to ensure technical integrity and nationwide compatibility among all systems. (Council Administrative Notice Item No. 7)
26. The Telecommunications Act of 1996 prohibits local and state bodies from discriminating among providers of functionally equivalent services. (Council Administrative Notice Item No. 7 - Telecommunications Act of 1996)
27. 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)
28. Cellco's antennas would comply with E911 requirements. (Cellco 5, Response 2)
29. The FCC requires that Cellco's facility would not interfere with WDRC's signal. (Tr. 1, p. 41)

**Site Selection**

30. Cellco issued a search ring in the Bloomfield Blue Hills area in February 2002. Because the proposed site provides capacity relief as well as coverage to the target area, the search ring was fairly small — it had a radius of one-third mile and was centered on Mt. Sinai Hospital. (Cellco 5, Response 15)
31. Cellco has antennas mounted on five existing facilities located within four miles of its proposed site. These facilities, however, cannot provide coverage or capacity relief within the area Cellco seeks to cover from the proposed site. The existing facilities are listed below:

<b>Facility Owner</b>	<b>Facility Type</b>	<b>Location</b>	<b>Cellco's Antenna Ht.</b>
Crown Atlantic	Monopole – 140'	439-455 Homestead Ave, Hartford	138'
University of Hartford	Rooftop	200 Bloomfield Ave, Hartford	57.5'
Town of Bloomfield	Monopole – 140'	785 Park Ave, Bloomfield	109'
SpectraSite	Monopole – 150'	305 West Service Rd, Hartford	115'
Crown Atlantic	Monopole – 100'	599 Matianuck Ave, Windsor	100'

(Cellco 1, Attachment 8)

32. Cellco investigated four possible sites on which it might locate its proposed facility. These four sites and the determination of their suitability are listed below.

<b>Address</b>	<b>Suitability</b>
811 Blue Hills Avenue, Bloomfield	Site of proposed facility
St. Francis Hospital – 500 Blue Hills Ave Hartford	Hospital ownership did not want to lease space to Cellco
Oak Hill School – 120 Holcomb Avenue Hartford	Site could not provide adequate coverage and capacity relief in target area
Blue Hills Fire Department – 1021 Blue Hills Avenue, Bloomfield	This property is located .65 miles north of proposed site; 125-foot tower on property; rejected because no space available on tower and no room on ground for Cellco's equipment

(Cellco 1, Attachment 8)

33. Cellco notified the legal counsels for T-Mobile, AT&T Wireless, and Sprint Nextel regarding its proposed facility. No other carrier has expressed an interest in this facility. (Cellco 5, Response 16)
34. Cellco maintains that there are no viable and available alternative technologies to provide the coverage and service that its proposed facility would provide. (Cellco 1, p. 9)

### Site Description

35. Cellco's proposed site would be on an 8.8-acre parcel located at 811 Blue Hills Avenue in Bloomfield. The property is owned by Samo Realty LLC and is currently being used for industrial/manufacturing purposes. (Cellco 1, p. 2; Attachment 1)
36. The property on which Cellco's facility would be located is in an Industrial-2 (Restricted Industry) zone. Wireless communications towers are allowed in the I-2 zone with a special permit. (Cellco 1, p. 2; Town of Bloomfield Zoning Regulations – bulk filed)
37. Cellco originally planned to erect a 110-foot high steel monopole designed as a flagpole. (Cellco 1, p. 2)
38. Cellco chose to design a tower with internally-mounted antennas based on its negotiations with a previous owner of the host property. (Tr. 1, p. 37 ff.)
39. To minimize any potential interference problems with WDRC's AM radio signal patterns, Cellco would install a "de-tuning" skirt on its tower. This skirt would consist of three small (No. 6) wires that would be placed 120 degrees apart and would run the height of the tower. Because of the need for these de-tuning wires, Cellco could not fly a flag on its tower as it originally planned. (Tr. 1, pp. 13-14; Cellco 6)
40. Cellco's tower would be erected within a 23-foot by 75-foot leased area. Cellco would house its ground equipment within a 12-foot by 30-foot equipment shelter. (Cellco 1, p. 2)
41. The tower would be located at 41° 38' 34.86"N latitude and 72° 41' 47.75"W longitude. Its elevation at ground level would be approximately 164 feet above mean sea level. (Cellco 1, Attachment 1)
42. 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 5, Response 13)
43. The tower would be designed to accommodate three antenna placements. The top two placements would be reserved for Cellco. (Tr. 1, p. 11)
44. From an RF perspective, it would be more advantageous to Cellco to erect a monopole on which platforms or externally-mounted antennas could be installed. (Tr. 1, p. 38)
45. Cellco would install six internally-mounted antennas on the proposed tower—three PCS antennas at the 105-foot level and three cellular antennas at the 95-foot level. (Cellco 1, p. 2)
46. Cellco's equipment compound would be enclosed by an eight-foot high chain link fence topped with barbed wire. (Cellco 1, Attachment 1, Drawing SC-3)
47. Cellco would be willing to install a landscape screen along the north, south, and east sides of the proposed equipment compound. (Cellco 5, Response 18)

