

From: David Hoogasian <dhoogasian@nbcllc.com>
Sent: Saturday, December 11, 2021 1:01 PM
To: CSC-DL Siting Council <Siting.Council@ct.gov>
Subject: TS-DISH-121-211105 SUPPLEMENTS / DISH / Tower Share Request / 399 West Rd Salem CT (411184 SALEM CT SQA)

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

- Original Tower facility approval (CSC Docket No. 198 on July 25, 2001)
- Project Narrative referencing the original facility approval
- Property owner record cards + Map

One 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
399 West Rd. Salem, CT 06420
Latitude: 41°29'16.148" / Longitude: -72°18'47.586"

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 399 West Rd Salem in Salem (the "Property"). The existing 177-foot monopole tower is owned by American Tower Corporation ("ATC"). The underlying property is owned by Jason Clark.

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 Kevin T. Lyden, First Selectman for the Town of Salem, Vernon Vesey, Town of Salem Building Official and Jason Clark as the property owner.

Background

This facility was approved by the Council under Docket No.198 on July 25, 2001. A copy of the Decision and Order is included in the filing attachments. The existing ATC facility consists of a 177-foot monopole tower located within an existing leased area. Verizon Wireless currently maintains antennas at the 177-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 399 West Rd tower pursuant to mutually acceptable terms and conditions. Likewise, DISH and ATC have agreed to the proposed installation of equipment cabinets on the ground on the south side of the tower 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 167-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 ground work.

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.



TOTALLY COMMITTED. 

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 399 West Rd 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 prosed shared use.

Sincerely,

David Hoogasian

David Hoogasian
Project Manager

Connecticut Siting Council^(/CSC)

[CT.gov Home](#) (/) [Connecticut Siting Council](#) (/CSC) Salem Docket No. 198 Decision

[Decisions](#) (/CSC/Decisions/Decisions) >

[Meetings and Minutes](#) (/CSC/Common-Elements/v4-template/Council-Activity) >

[Pending Matters](#) (/CSC/1_Applications-and-Other-Pending-Matters/Pending-Matters) >

[About Us](#) (/CSC/Common-Elements/Common-Elements/Connecticut-Siting-Council---Description) >

[Contact Us](#) (/CSC/Common-Elements/Common-Elements/Contact-Us) >

Search Connecticut Siting Council



DOCKET NO. 198 - Crown Atlantic Company LLC and Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a cellular telecommunications facility at one of two locations in the Town of Salem.	}	Connecticut
	}	Siting
	}	Council
	}	July 25, 2001

Decision and Order

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, operation, and maintenance of a telecommunications facility at the proposed prime site in Salem, Connecticut, 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 are not disproportionate either alone or cumulatively with other effects when compared to need, 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, as provided by General Statutes § 16-50k, be issued to Crown Atlantic Company LLC and Cellco Partnership d/b/a Verizon Wireless for the construction, maintenance and operation of a cellular telecommunications facility at the proposed prime site located at 399 West Road, Salem, Connecticut. We deny certification of the proposed alternate site located at 329 West Road, Salem, Connecticut.

The facility 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 tower shall be constructed as a monopole, no taller than necessary to provide the proposed telecommunications services, sufficient to accommodate the antennas of other entities, both public and private, but such tower shall not exceed a height of 180 feet above ground level.
2. The Certificate Holder shall prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-75 through 16-50j-77 of the Regulations of Connecticut State Agencies. The D&M Plan shall be submitted to and approved by the Council prior to the commencement of facility construction and shall include: a final site plan(s) for site development to include the location and specifications for the tower, tower foundation, antennas, equipment building, security fence, access road, utility line, and landscaping plan. The D&M Plan shall also include construction plans to be submitted prior to construction for site clearing, water drainage, and erosion and sedimentation control consistent with the Connecticut Guidelines for Soil Erosion and Sediment Control, as amended.
3. The Certificate Holder shall, prior to the commencement of operation, provide the Council worst-case modeling of electromagnetic radio frequency power density of all proposed entities' antennas at the closest point of uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin No. 65, August 1997. The Certificate Holder shall provide a recalculated report of electromagnetic radio frequency power density if and when circumstances in operation cause a change in power density above the levels calculated and provided pursuant to this Decision and Order.
4. Upon the establishment of any new State or federal radio frequency standards applicable to frequencies of this facility, the facility granted herein shall be brought into compliance with such standards.
5. The Certificate Holder shall permit public or private entities to share space on the proposed tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
6. If the facility does not initially provide, or permanently ceases to provide cellular services following completion of construction, this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made.
7. Any antenna that becomes obsolete and ceases to function shall be removed within 60 days after such antennas become obsolete and ceases to function.

