

From: David Hoogasian <dhoogasian@nbcllc.com>
Sent: Saturday, December 11, 2021 10:57 AM
To: CSC-DL Siting Council <Siting.Council@ct.gov>
Subject: TS-DISH-096-211202 SUPPLEMENTS / DISH / Tower Share Request / 4 Elkington Farm Road - New Milford, CT (302523 New Milford CT 2)

Attached please find supplemental documentation for the above referenced Tower Share Request:

- Original Tower facility approval (CSC Docket No. 138 - November 26, 1990)
- Project Narrative referencing the original facility approval
- Property owner record cards + Map

A hard copy of these materials will be mailed in to you shortly.

If you have any questions or need any further information, please feel free to contact me.

Thank you,

David Hoogasian
Project Manager

NETWORK BUILDING + CONSULTING
100 Apollo Drive | Suite 303 | Chelmsford, MA | 01824
M 508.344.3343



December 11, 2021

Melanie A. Bachman
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Request of DISH Wireless LLC for an Order to Approve the Shared Use of an Existing Tower
4 Elkington Farm Road (a/k/a Canterbury Road) New Milford, CT 06776
Latitude: 41°35'27.100" / Longitude: -73°24'30.96"

Dear Ms. Bachman:

Pursuant to Connecticut General Statutes ("C.G.S.") §16-50aa, as amended, DISH Wireless LLC ("DISH") hereby requests an order from the Connecticut Siting Council ("Council") to approve the shared use by DISH of an existing telecommunication tower at 4 Elkington Farm Road (a/k/a Canterbury Road) in New Milford (the "Property"). The existing 150-foot monopole tower is owned by American Tower Corporation ("ATC"). The underlying property is owned by Canterbury School Inc. DISH requests that the Council find that the proposed shared use of the ATC tower satisfies the criteria of C.G.S. §16-50aa and issue an order approving the proposed shared use. A copy of this filing is being sent to Pete Bass, Mayor for the Town of New Milford, Bill Murphy, Town of New Milford Building Official and Canterbury School Inc. as the property owner.

Background

This facility was approved by the Council under Docket No. 138 on November 26, 1990. A copy of the Decision and Order is included in the filing attachments. The existing ATC facility consists of a 150-foot monopole tower located within an existing leased area. AT&T Mobility currently maintains antennas at the 150-foot level. Sprint Nextel currently maintains antennas at the 141-foot level and 75-foot level. Verizon Wireless currently maintains antennas at the 132-foot level. Equipment associated with these antennas are located at various positions within the tower and compound.

DISH is licensed by the Federal Communications Commission ("FCC") to provide wireless services throughout the State of Connecticut. DISH and ATC have agreed to the proposed shared use of the 4 Elkington Farm Road tower pursuant to mutually acceptable terms and conditions. Likewise, DISH and ATC have agreed to the proposed installation of equipment cabinets on the ground within the existing compound. ATC has authorized DISH to apply for all necessary permits and approvals that may be required to share the existing tower.
(See attached Letter of Authorization)

DISH proposes to install three (3) antennas, (1) Tower platform mount, (6) Remote radio units at the 122-foot level along with, (1) over voltage protection device (OVP) and (1) Hybrid cable. DISH will install an equipment cabinet on a 5'x7' equipment platform. DISH's Construction Drawings provide project specifications for all proposed site improvement locations.

The construction drawings also include specifications for DISH's proposed antenna and groundwork.

C.G.S. § 16-50aa(c)(1) provides that, upon written request for approval of a proposed shared use, "if the Council finds that the proposed shared use of the facility is technically, legally, environmentally and economically feasible and meets public safety concerns, the council shall issue an order approving such a shared use." DISH respectfully submits that the shared use of the tower satisfies these criteria.

A. Technical Feasibility. The existing ATC tower is structurally capable of supporting DISH's proposed improvements. The proposed shared use of this tower is, therefore, technically feasible. A Feasibility Structural Analysis Report ("Structural Report") prepared for this project confirms that this tower can support DISH's proposed loading. A copy of the Structural Report has been included in this application.