48. The total amount of fill that would be required for this site is estimated to be less than one cubic yard. No cut would be required. (Cellco 5, Response 12)
49. Cellco does not anticipate that blasting would be required to develop this facility. (Cellco 5, Response 17)
50. Cellco's back up power would be supplied by a diesel generator. (Cellco 1, p. 2)
51. The generator would have a double-walled fuel tank with a leak detection system. The generator's operating and leak detection systems would be continually monitored by Cellco's cell site technicians. The concrete floor beneath the generator would be recessed and capable of containing 120% of the capacity of all generator fluids (fuel and oil). Generator refueling operations would occur inside the generator room. Cellco has a contract with an environmental services company to respond to any spills associated with the generator. (Cellco 1, p. 16)
52. The proposed tower's setback radius would encroach on two neighboring properties to the northwest. The setback radius would extend approximately seven and one half feet onto property owned by Allinson Products at 11 Britton Drive and approximately 6 feet onto property owned by Hermell Products, Inc. at 9 Britton Drive. (Cellco 1, Attachment 1, Drawing SC-1; Tr. 1, p. 20)
53. Cellco could design the tower with a yield point to avoid having the setback radius encroach on any adjoining properties. (Tr. 1, pp. 20-21)
54. Vehicular access to the proposed site would extend from the end of Edgewood Avenue over a new gravel drive of approximately 180 feet. (Cellco 1, p. 2)
55. Utility service for the site would extend from an existing CL&P pole adjacent to Edgewood Avenue and be installed underground following Edgewood Avenue and the new gravel access drive. (Cellco 1, Attachment 1, Drawing SC-1)
56. Land use in the vicinity of the proposed site is characterized by industrial uses to the north and west where the Bloomfield Industrial Park is located, residential uses to the south, and commercial uses to the east along Blue Hills Avenue. (Cellco 1, Attachment 1, p. 4)
57. The closest residence to the proposed facility is located approximately 170 feet to the southeast at 5 Edgewood Avenue. It is owned by Lucien and Rosaline Altener. (Cellco 1, p. 13; Cellco 5, Response 19)
58. There are approximately 123 homes located within 1,000 feet of the proposed facility. (Cellco 5, Response 20)

59. The estimated cost of the facility, including antennas and radio equipment, is:

Cell site radio equipment	\$450,000
Tower, coax, and antennas costs	110,000
Power systems costs	20,000
Equipment building costs	60,000
<u>Miscellaneous costs</u>	<u>15,000</u>
Total	\$655,000

(Cellco 1, p. 20)

### Environmental Considerations

60. Cellco's proposed facility would have no effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places. (Letter from Deputy State Historic Preservation Officer dated April 19, 2007)
61. The proposed facility is not located in an area that would impact any known occurrence of listed species or significant natural community. (Cellco 1, Attachment 10: Letter from EBI Consulting dated April 5, 2007)
62. There are no federally-listed or proposed; threatened or endangered species or critical habitats known to occur near the proposed facility. (Cellco 1, Attachment 10: Letter from Fish and Wildlife Service dated March 15, 2007)
63. No trees with a diameter of six inches or greater at breast height would be removed to develop this site. (Cellco 5, Response 11)
64. There are no wetlands or watercourses within 200 feet of the proposed site. The closest wetland or watercourse is an unnamed intermittent watercourse located approximately 2,000 feet to the west of the facility. (Cellco 1, p. 17; Attachment 1, p. 4)
65. The Federal Aviation Administration is not required to be notified of the proposed facility. (Cellco 1, p. 19; Attachment 12)
66. According to calculations performed by Cellco, the maximum power density from the radio frequency emissions of Cellco's proposed antennas would be 17.05% 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

67. The proposed tower would be visible year-round from approximately 33 acres within a two-mile radius. (Cellco 1, Attachment 9, p. 4)

68. Approximately 16 residences would have partial year-round views of the proposed tower. (Cellco 1, Attachment 9, p. 4)
69. The tower would be seasonally visible from an additional 44 acres within a two-mile radius. (Cellco 1, Attachment 9, p. 5)
70. Approximately 30 additional residences would have seasonal views of the tower. (Cellco 1, Attachment 9, p. 5)
71. 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 9 of Cellco’s application and Figure 8 of this document.

<u>Location</u>	<u>Site Visible</u>	<u>Approx. Portion of (110’) Tower Visible (ft.)</u>	<u>Approx. Distance and Direction to Tower</u>
1 – Edgewood Avenue, adjacent to site	Yes	Entire tower	200 feet; NW
2 – Merriam Avenue, east of Blue Hills Ave	Yes	Upper 80’	400 feet; NW
3 – Britton Drive, east of Douglas Street	Yes	Upper 20’	840 feet; SE
4 – Britton Drive	Yes	Upper 40’	740 feet; S
5 - Blue Hills Avenue, north of Britton St	Yes	Upper 30’	900 feet; SW
6 - #3 Hubbard Street	Yes	Upper 80’	400 feet; NE
7 – Elizabeth Ave, east of Blue Hills Ave	Yes	Upper 30’	630 feet; SW

(Cellco 1, Attachment 9 – Photographic Simulations)

**Existing and Proposed Wireless Coverage**

72. In the Bloomfield area, Cellco is licensed to operate in the cellular band at 869-880 MHz and 890-891.5 MHz and in the PCS F Block at 1970-1975 MHz frequency bands. Cellco would install both PCS and cellular antennas operating within these frequency ranges on its proposed tower. PCS antennas would be located at the 105-foot level. Cellular antennas would be located at the 95-foot level. (Cellco 5, Response 1)
73. These heights would be the lowest at which Cellco could achieve its coverage objectives from the proposed site. (Cellco 5, Response 6)
74. Cellco designs its wireless network for a signal strength of -85 dBm for in-vehicle coverage. (Cellco 5, Response 8; Tr. 1, p. 18)
75. Cellco’s design signal strength for in-building coverage is -75 dBm. (Tr. 1, p. 18)

