

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 & CERTIFIED MAIL RETURN RECEIPT REQUESTED

May 13, 2022

Denise Sabo Northeast Site Solutions 420 Main Street, Suite 1 Sturbridge, MA 01566-1359 denise@northeastsitesolutions.com

RE: **PETITION NO. 1496** – Dish Wireless LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for proposed modifications to an existing telecommunications facility located at 52 New Britain Avenue, Rocky Hill, Connecticut.

Dear Ms. Sabo:

At a public meeting held on May 12, 2022, the Connecticut Siting Council (Council) considered and ruled that the above-referenced proposal would not have a substantial adverse environmental effect, and pursuant to Connecticut General Statutes § 16-50k, would not require a Certificate of Environmental Compatibility and Public Need with the following conditions:

- 1. Approval of any project changes be delegated to Council staff;
- 2. The Council shall be notified in writing at least two weeks prior to the commencement of site construction activities;
- 3. Deployment of any 5G services must comply with FCC and FAA guidance relative to air navigation, as applicable
- 4. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed within three years from the date of the mailing of the Council's decision, this decision shall be void, and the facility owner/operator shall dismantle the facility and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's decision shall not be counted in calculating this deadline. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The facility owner/operator shall provide written notice to the Executive Director of any schedule changes as soon as is practicable;
- 5. Any request for extension of the time period to fully construct the facility shall be filed with the Council not later than 60 days prior to the expiration date of this decision and shall be served on all parties and intervenors, if applicable, and the Town of Rocky Hill;
- 6. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;

- 7. Any nonfunctioning antenna and associated antenna mounting equipment on this facility owned and operated by the Petitioner shall be removed within 60 days of the date the antenna ceased to function;
- 8. The facility owner/operator shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v;
- 9. This Declaratory Ruling may be transferred, provided the facility owner/operator/transferor is current with payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v and the transferee provides written confirmation that the transferee agrees to comply with the terms, limitations and conditions contained in the Declaratory Ruling, including timely payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v; and
- 10. If the facility owner/operator is a wholly owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the facility within 30 days of the sale and/or transfer.

This decision is under the exclusive jurisdiction of the Council and is not applicable to any other modification or construction. All work is to be implemented as specified in the petition dated March 7, 2022, and additional information received on April 22, 2022.

Enclosed for your information is a copy of the staff report on this project.

Sincerely,

Melanie A. Bachman Executive Director

Matria Break

MAB/IN/laf

Enclosure: Staff Report dated May 12, 2022

c: The Honorable Lisa J. Marotta, Mayor, Town of Rocky Hill (lmarotta@rockyhillct.gov) John Mehr, Town Manager, Town of Rocky Hill (jmehr@rockyhillct.gov)



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Petition No. 1496
DISH Wireless, LLC
52 New Britain Avenue
Rocky Hill, Connecticut
Staff Report
May 12, 2022

Introduction

On March 11, 2022, the Connecticut Siting Council (Council) received a petition from DISH Wireless, LLC (DISH) for a declaratory ruling pursuant to Connecticut General Statutes (CGS) §4-176 and §16-50k for proposed modifications to an existing telecommunications facility located at 52 New Britain Avenue in Rocky Hill, Connecticut (Petition or Project). Specifically, DISH proposes to co-locate antennas on the existing monopole and install ground equipment within an expanded compound/lease area at the site.

Pursuant to Regulations of Connecticut State Agencies (RCSA) §16-50j-40, on or about March 7, 2022, DISH provided notice to the abutting property owners and Town of Rocky Hill (Town) officials.

On March 15, 2022, the Council sent correspondence to the Town stating that the Council has received the Petition and invited the Town to contact the Council with any questions or comments by April 10, 2022. No comments were received.

The Council submitted interrogatories to DISH on April 6, 2022. DISH submitted responses to the interrogatories on April 22, 2022.

Pursuant to CGS §4-176(e) of the Uniform Administrative Procedure Act, an administrative agency is required to take action on a petition within 60 days of receipt. On April 21, 2022, pursuant to CGS §4-176(e), the Council voted to set the date by which to render a decision on the Petition as no later than September 7, 2022, which is the 180-day statutory deadline for a final decision under CGS §4-176(i).

Existing Facility

The Town approved the facility in 1998. The Council approved shared use of the tower for telecommunications carriers in 2000.

The existing 182-foot monopole, owned by Crown Castle, facility is located on a 0.57-acre parcel owned by the Town that hosts the Rocky Hill Volunteer Fire Department Station #2. The site is zoned Commercial. The tower is located behind the firehouse building.

The tower hosts multiple telecommunications carriers with AT&T at the 168-foot level, T-Mobile/Sprint at the 157/140-foot level and Verizon at the 90-foot level. The irregular shaped equipment area consists of one existing shelter and two existing platforms which support cabinets and associated ground equipment of the telecommunication carriers.

Proposed Project

DISH proposes to install three 600/1900 MHz antennas and six remote radio units on a platform antenna mount at a centerline height of approximately 130 feet above ground level. The proposed antennas would be capable of providing 5G services.

DISH would expand the existing compound/lease area by removing two existing bollards and installing a 5-foot by 7-foot raised steel equipment platform which would support its radio equipment cabinet and other associated ground level equipment. DISH would also install 5 new protective bollards that match the existing bollards, around its equipment platform.

Underground utilities would be installed within new conduits that extend to existing utility poles on New Britain Avenue.

DISH does not propose backup power (e.g. battery or generator) for this Project.

Commercial Mobile Radio Service (CMRS) providers are licensed by and are under the jurisdiction and authority of the Federal Communications Commission (FCC). At present, no standards for backup power for CMRS providers have been promulgated by the FCC.

