

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE:

APPLICATION OF NEW CINGULAR WIRELESS
PCS, LLC (AT&T) FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC
NEED FOR THE CONSTRUCTION,
MAINTENANCE, AND OPERATION OF A
TELECOMMUNICATIONS FACILITY AT 106
SHARON ROAD,
TOWN OF SALISBURY, CONNECTICUT

DOCKET NO. 501

June 14, 2021

RESPONSES OF NEW CINGULAR WIRELESS PCS, LLC (AT&T)
TO CONNECTICUT SITING COUNCIL PRE-HEARING INTERROGATORIES
SET ONE

General

- Q1. Referencing page 7 and Attachment 12 of New Cingular Wireless PCS, LLC's (AT&T) Application, of the letters sent to abutting property owners, how many certified mail receipts were received? If any receipts were not returned, which owners did not receive their notice? Were any additional attempts made to contact those property owners?
- A1. *Certified mail receipts were sent to all abutting property owners and all but six (6) certified mail receipts were received. The Applicant re-sent notice to these six abutting property owners by first class mail on April 19, 2021. A copy of this mailing is included in Attachment 1.*
- Q2. Referencing page 26 of the Application, how is the construction cost of the facility recovered by AT&T?
- A2. *Costs are recovered as part of business operations for their customers.*

Site Search

- Q3. Approximately when was the search ring established for the proposed facility?
- A3. *The search ring was established in March of 2014. In 2016, for business reasons, AT&T deferred the proposed site and in March of 2018, the search ring was reactivated.*
- Q4. Referencing Attachment 2 of the Application, please provide a revised Figure 1 identifying the center point and radius of the search area.
- A4. *Please see the map included in Attachment 2 for the site search area.*

Site/tower

- Q5. Would any blasting be required to develop the site?
- A5. *A custom Soil Resource Report was generated from the Natural Resource Conservation Service ("NRCS") website. The soil type noted in this area is expected to be very rocky with lithic bedrock estimated to be approximately 10 to 20 inches below grade. It is feasible that ledge removal may be required either by mechanical means or blasting. If the Docket is approved by the Council, a geotechnical report will be completed which will provide additional site-specific detail on the existing soils and any bedrock. If blasting were required, an appropriate protocol would be followed in accordance with state and municipal regulations.*
- Q6. Referencing Attachment 3 of the Application, Facilities and Equipment Specifications states "The tower will be designed in accordance with American National Standards Institute TIA/EIA-222-G "Structural Standards for Steel Antenna Towers and Antenna Support Structures" and the 2012 International Building Code with 2016 Building Code Amendment." However, the State of Connecticut has adopted the 2015 International Building Code with 2018 Building Code Amendment effective October 1, 2018. Please clarify.
- A6. *The building code reference contained in Application Attachment 3 was an error. The tower will be designed in accordance with American National Standards Institute TIA/EIA-222-G "Structural Standards for Steel Antenna Towers and Antenna Support Structures" and the 2015 International Building Code with 2018 Building Code Amendment."*
- Q7. Provide the approximate widths of the tower at the base and at the top.
- A7. *The final tower design will be completed at the D&M phase, however the base width for a monopole of this size and design typically ranges from 4.5' to 5' in diameter. The typical width for the top of a monopole of this size and design ranges from 1.5' to 2.5' in diameter.*
- Q8. Would the tower and foundation be designed to accommodate an extension in tower height? If yes, for how many feet taller in height?
- A8. *The Proposed Facility will be constructed to accommodate a 20' future extension in tower height. The wireless carrier seeking such an extension would require review and approval from both the SHPO and the Siting Council.*
- Q9. Referencing Attachment 4 of the Application, Sheet D-1, Compound Surface, the proposed compound would have four inches (minimum) of $\frac{3}{4}$ " of stone, a layer of Mirafi fabric, and then structural fill. How was the stone depth (of at least four inches) determined? Is it based on a code requirement, drainage design, geotechnical conditions, etc.? Explain.
- A9. *Four (4) inches of $\frac{3}{4}$ " crushed stone laid over a layer of Mirafi fabric is an industry standard designed to provide ground cover that helps to minimize overgrowth within the compound.*

Q10. What measures are proposed for the site to ensure security and deter vandalism? (Including alarms, gates, locks, anti-climb fence design, etc.)

A10. *The site will be protected by an 8' high chain link fence. The double swing gates will have a combination lock securing the latch or chain to prevent unwanted access to the site. AT&T's radio equipment cabinets are equipped with silent intrusion alarms. If someone attempts to tamper with or break-in to the cabinet, cell site technicians monitoring the site will be alerted and local police will be contacted.*

Q11. Pursuant to CGS §16-50p(a)(3)(G), identify the safety standards and/or codes by which equipment machinery or technology that would be used or operated at the proposed facility.

A11. *The following safety standards and codes will be used:*
a. 2015 International Building Code with the 2018 CT Building Code Amendments;
b. 2017 National Electric Code (NFPA70);
c. 2018 CT State Fire Safety Code;
d. TIA/EIA-222-G "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures"; and
e. Occupational Safety and Health Administration (OSHA).

Q12. Does the proposed site contain any Connecticut Prime Farmland Soils? If so, what acreage of Prime Farmland Soils would the facility (including the access drive) be located on? What is the total acreage of Prime Farmland Soils on the subject property?

A12. *The subject property does not contain any Prime Farmland Soils according to the Custom Soil Resource Report for the State of Connecticut at 106 Sharon Road, Lakeville, Connecticut, produced by the USDA, NRCS, and accessed online February 4, 2021.*

Q13. Would any tree clearing occur within core forest? If so, how many acres? Under Connecticut General Statutes §16-50k, "Core forest" means unfragmented forest land that is three hundred feet or greater from the boundary between forest land and nonforest land, as determined by the Commissioner of Energy and Environmental Protection." How would tree clearing affect core forest?

A13. *The site does not contain core forest per a review of the Forestland Habitat Impact Map, prepared by the CT Department of Energy & Environmental Protection, which identifies prime continuous and connected core forestland blocks.*

Coverage/Capacity

Q14. Referencing Attachment 1 of the Application, would the proposed facility interact with all 7 of the Neighboring Sites listed?

A14. *The Proposed Facility will interact with all 7 of the Neighboring Sites listed in Application Attachment 1.*

Q15. Referencing Attachment 1 of the Application, Radio Frequency Analysis Report, p. 11, provide the radial distance to neighboring sites identified as CT1235 and CT1339.

A15. *The radial distances to the neighboring sites are as follows:*

CT1235 6.8 miles

CT1339 3.9 miles

Q16. Referencing Attachment 7 of the Application, AT&T notes that other frequencies would be deployed in addition to the 700 MHz frequency. Does the 700 MHz act as a “base frequency” of the network where most of the wireless traffic occurs? Were 700 MHz signal propagation **plots and data provided to be conservative because other (higher) frequencies can provide less** existing coverage area? How do the other frequencies interact in AT&T’s wireless system?

A16. *Coverage is the driver for this site and the 700 MHz spectrum has the greatest coverage and defines AT&T’s coverage footprint. The higher frequencies (850 MHz, PCS, AWS, WCS) supplement the 700 MHz frequency and provide capacity. By serving as many customers as they can reach, the higher frequencies minimize the loading on the 700 MHz spectrum, allowing it to maximize its geographic reach.*

Q17. Referencing page 14 of the Application, AT&T notes, “Closing the coverage gaps and providing reliable wireless services in Lakeville requires a tower site that can provide reliable service over a footprint that spans several hundred square-feet.” Referencing Attachment 1 of the Application, Radio Frequency Analysis Report, p. 6, AT&T notes that the proposed facility would provide 2.4 square miles of incremental coverage at 700 MHz for in-building service. Please reconcile these two statements.

A17. *The statement on page 14 of the Application relates to the proposed compound area of the tower facility.*

Q18. Are all the proposed frequencies used to transmit voice and data?

A18. *All of the proposed frequencies are used to transmit voice and data.*

Q19. Would the proposed antennas and equipment be capable of offering 5G services, or would new antennas and/or equipment be required to provide 5G once this service is deployed in this area?

A19. *AT&T delivers two types of 5G –*

- *AT&T 5G, using low-band spectrum (700 MHz, 850 MHz, 1900 MHz, 2100 MHz and 2300 MHz)*
- *AT&T 5G+, which is broadband 5G delivered via millimeter wave spectrum (24 GHz to 39 GHz).*

The antennas that will be installed at the proposed site will support 5G in the low-band spectrum. The antennas that will be installed at the proposed site do not support the millimeter wave spectrum where broadband 5G+ operates.

Q20. What is the existing signal strength (for 700 MHz) within the area AT&T is seeking to cover from this site?

A20. *Current coverage in the gap is below ~93 dBm.*

Q21. Does AT&T have any statistics on dropped calls and/or ineffective attempts in the vicinity of the proposed facility? If so, what do they indicate? Does AT&T have any other indicators of substandard service in this area?

A21. *No, AT&T does not have statistics on dropped calls, ineffective attempts or other indicators of substandard service in the vicinity of the Proposed Facility.*

Q22. Would the proposed site be needed for coverage, capacity, or both? If the proposed facility is needed for capacity, please respond to the following:

- Are any nearby wireless facilities (or sectors) nearing capacity limits? At what frequencies?
- Please include a projected exhaustion date for each of these sectors.
- Would the deployment of the proposed facility be sufficient to address these capacity concerns, or would an additional facility be required in the near term to off-load traffic?

A22. *The Proposed Facility is needed for coverage.*

- There are no nearby wireless facilities nearing capacity limits.*
- Not applicable.*
- Not applicable.*

Q23. Referencing Attachment 1 of the Application, Radio Frequency Analysis Report, p. 2, how many miles of new coverage would the facility provide to Routes 41 and 112 at 700 MHz?

A23. *The Proposed Facility would provide the following coverage:*

<i>Route 41</i>	<i>1.04 miles</i>
<i>Route 112</i>	<i>0.70 miles</i>

Q24. What is the lowest antenna centerline height at which AT&T could achieve its wireless service objectives? What would be the consequences (in terms of handoff,

coverage and capacity, etc.) if the tower were ten feet shorter, i.e. the antenna centerline height were ten feet lower?

A24. *The proposed antenna centerline height of 90' is the lowest height at which AT&T could achieve its wireless service objectives.*

Q25. Have any other wireless carriers expressed an interest in co-locating on the proposed facility to date?

A25. *No additional wireless carriers have expressed an interest in co-locating on the proposed facility to date.*

Q26. Has the host municipality expressed an interest in co-locating emergency services antennas? Would AT&T provide space for municipal emergency services antennas and design the tower to accommodate such antennas, if requested?

A26. *No, the Town of Salisbury has not expressed an interest in co-locating emergency services antennas on the Proposed Facility.*

Q27. Would flush-mounted antennas provide the required coverage? Would the flush-mount configuration result in reduced coverage and/or necessitate greater antenna height with multiple levels of antennas? Explain.

A27. *If flush-mounted antennas were used, two 10-foot sections would be required and the height of the tower would need to be raised by 10 feet to meet the coverage objective.*

Backup power

Q28. Would the backup generator have containment measures to protect against fluid leakage?

A28. *The emergency back-up generator's fuel tank is a UL 142 Listed double-walled and includes leak detection alarms. The alarms are monitored 24 hours a day/7 days a week.*

Q29. What would be the respective run time for AT&T's backup generator before it would need to be refueled, assuming it is running at full load under normal conditions?

A29. *The expected run time for the backup generator before it would need to be refueled is approximately 48 hours at full capacity, based on a usable fuel capacity of 92 gallons.*

Q30. Would a battery backup (if applicable) be used to provide uninterrupted power and prevent a reboot condition? How long could the battery backup alone supply power to the facility in the event that the generator fails to start?

- A30. *Yes, battery backup would be used to provide uninterrupted power during a reboot condition. Battery backup alone would last 2 to 4 hours, depending on actual traffic load conditions.*

Public Safety

- Q31. Will the proposed facility support text-to-911 service? Is additional equipment required for this purpose?

- A31. *Yes, the proposed Facility will support text-to-911 service as-built and no additional equipment is required.*

- Q32. Would AT&T's installation comply with the intent of the Warning, Alert and Response Network Act of 2006?

- A32. *The installation will comply with the Warning, Alert and Response Network Act of 2006.*

- Q33. Describe the additional equipment necessary to operate FirstNet services.

