



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

March 2, 2023

Michael Jones
President
M+K Development
140 Beach 137th Street
Rockaway Beach, NY 11694
mjones@mandkdevelopment.com

RE: **TS-DISH-097-230207** - Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 20 Barnabas Road, Newtown, Connecticut.

Dear Michael Jones:

At a public meeting held on March 2, 2023, the Connecticut Siting Council (Council) ruled that the shared use of this existing tower site is technically, legally, environmentally, and economically feasible and meets public safety concerns, and therefore, in compliance with General Statutes § 16-50aa, the Council has ordered the shared use of this facility to avoid the unnecessary proliferation of tower structures with the following conditions:

1. Approval of any changes be delegated to Council staff;
2. RF access restriction and caution signage shall be installed at the site in compliance with FCC guidance;
3. Any deviation from the proposed installation as specified in the original tower share request and supporting materials with the Council shall render this decision invalid;
4. Any material changes to the proposed installation as specified in the original tower share request and supporting materials filed with the Council shall require an explicit request for modification to the Council pursuant to Connecticut General Statutes § 16-50aa, including all relevant information regarding the proposed change with cumulative worst-case modeling of radio frequency exposure at the closest point of uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin 65;
5. The Council shall be notified in writing at least two weeks prior to the commencement of site construction activities;
6. Not less than 45 days after completion of the proposed installation, the Council shall be notified in writing that the installation has been completed;
7. Deployment of any 5G services must comply with FCC and FAA guidance relative to air navigation, as applicable;

8. Any nonfunctioning antenna and associated antenna mounting equipment, or other equipment at this facility owned and operated by Dish Wireless, LLC shall be removed within 60 days of the date the antenna or equipment ceased to function;
9. The validity of this action shall expire one year from the date of this letter; and
10. Dish Wireless, LLC may file a request for an extension of time beyond the one year deadline provided that such request is submitted to the Council not less than 60 days prior to the expiration.

This decision is under the exclusive jurisdiction of the Council and applies only to this request for tower sharing dated January 23, 2023. This facility has been carefully modeled to ensure that radio frequency emissions are conservatively below state and federal standards applicable to the frequencies now used on this tower. Any deviation from the approved tower sharing request is enforceable under the provisions of Connecticut General Statutes § 16-50u.

The proposed shared use is to be implemented as specified in your letter dated January 23, 2023, including the placement of all necessary equipment and shelters within the tower compound.

Please be advised that the validity of this action shall expire one year from the date of this letter.

Thank you for your attention and cooperation.

Sincerely,



Melanie Bachman
Executive Director

MAB/IN/laf

c: The Honorable Daniel C. Rosenthal, First Selectperson, Town of Newtown
(first.selectman@newtown-ct.gov)