B. Legal Feasibility. Under C.G.S. § 16-50aa, the Council has been authorized to issue order approving the shared use of an existing tower such as the ATC tower. This authority complements the Council's prior-existing authority under C.G.S. § 16-50p to issue orders approving the construction of new towers that are subject to the Council's jurisdiction. In addition, § 16-50x(a) directs the Council to "give such consideration to the other state laws and municipal regulations as it shall deem appropriate" in ruling on requests for the shared use of existing tower facilities. Under the statutory authority vested in the Council, an order by the Council approving the requested shared use would permit the Applicant to obtain a building permit for the proposed installations.

C. Environmental Feasibility. The proposed shared use of the ATC tower would have a minimal environmental effect for the following reasons:

1. The proposed installation will have no visual impact on the area of the tower. DISH's equipment cabinet would be installed within the existing facility compound. DISH's shared use of this tower therefore will not cause any significant change or alteration in the physical or environmental characteristics of the existing site.
2. Operation of DISH's antennas at this site would not exceed the RF emissions standard adopted by the Federal Communications Commission ("FCC"). Included in the EME report of this filing are the approximation tables that demonstrate that DISH's proposed facility will operate well within the FCC RF emissions safety standards.
3. Under ordinary operating conditions, the proposed installation would not require the use of any water or sanitary facilities and would not generate air emissions or discharges to water bodies or sanitary facilities. After construction is complete the proposed installations would not generate any increased traffic to the ATC facility other than periodic maintenance. The proposed shared use of the ATC tower, would, therefore, have a minimal environmental effect, and is environmentally feasible.

D. **Economic Feasibility.** As previously mentioned, DISH has entered into an agreement with ATC for the shared use of the existing facility subject to mutually agreeable terms. The proposed tower sharing is, therefore, economically feasible.

E. **Public Safety Concerns.** As discussed above, the tower is structurally capable of supporting DISH's full array of three (3) antennas, (1) Tower platform mount, (6) Remote radio units, (1) over voltage protection device (OVP) and (1) Hybrid cable and all related equipment. DISH is not aware of any public safety concerns relative to the proposed sharing of the existing ATC tower.

Conclusion

For the reasons discussed above, the proposed shared use of the existing ATC tower at 4 Elkington Farm Road satisfies the criteria stated in C.G.S. §16-50aa and advances the Council's goal of preventing the unnecessary proliferation of towers in Connecticut. The Applicant, therefore, respectfully requests that the Council issue an order approving the proposed shared use.

Sincerely,

David Hoogasian

David Hoogasian
Project Manager

DOCKET NO. 138 - An application of SNET Cellular, Inc., for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of cellular facilities in the Towns of Plymouth, Harwinton, Winchester, and New Milford, Connecticut.

Connecticut

Siting

Council

November 26, 1990

DECISION AND ORDER

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council finds that the effects associated with the construction, operation, and maintenance of four cellular telecommunications towers and associated equipment at the proposed Plymouth, Harwinton, New Milford, and alternate Winchester sites including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife need not be in conflict either alone or cumulatively with other effects, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application, and therefore directs that a Certificate of Environmental Compatibility and Public Need (Certificate), as provided by section 16-50k of the Connecticut General Statutes (CGS), be issued to SNET Cellular Inc., for the construction, operation, and maintenance of a cellular telecommunications tower, associated equipment, and building at the proposed Plymouth, Harwinton, New Milford, and alternate Winchester sites.

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

1. The facilities shall be constructed in accordance with the State of Connecticut Basic Building Code.
2. The self-supporting monopole towers shall be no taller than necessary to provide the proposed communication service and in no event shall the Plymouth, Harwinton, and Winchester tower structures exceed 192-feet or the New Milford tower structure exceed 162 feet above ground level (AGL), including antennas and appurtenances.
3. The Certificate Holder shall prepare a Development and Management (D&M) Plan, for approval by the Council, for these sites in compliance with sections 16-50j-75 through 16-50j-77 of the Regulations of State Agencies (RSA). The D&M Plan shall include detailed plans for the towers, tower pedestals, tower foundations, soil boring reports, antenna structures, equipment buildings, access roads, security fences, erosion and sedimentation control plans

consistent with the Connecticut Guidelines of Soil Erosion and Sedimentation Control, and landscaping plans where necessary to screen the equipment building from adjacent land uses.