- A33. *FirstNet services will be supported by the equipment already proposed for the facility. No additional equipment is necessary. FirstNet operates on spectrum known as Band 14. Band 14 is part of the 700 MHz band that all the major wireless operators use in their networks. This specific portion of the 700 MHz spectrum is deployed by AT&T as part of the FirstNet Public-Private Partnership. Under normal circumstances, this spectrum is available to both public safety users and AT&T customers, but priority is given to public safety use. In the case of a major emergency, the entire Band 14 can be dedicated to public safety users. If Band 14 is dedicated to public safety users, 700 MHz Band 5/12 will still be available to non-public-safety AT&T customers.*

- Q34. Why was the proposed site selected for FirstNet deployment?

- A34. *AT&T and the state of Connecticut agreed upon Salisbury knowing that coverage was lacking in the area; particularly along the two state highways through the Town, the vibrant Lakeville downtown business district and recreation opportunities in the area that underscore the need for increased coverage for emergency responders.*

Environment

- Q35. Would the proposed project comply with the 2004 Connecticut Stormwater Quality Manual?

- A35. *The site is intended to comply with the 2004 Connecticut Stormwater Quality Manual to the extent that it is required. The proposed site has less than 1 acre of new impervious area and various stormwater features have been utilized to reduce the effects of the minor clearing and promote infiltration. Erosion control*

measures are incorporated into the design to reduce the likelihood of sediment laden stormwater from leaving the site untreated.

Q36. Identify the nearest “Important Bird Area” as designated by the National Audubon Society?

A36. *The closest Important Bird Area to the Site is the Miles Wildlife Sanctuary and Housatonic State Forest Block, which is approximately 3 miles to the southeast. Due to the distance from the Site, the Proposed Facility will not have an adverse impact on an Important Bird Area. Please reference the enclosed April 14, 2021 Avian Resources Evaluation, prepared by All-Points Technology Corporation, included as Attachment 3.*

Q37. Would AT&T’s proposed facility comply with recommended guidelines of the United States Fish and Wildlife Service for minimizing the potential for telecommunications towers to impact bird species?

A37. *The Proposed Facility will comply with the recommended guidelines of the United States Fish and Wildlife Service for minimizing the potential impact to bird species, as detailed in the enclosed April 14, 2021 Avian Resources Evaluation, prepared by All-Points Technology Corporation, provided in Attachment 3.*

Q38. Would the proposed facility be visible from any state or locally-designated scenic roads within two miles of the site?

A38. *The Proposed Facility is within 2 miles of 2 Scenic Roads- Routes 41 and 44. As shown in the Visibility Analysis provided in Attachment 8 of the Application, Scenic Roads Routes 41 and 44 are predicted to have sporadic year-round views of the Proposed Facility. Photographs from Locations 3, 6, 7, 8 and 22 in the Visibility Analysis were taken along Route 41 and demonstrate minimal, if any, visibility of the Proposed Facility. It is possible that small areas of visibility along Route 41 will exist even though none was documented from a specific location during the Visibility Analysis. Photo 15 in the Visibility Analysis was taken along Route 44 and depicts year-round visibility.*

Q39. What, if any, stealth tower design options would be feasible to employ at this site? Please provide costs related to each stealth tower design.

A39. *The Applicant considered the installation of a unipole design for the Proposed Facility, however a unipole reduces the ability to accommodate colocations by other wireless carriers. While a unipole design is not expected to cost significantly more than a monopole, the landlord prefers a monopole design over a unipole. The Applicant also considered a monopine design, however the State Historic Preservation Office advised during its review of the Proposed Facility that the monopole was the preferred design. A monopine design would cost approximately \$ 150,000 more than the proposed facility design.*

A change in stealth tower design would require landlord review and consent as well as additional SHPO review and approval.

Q40. Is the proposed project located within the Upper Housatonic Valley National Heritage Area (UHVNHA)? Would the proposed facility impact the UHVNHA? Explain.

A40. *The Proposed Facility is located within the boundaries of the UHVNHA and will be partially visible from a very small portion of the total 964-square mile UHVNHA. The Proposed Facility will not impact the UHVNHA because of the low relative tower height and the surrounding dense forestation, particularly during leaf-on conditions.*

As stated on its website, the purpose of the UHVNHA is to interpret and promote the historical, cultural and scenic features of the upper Housatonic River valley. The heritage area focuses on five themes: the area's role as a resort for writers, artists, actors and musicians; the scenic landscape; the area's role in industry; the American Revolutionary War; and the social and religious groups associated with the area.

The UHVNHA designation does not prevent the construction of telecommunications facilities. Numerous facilities can be found within the UHVNHA area of northwestern Connecticut, including other facilities within the Town of Salisbury.

Included in Attachment 4 is a letter regarding the de minimis impact of the Proposed Facility on the UHVNHA from Laura L. Mancuso, National Practice Leader- Cultural Resources at Nova Group, dated May 25, 2021.

Q41. Are there any known northern long-eared bat hibernacula within 0.25 miles or maternity roost trees within 150 feet of the project area?

A41. *The Applicant submitted a Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form to the New England field office of the USFWS. Per information provided by the USFWS and/or CTDEEP, included in Attachment 9 of the Application and also enclosed herein as Attachment 5, the Proposed Facility is not located near or within 0.25 miles of a known hibernaculum, nor is the site located within 150-feet of a known occupied maternity roost tree. Therefore, tree clearing may commence at any time of year.*

Q42. Referencing Attachment 4 of the Application, Sheet A-2, Southeast Elevation, the proposed monopole would be painted brown. Would AT&T's proposed antennas, antenna mounts and other tower-mounted equipment be painted brown also? Explain.

A42. *Yes, AT&T's antennas, antenna mounts and other tower-mounted equipment will be painted brown, as required by the SHPO approval.*

Q43. Were any stormwater drainage-related calculations or analysis performed? Provide such calculations or analysis.

A43. *Yes, the stormwater conveyance features were sized per the 10-year design storm event following the 2004 Connecticut Stormwater Quality Manual criteria.*

Included as Attachment 6 are calculations for the stormwater swale and plunge pool level spreader. The pre-development to post-development changes in the overall stormwater discharge from the site are less than 0.25 CFS and are therefore de minimis in nature.

- Q44. Please submit photographic site documentation with notations linked to the site plans or a detailed aerial image that identify locations of site-specific and representative site features. The submission should include photographs of the site from public road(s) or publicly accessible area(s) as well as Site-specific locations depicting site features including, but not necessarily limited to, the following locations as applicable:

For each photo, please indicate the photo viewpoint direction and stake or flag the locations of site-specific and representative site features. Site-specific and representative site features include, but are not limited to, as applicable:

1. wetlands, watercourses and vernal pools;
2. forest/forest edge areas;
3. agricultural soil areas;
4. sloping terrain;
5. proposed stormwater control features;
6. nearest residences;
7. Site access and interior access road(s);
8. utility pads/electrical interconnection(s);
9. clearing limits/property lines;
10. mitigation areas; and
11. any other noteworthy features relative to the Project.

A photolog graphic must accompany the submission, using a site plan or a detailed aerial image, depicting each numbered photograph for reference. For each photo, indicate the photo location number and viewpoint direction, and clearly identify the locations of site-specific and representative site features shown (e.g., physical staking/flagging or other means of marking the subject area).

The submission shall be delivered electronically in a legible portable document format (PDF) with a maximum file size of <20MB. If necessary, multiple files may be submitted and clearly marked in terms of sequence.

- A44. *Please see the Remote Field Review photo documentation report, included as Attachment 7.*

CERTIFICATE OF SERVICE

I hereby certify that on this day, an original and fifteen (15) copies of the foregoing was sent electronically and delivered to the Connecticut Siting Council via overnight mail, with an electronic copy sent to:

Dated: June 14, 2021



Kristen Motel
Cuddy & Feder LLP
445 Hamilton Ave, 14th Floor
White Plains, NY 10601
(914)-761-1300
Attorneys for the Applicant

cc: Brian Leyden, AT&T
Harry Carey, AT&T
Lucia Chiocchio, Esq.

1



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Kristen Motel, Esq.
kmotel@cuddyfeder.com

April 19, 2021

VIA FIRST CLASS MAIL

Michael E. Rogers
25 Wells Hill Road
Lakeville, CT 06039

Re: New Cingular Wireless PCS, LLC ("AT&T")
Wireless Telecommunications Tower Facility
106 Sharon Road, Salisbury, Connecticut

Dear Mr. Rogers:

Our office previously attempted to contact you on behalf of our client, New Cingular Wireless PCS, LLC ("AT&T"), with respect to the above-referenced matter. A certified return receipt envelope was sent to your attention on March 24, 2021 but a signed receipt was not returned. The address listed for you corresponds with the records on file with the Town of Salisbury's Assessor's Office as an owner of property abutting the subject parcel detailed in the attached notice. This letter along with a copy of the notice sent on March 24, 2021, is being sent via first class mail in the hope that this method may be successful in reaching you.

If you have any questions concerning this information, please do not hesitate to contact us.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Kristen Motel', with a stylized flourish at the end.

Kristen Motel

Enclosures

cc: Lucia Chiocchio, Esq.



445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
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F 914 761 5372
cuddyfeder.com

Lucia Chiocchio
lchiocchio@cuddyfeder.com

March 24, 2021

**VIA CERTIFIED MAIL/
RETURN RECEIPT REQUESTED**

MICHAEL E. ROGERS
25 WELLS HILL ROAD
LAKEVILLE, CT 06039

Re: New Cingular Wireless PCS, LLC ("AT&T")
Wireless Telecommunications Tower Facility
106 Sharon Road, Salisbury, Connecticut

Dear Mr. Rogers:

We are writing on behalf of our client New Cingular Wireless PCS, LLC ("AT&T") with respect to the above referenced matter and our client's intent to file an application with the State of Connecticut Siting Council ("CSC") for approval of a proposed wireless communications tower (the "Facility") in the Village of Lakeville within the Town of Salisbury.

State Law requires that record owners of property abutting a parcel on which a facility is proposed be sent notice of an applicant's intent to file an application with the CSC. The Facility is proposed to be constructed at 106 Sharon Road, identified as Map 47, Lot 02 on the Town of Salisbury Tax Map. We are writing to you to provide notice as you are an abutting neighbor to 106 Sharon Road. The Facility consists of a new self-supporting monopole that is 94' in height with a lightning rod extending an additional 6' above the top of the pole, bringing the total height to approximately 100'. The monopole tower will be located within a 2,500 square-foot fenced equipment compound located within the 10,000 square-foot lease area in the south-central portion of the parcel and will be unmanned with no sanitary or water services. Additional details are provided in the notice included with this letter.

The location, height and other features of the Facility are subject to review and potential change by the CSC under the provisions of Connecticut General Statutes §16-50g et seq.

If you have any questions concerning this application, please contact the CSC or the undersigned after March 31, 2021, the date which the application is expected to be on file.

Very truly yours,

A handwritten signature in blue ink that reads 'Lucia Chiocchio'.

Lucia Chiocchio

Enclosure

cc: Kristen Motel, Esq.

NOTICE

NOTICE IS HERBY GIVEN, pursuant to Section 16-50g et seq. of the Connecticut General Statutes, as amended, and Section 16-50j-1 et seq. of the Regulations of Connecticut State Agencies, as amended, of the intent of New Cingular Wireless PCS, LLC ("AT&T") to file an Application for a Certificate of Environmental Compatibility and Public Need with the Connecticut Siting Council ("Siting Council") on or after March 31, 2021 to construct a wireless telecommunications tower facility ("Facility") at 106 Sharon Road, in the Village of Lakeville, within the Town of Salisbury.

The Facility is proposed on an 11.52-acre parcel of land owned by Wake Robin, LLC identified as Map 47, Lot 02 on the Town of Salisbury Tax Map and includes an approximately 10,000 s.f. lease area in the south-central section of the parcel.

The Facility consists of a new self-supporting monopole that is 94' in height with a lightning rod extending an additional 6' above the top of the pole, bringing the total height to approximately 100'. The monopole tower will be located within a 2,500 square-foot fenced equipment compound located within the lease area in the south-central portion of the parcel. AT&T's antennas would be installed at a centerline height of 90' on the monopine tower and the Facility will be designed to support the antennas and equipment of one additional FCC licensed wireless carrier. The location, height and other features of the Facility are subject to review and potential change by the CSC under the provisions of Connecticut General Statutes §16-50g et seq.

