



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 27, 2022

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

RE: **PETITION NO. 1500** - 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 36 (a/k/a 38) Hatchetts Hill Road, Old Lyme, Connecticut.

Dear Ms. Sabo:

At a public meeting held on May 26, 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 Old Lyme;
6. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;

May 27, 2022

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 25, 2022 and additional information received April 21, 2022.

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

Sincerely,



Melanie A. Bachman
Executive Director

MAB/RDM/laf

Enclosure: Staff Report dated May 26, 2022

c: The Honorable Timothy Griswold, First Selectman, Town of Old Lyme (tgriswold@oldlyme-ct.gov)



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Petition No. 1500
DISH Wireless, LLC
36 (a/k/a 38) Hatchetts Hill Road, Old Lyme

Staff Report
May 26, 2022

Introduction

On March 25, 2022, DISH Wireless, LLC (DISH) submitted a petition (Petition) to the Connecticut Siting Council (Council) 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 36 (a/k/a 38) Hatchetts Hill Road in Old Lyme, 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 March 21, 2022, DISH provided notice to the abutting property owners and Town of Old Lyme (Town) officials.

On March 30, 2022, the Council sent correspondence to the Town stating that the Council has received the Petition and invited the municipality to contact the Council with any questions or comments by April 24, 2022. No comments have been received to date.

The Council submitted interrogatories to DISH on April 6, 2022. DISH submitted responses to the interrogatories on April 21, 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 May 12, 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 21, 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 January of 1999. The Council approved shared use of the tower for telecommunications carriers in 2000. On September 28, 2017, in Petition No. 1320, the Council issued a declaratory ruling to Cellco for the expansion of the compound for the installation of a Centralized Radio Access Network at the existing facility.

The existing 190-foot monopole, owned by Crown Castle, is located on an 8.2-acre parcel owned by Hatchetts Hill LLC. The site is zoned Light Industrial and is used as a construction yard for Pasqualini Construction Inc. The tower is located adjacent to a garage.

The tower hosts multiple telecommunications carriers with T-Mobile, Cellco and AT&T, located at antenna centerline heights of 191, 175 and 168 feet above ground level (agl), respectively. An irregular fenced equipment compound is located at the base of the tower that contains equipment cabinets, shelters and other ground equipment of the existing telecommunication carriers.

Proposed Project

DISH proposes to install three 600/1900/2100 MHz panel antennas and six remote radio units on a platform mount at a centerline height of approximately 155 feet agl. The proposed antennas would be capable of providing 5G services.

DISH would expand the existing compound/lease area by approximately 53.2 square feet to accommodate its ground equipment. The expansion area is in an irregular U-shaped area formed by existing compound fencing that encloses other existing carrier equipment. DISH would install fencing that matches the existing fence on two sides to enclose the U-shaped area.

DISH would install a 5-foot by 7-foot raised steel platform within the expanded compound to support radio and meter cabinets. An underground fiber line would be installed within an existing underground conduit that extends to Hatchetts Hill Road.

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 parking area. 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 compound/lease expansion area is adjacent to an on-site construction yard and no substantial adverse environmental or visual impact is expected from the proposed modifications.

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 126 mph.

