



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**

September 16, 2022

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

RE: **PETITION NO. 1528** – 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 128 Mather Street, Wilton, Connecticut.

Dear Denise Sabo:

At a public meeting held on September 15, 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 proposed antenna mount and antennas shall be installed in accordance with the Mount Analysis prepared by Kimley-Horn and Associates, Inc., dated March 9, 2022 and stamped and signed by Kyle Jensen Freehart;
3. Within 45 days following completion of equipment installation, DISH shall provide documentation certified by a Professional Engineer that its installation complied with the recommendations of the Mount Analysis;
4. The Council shall be notified in writing at least two weeks prior to the commencement of site construction activities;
5. Deployment of any 5G services must comply with FCC and FAA guidance relative to air navigation, as applicable;
6. Dish shall submit an annual report relative to its ability to provide backup power during an electric service outage and plans concerning the provision of backup power no later than October 1, 2022 in compliance with CGS §16-50// and the Council's August 4, 2022 Memorandum;
7. 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

September 16, 2022

- Executive Director. The facility owner/operator shall provide written notice to the Executive Director of any schedule changes as soon as is practicable;
8. 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 Wilton;
 9. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
 10. 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;
 11. 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;
 12. 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
 13. 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 June 29, 2022, and additional information received August 24, 2022.

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

Sincerely,



Melanie A. Bachman
Executive Director

MAB/IN/laf

Enclosure: Staff Report dated September 15, 2022

c: The Honorable Lynne Vanderslice, First Selectwoman, Town of Wilton
(lynne.vanderslice@wiltonct.org)



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Petition No. 1528
DISH Wireless, LLC
128 Mather Street
Wilton, Connecticut
Staff Report
September 15, 2022

Introduction

On July 8, 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 128 Mather Street in Wilton, Connecticut (Petition or Project). Specifically, DISH proposes to co-locate antennas on the existing self-supporting lattice tower 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 June 29, 2022, DISH provided notice to the abutting property owners and Town of Wilton (Town) officials.

On July 8, 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 August 7, 2022. No comments were received.

The Council submitted interrogatories to DISH on August 8, 2022. DISH submitted responses to the interrogatories on August 24, 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 August 18, 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 January 4, 2023, which is the 180-day statutory deadline for a final decision under CGS §4-176(i).

Existing Facility

The Council issued a Certificate to Metro Mobile CTS of Fairfield County, Inc. for this facility on May 3, 1988 in Docket No. 94.

The existing 180-foot self-supporting lattice tower, owned by Crown Castle, is located on a 74.12-acre mostly undeveloped wooded parcel owned by the Town. The parcel hosts the Town's transfer station. The site is zoned Single Family Residential (R-2). The tower is located in the southeastern portion of the parcel adjacent to the transfer station.

The tower hosts Verizon at the 164-foot level, AT&T at the 154-foot level and Sprint/T-Mobile at the 144/93-foot levels. The rectangular shaped fenced equipment compound consists of two existing equipment buildings and four existing concrete pads which support cabinets and associated ground equipment of the telecommunications carriers.

Proposed Project

DISH proposes to install three 600/1900/2190 MHz antennas and six RRUs on three sector frame antenna mounts at a centerline height of approximately 170 feet above ground level. The proposed antennas would be capable of providing 5G services.

DISH would expand the existing compound/lease area by approximately 24 square feet and install a 5-foot by 7-foot raised steel equipment platform which would support its radio equipment cabinet and other associated ground level equipment. The expansion area would be a rectangle-shaped area in the western part of the compound and would be enclosed by a fence that matches the existing fence.

Electric utility would connect to an existing meter vacated by MetroPCS on an existing utility board to the southeast via underground conduit. Telecom would connect underground and extend southwest to Mather Street.

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

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. The project would take approximately two weeks to complete. Work would occur during regular business hours, or as allowed by the property owner.

Environmental

The compound/lease expansion area is in a previously disturbed 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 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 116 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 with certain conditions.