The Application explains the need, purpose and benefits of the Facility and also describes the environmental impacts of the proposed Facility.

A balloon, representative of the proposed height of the facility, will be flown at the proposed location on the first day of the Siting Council public hearing on the Application, or on such other day specified by the Siting Council at a time to be determined by the Siting Council, but anticipated to be between the hours of 12pm and 5pm. The Siting Council public hearing on the Application will be held in the Town of Salisbury.

Interested parties and residents of Salisbury, Connecticut are invited to review the Application during normal business hours after March 31, 2021 when the Application is anticipated to be filed, at the following offices:

Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Patricia Williams
Town Clerk
Town Hall
P.O. Box 548
27 Main Street
Salisbury, CT 06068

Or the offices of the undersigned. All inquiries should be addressed to the Connecticut Siting Council or to the undersigned:

Lucia Chiocchio, Esq.
Kristen Motel, Esq.
Cuddy & Feder LLP
445 Hamilton Ave, 14th Floor
White Plains, NY 10601
(914) 761-1300



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Kristen Motel, Esq.
kmotel@cuddyfeder.com

April 19, 2021

VIA FIRST CLASS MAIL

Angelo Filotto
Kwai Filotto Trustee
53 Wells Hill Road
Lakeville, CT 06039

Re: New Cingular Wireless PCS, LLC ("AT&T")
Wireless Telecommunications Tower Facility
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Kristen Motel

Enclosures

cc: Lucia Chiocchio, Esq.



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F 914 761 5372
cuddyfeder.com

Lucia Chiocchio
lchiocchio@cuddyfeder.com

March 24, 2021

**VIA CERTIFIED MAIL/
RETURN RECEIPT REQUESTED**

ANGELO FILOTTO
KWAI FILOTTO TRUSTEE
53 WELLS HILL ROAD
LAKEVILLE, CT 06039

Re: New Cingular Wireless PCS, LLC ("AT&T")
Wireless Telecommunications Tower Facility
106 Sharon Road, Salisbury, Connecticut

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The location, height and other features of the Facility are subject to review and potential change by the CSC under the provisions of Connecticut General Statutes §16-50g et seq.

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Very truly yours,

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Lucia Chiocchio

Enclosure

cc: Kristen Motel, Esq.

NOTICE

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10 Franklin Square
New Britain, CT 06051

Patricia Williams
Town Clerk
Town Hall
P.O. Box 548
27 Main Street
Salisbury, CT 06068

Or the offices of the undersigned. All inquiries should be addressed to the Connecticut Siting Council or to the undersigned:

Lucia Chiocchio, Esq.
Kristen Motel, Esq.
Cuddy & Feder LLP
445 Hamilton Ave, 14th Floor
White Plains, NY 10601
(914) 761-1300



445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
T 914 761 1300
F 914 761 5372
cuddyfeder.com

Kristen Motel, Esq.
kmotel@cuddyfeder.com

April 19, 2021

VIA FIRST CLASS MAIL

Matthew Asinari
Theresa Asinari
110 Sharon Road
Lakeville, CT 06039

Re: New Cingular Wireless PCS, LLC ("AT&T")
Wireless Telecommunications Tower Facility
106 Sharon Road, Salisbury, Connecticut

Dear Mr. and Ms. Asinari:

Our office previously attempted to contact you on behalf of our client, New Cingular Wireless PCS, LLC ("AT&T"), with respect to the above-referenced matter. A certified return receipt envelope was sent to your attention on March 24, 2021 but a signed receipt was not returned. The address listed for you corresponds with the records on file with the Town of Salisbury's Assessor's Office as an owner of property abutting the subject parcel detailed in the attached notice. This letter along with a copy of the notice sent on March 24, 2021, is being sent via first class mail in the hope that this method may be successful in reaching you.

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Very truly yours,

A handwritten signature in dark ink, appearing to read 'Kristen Motel', with a stylized flourish at the end.

Kristen Motel

Enclosures

cc: Lucia Chiocchio, Esq.



445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
T 914 761 1300
F 914 761 5372
cuddyfeder.com

Lucia Chiocchio
lchiocchio@cuddyfeder.com

March 24, 2021

**VIA CERTIFIED MAIL/
RETURN RECEIPT REQUESTED**

MATTHEW ASINARI
THERESA ASINARI
110 SHARON ROAD
LAKEVILLE, CT 06039

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Wireless Telecommunications Tower Facility
106 Sharon Road, Salisbury, Connecticut

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Lucia Chiocchio

Enclosure

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Kristen Motel, Esq.
kmotel@cuddyfeder.com

April 19, 2021

VIA FIRST CLASS MAIL

David Kemp
40 Wells Hill Road
Lakeville, CT 06039

Re: New Cingular Wireless PCS, LLC ("AT&T")
Wireless Telecommunications Tower Facility
106 Sharon Road, Salisbury, Connecticut

Dear Mr. Kemp:

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Very truly yours,

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Kristen Motel

Enclosures

cc: Lucia Chiochio, Esq.



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White Plains, New York 10601
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F 914 761 5372
cuddyfeder.com

Lucia Chiocchio
lchiocchio@cuddyfeder.com

March 24, 2021

**VIA CERTIFIED MAIL/
RETURN RECEIPT REQUESTED**

DAVID J. KEMP
40 WELLS HILL ROAD
LAKEVILLE, CT 06039

Re: New Cingular Wireless PCS, LLC ("AT&T")
Wireless Telecommunications Tower Facility
106 Sharon Road, Salisbury, Connecticut

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Enclosure

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cuddyfeder.com

Kristen Motel, Esq.
kmotel@cuddyfeder.com

April 19, 2021

VIA FIRST CLASS MAIL

Richard Donati
Janice Donati
86 Sharon Road
Lakeville, CT 06039

Re: New Cingular Wireless PCS, LLC ("AT&T")
Wireless Telecommunications Tower Facility
106 Sharon Road, Salisbury, Connecticut

Dear Mr. and Ms. Donati:

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Kristen Motel

Enclosures

cc: Lucia Chiochio, Esq.



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White Plains, New York 10601
T 914 761 1300
F 914 761 5372
cuddyfeder.com

Lucia Chiocchio
lchiocchio@cuddyfeder.com

March 24, 2021

**VIA CERTIFIED MAIL/
RETURN RECEIPT REQUESTED**

RICHARD DONATI
JANICE DONATI
86 SHARON ROAD
LAKEVILLE, CT 06039

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Lucia Chiocchio

Enclosure

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Kristen Motel, Esq.
kmotel@cuddyfeder.com

April 19, 2021

VIA FIRST CLASS MAIL

William F. Cruger
Angela Cruger
86+88 Wells Hill Road
Lakeville, CT 06039

Re: New Cingular Wireless PCS, LLC ("AT&T")
Wireless Telecommunications Tower Facility
106 Sharon Road, Salisbury, Connecticut

Dear Mr. and Ms. Cruger:

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Kristen Motel

Enclosures

cc: Lucia Chiochio, Esq.



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White Plains, New York 10601
T 914 761 1300
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cuddyfeder.com

Lucia Chiocchio
lchiocchio@cuddyfeder.com

March 24, 2021

**VIA CERTIFIED MAIL/
RETURN RECEIPT REQUESTED**

WILLIAM F. CRUGER
ANGELA CRUGER
86+88 WELLS HILL ROAD
LAKEVILLE, CT 06039

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106 Sharon Road, Salisbury, Connecticut

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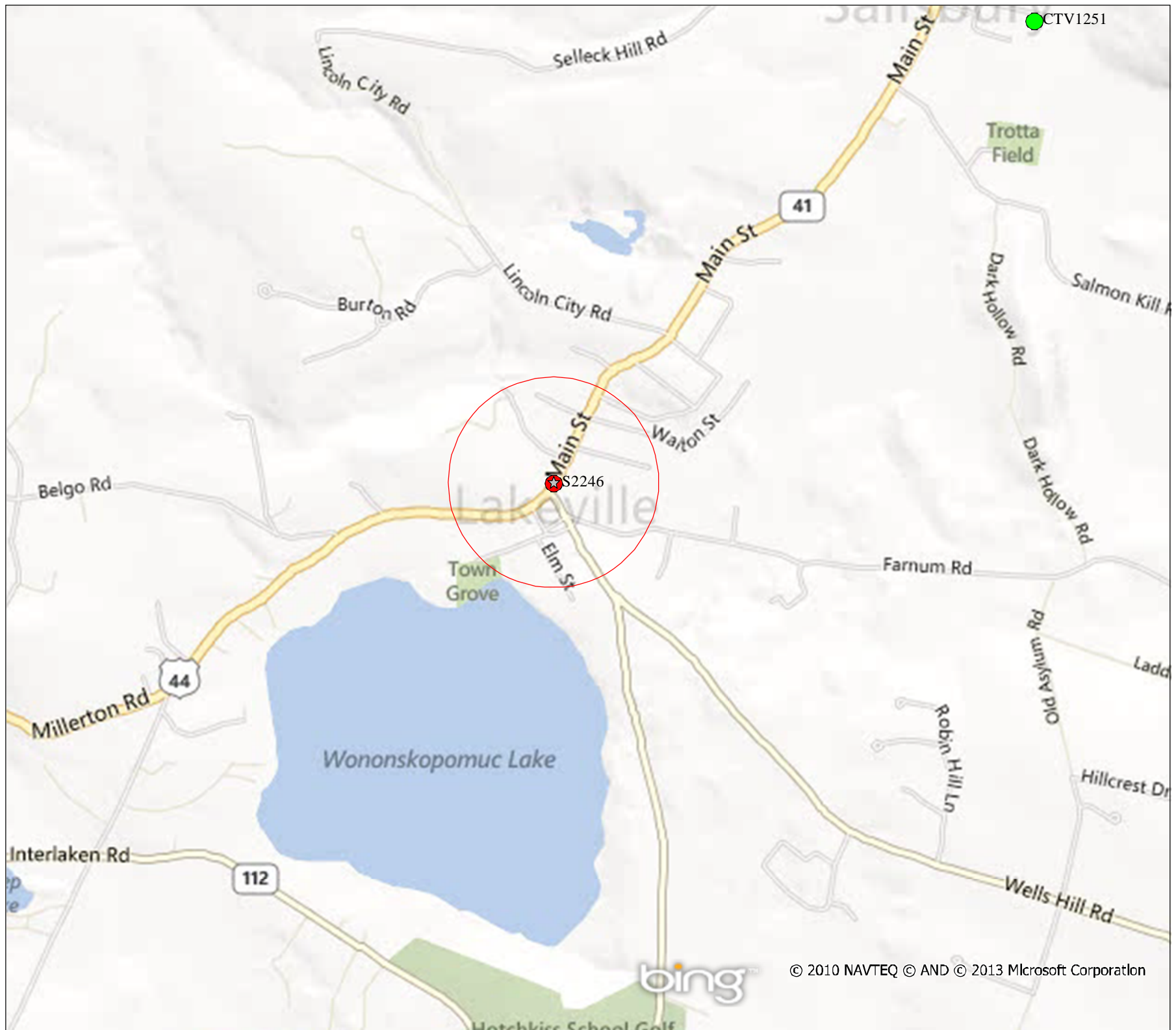
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(914) 761-1300

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3



AVIAN RESOURCES EVALUATION

April 14, 2021

New Cingular Wireless PCS, LLC
500 Enterprise Drive
Rocky Hill, Connecticut 06067

Re: Proposed Salisbury Facility
106 Sharon Road, Lakeville, Connecticut
APT Project No. CT1931690

New Cingular Wireless PCS, LLC ("AT&T") proposes to construct a new wireless telecommunications facility ("Facility") at 106 Sharon Road in Lakeville, Connecticut. The property is an approximately 11.52-acre parcel that contains the Wake Robin Inn. The Facility would be located in the southern portion of the Site within an upland forested area, and would include a 94-foot tall monopole tower with associated ground equipment within a 50-foot by 50-foot fenced compound. The Facility would be accessed from Sharon Road via a proposed gravel access drive.

The purpose of this evaluation is to document the proposed Facility's proximity to avian resource areas and its compliance with recommended guidelines of the United States Fish and Wildlife Service ("USFWS") for minimizing potential impacts to bird species from telecommunications towers.