The estimated cost of the project is \$48,000. Work hours/days would be 8 AM to 5 PM, Monday-Friday.

Environmental

The compound/lease expansion area is in a level paved parking lot. No trees or other vegetation would be removed to develop the site.

The site is not within a flood zone or proximate to any wetlands.

There would be no increase in tower height. The proposed compound expansion would impact a small portion of the existing site perimeter. Thus, no substantial adverse environmental or visual impact is expected from the proposed installation.

Public Safety

The Project would be constructed in accordance with the 2017 National Electric Code, 2018 Connecticut State Building Code and the American National Standards Institute "Structural Standards for Steel Antenna Towers and Antenna Support Structures" Revision H using a maximum wind speed of 124 miles per hour.

A Professional Engineer duly licensed in the State of Connecticut has certified that the tower is structurally adequate to support the proposed loading.

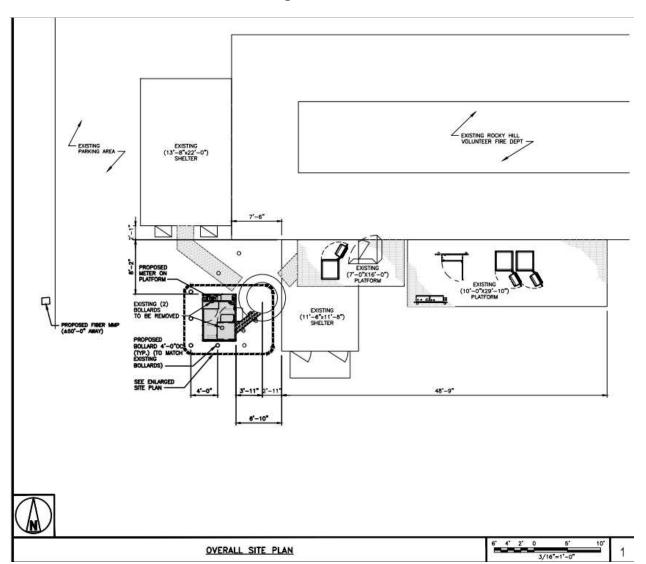
The calculated cumulative power density for the facility after DISH's installation would be 37.2 percent of the applicable limit using a -10 dB off-beam adjustment.

Conclusion

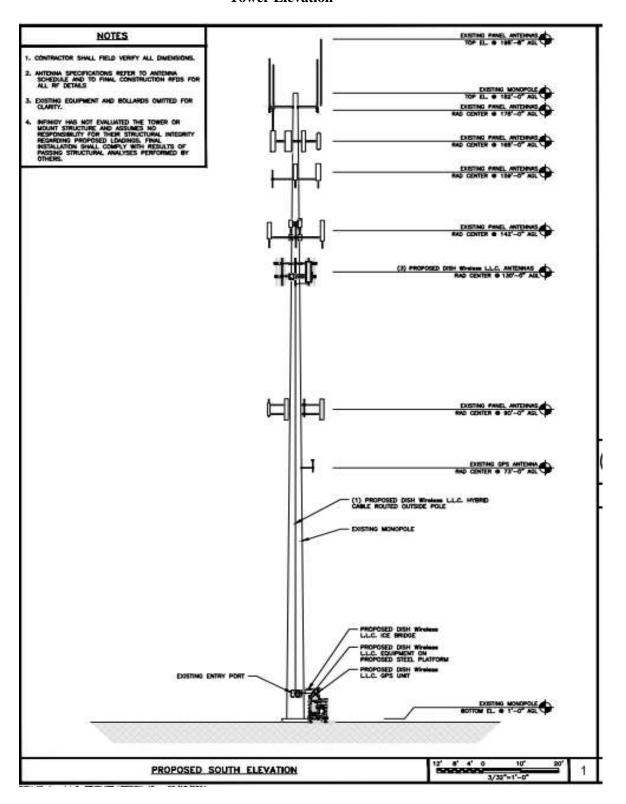
If approved, staff recommends the following conditions:

- 1) Approval of any project changes be delegated to Council staff;
- 2) The Council shall be notified in writing at least two weeks prior to the commencement of site construction activities; and
- 3) Deployment of any 5G services must comply with FCC and FAA guidance relative to air navigation, as applicable.

Compound Site Plan



Tower Elevation



STATE OF CONNECTICUT)	
	: ss. Southington, Connecticut	May 13, 2022
COUNTY OF HARTFORD)	
	is a true and correct copy of the Decis ticut Siting Council, State of Connecticut.	ion and Staff Report in
	ATTEST:	
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	Melanie A. Bachman Executive Director Connecticut Siting Council	
STATE OF CONNECTICUT)	
	: ss. New Britain, Connecticut	May 13, 2022
COUNTY OF HARTFORD)	
I certify that a copy of the Connecti	icut Siting Council Decision and Staff Rep	port in Petition No. 1496

I certify that a copy of the Connecticut Siting Council Decision and Staff Report in Petition No. 1496 has been forwarded by Certified First Class Return Receipt Requested mail, on May 13, 2022, to all parties and intervenors of record as listed on the attached service list, dated March 15, 2022.

ATTEST:

/s/ Lísa A. Fontaine

Lisa A. Fontaine
Fiscal Administrative Officer
Connecticut Siting Council

Date: March 15, 2022 Petition No. 1496
Page 1 of 1

LIST OF PARTIES AND INTERVENORS $\underline{SERVICE\;LIST}$

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Petitioner	⊠ E-mail	Dish Wireless, LLC	Denise Sabo Northeast Site Solutions 420 Main Street, Suite 1 Sturbridge, MA 01566-1359 Phone (860) 209-4690 denise@northeastsitesolutions.com