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

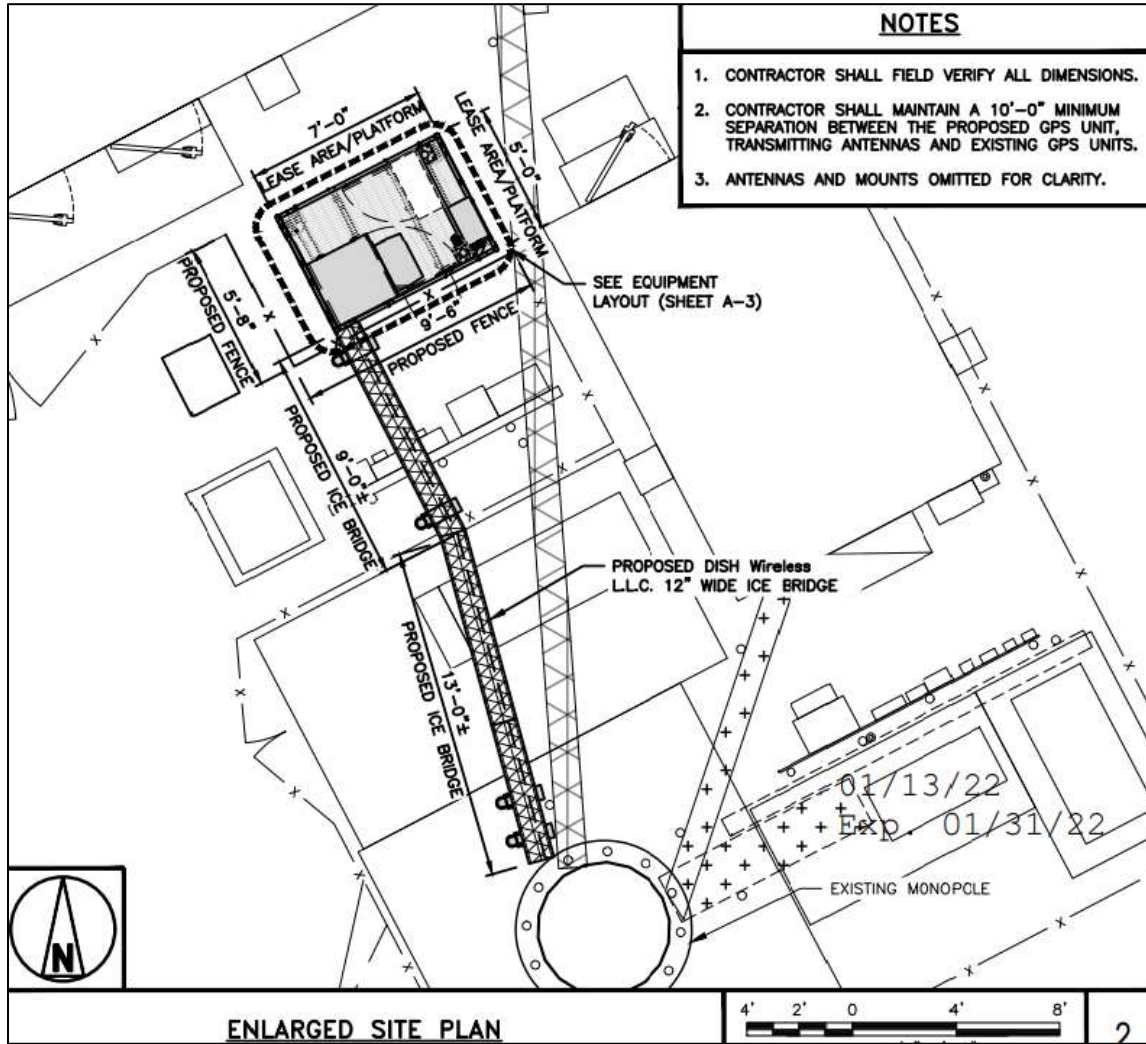
The calculated power density for the facility after DISH’s installation would be 16.0 percent of the applicable limit using a -10 dB off-beam adjustment.