On behalf of AT&T, All-Points Technology Corporation, P.C. ("APT") reviewed several publicly available sources of avian data for the state of Connecticut to provide the following information with respect to potential impacts on migratory birds associated with the proposed development. This desktop analysis and attached graphics identify avian resources and their proximities to the proposed Facility. Resources within approximately three (3) miles of the Site are graphically depicted on the attached Avian Resources Map. Some of the data referenced herein are not located in proximity to the Host Property and are therefore not visible on the referenced map due to its scale. In those cases, the distances separating the Host Property from the resources are identified in the discussions below.

Proximity to Important Bird Areas

The National Audubon Society has identified 27 Important Bird Areas (“IBAs”) in the state of Connecticut. IBAs are sites that provide essential habitat for breeding, wintering, and/or migrating birds. To achieve this designation, an IBA must support species of conservation concern, restricted-range species, species vulnerable due to concentration in one general habitat type or biome, or species vulnerable due to their occurrence at high densities as a result of their congregatory behavior.¹ The closest IBA to the host Property is the Miles Wildlife Sanctuary and Housatonic State Forest Block, which is approximately 3 miles to the southeast and is located in Sharon and Lakeville, and includes Housatonic State Forest and the Audubon Miles Wildlife Sanctuary. Due to its distance from the Site, this IBA would not experience an adverse impact from development of the Facility.

Supporting Migratory Bird Data

The following analysis and attached graphics identify several additional avian resources and their proximities to the Site. Although these data sources may not represent habitat indicative of IBAs, they may indicate possible bird concentrations² or migratory pathways.

Critical Habitat

Connecticut Critical Habitats is a database developed by the Connecticut Department of Energy and Environmental Protection (“DEEP”), and available through the Connecticut Environmental Conditions Online (CT ECO)³ website that depicts the classification and distribution of 25 rare and specialized wildlife habitats in the state. The compilation represents ecological information collected over many years by state agencies, conservation organizations and individuals. These habitats range in size from less than one acre to tens of acres in extent. The Connecticut Critical Habitats information can serve to highlight ecologically significant areas and to target areas of species diversity for land conservation and protection, but may not necessarily be indicative of habitat for bird species. The nearest Critical Habitat to the proposed Facility is a palustrine floodplain forest area associated with Sucker Brook and located approximately 0.65 mile to the southeast. Although this resource is proximate to the Facility, there will be no work completed within or adjacent to the floodplain forest, so no direct impacts are anticipated.

¹ http://web4.audubon.org/bird/iba/iba_intro.html

² The term “bird concentrations” is found in the USFWS *Revised Voluntary Guidelines for communication Tower Design, Siting, Construction, Operation, Retrofitting, and Decommissioning* (September 27, 2013) analysis provided at the end of this document

³ CT ECO is a partnership between the Connecticut Department of Energy and Environmental Protection and the University of Connecticut.

Avian Survey Routes and Points

Breeding Bird Survey Route

The North American Breeding Bird Survey is a cooperative effort between various agencies and volunteer groups to monitor the status and trends of North American bird populations. Routes are randomly located to sample habitats that are representative of an entire region and do not necessarily represent concentrations of avifauna or identification of critical avian habitats. Each year during the height of the avian breeding season (June for most of the United States) participants skilled in avian identification collect bird population data along roadside survey routes. Each survey route is approximately 24.5 miles long and contains 50 stops located at 0.5-mile intervals. At each stop, a three-minute count is conducted. During each count, every bird seen or heard within a 0.25-mile radius is recorded. The resulting data is used by conservation managers, scientists, and the general public to estimate population trends and relative abundances and to assess bird conservation priorities. The nearest survey route to the Site is the Sherman Breeding Bird Survey Route (Route #18009) located approximately 7.4 miles to the southeast. This ±25-mile long bird survey route begins near Lake Mauweehoo in Sherman on Route 37 and generally winds its way north through the northwest corner of New Milford and Kent before terminating in Sharon. Since bird survey routes represent randomly selected data collection areas, they do not necessarily represent a potential restriction to development projects.

Hawk Watch Site

The Hawk Migration Association of North America ("HMANA") is a membership-based organization committed to the conservation of raptors through the scientific study, enjoyment and appreciation of raptor migration. HMANA collects hawk count data from almost 200 affiliated raptor monitoring sites throughout the United States, Canada and Mexico, identified as "Hawk Watch Sites". In Connecticut, Hawk Watch Sites are typically situated on prominent hills and mountains that tend to concentrate migrating raptors. The nearest Hawk Watch Site, Bald Peak, is located in Salisbury, approximately 4.13 miles northwest of the proposed Facility.

Further, most hawks migrate during the day (diurnal) to take advantage of two theorized benefits: (1) diurnal migration allows for the use of updrafts or rising columns of air called thermals to gain lift without flapping, thereby reducing energy loss; and (2) day migrants can search for prey and forage as they migrate.

Based on the distance separating the proposed Facility from the Bald Peak Hawk Watch Site and hawk migration behavior occurring during the daytime under favorable weather conditions when thermals form, no adverse impacts to migrating hawks are anticipated from development of the Facility.

Bald Eagle Survey Route

Bald Eagle Survey Routes consist of locations of midwinter Bald Eagle counts from 1986 to 2005 with an update provided in 2008. Initiated by the National Wildlife Federation, this database includes information on statewide, regional and national trends. Survey routes are included in the database only if they were surveyed consistently in at least four years and where at least four eagles were counted in a single year. The nearest Bald Eagle Survey Route is the Housatonic River Survey Route Number 4 that follows route 133 to the Massachusetts border; it is located approximately 3.2 miles west of the Site.

Bald eagle migration patterns are complex, dependent on age of the individual, climate (particularly during the winter) and availability of food.⁴ Adult birds typically migrate alone and generally as needed when food becomes unavailable, although concentrations of migrants can occur at communal feeding and roost sites. Migration typically occurs during the middle of day (10:30–17:00) as thermals provide opportunities to soar up with limited energy expense; Bald Eagle migration altitudes are estimated to average 1,500 to 3,050 meters by ground observers.⁵ Four adults tracked by fixed-wing aircraft in Montana averaged 98 km/d during spring migration and migrated at 200 to 600 meters above the ground (McClelland et al. 1996).⁶

The USFWS's *National Bald Eagle Management Guidelines* (May 2007) recommend a 660-foot buffer to bald eagle nests if the activity will be visible from the nest, with an additional management practice recommendation of retaining mature trees and old growth stands, particularly within 0.5 mile from water. No known bald eagle nests occur in the vicinity of the Host Property.

No adverse impacts to migrating bald eagles are anticipated with development of the Facility. This conclusion is based on the 94-foot height of the Facility, eagle migration patterns during the daytime under favorable weather conditions when thermals form, and compliance with USFWS bald eagle management guidelines.

Flyways

The Site is located in Litchfield County, approximately 59.4 miles north of Long Island Sound. The Connecticut coast lies within the Atlantic Flyway, one of four generally recognized regional primary migratory bird flyways (Mississippi, Central and Pacific being the others). This regional flyway is used by migratory birds travelling to and from summering and wintering grounds. The Atlantic Flyway is particularly important for many species of migratory waterfowl and shorebirds, and Connecticut's coast serves as vital stopover habitat. Migratory land birds also stop along coastal habitats before making their way inland. Smaller inland migratory flyways (secondary flyways) are often concentrated along major riparian areas as birds use these valuable stopover habitats to rest and refuel as they make their way further inland to their

⁴ Buehler, David A. 2000. Bald Eagle (*Haliaeetus leucocephalus*), The Birds of North America Online (A. Poole, Ed.). Ithaca: Cornell Lab of Ornithology; Retrieved from the Birds of North America Online: <http://bna.birds.cornell.edu/bna/species/506> [Accessed 09/09/13].

⁵ Harmata, A. R. 1984. Bald Eagles of the San Luis valley, Colorado: their winter ecology and spring migration. Ph.D. Thesis. Montana State Univ. Bozeman.

⁶ McClelland, B. R., P. T. McClelland, R. E. Yates, E. L. Caton, and M. E. McFadden. 1996. Fledging and migration of juvenile Bald Eagles from Glacier National Park, Montana. J. Raptor Res. 30:79-89.

preferred breeding habitats. The Connecticut Migratory Bird Stopover Habitat Project (Stokowski, 2002)⁷ identified potential flyways along the Housatonic, Naugatuck, Thames, and Connecticut Rivers. This study paralleled a similar earlier study conducted by the Silvio O. Conte National Fish & Wildlife Refuge (Neotropical Migrant Bird Stopover Habitat Survey⁸), which consisted of collection of migratory bird data along the Connecticut River and the following major Connecticut River tributaries: Farmington, Hockanum, Scantic, Park, Mattabesset, Salmon, and Eight Mile Rivers. Of these potential flyways, the nearest to the proposed Facility is the Housatonic River, located approximately 3.2 miles to the southeast. The Sucker Brook riparian corridor, located 0.62 miles southwest of the proposed Facility, is not identified as a potential flyway but potentially forms a secondary flyway as birds move northward from the Housatonic River corridor during the spring migration. These major riparian corridors may provide secondary flyways as they likely offer more food and protection than more exposed upland sites, particularly during the spring migration⁹.

Siting of tower structures within flyways can be a concern, particularly for tall towers and even more particularly for tall towers with guy wires and lighting. The majority of studies on bird mortality due to towers focuses on very tall towers (greater than 1000 feet), illuminated with non-flashing lights, and guyed. These types of towers, particularly if sited in major migratory pathways, do result in significant bird mortality (Manville, 2005)¹⁰. The proposed Facility is not this type of tower, being an unlit, unguyed monopole structure only 94 feet in height. More recent studies of short communication towers (<300 feet) reveal that they rarely kill migratory birds¹¹. Studies of the mean flight altitude of migrating birds reveal flight altitudes of 410 meters (1350 feet), with flight altitudes on nights with bad weather between 200 and 300 meters above ground level (656 to 984 feet)¹².

No adverse impacts to migrating bird species are anticipated from development of the Facility, based on its design (unlit and unguyed) and 94-foot height. The design and height of the proposed Facility, combined with distance from the Site, would also mitigate the potential for migratory bird impacts should Sucker Brook be used as a secondary flyway.

⁷ Stokowski, J.T. 2002. Migratory Bird Stopover Habitat Project Finishes First Year. Connecticut Wildlife, November/December 2002. P.4.

⁸ The Silvio O. Conte National Fish & Wildlife Refuge Neotropical Migrant Bird Stopover Habitat Survey <http://www.science.smith.edu/stopoverbirds/index.html>

⁹ The Silvio O. Conte National Fish & Wildlife Refuge Neotropical Migrant Bird Stopover Habitat Survey. http://www.science.smith.edu/stopoverbirds/Chapter5_Conclusions&Recommendations.html

¹⁰ Manville, A.M. II. 2005. Bird strikes and electrocutions at power lines, communications towers, and wind turbines: state of the art and state of the science - next steps toward mitigation. Bird Conservation Implementation in the Americas: Proceedings 3rd International Partners in Flight Conference 2002. C.J. Ralph and T.D. Rich, editors. USDA Forest Service General Technical Report PSW-GTR-191. Pacific Southwest Research Station, Albany CA. pp. 1-51-1064.

¹¹ Kerlinger, P. 2000. Avian Mortality at Communication Towers: A Review of Recent Literature, Research, and Methodology. Prepared for U.S. Fish and Wildlife Service Office of Migratory Bird Management.

¹² Mabee, T.J., B.A. Cooper, J.H. Plissner, D.P. Young. 2006. Nocturnal bird migration over an Appalachian ridge at a proposed wind power project. Wildlife Society Bulletin 34:682-690.

Waterfowl Focus Areas

The Atlantic Coast Joint Venture ("ACJV") is an affiliation of federal, state, regional and local partners working together to address bird conservation planning along the Atlantic Flyway. The ACJV has identified waterfowl focus areas recognizing the most important habitats for waterfowl along the Atlantic Flyway. Connecticut contains several of these waterfowl focus areas. The nearest waterfowl focus area to the Site is the Connecticut River and Tidal Wetlands Complex area, which is located 46 miles to the southeast. Please refer to the attached Connecticut Waterfowl Focus Areas Map. Based on the distance of this waterfowl focus area to the Site, no impact to migratory waterfowl would result from development of the proposed Facility.

DEEP Migratory Waterfowl Data

The DEEP created a Geographic Information System ("GIS") data layer in 1999 identifying concentration areas of migratory waterfowl at specific locations in Connecticut. The intent of this data layer is to assist in the identification of migratory waterfowl resource areas in the event of an oil spill or other condition that might be a threat to waterfowl species. This data layer identifies conditions at a particular point in time and has not been updated since 1999.