At the proposed Harwinton site, the accessway shall be designed to avoid a direct sight-line of the entire tower structure from the adjacent Fowler residence. To further mitigate the visibility of the facility, the tower's site shall be moved as close to the electric transmission line right-of-way as safety clearances allow.

At the alternate Winchester site, the Certificate Holder shall design the accessway to avoid a direct sight-line from the northern end of Oakdale Avenue. Prior to construction, the Certificate Holder shall secure all necessary permits and approvals to construct a crossing of the Tennessee Gas Company's underground gas transmission line. Prior to any necessary blasting activities, the Certificate Holder shall secure all necessary permits and shall conduct such blasting in accordance with State regulations. Copies of all permits and approvals shall be forwarded to the Council immediately upon receipt.

4. The Certificate Holder shall comply with any existing and future radio frequency (RF) standard promulgated by State or federal regulatory agencies. Upon the establishment of any new governmental RF standards, the facilities granted in this Decision and Order shall be brought into compliance with such standards.
5. The Certificate Holder shall provide the Council a recalculated report of electromagnetic radio frequency power density if and when circumstances in operation cause a change in power densities above the levels originally calculated and provided in the application.
6. The Certificate Holder shall permit public or private entities to share space on the proposed towers for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
7. If the facilities do not initially provide, or permanently cease to provide cellular service following completion of construction, this Decision and Order shall be void, and the tower(s) and all associated equipment shall be dismantled and removed or reapplication for any new use shall be made to the Council before any such new use is made.
8. Unless otherwise approved by the Council, this Decision and Order shall be void if all construction authorized herein is not completed within three years of the effective date of this Decision and Order or within three years after all appeals to this Decision and Order have been resolved.

Pursuant to Section 16-50p, we hereby direct that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed below, and notice of issuance shall be published in The New Milford Times, The Bristol Press, The Registrar-Citizen, and The Danbury News-Times.

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

The parties to this proceeding are:

(PARTIES)

SNET Cellular, Inc.

(ITS REPRESENTATIVES)

Peter J. Tyrrell
Senior Attorney
SNET Cellular, Inc.
227 Church Street
Room 1021
New Haven, CT 06506

(INTERVENORS)

Pikeville Cellular Partnership

Charles Wolf, Esq.
Robinson & Cole
One Commercial Plaza
Hartford, CT 06103-3597

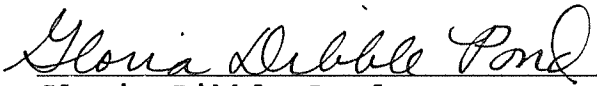
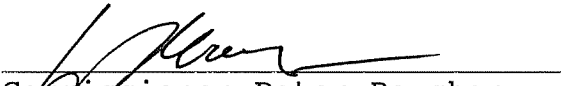


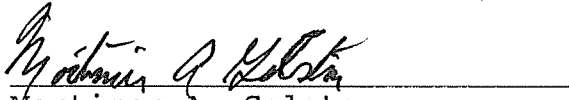

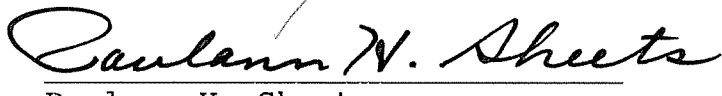
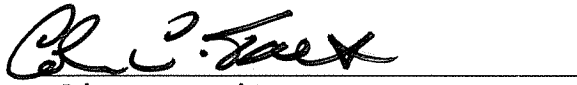
TEF:bw

4886E-1-3

CERTIFICATION

The undersigned members of the Connecticut Siting Council hereby certify that they have heard this case in Docket No. 138 or read the record thereof, and that we voted as follows:

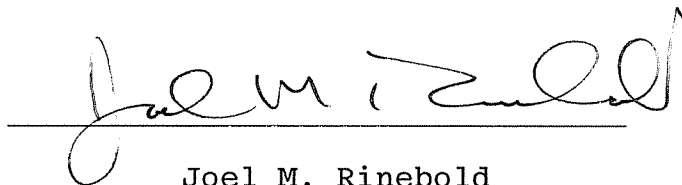
Dated at New Britain, Connecticut the 26 day of November, 1990.