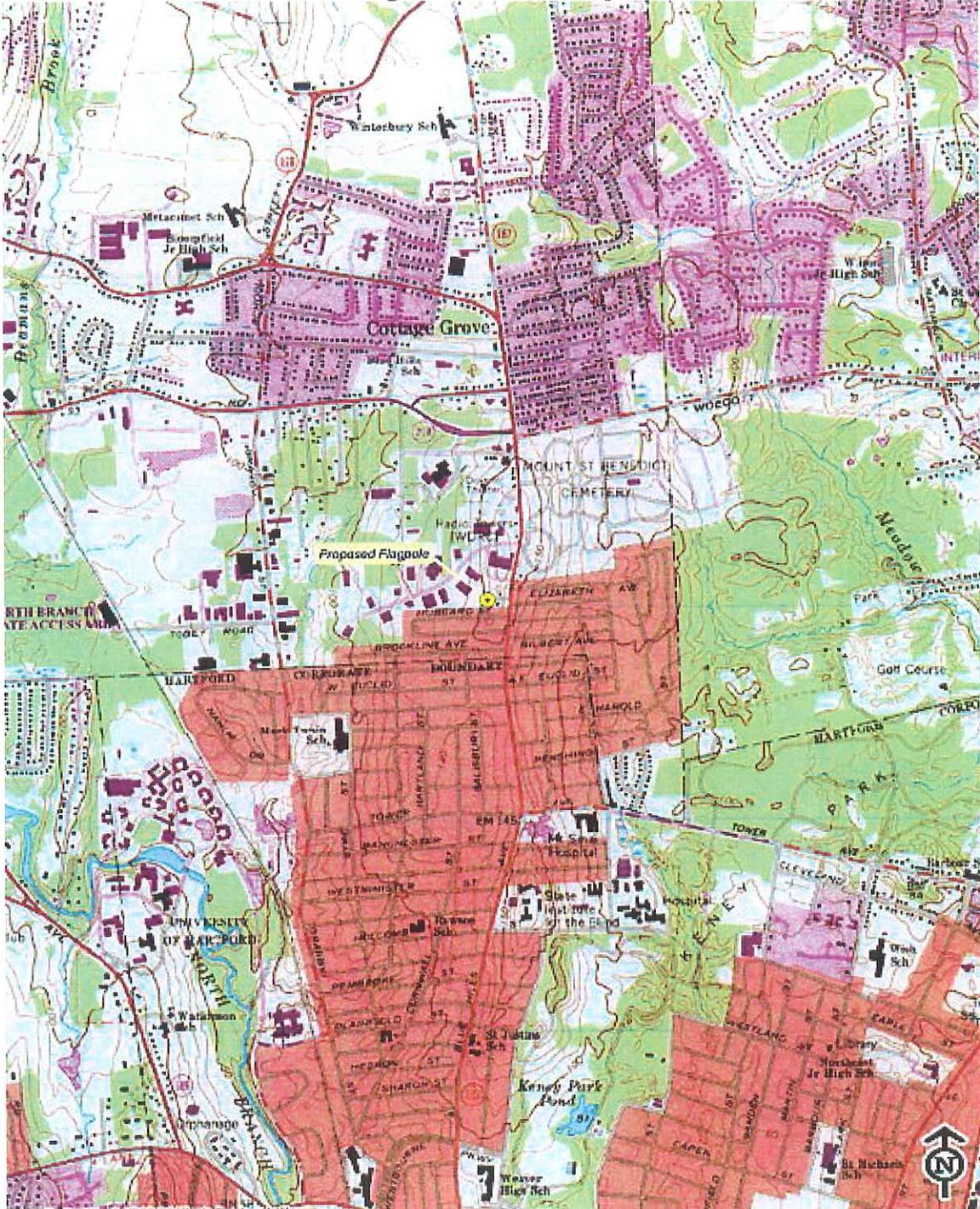
76. At PCS frequencies, Cellco's existing signal strength within the area that would be covered from the proposed site is below its -85 dBm design strength. At cellular frequencies, Cellco's existing signal strength in much of the area that would be covered is -85 dBm or better. (Cellco 5, Response 9)
77. Cellco's PCS antennas would cover 2.1 miles on Route 187 from the proposed site. Its cellular antennas would cover 2.4 miles. On Route 218, Cellco's PCS antennas would cover 1.6 miles, and its cellular antennas would cover 1.7 miles. (Cellco 5, Responses 24 and 25)
78. The proposed facility would cover a 7.3 square mile area at PCS frequencies and a 10.3 square mile area at cellular frequencies. (Cellco 1, pp. 2-3)
79. Cellco's antennas at the proposed site would hand off signals with the adjacent Cellco sites identified below:

<b>Site Address</b>	<b>Type of Facility</b>	<b>Site Owner</b>	<b>Distance from Proposed Site</b>
439-455 Homestead Avenue, Hartford	140-foot monopole	Crown Atlantic	1.85 miles
200 Bloomfield Avenue, Hartford	Roof-top installation	University of Hartford	1.4 miles
785 Park Avenue, Hartford	140-foot monopole	Town of Bloomfield	2.3 miles
305 West Service Road, Hartford	150-foot monopole	SpectraSite	2.25 miles
599 Matianuck Avenue, Windsor	100-foot monopole	Crown Atlantic	1.3 miles

(Cellco 5, Response 3)