The nearest migratory waterfowl area, located along Bantam Lake in Litchfield and Morris, is approximately 19.9 miles to the southeast of the Host Property. The associated species are identified as bufflehead, Canada goose, mallard, green wing teal, and wood duck. Based on the distance of this migratory waterfowl area to the Site, no impact to migratory waterfowl would result from development of the proposed Facility.

DEEP Natural Diversity Data Base

DEEP's Natural Diversity Data Base ("NDDB") program performs hundreds of environmental reviews each year to determine the impact of proposed development projects on state listed species and to help landowners conserve the state's biodiversity. State agencies are required to ensure that any activity authorized, funded or performed by a state agency does not threaten the continued existence of endangered or threatened species. Maps have been developed to serve as a pre-screening tool to help applicants determine if there is a potential impact to state listed species.

The NDDB maps represent approximate locations of endangered, threatened and special concern species and significant natural communities in Connecticut. The locations of species and natural communities depicted on the maps are based on data collected over the years by DEEP staff, scientists, conservation groups, and landowners. In some cases, an occurrence represents a location derived from literature, museum records and/or specimens. These data are compiled and maintained in the NDDB. The general locations of species and communities are symbolized as shaded areas on the maps. Exact locations have been masked to protect sensitive species from collection and disturbance and to protect landowners' rights whenever species occur on private property.

On June 20, 2020, CBRE submitted a Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form to the New England field office of the USFWS. Per information provided by the USFWS and/or DEEP, the proposed Facility is not located near or within 0.25 miles of a known hibernaculum, nor is it located within 150-feet of a known occupied maternity roost tree. Therefore, tree clearing may commence at any time of year.

In a letter dated May 20, 2020, DEEP determined that they do not anticipate negative impacts to State-listed species (RCSA Sec. 26-306) resulting from the proposed activity at the site based upon the information contained within the NDDDB. The result of this review does not preclude the possibility that listed species may be encountered on site and that additional action may be necessary to remain in compliance with certain state permits.

Therefore, the proposed Facility is not anticipated to adversely impact any federal or state threatened, endangered or species of special concern.

USFWS Communications Towers Compliance

In April 2018, the USFWS issued its *Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance, and Decommissioning*. These suggested best practices were instituted to assist tower developers in designing their structures in a way that minimizes the risk to migratory birds and threatened and endangered species. The following avoidance and minimization measures, when used comprehensively, are recommended by USFWS to reduce the risk of bird mortality at communication towers. APT offers the following responses to each of the USFWS recommendations, which are abridged from the original document.

1. Contact with USFWS Field Office. Communicate project plans to nearest USFWS Field Office.

On June 20, 2020, CBRE submitted a Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form to the New England field office of the USFWS. Per information provided by the USFWS and/or DEEP, the proposed Facility is not located near or within 0.25 miles of a known hibernaculum, nor is it located within 150-feet of a known occupied maternity roost tree. Therefore, tree clearing may commence at any time of year.

2. Co-location. Co-locate communications equipment on existing communication towers or other structures (e.g., billboard, water and transmission tower, distribution pole, or building mounts). This recommendation is intended to reduce the number of towers across the landscape.

Collocation opportunities on existing towers or non-tower structures are not available in the area while achieving the required radio frequency ("RF") coverage objectives.

3. Placement. All new towers should be sited to minimize environmental impacts to the maximum extent practicable.

a. Place new towers within existing "antenna farms" (i.e., clusters of towers) when possible.

There are no existing “antenna farms” in the Site vicinity that would satisfy the RF coverage objectives.

b. Select already degraded areas for tower placement.

The Site is developed with an inn and contains upland forested areas. Surrounding properties are residentially developed.

c. Towers should not be sited in or near wetlands, other known bird concentration areas (e.g., state or federal refuges, staging areas, rookeries, and Important Bird Areas), or in known migratory bird movement routes, daily movement flyways, areas of breeding concentration, in habitat of threatened or endangered species, key habitats for Birds of Conservation Concern or near the breeding areas (“leks”) of prairie grouse.

The tower is not within wetlands, a known bird concentration area, migratory or daily movement flyway, or habitat of avian threatened/endangered species.

d. Towers should avoid ridgelines, coastal areas, wetlands or other known bird concentration areas.

The tower is not located near ridgelines, coastal areas, wetlands, or other known bird concentration areas.

e. Towers and associated facilities should be designed, sited, and constructed so as to avoid or minimize habitat loss within and adjacent to the tower “footprint”. In addition, several shorter, un-guyed towers may be preferable to one, tall guyed, lit tower.

The proposed Facility will be sited, designed, and constructed to accommodate proposed equipment and to allow for future collocations within the smallest footprint possible, thus minimizing habitat fragmentation or the creation of barriers or excessive disturbance. The proposed Facility would consist of a 94-foot tall monopole structure which requires neither guy wires nor lighting and is therefore consistent with USFWS’ environmentally preferred “gold standard”.

4. Construction. During construction, the following considerations can reduce the risk of take of birds:

a. Schedule all vegetation removal and maintenance (e.g., general landscaping activities, trimming, grubbing) activities outside of the peak bird breeding season to reduce the risk of bird take.

All tree clearing activities will occur outside of the peak bird breeding season.

b. When vegetation removal activities cannot avoid the bird breeding season, conduct nest clearance surveys:

- i. Surveys should be conducted no more than five days prior to the scheduled activity to ensure recently constructed nests are identified;*
- ii. Timing and dimensions of the area to be surveyed vary and will depend on the nature of the project, location, and expected level of vegetation disturbance; and*
- iii. If active nests are identified within or in the vicinity of the project site, avoid the site until nestlings have fledged or the nest fails. If the activity must occur, establish a buffer zone around the nest and no activities will occur within that zone until nestlings have fledged. The*

dimension of the buffer zone will depend on the proposed activity, habitat type, and species present. The buffer should be a distance that does not elicit a flight response by the adult birds and can be 0.5 – 1 mile for hawks and eagles.

Not applicable, tree clearing activities will be conducted outside of the peak bird breeding season.

c. Prevent the introduction of invasive plants during construction to minimize vegetation community degradation by:

- i. Use only native and local (when possible) seed stock for all temporary and permanent vegetation establishment; and*
- ii. Use vehicle wash stations prior to entering sensitive habitat areas to prevent accidental introduction of non-native plants.*

No landscaping or other vegetation plantings are proposed. No sensitive habitat areas exist at the Site.

5. *Tower Design. Tower design should consider the following attributes:*

- a. Tower Height. It is recommended that new towers should be not more than 199 ft. above ground level (AGL). This height increases the mean free airspace between the top of the tower and average bird flight height, even in weather conditions with reduced cloud ceiling;*
- b. Guy Wires. We recommend using free standing towers such as lattice towers or monopole structures.*
 - i. The minimum number of guy wires necessary should be used; and*
 - ii. Guy wired towers that are proposed to be located in known raptor or waterbird concentrations areas, daily movement routes, major daytime migratory bird movement routes, staging areas, or stopover sites should have daytime visual markers or bird flight diverters installed on the guy wires to attempt to prevent daytime collisions.*
- c. Lighting System. Lights are a primary source of bird aggregation around towers, thus minimizing all light is recommended, including:*
 - i. No tower lighting is the preferred option if Federal Aviation Administration (FAA) regulations and lighting standards (FAA 2015, Patterson 2012) permit.*
 - ii. If taller (> 199 ft. AGL) towers requiring lights for aviation safety must be constructed, the minimum amount of pilot warning and obstruction avoidance lighting required by the FAA should be used.*
 - iii. For some towers, the FAA can permit an Aircraft Detection Lighting System (ADLS), which maintains a communication tower of any height to be unlit until the ADLS radars detect nearby aircraft, at which time the tower lighting system is triggered to illuminate until the aircraft is out of radar range.*
 - iv. If taller (> 199 ft. AGL) towers requiring lights for aviation safety must be constructed, the minimum amount of pilot warning and obstruction avoidance lighting required by the FAA should be used. Unless otherwise required by the FAA, only white or red flashing lights should be used at night, and these should follow FAA obstruction and marking standards with regards to the minimum number of lights, minimum intensity (< 2,000 candela), and minimum number of flashes per minute (i.e., longest duration between flashes and "dark phase"). Avoid using non-flashing warning lights at night (FAA 2015, Patterson 2012). Owners of existing towers lit with lighting systems that include*

non-flashing lights should submit plans to the FAA explaining how and when they will transition to the new standards.

v. Security lighting for on-ground facilities, equipment, and infrastructure should be motion- or heat-sensitive, down-shielded, and of a minimum intensity to reduce nighttime bird attraction and eliminate constant nighttime illumination while still allowing safe nighttime access to the site.

The proposed Facility would consist of a 94-foot tall monopole structure which requires neither guy wires nor lighting and is therefore consistent with USFWS' environmentally preferred "gold standard". Security lighting for on-ground facilities would be down-shielded using Dark Sky compliant fixtures set on motion sensor with timer to eliminate constant nighttime illumination.

Summary and Conclusions

Based on the results of this desktop evaluation, no migratory bird species are anticipated to be impacted by the proposed development. The Site is not proximate to an Important Bird Area and the proposed Facility would comply with the USFWS guidelines for minimizing the potential impacts to bird species.

Figures

- Avian Resources Map
- Connecticut Waterfowl Focus Areas Map

Avian Resources Map

Proposed Wireless
Telecommunications Facility
Salisbury
CT2246
106 Sharon Road
Lakeville, Connecticut

Legend

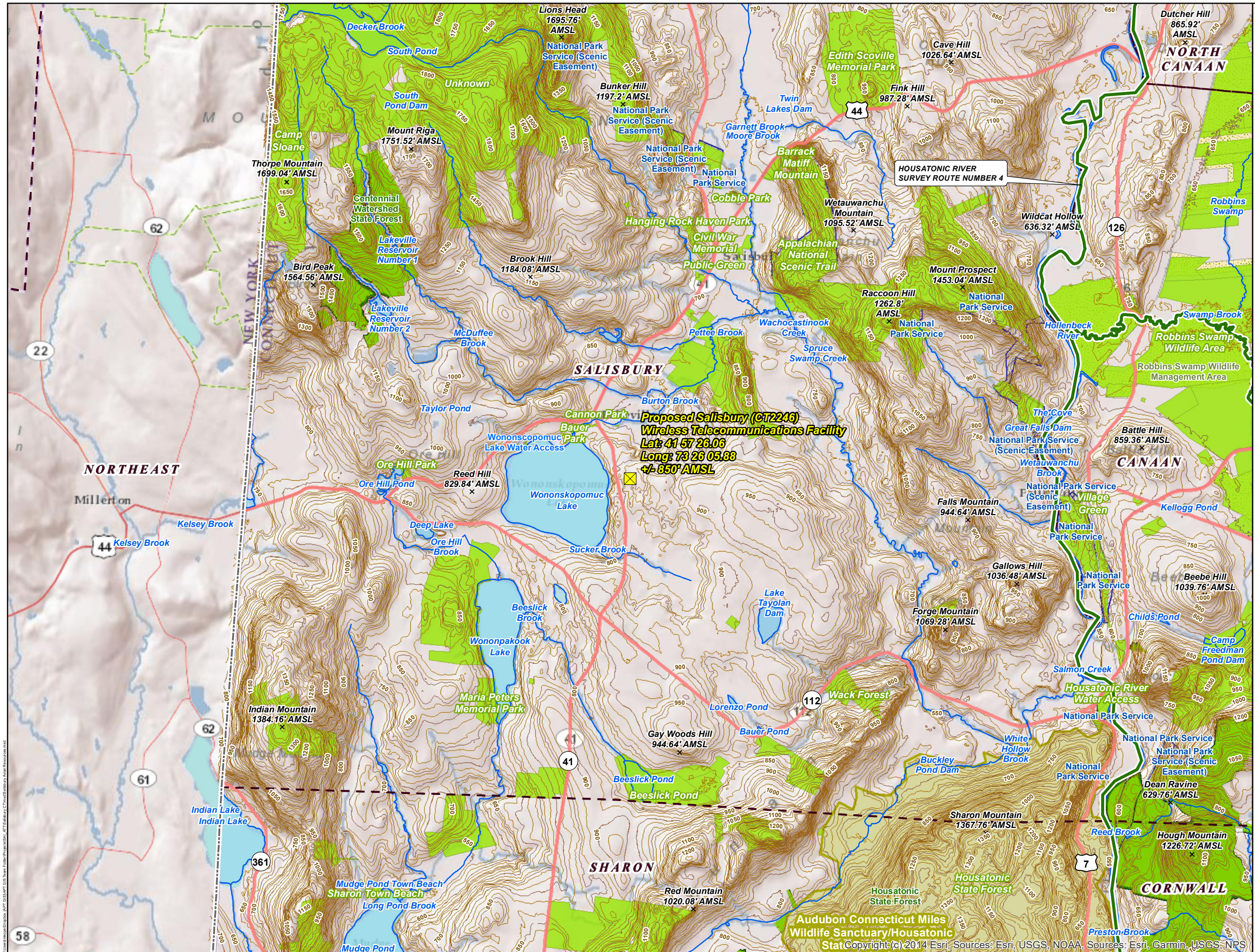
- Proposed Facility
- Bald Eagle Site*
- Hawk Watch Site*
- Important Bird Site*
- Important Bird Area
- Bald Eagle Survey Route
- Breeding Bird Survey Route*
- Migratory Waterfowl (CTDEEP, 1999)*
- Protected Open Space (CTDEEP, 2011)
- Federal Open Space (CTDEEP, 2004)
- CT DEP Property (CT DEEP, 12/2010)
- State Forest
- State Park*
- DEP Owned Waterbody*
- State Park Scenic Reserve*
- Historic Preserve*
- Natural Area Preserve*
- Fish Hatchery*
- Flood Control*
- State Park Trail*
- Water Access
- Wildlife Area
- Wildlife Sanctuary*
- Other*
- Open Water
- Town Boundary
- State Boundary