<u>Council Members</u>	<u>Vote Cast</u>
 Gloria Dibble Pond Chairperson	YES
 Commissioner Peter Boucher Designee: Mark Marcus	YES
 Commissioner Leslie Carothers Designee: Brian Emerick	YES
 Harry E. Covey	YES
 Mortimer A. Gelston	YES
 Daniel P. Lynch, Jr.	YES
 Paulann H. Sheets	YES
 William H. Smith	ABSENT
 Colin C. Tait	YES

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

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

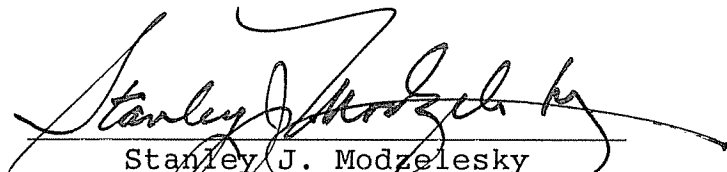
ATTEST:

A handwritten signature in dark ink, appearing to read "Joel M. Rinebold", is written over a horizontal line.

Joel M. Rinebold
Executive Director
Connecticut Siting Council

I certify that a copy of the Findings of Fact, Opinion, and Decision and Order in Docket No. 138 have been forwarded by Certified First Class Return Receipt Requested mail on December 3, 1990, to all parties of record as listed on the attached service list, dated August 22, 1990.

ATTEST:

A handwritten signature in dark ink, appearing to read "Stanley J. Modzelesky", is written over a horizontal line.

Stanley J. Modzelesky
Executive Assistant
Connecticut Siting Council

Date: August 22, 1990

Docket No. 138

LIST OF PARTIES AND INTERVENORS - SERVICE LIST

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Party <input checked="" type="checkbox"/>	SNET Cellular, Inc.	Peter J. Tyrrell Senior Attorney SNET Cellular, Inc. 227 Church Street Room 1021 New Haven, CT 06506
Intervenor <input type="checkbox"/>		
Party <input type="checkbox"/>	Pikeville Cellular Partnership	Charles Wolf, Esq. Robinson & Cole One Commercial Plaza Hartford, CT 06103-3597
Intervenor <input checked="" type="checkbox"/>		
Party <input type="checkbox"/>		
Intervenor <input type="checkbox"/>		

CANTERBURY RD

Location CANTERBURY RD

Mblu 35/4 / 37/ /

Acct# 010997

Owner CANTERBURY SCHOOL INC

Assessment \$10,059,750

Appraisal \$14,371,100

PID 6769

Building Count 4

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2020	\$12,424,000	\$1,947,100	\$14,371,100
Assessment			
Valuation Year	Improvements	Land	Total
2020	\$8,696,800	\$1,362,950	\$10,059,750

Parcel Addresses

Additional Addresses
No Additional Addresses available for this parcel

Owner of Record

Owner CANTERBURY SCHOOL INC
Co-Owner
Address 101 ASPETUCK AVE
NEW MILFORD, CT 06776

Sale Price \$0
Certificate
Book & Page 0000/0000
Sale Date
Instrument

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
CANTERBURY SCHOOL INC	\$0		0000/0000		

Building Information

Building 1 : Section 1

Year Built: 1925
Living Area: 34,613
Replacement Cost: \$4,042,737
Building Percent Good: 67
Replacement Cost Less Depreciation: \$2,708,600