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 General Statutes § 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 Hartford Courant, and the New London Day.

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 Connecticut State Agencies.

The parties and intervenors to this proceeding are:

Applicant

Crown Atlantic Company LLC
and Cellco Partnership d/b/a
Verizon Wireless

Its Representative

James Valeriani, Program Manager
Crown Atlantic Company LLC
500 West Cummings Park
Suite 6500
Woburn, MA 01801
Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597

Intervenor

Town of Salem

Its Representative

Honorable James D. Fogarty
First Selectman
Salem Town Hall
270 Hartford Road
Salem, CT 06420-3809

Intervenor

Peter F. Sielman
369 West Road
Salem, CT 06420



Town of Salem, CT

Property Listing Report

Map Block Lot

07-011-000

Building # 1

PID 195

Account

204

Property Information

Property Location	399 WEST RD		
Owner	CLARK JASON ARTHUR		
Co-Owner	na		
Mailing Address	251 OLD COLCHESTER RD QUAKER HILL CT 06375		
Land Use	4331	Cell Tower	
Land Class	I		
Zoning Code	RUA		
Census Tract	7151		

Neighborhood	1100		
Acreage	40		
Utilities	UNKNOWN		
Lot Setting/Desc	UNKNOWN	UNKNOWN	
Book / Page	0250/0127		
Additional Info			

Primary Construction Details

Year Built	0
Building Desc.	Cell Tower
Building Style	UNKNOWN
Building Grade	
Stories	
Occupancy	
Exterior Walls	
Exterior Walls 2	NA
Roof Style	
Roof Cover	
Interior Walls	
Interior Walls 2	NA
Interior Floors 1	
Interior Floors 2	NA

Heating Fuel	
Heating Type	
AC Type	
Bedrooms	0
Full Bathrooms	0
Half Bathrooms	0
Extra Fixtures	0
Total Rooms	0
Bath Style	NA
Kitchen Style	NA
Rec Rm Area	NA
Rec Rm Quality	NA
Bsmt Gar	NA
Fireplaces	NA

(*Industrial / Commercial Details)

Building Use	Vacant
Building Condition	
Sprinkler %	NA
Heat / AC	NA
Frame Type	NA
Baths / Plumbing	NA
Ceiling / Wall	NA
Rooms / Prtns	NA
Wall Height	NA
First Floor Use	NA
Foundation	NA

Photo



Sketch





Town of Salem, CT

Property Listing Report

Map Block Lot

07-011-000

Building # 1

PI

195

Account

204

Valuation Summary		(Assessed value = 70% of Appraised Value)	Sub Areas		
Item	Appraised	Assessed	Subarea Type	Gross Area (sq ft)	Living Area (sq ft)
Buildings	0	0			
Extras	0	0			
Improvements					
Outbuildings	56600	39600			
Land	408900	157860			
Total	465500	197460			

Outbuilding and Extra Features

Sales History

Owner of Record	Book/ Page	Sale Date	Sale Price
CLARK JASON ARTHUR	0250/0127	2017-12-26	0
CLARK WILLIS & CLAIRE	0019/0089	1974-02-08	0