*None within mapped extents

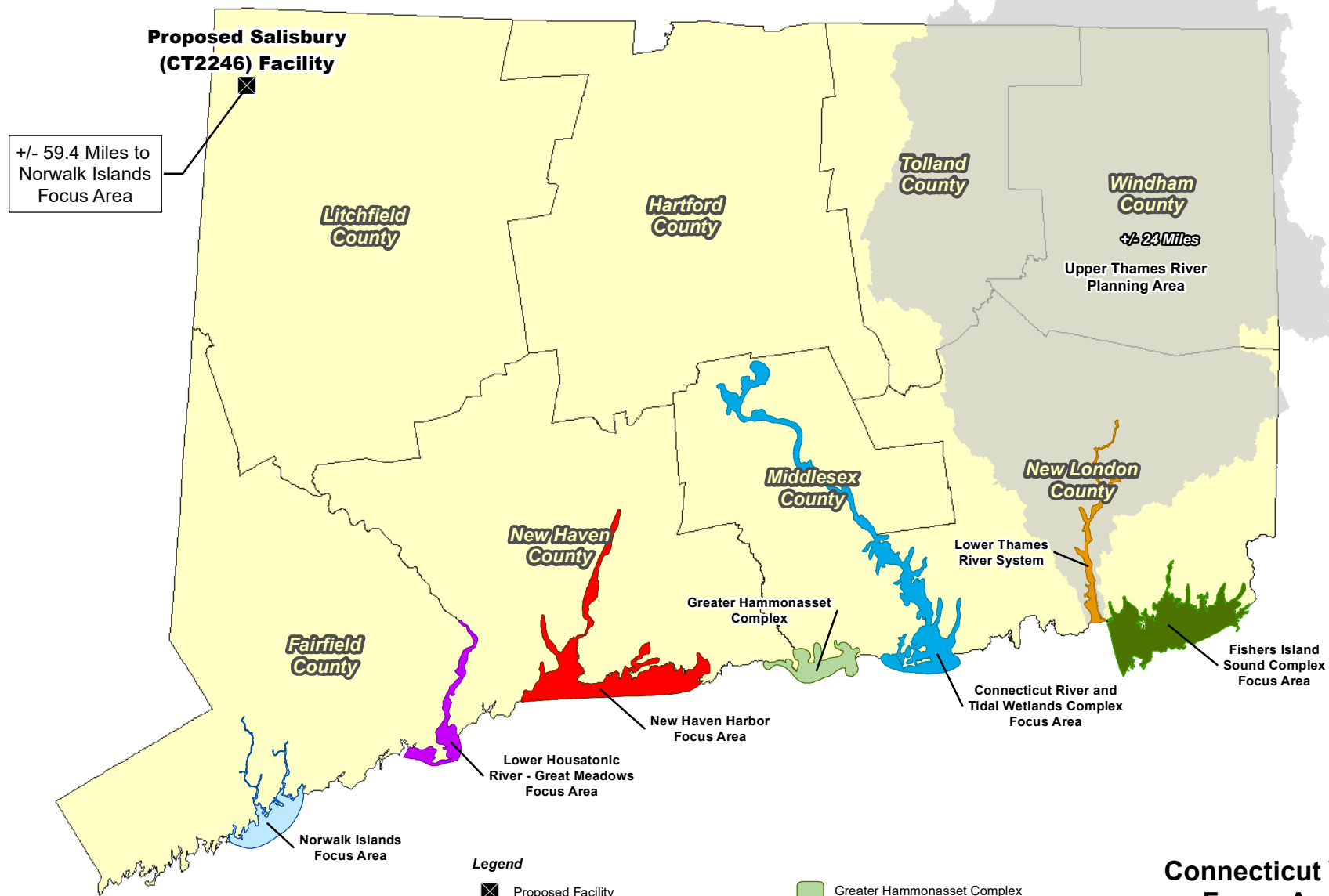
Avian Source Information:
Bald Eagle Sites: U.S. Geological Survey, National Biological Information
Infrastr., 2008, Midwinter Bald Eagle Counts, 1986-2005 (update 2008).
Hawk Watch Sites: Hawk Migration Association of North America
(HMANA), Hawk Count website: <http://hawkcount.org/sitesel.php?country=USA&stateprov=Connecticut>
Migratory Waterfowl: CTDEEP GIS, 1999
Important Bird Sites/Areas: National Audubon Society,
Audubon Connecticut
http://ct.audubon.org/BirdSci_IBAs.html
Breeding Bird Survey Routes: Patuxent Wildlife Research Center
of the U.S. Geological Survey and the Canadian Wildlife Service's
National Wildlife Research Centre
<http://www.nationalatlas.gov/mld/bbsrsl.html>

Base Map Source: ESRI Shaded Relief

Map Date: March 2021



Audubon Connecticut Miles
Wildlife Sanctuary/Housatonic
Stat Copyright (c) 2014 Esri, Sources: Esri, USGS, NOAA, Sources: Esri, Garmin, USGS, NPS



Legend

✕ Proposed Facility

Waterfowl Planning Area

Upper Thames River

Waterfowl Focus Areas

Connecticut River and Tidal Wetlands Complex

Fishers Island Sound Complex

Greater Hammonasset Complex

Lower Housatonic River - Great Meadows

Lower Thames River System

New Haven Harbor

Norwalk Islands

Connecticut Waterfowl Focus Areas Map

Proposed Wireless
Telecommunications Facility
Salisbury
CT2246
106 Sharon Road
Lakeville, Connecticut



10 5 0 10 Miles

4

May 25, 2021

Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

Re: Proposed Telecommunications Facility
CT2246 Salisbury
106 Sharon Road
Lakeville, CT 06039

To Whom It May Concern:

Nova Group, GBC (Nova) is writing on behalf of AT&T Mobility, LLC (AT&T) regarding the proposed telecommunications facility at the above referenced address.

The former Telecom Department from CBRE has moved to Nova. While at CBRE we completed the NEPA consultation for the proposed AT&T facility. The project will include a 94-foot monopole (overall height 100 feet) and associated support equipment to be located within a fenced compound on a 100-foot by 100-foot lease area. Antennas will be installed at a centerline height of 100 feet above ground level. The existing paved driveway will be used for access to the facility. Additionally, a proposed 12-foot gravel access road will traverse south from the existing parking lot toward the lease area. Underground utility conduit will follow the proposed access road and the existing paved driveway to a public right-of-way along Sharon Road.

CBRE originally submitted the project to the Connecticut State Historic Preservation Office (SHPO) on May 20, 2020. After consultation with SHPO and revisions to the original design, in a letter dated November 20, 2020, SHPO determined the facility would have no adverse effect on historic resources on the following conditions:

1. The antennae, monopole, mounts, and associated equipment will be designed, painted to match adjacent materials, and installed to be as nonvisible as possible, and
2. if not in use for six consecutive months, the antennae, mounts, and equipment shall be removed by the telecommunications facility owner. This removal shall occur within 90 days of the end of such six-month period.

The project is located within the boundaries of the Upper Housatonic Valley National Heritage Area. As you can see from the viewshed map and photo-simulations, the facility will be partially visible from a very small portion of the 964 square-mile Heritage Area.

However, the surrounding dense forestation will lessen the visibility of the tower from nearby areas, particularly in leaf-on seasons.

Although the proposed facility may be partially visible from areas within the Upper Housatonic Valley National Heritage Area, it would be one of many modern structures located within the 964 square-mile area. The tower and associated equipment will be located in a small footprint of the dense surrounding forest. Additionally, the tower is a temporary feature, that can be removed from the landscape when no longer needed. The facility will not adversely affect its significant cultural or industrial history or its standing as a National Heritage Area and as stated above, in consultation with SHPO, the tower height was lowered and the facility was redesigned to minimize the visibility and any potential visual impacts to historic resources.

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Laura L. Mancuso
National Practice Leader-Cultural Resources

5



United States Department of the Interior

FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104
<http://www.fws.gov/newengland>



In Reply Refer To:

April 29, 2020

Consultation Code: 05E1NE00-2020-SLI-2365

Event Code: 05E1NE00-2020-E-06996

Project Name: CT2246-Salisbury (TS00323336)

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New England Ecological Services Field Office

70 Commercial Street, Suite 300

Concord, NH 03301-5094

(603) 223-2541

Project Summary

Consultation Code: 05E1NE00-2020-SLI-2365

Event Code: 05E1NE00-2020-E-06996

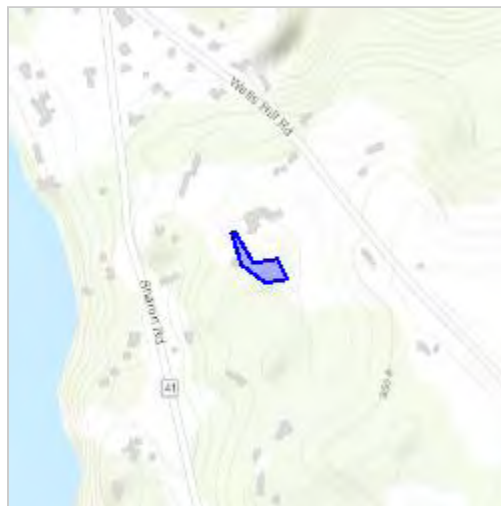
Project Name: CT2246-Salisbury (TS00323336)

Project Type: COMMUNICATIONS TOWER

Project Description: A 110' monopole within a 100' x 100' lease area is proposed. A 12' wide gravel driveway will connect the proposed compound to an existing paved parking lot to the north.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/41.957383830943456N73.4352222435006W>



Counties: Litchfield, CT

Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

6

PLUNGE POOL / LEVEL SPREADER DESIGN

	10-YR	Sharp-crested	
Location	Max Flow (cfs)	Weir Width ¹ Calculated (ft)	Design Width (ft)
Level Spreader @ Driveway Plunge Pool	1.01	4.2	15.0

¹ calculated weir width for max 2-3" Height over sharp crested weir on 10-year event

$Q = CLe H^{3/2} = 10 \text{ yr SCS 24-hr Design Storm}$

C = Coefficient, 3.47

Le= Effective Length Variable, Solve

H = 0.17' (2" height over spreader)

LakevilleCT_Drainage

Prepared by ProTerra Design Group, LLC

HydroCAD® 10.00-24 s/n 07277 © 2018 HydroCAD Software Solutions LLC

Type III 24-hr 10-Year Rainfall=4.70"

Printed 6/1/2021

Page 1

Summary for Reach SW: SWALE 10YR

Inflow = 1.01 cfs @ 0.00 hrs, Volume= 3.006 af, Incl. 1.01 cfs Base Flow
Outflow = 1.01 cfs @ 0.07 hrs, Volume= 3.005 af, Atten= 0%, Lag= 4.2 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-36.00 hrs, dt= 0.01 hrs / 3

Max. Velocity= 3.94 fps, Min. Travel Time= 0.2 min

Avg. Velocity = 3.94 fps, Avg. Travel Time= 0.2 min

Peak Storage= 11 cf @ 0.06 hrs

Average Depth at Peak Storage= 0.19'

Bank-Full Depth= 1.00' Flow Area= 3.0 sf, Capacity= 29.44 cfs

1.00' x 1.00' deep channel, n= 0.035 Earth, dense weeds

Side Slope Z-value= 2.0 '/' Top Width= 5.00'

Length= 42.0' Slope= 0.1190 '/'

Inlet Invert= 839.00', Outlet Invert= 834.00'

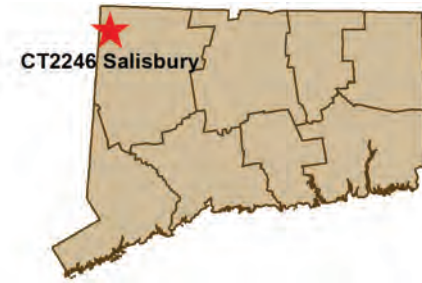


Remote Field Review

Proposed Wireless Telecommunications Facility:

CT2246 Salisbury
106 Sharon Road
Lakeville, CT 06039

- Site visit conducted 5/26/2021



Package prepared by:

Virtual Site Simulations, LLC
24 Salt Pond Road
Suite C3
South Kingstown, Rhode Island 02879

www.VirtualSiteSimulations.com
www.ThinkVSSFirst.com

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Survey Points provided by Others.