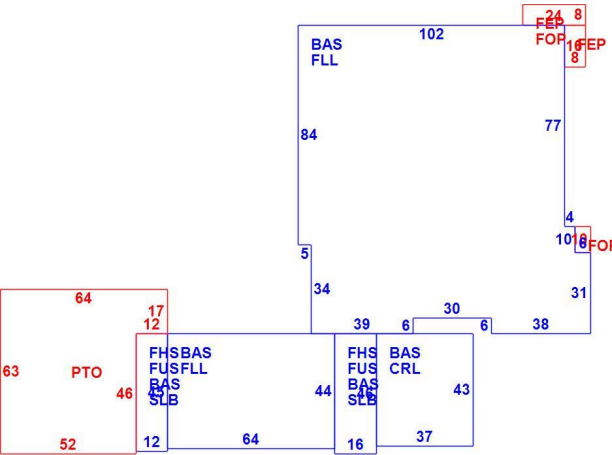
Building Attributes	
Field	Description
STYLE	Gymnasium
MODEL	Comm/Ind
Grade	B
Stories:	2.5
Occupancy	1.00
Exterior Wall 1	Stone/Masonry
Exterior Wall 2	Brick/Masonry
Roof Structure	Flat
Roof Cover	T&G/Rubber
Interior Wall 1	Drywall/Sheet
Interior Wall 2	Plastered
Interior Floor 1	Hardwood
Interior Floor 2	Vinyl/Asphalt
Heating Fuel	Oil
Heating Type	Hot Water
AC Type	Central
Struct Class	
Bldg Use	Pvt School Com
Total Rooms	
Total Bedrms	00
Total Baths	0
1st Floor Use:	904I
Heat/AC	HEAT/AC PKGS
Frame Type	MASONRY
Baths/Plumbing	AVERAGE
Ceiling/Wall	SUS-CEIL & WL
Rooms/Prtns	AVERAGE
Wall Height	22.00
% Comn Wall	0.00

Building Photo



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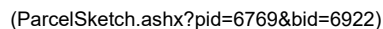
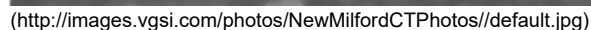
Building Layout



(ParcelSketch.ashx?pid=6769&bid=6920)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	17,719	17,719
FLL	Finished Lower Level	14,852	14,852
FUS	Finished Upper Story	1,276	1,276
FHS	Finished Half Story	1,276	766
CRL	Crawl Area	1,591	0
FEP	Enclosed Porch	320	0
FOP	Open Porch	252	0
PTO	Patio	3,480	0
SLB	Slab	1,276	0
		42,042	34,613

Building Attributes : Bldg 2 of 4	
Field	Description
STYLE	Gymnasium
MODEL	Comm/Ind
Grade	B+
Stories:	1
Occupancy	1.00
Exterior Wall 1	Pre-finish Metl
Exterior Wall 2	Stone/Masonry
Roof Structure	Gable
Roof Cover	Enamel Metal
Interior Wall 1	Minim/Masonry
Interior Wall 2	Drywall/Sheet
Interior Floor 1	Vinyl/Asphalt
Interior Floor 2	Hardwood
Heating Fuel	Oil
Heating Type	Forced Air-Duc
AC Type	Partial
Struct Class	
Bldg Use	Pvt School Com
Total Rooms	
Total Bedrms	00
Total Baths	0
1st Floor Use:	904I
Heat/AC	HEAT/AC SPLIT
Frame Type	STEEL
Baths/Plumbing	AVERAGE
Ceiling/Wall	SUS-CEIL & WL
Rooms/Prtns	AVERAGE
Wall Height	20.00
% Comn Wall	0.00



Building Photo

Year Built: 2008
Living Area: 17,020
Replacement Cost: \$2,282,904
Building Percent Good: 90
Replacement Cost
Less Depreciation: \$2,054,600