Conclusion

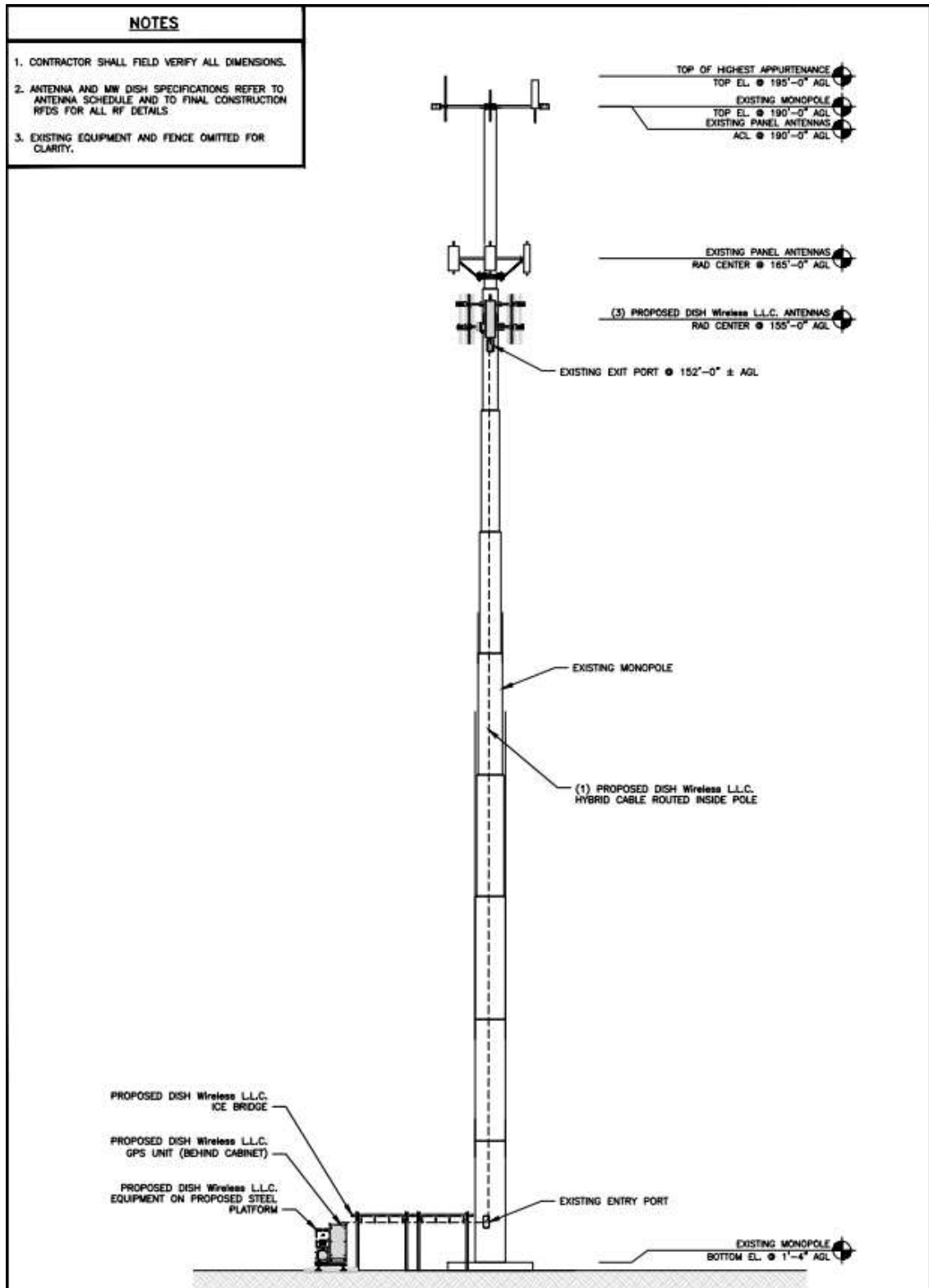
If approved, staff recommends the following conditions:

- 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 Drawing



STATE OF CONNECTICUT)

: ss. Southington, Connecticut May 27, 2022

COUNTY OF HARTFORD)

I hereby certify that the foregoing is a true and correct copy of the Decision and Staff Report in Petition No. 1500 issued by the Connecticut Siting Council, State of Connecticut.

ATTEST:



Melanie A. Bachman
Executive Director
Connecticut Siting Council

STATE OF CONNECTICUT)

: ss. New Britain, Connecticut May 27, 2022

COUNTY OF HARTFORD)

I certify that a copy of the Connecticut Siting Council Decision and Staff Report in Petition No. 1500 has been forwarded by Certified First Class Return Receipt Requested mail, on May 27, 2022, to all parties and intervenors of record as listed on the attached service list, dated March 29, 2022.

ATTEST:

/s/ Lisa A. Fontaine

Lisa A. Fontaine
Fiscal Administrative Officer
Connecticut Siting Council

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Petitioner	<input checked="" type="checkbox"/> 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