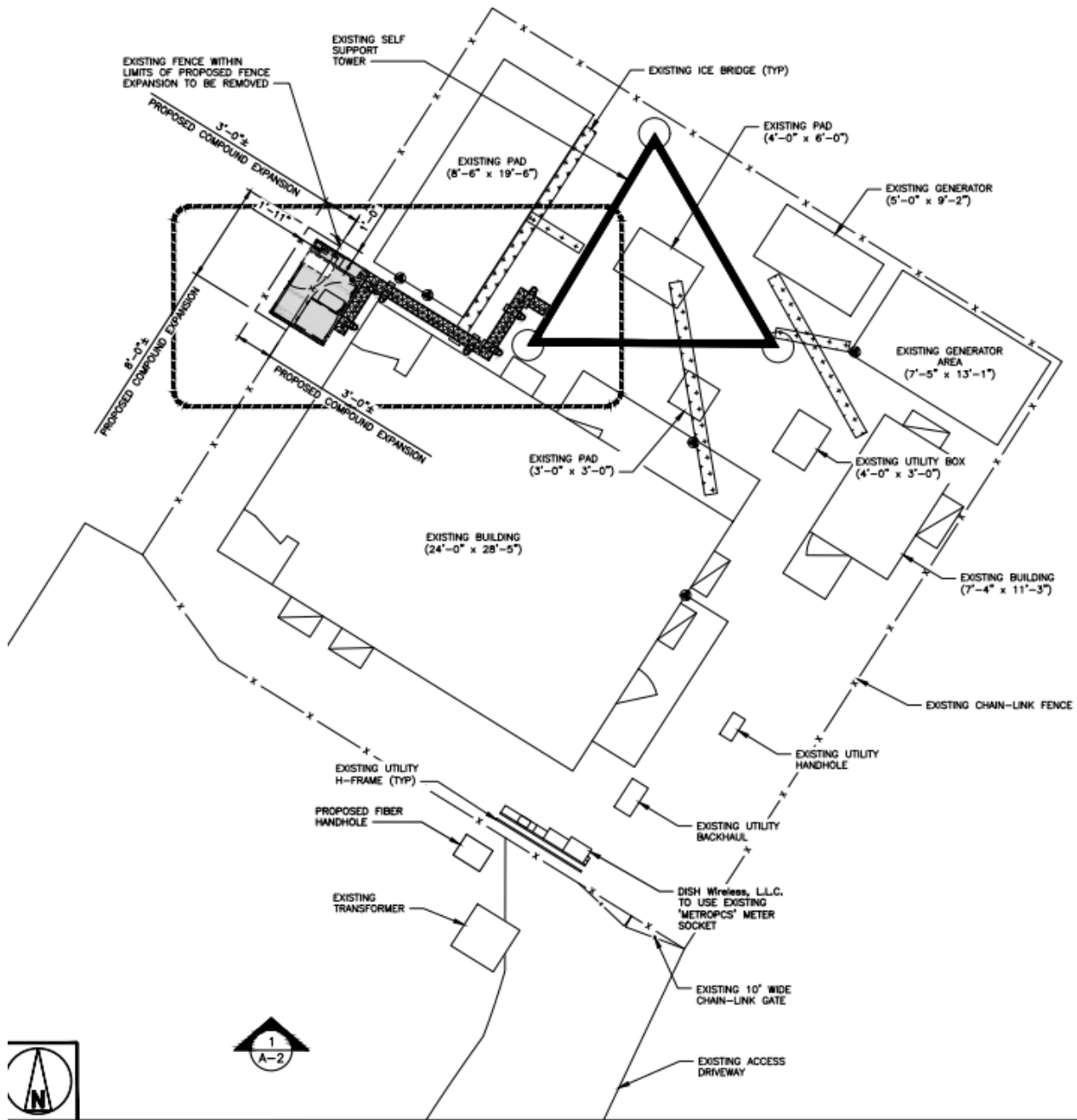
The calculated cumulative power density for the facility after DISH’s installation would be 28.8 percent of the applicable limit using a -10 dB off-beam adjustment.