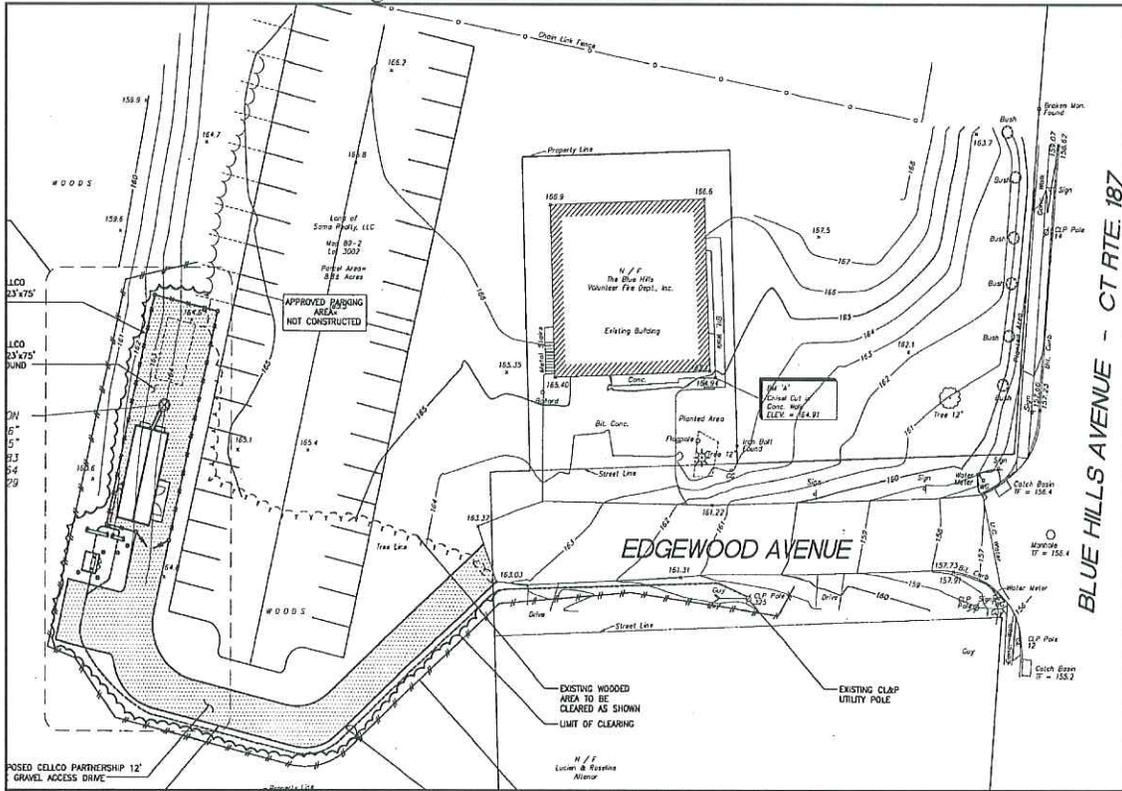
80. Cellco's facility at the proposed location would provide capacity relief for its adjacent facilities at the University of Hartford, in Bloomfield, and in Windsor. (Tr. 1, p. 17 ff.)

Figure 1: Location Map



(Cellco 1, Attachment 1)

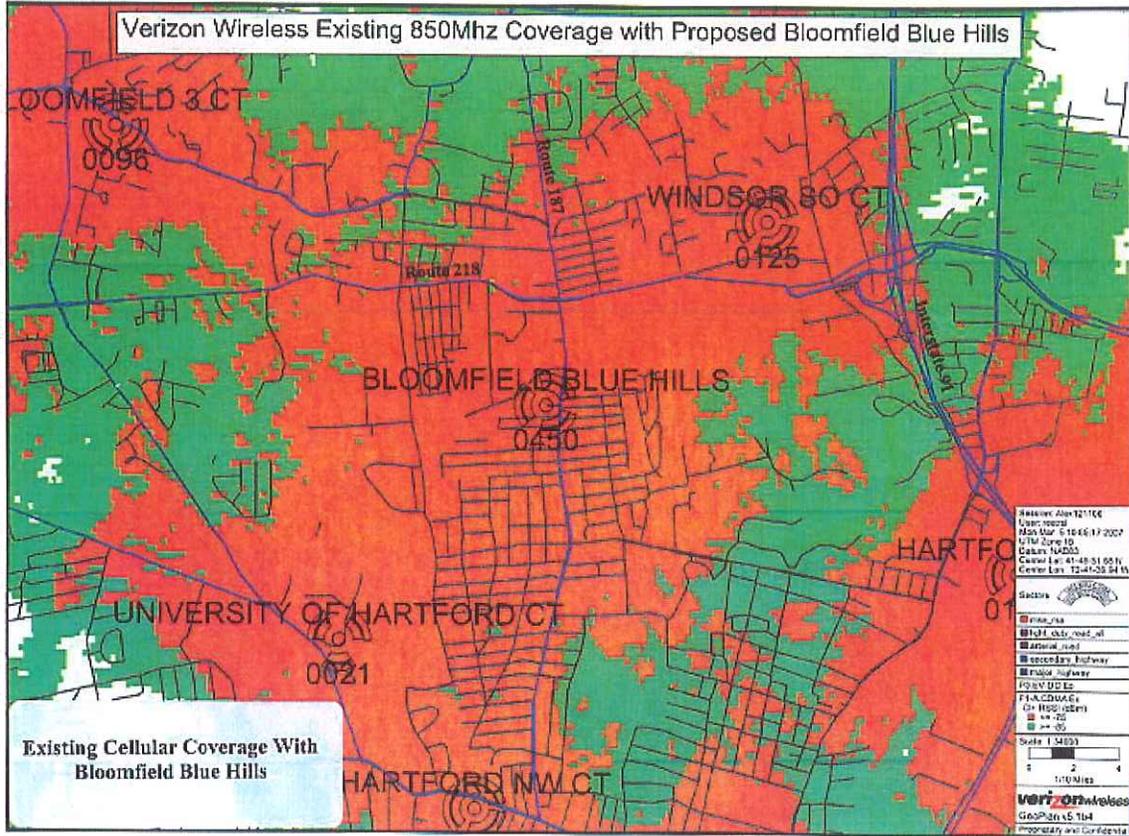
Figure 2: Site Plan and Aerial View



(Cellco 1, p. iii and Attachment 1)