Building Attributes : Bldg 3 of 4	
Field	Description
STYLE	Auditorium
MODEL	Comm/Ind
Grade	B+
Stories:	1
Occupancy	1.00
Exterior Wall 1	Concr/Cinder
Exterior Wall 2	Stone/Masonry
Roof Structure	Irregular
Roof Cover	Slate
Interior Wall 1	Minim/Masonry
Interior Wall 2	Drywall/Sheet
Interior Floor 1	Ceram Clay Til
Interior Floor 2	Vinyl/Asphalt
Heating Fuel	Oil
Heating Type	Forced Air-Duc
AC Type	Partial
Struct Class	
Bldg Use	Pvt School Com
Total Rooms	1
Total Bedrms	
Total Baths	11
1st Floor Use:	
Heat/AC	HEAT/AC PKGS
Frame Type	STEEL
Baths/Plumbing	AVERAGE
Ceiling/Wall	CEIL & WALLS
Rooms/Prtns	AVERAGE
Wall Height	12.00
% Comn Wall	

Building 4 : Section 1

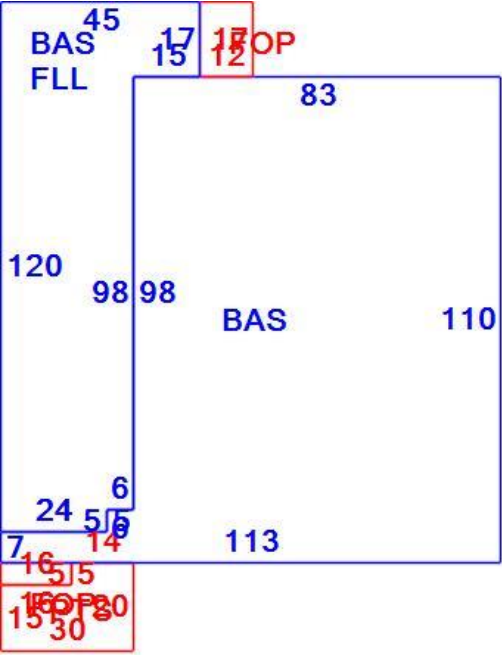
Year Built: 1900

Building Photo



(http://images.vgsi.com/photos/NewMilfordCTPhotos//default.jpg)

Building Layout



(ParcelSketch.ashx?pid=6769&bid=105410)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	13,195	13,195
FLL	Finished Lower Level	3,825	3,825
FOP	Open Porch	284	0
PTS	Patio - Stone	520	0
		17,824	17,020

Building Photo

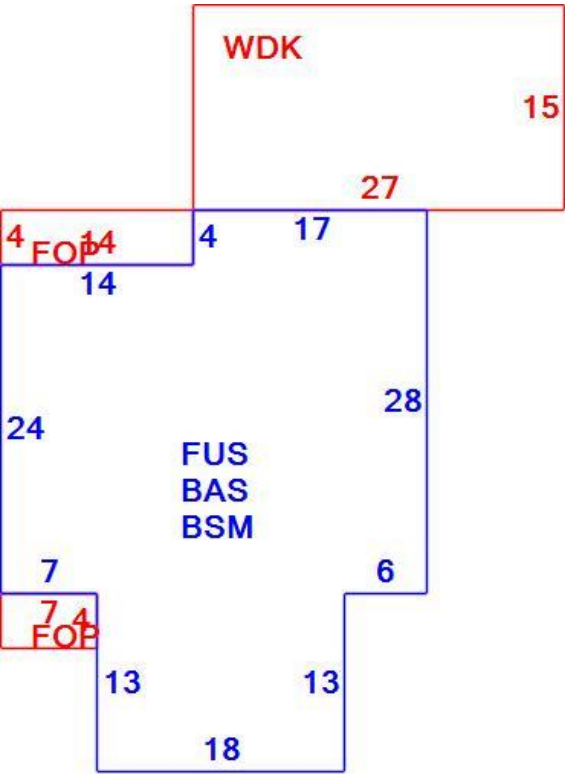
Living Area:	2,092
Replacement Cost:	\$271,113
Building Percent Good:	73
Replacement Cost	
Less Depreciation:	\$197,900