Proposed Telecommunications Facility:

CT2246 Salisbury
106 Sharon Road
Lakeville, CT 06039

Legend:

- Proposed Tower Location
- Compound
- Subject Property Boundary
- Parcel Boundary Lines
- Photo location
- Survey Point
- Lease Area
- Easement
- Utility Easement

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Photo #	Description:
1	Entrance to Site from Sharon Rd looking South

Site: CT2246 Salisbury

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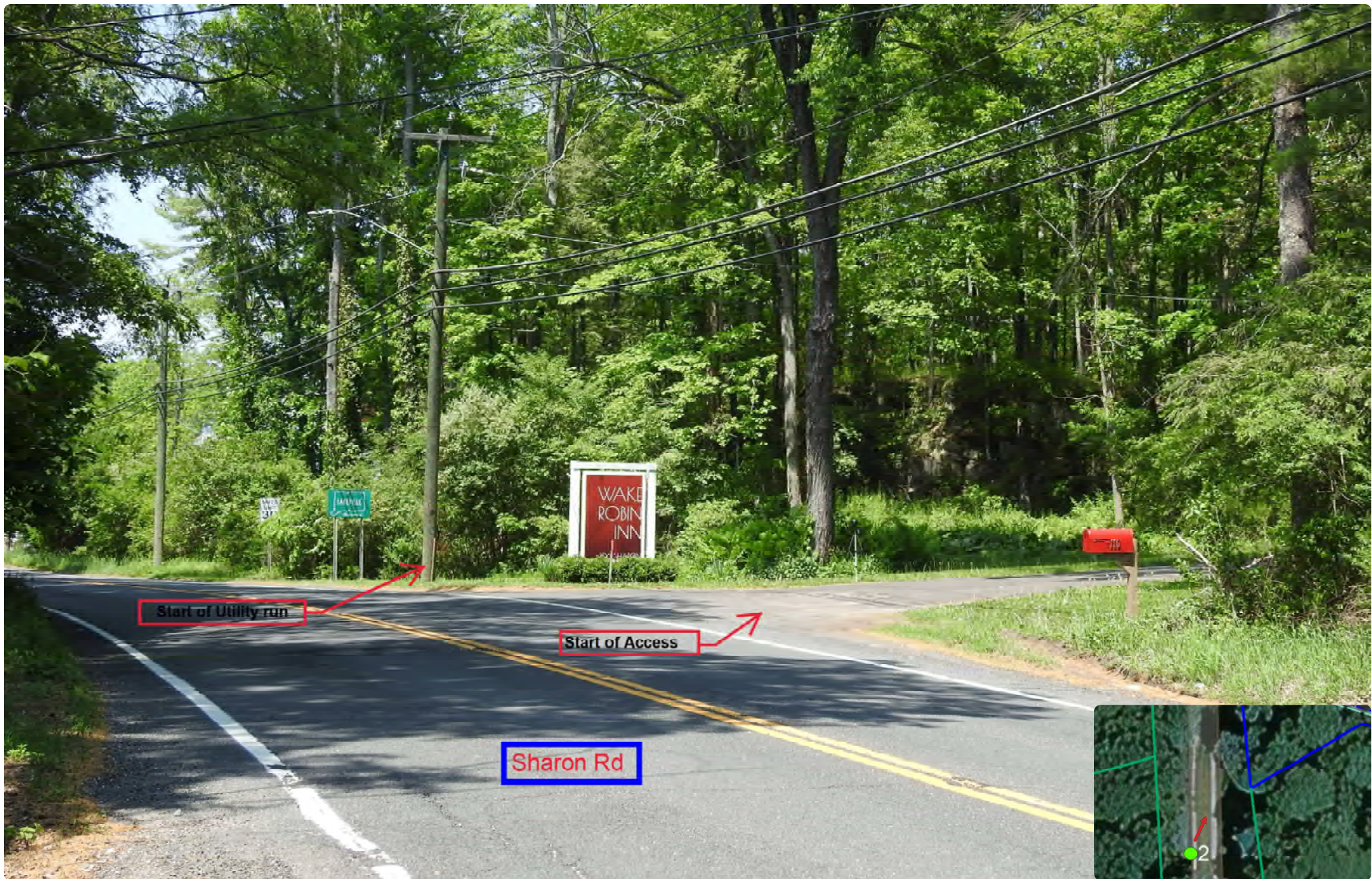


Photo # | Description:

2 | Entrance to Site from Sharon Rd looking North

Site: CT2246 Salisbury

Photos are for documentation purposes only and should not be used for any other purpose or intent. Survey points provided by others.



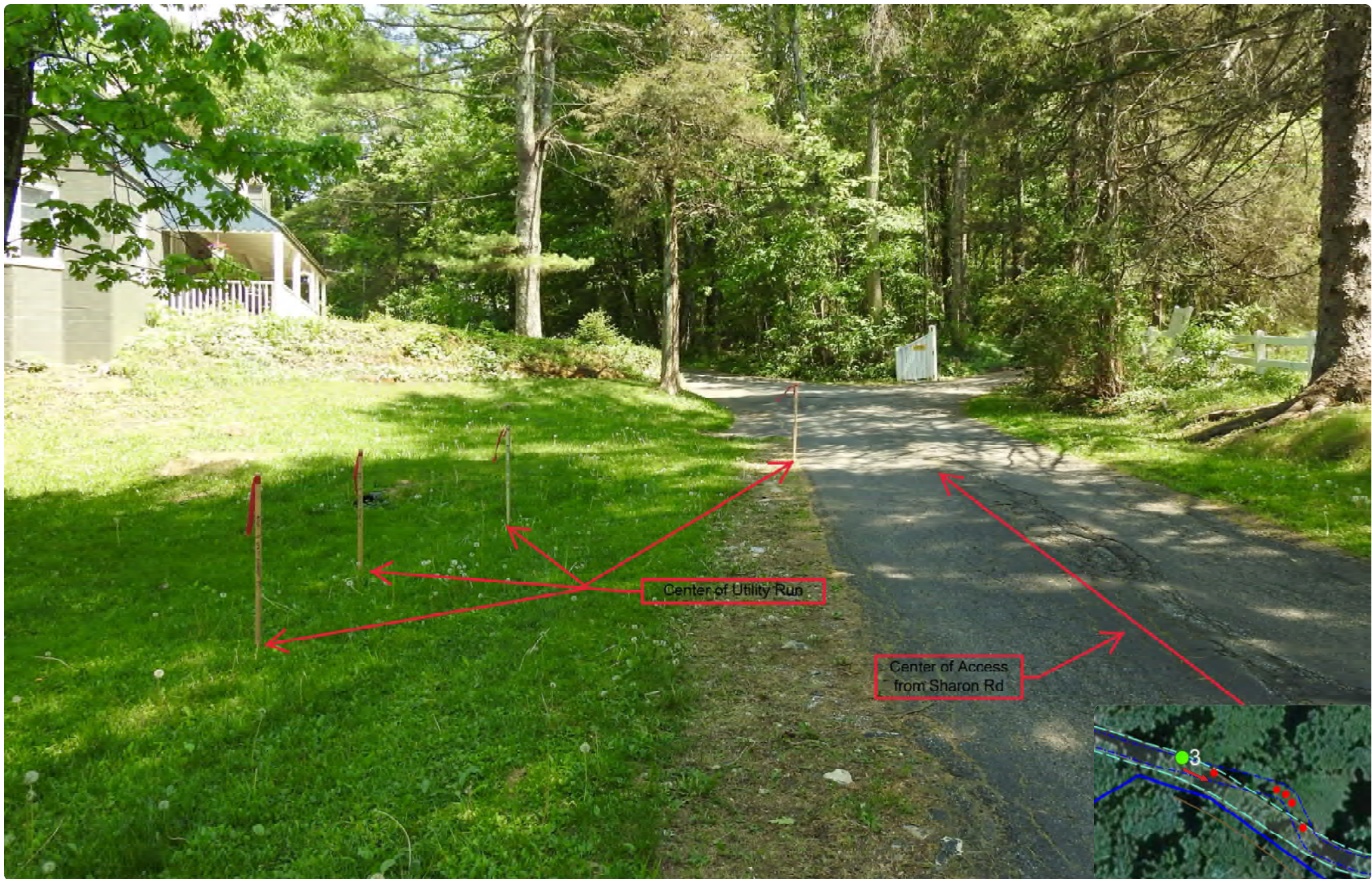


Photo # Description:

3 Access Rd and Utility run looking East

Site: CT2246 Salisbury

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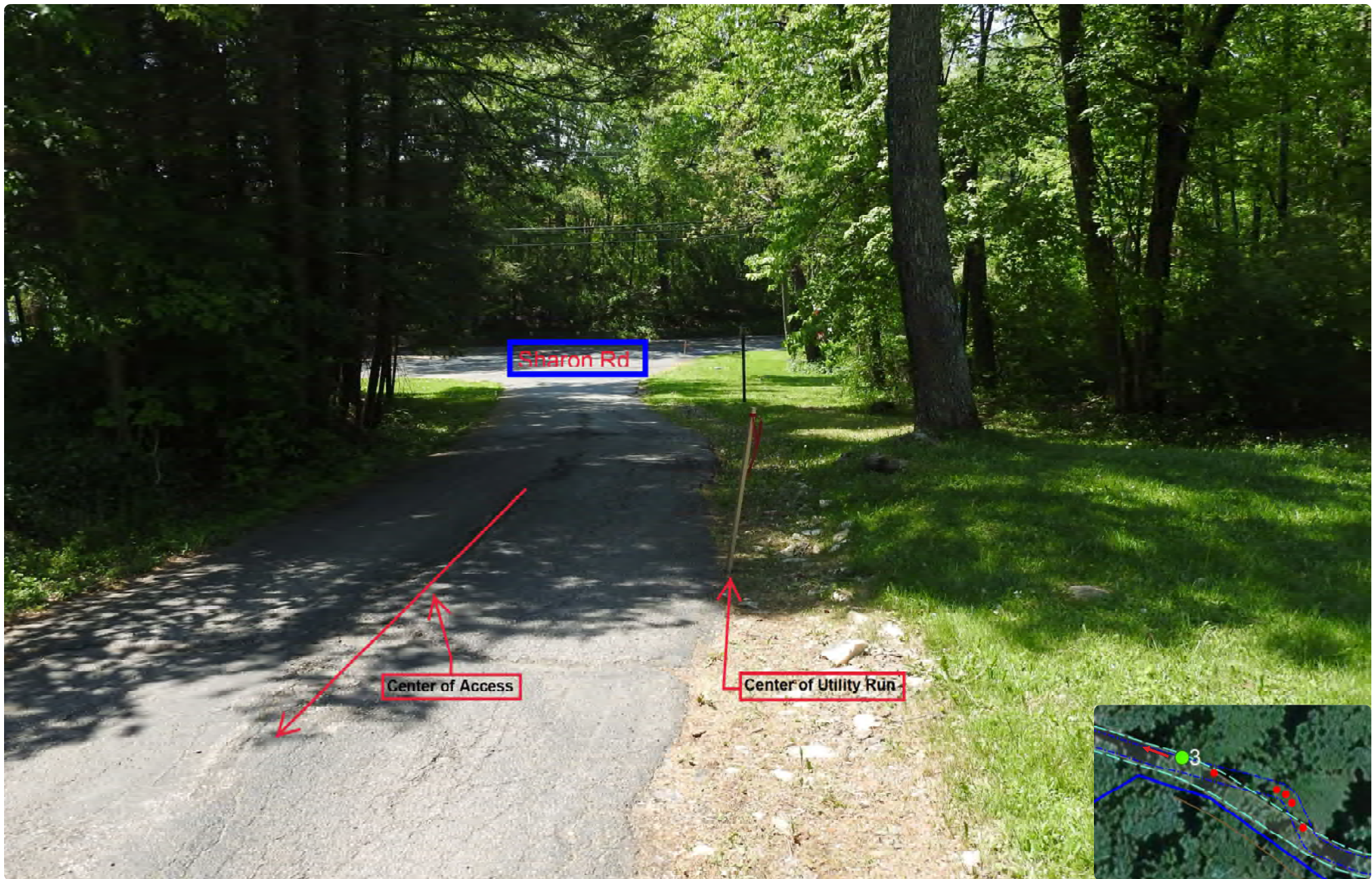


Photo # | Description:

3a | Access Rd and Utility run looking West to Sharon Rd.