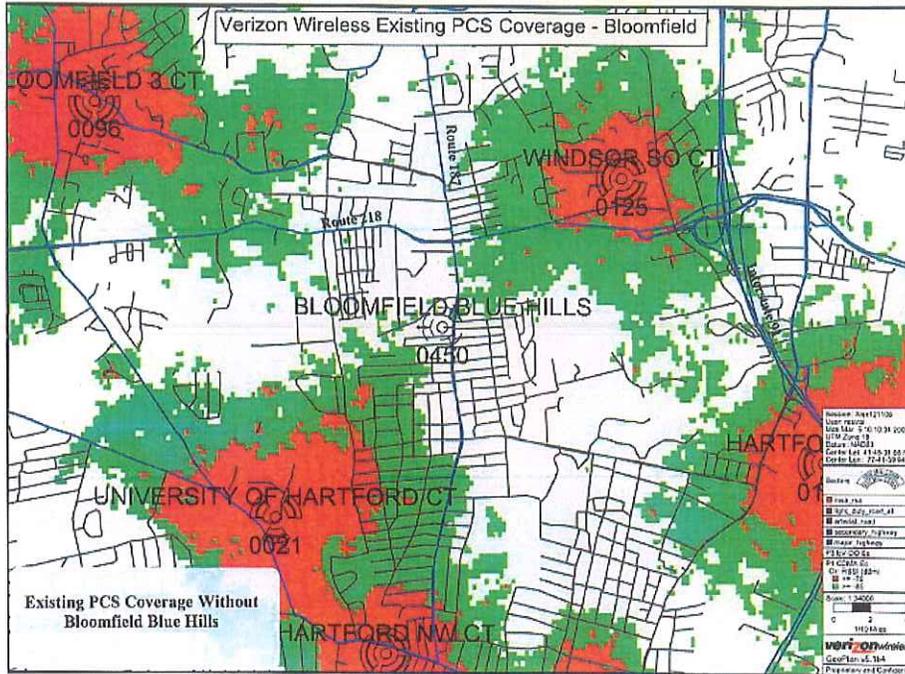


Figure 5: Composite Cellular Coverage



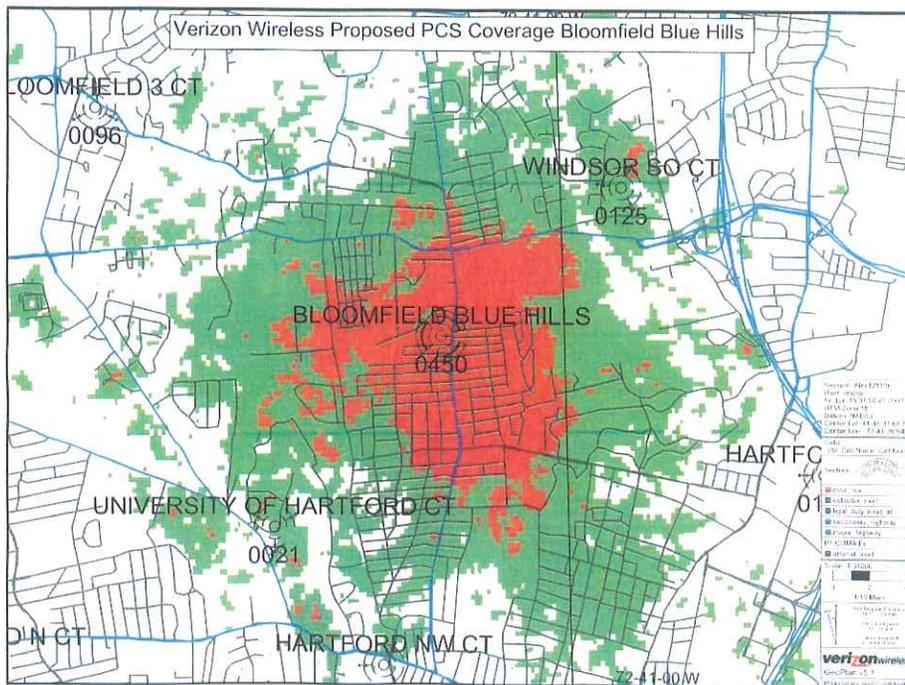
(Cellco 1, Attachment 6)

