



COUNCIL ON ENVIRONMENTAL QUALITY

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Executive Director

August 29, 2019

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

RE: DOCKET NO. 486 - Tarpon Towers II, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 796 Woodin Street, Hamden.

Dear Ms. Bachman:

The Council on Environmental Quality ("the Council") has reviewed the application submitted in Docket 486 for a Certificate of Environmental Compatibility and Public Need. The Council offers the following recommendations for consideration by the Connecticut Siting Council.

1. Visual Impact

The Council has observed a deficiency in the application for Docket 486. Though the Viewshed Analysis Map (Appendix H) identifies the northwest shore of Lake Wintergreen as having "Predicted Year-Round Visibility", the application does not provide photo simulations from that area as required in the Siting Council's Application Guide (2012), V.G.1. *"Visibility Analyses of the proposed site area and any alternative site areas including, but not limited to: ...5. If proposed in close proximity to a shoreline, including lakes and rivers, photographic documentation from open waters, where possible."*

Additionally, the Viewshed Analysis Map shows the area of "Predicted Year-Round Visibility" as abutting, though not overlapping, the recreational trail in West Rock Ridge State Park which is immediately west of Lake Wintergreen. Because Section 16-50p(a)(3)(B) of the Public Utility Environmental Standards Act requires the Siting Council to consider "the nature of the probable environmental impact of the facility ..., including a specification of every significant adverse effect, including, but not limited to, ... (iv) scenic, historic and recreational values", a photo simulation during leaf-off conditions is appropriate, considering the recreational significance of West Rock Ridge State Park. This addition to the application would also satisfy the requirement in section of V.G.1 in the Siting Council's Application Guide, described above.

2. Inland Wetlands

The Council notes that the proposed site contains a significant area of inland wetlands. The proposed fill for the pad for the proposed tower will be as close as 5-10 feet from these wetlands (flags 1-44 and 1-45). Construction will require clearing of the trees and stumps and the addition of up to six feet of fill at the southern-most edge of the tower pad. Though not controlling in this instance, the Town of Hamden's Inland Wetlands and Watercourses Regulations (Regulations) call for a "Disturbance Buffer Zone" to separate construction, development or other regulated activities from harming a regulated area (wetland). The Town's Regulations require "at a minimum, a Non-Disturbance Buffer Zone encompassing the land area one hundred (100) feet from any wetland or watercourse as a condition of granting wetlands permits unless the applicant demonstrates through substantial evidence in the record that such activity within the 100-foot non-disturbance area does not pose an impact to the regulated area." The Council recommends that the Town's appropriate precautions for construction in wetlands be required conditions for the construction of this tower.

Thank you for your consideration of these comments. Please do not hesitate to contact the Council if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Peter Hearn", with a long horizontal flourish extending to the right.

Peter Hearn

Executive Director