



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

Web Site: portal.ct.gov/csc

VIA ELECTRONIC MAIL

November 2, 2022

Denise Sabo
Northeast Site Solutions
4 Angela's Way
Burlington, CT 06013
denise@northeastsitesolutions.com

RE: **TS-DISH-034-220907** - Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 52 Stadley Rough Road, Danbury, Connecticut.

Dear Denise Sabo:

The Connecticut Siting Council (Council) received the tower share request for the above-referenced facility on September 7, 2022. On October 6, 2022, the Council issued a letter (enclosed) stating that the tower share request was incomplete because the request is not in compliance with the Connecticut Superior Court's Stipulation for Judgment (Stipulation) dated January 6, 2010 specific to this facility (see attached). The Council recommended that Dish Wireless provide a revised request that is in compliance with the conditions of the Connecticut Superior Court's Stipulation for Judgment (Stipulation) dated January 6, 2010 and includes a Structural Analysis (SA), Construction Drawing (CD) and Mount Analysis (MA) that reference the 2022 Connecticut State Building Code, on or before November 7, 2022.

On October 31, 2022, the Council received an electronic mail with a revised SA, CD and MA dated October 4, 2022, October 16, 2022 and October 18, 2022, respectively. However, the response to the incomplete request does not include a receipt of mailing of notice of the proposed modification to Jose and Christina Carvalho and there is no indication that the mount and antennas would be painted brown, which is inconsistent with the requirements of the Stipulation referenced above and the Council's October 6, 2022 incomplete notice.

Therefore, the tower share request remains incomplete at this time. The Council recommends that Dish Wireless provide proof of notice of the proposed modification to Jose and Christina Carvalho, and correspondence that indicates the proposed mount and antennas would be painted brown on or before December 1, 2022. If additional time is needed to gather the requested information, please submit a written request for an extension of time prior to December 1, 2022. **Please provide an electronic version and one hard copy of the requested information for the incomplete tower share filing to be rendered complete and processed. Please include the Council's tower share identification number referenced above with the submittal.**

This notice of incompleteness shall have the effect of tolling the Federal Communications Commission (FCC) 60-day timeframe in accordance with Paragraph 217 of the FCC Wireless Infrastructure Report and Order issued on October 21, 2014 (FCC 14-153).

Thank you for your attention to this matter. Should you have any questions, please feel free to contact me at 860-827-2951.

Sincerely,

A handwritten signature in dark ink, appearing to read "Melanie Bachman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Melanie Bachman
Executive Director

MAB/IN/emr

Enclosure: Incomplete Letter dated October 6, 2022.



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VIA ELECTRONIC MAIL

October 6, 2022

Denise Sabo
Northeast Site Solutions
4 Angela's Way
Burlington, CT 06013
denise@northeastsitesolutions.com

RE: TS-DISH-034-220907 - Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 52 Stadley Rough Road, Danbury, Connecticut.

Dear Denise Sabo:

The Connecticut Siting Council (Council) received the tower share request for the above-referenced facility on September 7, 2022.

According to Section 16-50j-90 of the Regulations of Connecticut State Agencies, "no tower share application shall be approved until a complete application containing all information deemed relevant by the Council has been filed. Relevant information shall at a minimum include that listed in Section 16-50j-89 of the Regulations of Connecticut State Agencies..."

Staff has reviewed this tower share request for completeness and has identified that the request is not in compliance with the Connecticut Superior Court's Stipulation for Judgment (Stipulation) dated January 6, 2010 specific to this facility (see attached). The Stipulation requires all modifications to this facility to comply with the following conditions:

- 1) All proposed antennas are to be flush mounted to the tower;
- 2) The tower, antennas and mounts are required to be painted brown; and
- 3) Notice of any modifications is required to be provided to The City of Danbury and Jose and Christina Carvalheiro.

The inconsistencies identified in the tower share request consist of, but are not limited to, the following:

- Sheet No. A-2 of the Construction Drawings (CD), prepared by B+T Group and last revised August 8, 2022, show a proposed low-profile platform antenna mount which is inconsistent with Condition No. 1 above;
- The Structural Analysis (SA) and Mount Analysis (MA) provided with the request propose a platform antenna mount, which is inconsistent with Condition No. 1 above;
- The SA, MA and CD cite the 2018 Connecticut State Building Code (CSBC); however, the State of Connecticut has adopted the 2022 CSBC effective October 1, 2022.
- There is no indication that the mount and antennas would be painted brown, which is inconsistent with Condition No. 2 above; and
- There is no proof that notice was provided to Jose and Christina Carvalheiro, which is inconsistent with Condition No. 3 above.

Therefore, the tower share request is incomplete at this time. The Council recommends that Dish Wireless provide a revised request that is in compliance with the conditions of the Stipulation referenced above and includes a SA, CD and MA that reference the 2022 CSBC, on or before November 7, 2022. If additional time is needed to gather the requested information, please submit a written request for an extension of time prior to November 7, 2022. **Please provide an electronic version and one hard copy of the requested information for the incomplete tower share filing to be rendered complete and processed. Please include the Council's tower share identification number referenced above with the submittal.**

This notice of incompleteness shall have the effect of tolling the Federal Communications Commission (FCC) 60-day timeframe in accordance with Paragraph 217 of the FCC Wireless Infrastructure Report and Order issued on October 21, 2014 (FCC 14-153).

Thank you for your attention to this matter. Should you have any questions, please feel free to contact me at 860-827-2951.

Sincerely,

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Melanie A. Bachman
Executive Director

MAB/IN/emr