**Figure 6: Existing PCS Coverage**



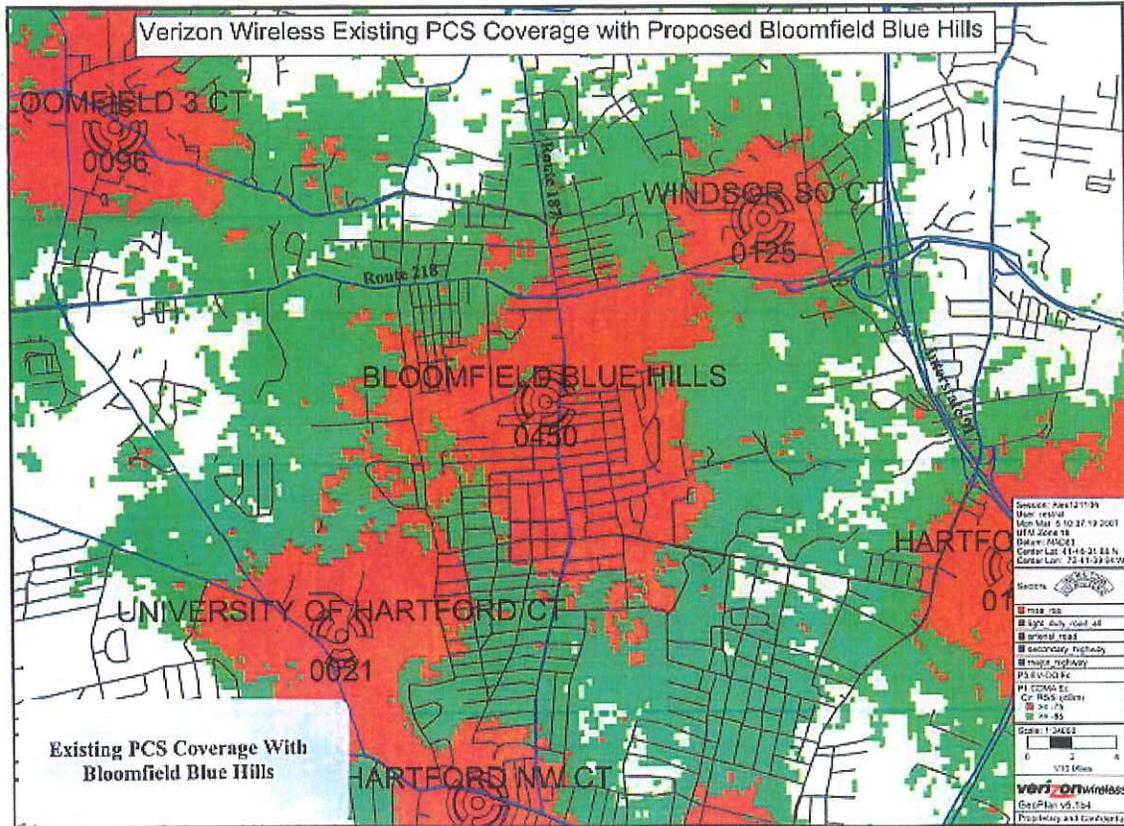
(Cellco 1, Attachment 6)

**Figure 7: PCS Coverage From Proposed Site**



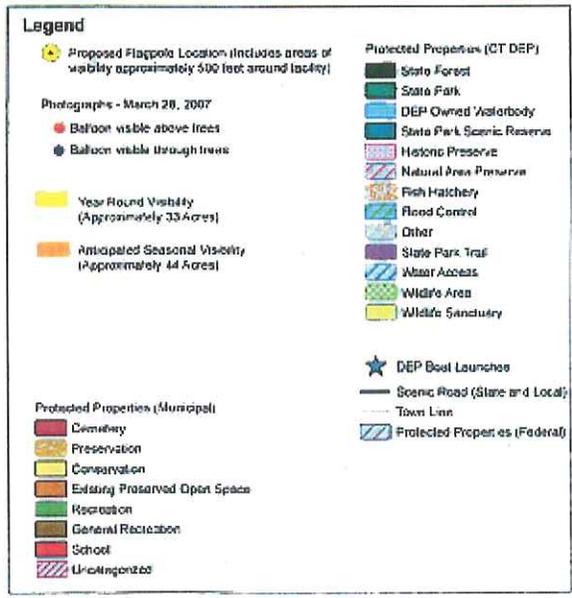
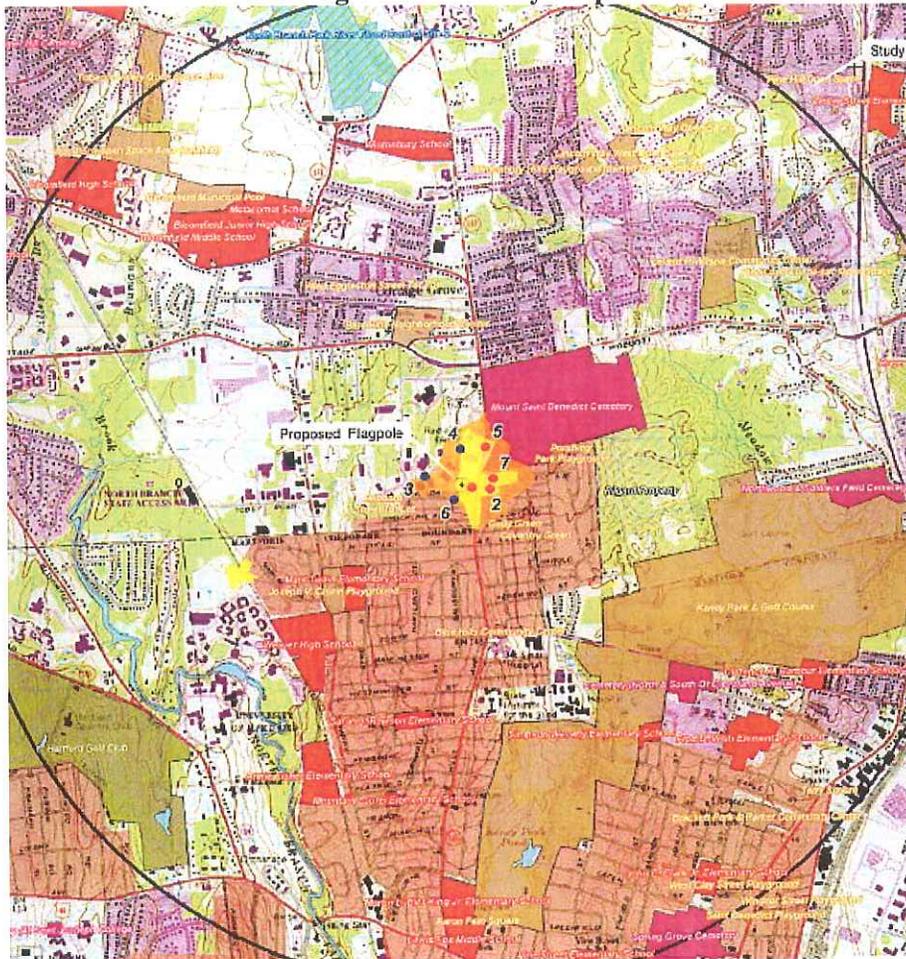
(Cellco 5, Attachment 5)