Building Attributes : Bldg 4 of 4	
Field	Description
Style	Colonial
Model	Residential
Grade	C
Stories	2
Occupancy	1
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	
Roof Structure	Gable
Roof Cover	Asphalt Shngl
Interior Wall 1	Plastered
Interior Wall 2	
Interior Flr 1	Pine/Soft Wood
Interior Flr 2	
Heat Fuel	Oil
Heat Type	Hot Water
AC Type	None
Total Bedrooms	3 Bedrooms
Full Bathrooms	2
Half Bathrooms	1
Total Xtra Fixtrs	
Total Rooms	6
Bath Style	Average
Kitchen Style	Average
Num Kitchens	
Whirlpool Tub	
Fireplaces	
Fin Bsmt Area	
Bsmt Garages	
Fireplaces_1	
Solar	
Insp. Letter	
Multi-House	



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Building Layout



(ParcelSketch.ashx?pid=6769&bid=105411)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	1,046	1,046
FUS	Finished Upper Story	1,046	1,046
BSM	Basement	1,046	0
FOP	Open Porch	84	0
WDK	Wood Deck	405	0
		3,627	2,092

Extra Features

Extra Features							Legend
Code	Description	Sub Code	Sub Description	Size	Value	Assessed Value	Bldg #
SPR	Sprinklers	WT	Wet	1875.00 S.F.	\$2,100	\$1,470	1
A/C	Air Conditioning			7650.00 S.F.	\$27,500	\$19,250	3
SPR	Sprinklers	WT	Wet	7650.00 S.F.	\$11,700	\$8,190	3
ELV	Elevator	CM	Commercial	2.00 Units	\$45,000	\$31,500	3
A/C	Air Conditioning			49762.00 S.F.	\$147,300	\$103,110	2
ELV	Elevator	CM	Commercial	2.00 Units	\$37,000	\$25,900	2

Parcel Information

Use Code	947
Description	Pvt School Com
Deeded Acres	41.87

Land

Land Use	Land Line Valuation
Use Code	947
Description	Pvt School Com
Zone	R40/B1
Neighborhood	C110
Alt Land Appr	No
Category	
Size (Acres)	41.87
Frontage	0
Depth	0
Assessed Value	\$1,362,950
Appraised Value	\$1,947,100

Outbuildings

Outbuildings							Legend
Code	Description	Sub Code	Sub Description	Size	Value	Assessed Value	Bldg #
LT1	Light (1)			7.00 Units	\$6,600	\$4,620	3
SHD1	Shed	FR	Frame	288.00 S.F.	\$1,700	\$1,190	4
TEN	Tennis Court			6.00 Units	\$126,000	\$88,200	2
PAV1	Paving Asph.			10800.00 S.F.	\$16,200	\$11,340	3
PAV1	Paving Asph.			8576.00 S.F.	\$10,300	\$7,210	1
LT1	Light (1)			8.00 Units	\$7,500	\$5,250	2
SHD1	Shed	BR	Brick/Frame	140.00 S.F.	\$1,500	\$1,050	1
GAR1	Garage	FR	Frame	384.00 S.F.	\$7,100	\$4,970	2
SHD1	Shed	BR	Brick/Frame	140.00 S.F.	\$1,500	\$1,050	1
SHD1	Shed	BR	Brick/Frame	140.00 S.F.	\$1,500	\$1,050	1
SHD1	Shed	BR	Brick/Frame	140.00 S.F.	\$1,500	\$1,050	1
PAT1	Patio	BR	Brick	2842.00 S.F.	\$25,600	\$17,920	1
PAT1	Patio	CR	Concrete	1560.00 S.F.	\$7,500	\$5,250	2
SPL1	InGround Pool	CRH	Heatd/Concrt	4675.00 S.F.	\$263,200	\$184,240	3

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2019	\$12,174,300	\$1,969,900	\$14,144,200

Assessment			
Valuation Year	Improvements	Land	Total
2019	\$8,522,010	\$1,378,930	\$9,900,940



Property Information

Property ID 35.4/37
Location CANTERBURY RD
Owner CANTERBURY SCHOOL INC



MAP FOR REFERENCE ONLY NOT A LEGAL DOCUMENT

Town of New Milford, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 3/10/2020
 Data updated daily

Print map scale is approximate.
 Critical layout or measurement
 activities should not be done using
 this resource.