Site: CT2246 Salisbury

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Photo # Description:

4 Access Rd and Utility run looking East

Site: CT2246 Salisbury

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Photo #	Description:
4a	Access Rd and Utility run looking West to Sharon Rd.

Site: CT2246 Salisbury

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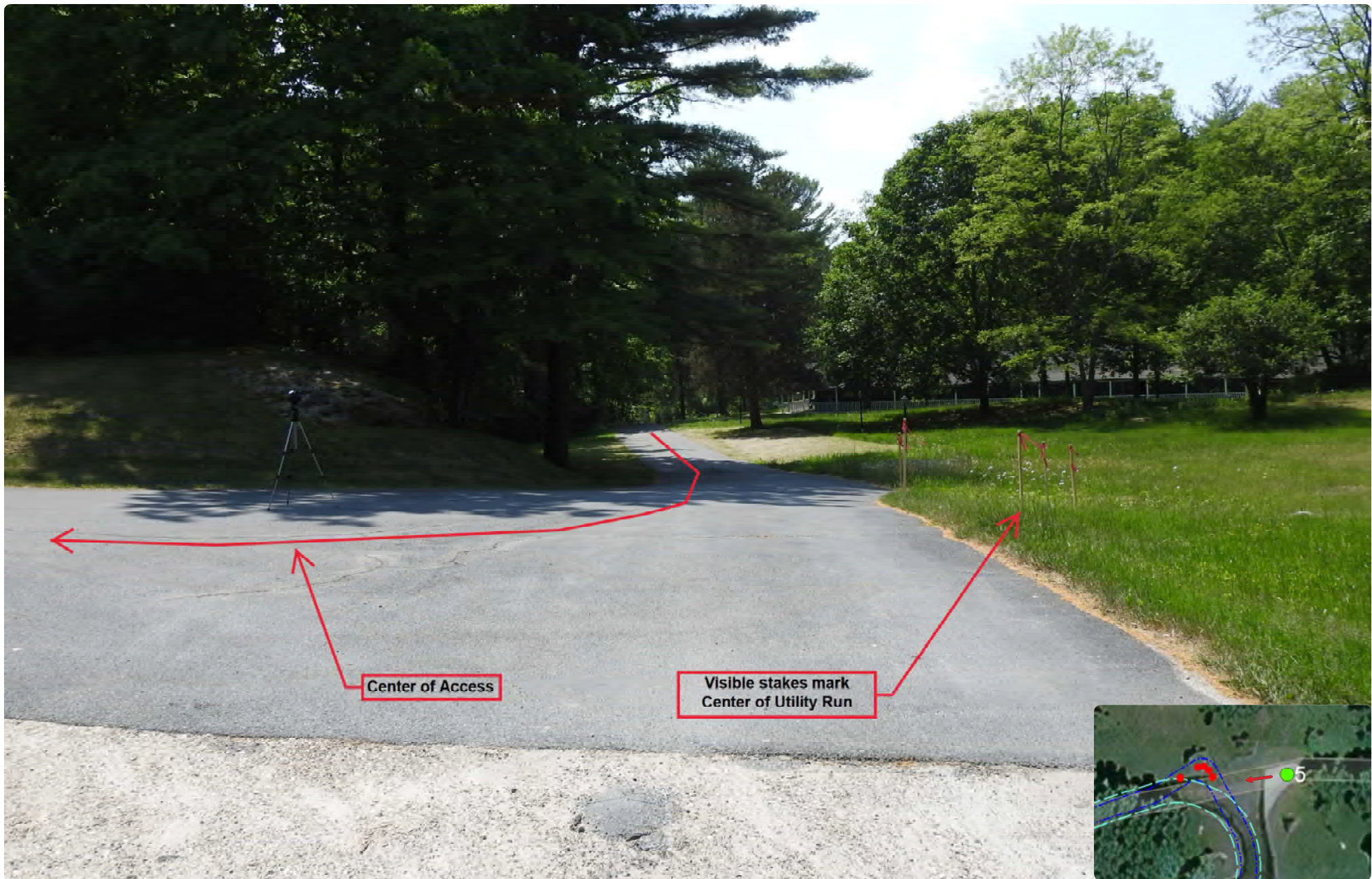


Photo # Description:

5 Access Rd and Utility run at corner

Site: CT2246 Salisbury

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Photo # Description:

6 Access Rd and Utility run across parking area to start of woods

Site: CT2246 Salisbury

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Photo # Description:

6a Access Rd and Utility run from parking area back to corner

Site: CT2246 Salisbury

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Photo # Description:

7 Access Rd and Utility run from start of woods

Site: CT2246 Salisbury

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Photo # | Description:

7a Access Rd and Utility run from start of woods back to parking area

Site: CT2246 Salisbury

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Photo # Description:

8 Access Rd and Utility run through woods to site

Site: CT2246 Salisbury

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Photo # Description:

8a Access Rd and Utility run from the woods back to parking area

Site: CT2246 Salisbury

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Photo # Description:

9 Access Rd and Utility run in woods to site

Site: CT2246 Salisbury

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Photo # Description:

9a Access Rd and Utility run in woods back to parking area

Site: CT2246 Salisbury

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Photo # Description:

10 Access Rd and Utility run to compound

Site: CT2246 Salisbury

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Photo # Description:

10a Access Rd and Utility run from compound back to parking area though woods

Site: CT2246 Salisbury

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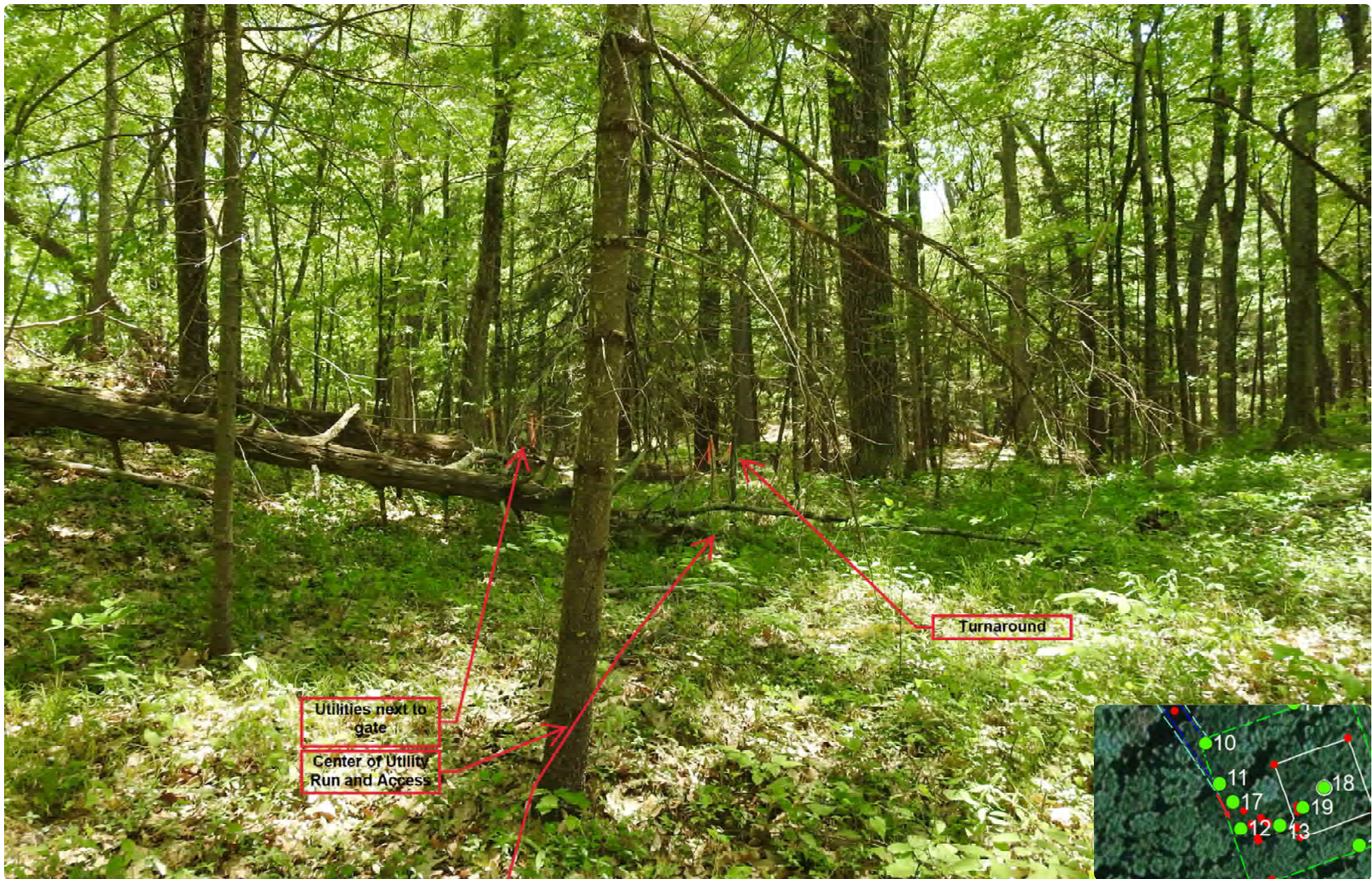


Photo #	Description:
11	Compound and Turnaround

Site: CT2246 Salisbury

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Photo # Description:

12 Close-up of Compound-Gate area with Turnaround and Utilities

Site: CT2246 Salisbury

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Photo # Description:

13 Close-up of Compound-Gate area with Turnaround and Utilities from inside Compound

Site: CT2246 Salisbury

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Photo #	Description:
14	View of Tower Center looking South from the North

Site: CT2246 Salisbury

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Photo # Description:

15 View of Tower Center looking West from the East

Site: CT2246 Salisbury

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Photo #	Description:
16	View of Tower Center looking North from the South

Site: CT2246 Salisbury

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Photo # Description:

17 View of Tower Center looking East from the West

Site: CT2246 Salisbury

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Photo # Description:

18 From Tower Center looking North

Site: CT2246 Salisbury

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Photo # Description:

18a From Tower Center looking North-East

Site: CT2246 Salisbury

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Photo # Description:

18b From Tower Center looking East

Site: CT2246 Salisbury

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Photo # | Description:

18c | From Tower Center looking South-East

Site: CT2246 Salisbury

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From Tower
Center looking
South



Photo #	Description:
18d	From Tower Center looking South

Site: CT2246 Salisbury

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Survey points provided by others.





Photo # | Description:

18e | From Tower Center looking South-West

Site: CT2246 Salisbury

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Photo # | Description:

18f | From Tower Center looking West

Site: CT2246 Salisbury

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Survey points provided by others.





Photo # | Description:

18g | From Tower Center looking North-West

Site: CT2246 Salisbury

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Photo #	Description:
19	Compound-Gate area with Turnaround and Utilities from near tower center

Site: CT2246 Salisbury

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