Figure 8: Composite PCS Coverage



(Cellco 1, Attachment 6)

Figure 9: Visibility Map



(Cellco 1, Attachment 9)

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### Opinion

On April 25, 2007, 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 811 Blue Hills Avenue in Bloomfield, Connecticut. The applicant seeks to develop a facility on an 8.8-acre parcel owned by Samo Realty LLC. This location would enable Cellco to provide coverage and capacity relief along Routes 187 and 218 in the southeasterly portion of Bloomfield and northeasterly portion of the City of Hartford.

The proposed facility is located within a Restricted Industry zoning district, which is generally a preferred area for telecommunications towers. Land use in the vicinity is characterized by industrial uses to the north and west of the site, where the Bloomfield Industrial Park is located, residential uses to the south, and commercial uses to the east along Blue Hills Avenue. Even though there is a mix of land uses in the vicinity of the proposed project, it is not uncommon to find a tower next to a fire department in a residential area.

Buckley Broadcast (WDRB) intervened as a party in this proceeding. WDRB was concerned about the potential for interference to its broadcast signal that Cellco's facility might pose. In order to avoid interfering with WDRB's radio signal pattern, Cellco would install a "de-tuning" skirt on its tower. This skirt would consist of three small (No. 6) wires that would be placed 120 degrees apart and run the height of the tower. WDRB neither confirmed nor objected to the proposed mitigation. In any case, the Federal Communications Commission is the governing authority to arbitrate interference between frequencies.

Cellco proposed erecting a 110-foot flagpole tower within a 23-foot by 75-foot fenced equipment compound. The de-tuning skirt that would be installed to avoid interference with WDRB's radio signal would eliminate the possibility of flying a flag from the flagpole tower. Because of this, the Council feels that the use of a flagpole tower is not necessary at this location and that the tower would be able to provide better service for more carriers if antennas could be mounted on T-arms rather than flush-mounted.

The tower would be designed to accommodate three antenna placements, the top two of which would be reserved for Cellco's antennas. Cellco would mount three PCS antennas at the 105-foot level and three cellular antennas at the 95-foot level. Cellco did not propose any landscaping around the equipment compound.

The setback radius of the tower would encroach on two neighboring properties to the northwest by less than ten feet. Cellco would be willing to design its tower with a yield point to prevent any encroachment.

The proposed tower would be visible year-round from approximately 33 acres within a two-mile radius of the site and would be seasonally visible from approximately an additional 44 acres. Approximately 16 residences would have partial year-round views of the tower; 30 additional residences would have seasonal views of the tower.

The site is located in an area that is relatively flat and characterized by grassy vegetation. No trees with a diameter of six inches or greater at breast height would be removed to develop this site. There are no wetlands or watercourses within 200 feet of the site.

The proposed facility is not located in an area that would impact any known occurrence of listed species or significant natural community. It would have no effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places.

Although Cellco did not propose any landscaping in its original plans, it did express a willingness to install a landscaped screen around its compound. The Council feels that a landscaped screen would improve the aesthetic appearance of the compound and will order Cellco to include a landscape plan in its Development and Management Plan.

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 15.61% 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.

The Council finds that the proposed tower is in a suitable location to achieve Cellco's coverage and capacity objectives with a minimal intrusion on the surrounding area.

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 110-foot monopole tower, at the proposed site at 811 Blue Hills Avenue in Bloomfield, Connecticut.

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Connecticut  
Siting  
Council

October 16, 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 811 Blue Hills Avenue in Bloomfield, 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 and constructed as a monopole no taller than 110 feet above ground level to provide telecommunications services to both public and private entities. Said tower may be designed and constructed in such a manner that it could be expandable in the future.
2. The tower shall be designed and constructed with a yield point to minimize its setback radius.
3. Antennas on the tower may be flush-mounted or mounted on T-arm mounts.
4. 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 Town of Bloomfield and the City of Hartford 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, and utility line;

- 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; and
  - c) a landscaping plan.
5. The Certificate Holder shall, prior to the commencement of operation, provide the Council worst-case modeling of the 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 the electromagnetic radio frequency power density be 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.
  6. 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.
  7. 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.
  8. The Certificate Holder shall provide reasonable space on the tower for no compensation for any Town of Bloomfield public safety services (police, fire and medical services), provided such use can be accommodated and is compatible with the structural integrity of the tower.
  9. Unless otherwise approved by the Council, 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.
  10. Any request for extension of the time period referred to in Condition 9 shall be filed with the Council not later than 60 days prior to the expiration date of this Certificate and shall be served on all parties and intervenors, as listed in the service list, and the Town of Bloomfield. Any proposed modifications to this Decision and Order shall likewise be so served.
  11. 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.

12. The Certificate Holder shall remove any nonfunctioning antenna, and associated antenna mounting equipment, within 60 days of the date the antenna ceased to function.
13. 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 Hartford Courant.