Conclusion

If approved, staff recommends the following conditions:

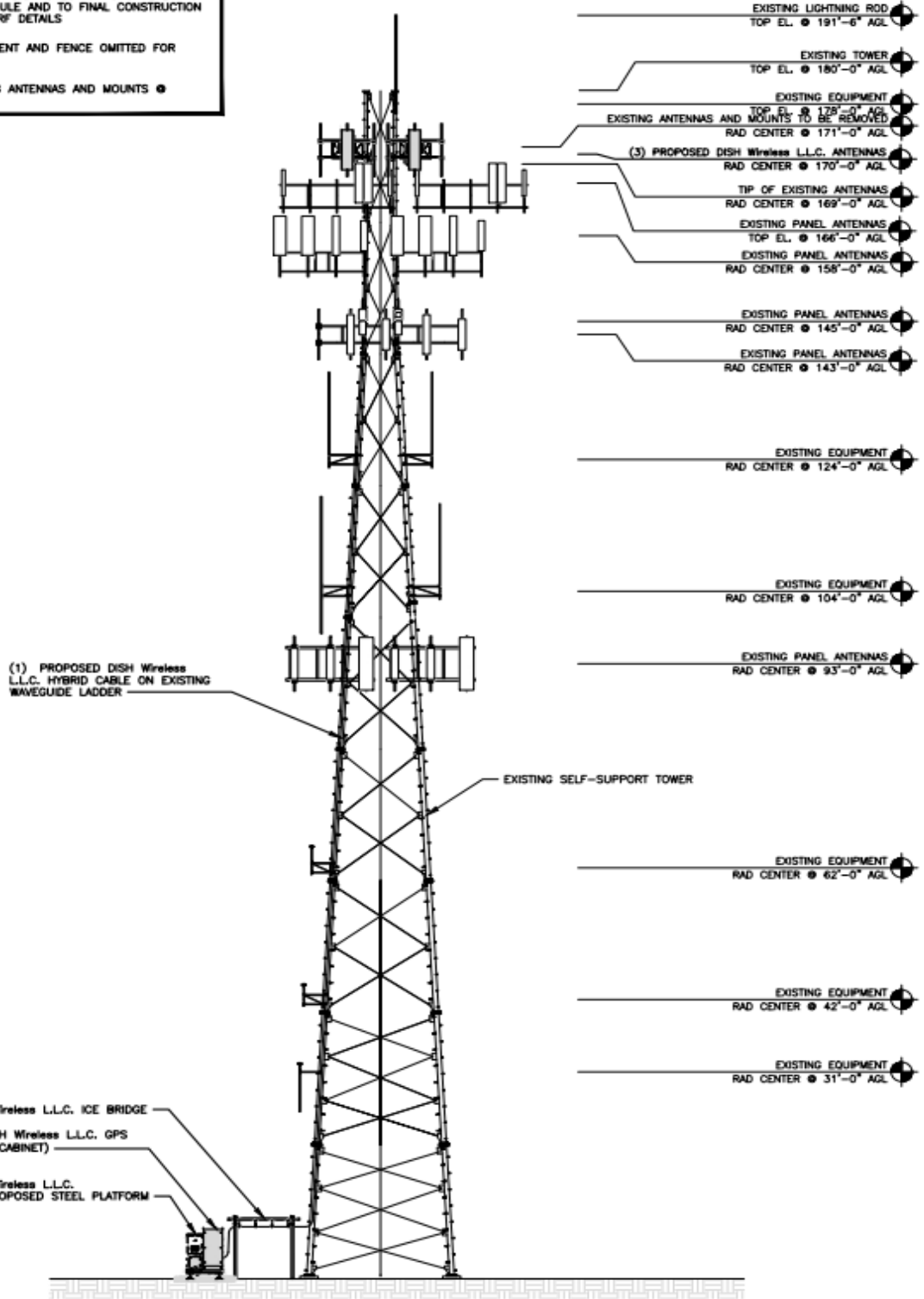
- 1) Approval of any project changes be delegated to Council staff;
- 2) The proposed antenna mount and antennas shall be installed in accordance with the Mount Analysis prepared by Kimley-Horn and Associates, Inc., dated March 9, 2022 and stamped and signed by Kyle Jensen Freehart;
- 3) Within 45 days following completion of equipment installation, DISH shall provide documentation certified by a Professional Engineer that its installation complied with the recommendations of the Mount Analysis;
- 4) The Council shall be notified in writing at least two weeks prior to the commencement of site construction activities;
- 5) Deployment of any 5G services must comply with FCC and FAA guidance relative to air navigation, as applicable; and
- 6) DISH shall submit an annual report relative to its ability to provide backup power during an electric service outage and plans concerning the provision of backup power no later than October 1, 2022 in compliance with CGS §16-50*ll* and the Council's August 4, 2022 Memorandum (copy attached).