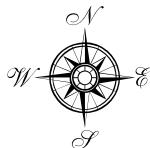
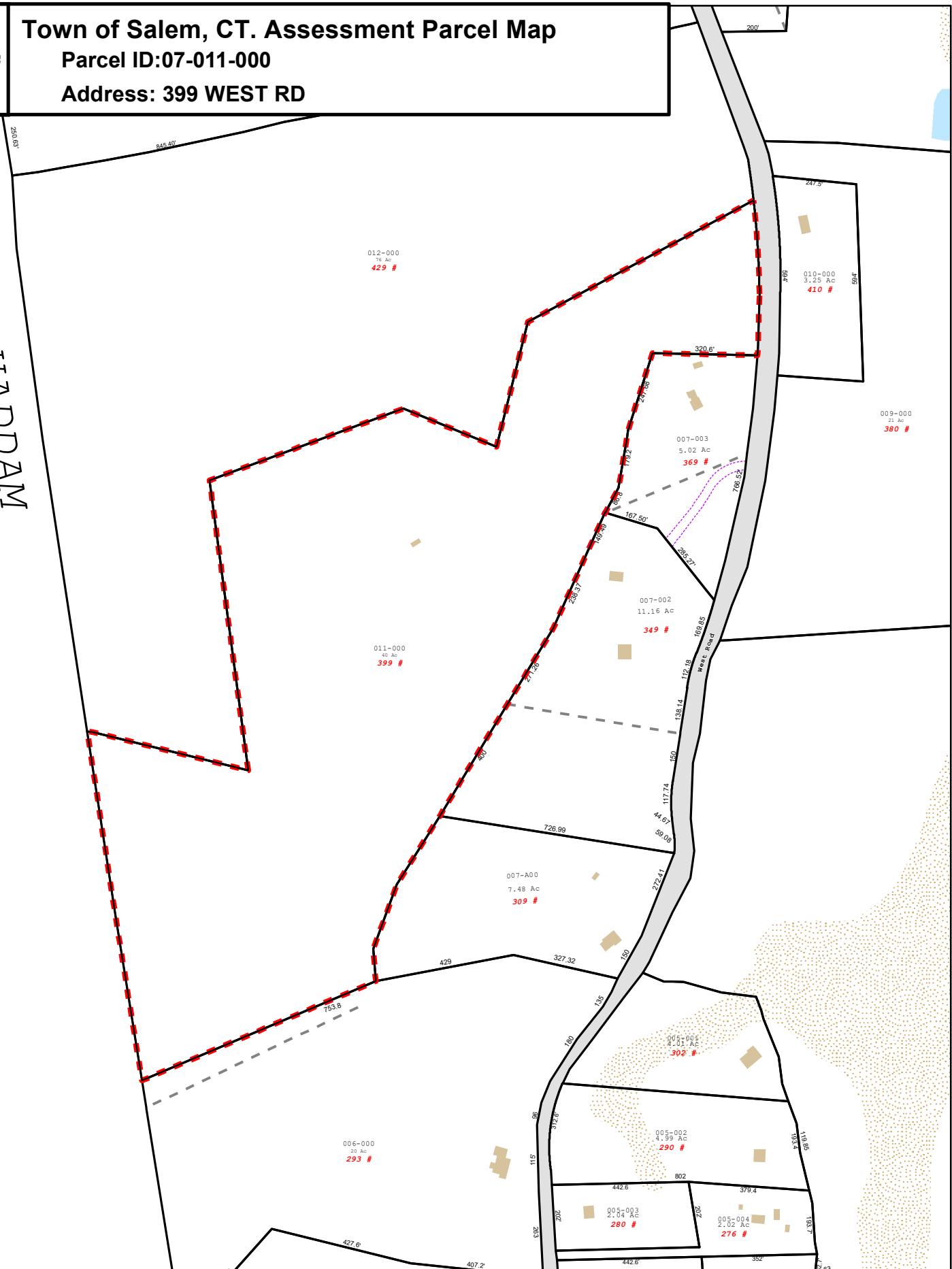


Town of Salem, CT. Assessment Parcel Map

Parcel ID:07-011-000

Address: 399 WEST RD

EAST HADDAM



100 0 100 200 300 400
 Feet

Map Produced: March 2021

Disclaimer: This map is for informational purposes only.

All information is subject to verification by any user.

All information is subject to verification by any user.
The Town of Salem and its mapping contractors assume no legal responsibility for the information contained herein.