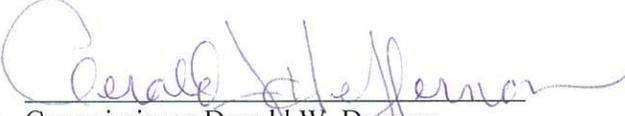
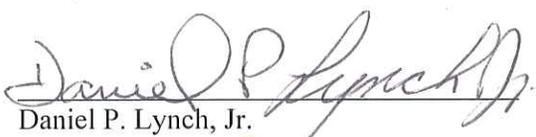
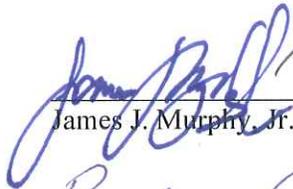
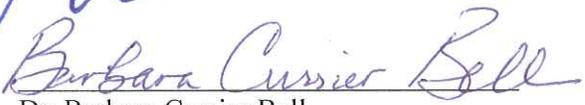
By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

The parties and intervenors in this proceeding are:

<b>Status Granted</b>	<b>Status Holder (name, address &amp; phone number)</b>	<b>Representative (name, address &amp; phone number)</b>
<b>Applicant</b>	Cellco Partnership d/b/a Verizon Wireless	Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200 (860) 275-8299 fax <a href="mailto:kbaldwin@rc.com">kbaldwin@rc.com</a>  Sandy Carter, Regulatory Manager Verizon Wireless 99 East River Drive East Hartford, CT 06108 (860) 803-8219 <a href="mailto:alexandria.carter@verizonwireless.com">alexandria.carter@verizonwireless.com</a>
<b>Party (granted 05/22/07)</b>	Buckley Broadcast – WDRC	Scott Baron Chief Engineer WDRC AM 869 Blue Hills Avenue Bloomfield, CT 06002 (860) 243-1115 (860) 286-8257 fax <a href="mailto:scottbaron@wdrc.com">scottbaron@wdrc.com</a>

**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. 336** - 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 located at 811 Blue Hills Avenue, Bloomfield, Connecticut, and voted as follows to approve the proposed site, located at 811 Blue Hills Avenue, Bloomfield, 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	Abstain
_____ Philip T. Ashton	Absent
 _____ Daniel P. Lynch, Jr.	Yes
 _____ James J. Murphy, Jr.	Yes
 _____ Dr. Barbara Currier Bell	Yes
_____ Edward S. Wilensky	Absent

Dated at New Britain, Connecticut, October 16, 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:



Fred O. Cunliffe  
Supervising Siting Analyst  
Connecticut Siting Council

I certify that a copy of the Findings of Fact, Opinion, and Decision and Order in Docket No. 336 has been forwarded by Certified First Class Return Receipt Requested mail on October 23, 2007, to all parties and intervenors of record as listed on the attached service list, dated May 23, 2007.

ATTEST:



Lisa A. Fontaine  
Fiscal Administrative Officer  
Connecticut Siting Council

**LIST OF PARTIES AND INTERVENORS**  
**SERVICE LIST**

<b>Status Granted</b>	<b>Status Holder (name, address &amp; phone number)</b>	<b>Representative (name, address &amp; phone number)</b>
<b>Applicant</b>	Cellco Partnership d/b/a Verizon Wireless	<p>Kenneth C. Baldwin, Esq. Robinson &amp; Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200 (860) 275-8299 fax <a href="mailto:kbaldwin@rc.com">kbaldwin@rc.com</a></p> <p>Sandy Carter, Regulatory Manager Verizon Wireless 99 East River Drive East Hartford, CT 06108 (860) 803-8219 <a href="mailto:alexandria.carter@verizonwireless.com">alexandria.carter@verizonwireless.com</a></p>
<b>Party (granted 05/22/07)</b>	Buckley Broadcast – WDRC	<p>Scott Baron Chief Engineer WDRC AM 869 Blue Hills Avenue Bloomfield, CT 06002 (860) 243-1115 (860) 286-8257 fax <a href="mailto:scottbaron@wdrc.com">scottbaron@wdrc.com</a></p>



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](mailto:siting.council@ct.gov)

Internet: [ct.gov/esc](http://ct.gov/esc)

October 23, 2007

Sandy M. Carter  
Regulatory Manager  
Verizon Wireless  
99 East River Drive  
East Hartford, CT 06108

RE: **DOCKET NO. 336** - 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 located at 811 Blue Hills Avenue, Bloomfield, Connecticut.

Dear Ms. Carter:

By its Decision and Order dated October 16, 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 located at 811 Blue Hills Avenue, Bloomfield, 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: Kenneth C. Baldwin, Esq., Robinson & Cole LLP



Daniel F. Caruso  
Chairman

# STATE OF CONNECTICUT

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Internet: [ct.gov/csc](http://ct.gov/csc)

**CERTIFICATE  
OF  
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED  
DOCKET NO. 336**

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 located at 811 Blue Hills Avenue, Bloomfield, 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 October 16, 2007.

By order of the Council,

\_\_\_\_\_  
Daniel F. Caruso, Chairman

October 16, 2007



Daniel F. Caruso  
Chairman

# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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Internet: [ct.gov/csc](http://ct.gov/csc)

October 23, 2007

TO: Classified/Legal Supervisor  
**236070724**  
The Hartford Courant  
285 Broad St.  
Hartford, CT 06115

Classified/Legal Supervisor  
**236070724**  
Bloomfield Journal (Weekly)  
Imprint Newspapers  
99 Main Street  
Bristol, CT 06010

FROM: Lisa A. Fontaine, Fiscal Administrative Officer

RE: **DOCKET NO. 336** - 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 located at 811 Blue Hills Avenue, Bloomfield, Connecticut.

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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

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Internet: [ct.gov/csc](http://ct.gov/csc)

### NOTICE

Pursuant to General Statutes § 16-50p (d), the Connecticut Siting Council (Council) announces that, on October 16, 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 located at 811 Blue Hills Avenue, Bloomfield, Connecticut. This application record is available for public inspection in the Council's office, Ten Franklin Square, New Britain, Connecticut