Compound Site Plan



Tower Elevation

1. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS.
2. ANTENNA AND MW DISH SPECIFICATIONS REFER TO ANTENNA SCHEDULE AND TO FINAL CONSTRUCTION RFDS FOR ALL RF DETAILS
3. EXISTING EQUIPMENT AND FENCE OMITTED FOR CLARITY.
4. REMOVE EXISTING ANTENNAS AND MOUNTS @ 171'-0" AGL.



Council's Memorandum Regarding the Annual Backup Power Report



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VIA ELECTRONIC MAIL

August 4, 2022

TO: Lucia Chiochio, Esq., New Cingular Wireless PCS, LLC
Christopher Fisher, Esq., New Cingular Wireless PCS, LLC
Brian Leyden, AT&T Mobility
Sara Brady, AT&T Mobility
Michelle Painter Lama, Esq., T-Mobile
Mark Richard, T-Mobile
Susan Emery, T-Mobile
Kenneth Baldwin, Esq., Verizon Wireless
Tim Parks, Verizon Wireless
Jeanne Cottrell, Dish Wireless, LLC

FROM: Melanie Bachman, Executive Director *MB*

RE: Conn. Gen. Stat. §16-50//

Pursuant to Connecticut General Statutes §16-50//, the Connecticut Siting Council and the Department of Emergency Services and Public Protection jointly request that each provider of mobile radio service, as defined in 47 C.F.R. 20.3, submit a report for any telecommunications tower or antenna owned, leased or operated by such provider of mobile radio service relative to the following:

1. the ability to provide back-up power during an electric service outage; and
2. plans concerning the provision of backup power.

In accordance with the statute, any information provided in the report shall be considered confidential, not subject to disclosure under the Freedom of Information Act, as defined in section 1-200 of the Connecticut General Statutes, and shall not be transmitted to any person except as needed to comply with the statute.

Please mail a detailed report no later than October 1, 2022 to the following agencies:

Connecticut Siting Council
ATTN: Melanie Bachman, Esq.
10 Franklin Square
New Britain, CT 06051
Siting.council@ct.gov

Department of Emergency Services and Public Protection
Division of Emergency Management and Homeland Security
ATTN: Brenda Bergeron, Esq.
1111 Country Club Road
Middletown, CT 06457
Brenda.bergeron@ct.gov

Thank you in advance for your cooperation.

MB/CMW/laf

STATE OF CONNECTICUT)

: ss. Southington, Connecticut

September 16, 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. 1528 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

September 16, 2022

COUNTY OF HARTFORD)

I certify that a copy of the Connecticut Siting Council Decision and Staff Report in Petition No. 1528 has been forwarded by Certified First Class Return Receipt Requested mail, on September 16, 2022, to all parties and intervenors of record as listed on the attached service list, dated July 8, 2022.

ATTEST:



Lisa Fontaine
Fiscal Administrative Officer
Connecticut Siting Council

Date: July 8, 2022

Petition No. 1528
Page 4 of 1

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, Unit 3 Sturbridge, MA 01566-1359 Phone (860) 209-4690 denise@northeastsitesolutions.com