



# 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](mailto:siting.council@ct.gov)

Web Site: [portal.ct.gov/csc](http://portal.ct.gov/csc)

### VIA ELECTRONIC MAIL & CERTIFIED MAIL RETURN RECEIPT REQUESTED

September 15, 2023

Victoria Masse  
Northeast Site Solutions  
420 Main Street, Unit 1, Box 2  
Sturbridge, MA 01566-1359  
[victoria@northeastsitesolutions.com](mailto:victoria@northeastsitesolutions.com)

RE: **PETITION NO. 1570** – 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 Chesley Park, 35 Wildwood Street, New Britain, Connecticut.

Dear Victoria Masse:

At a public meeting held on September 14, 2023, 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 and with the following conditions:

1. Approval of any project changes be delegated to Council staff;
2. Prior to installation of Dish's antennas, the proposed tower modifications shall be installed in accordance with the Structural Analysis prepared by GPD Engineering, dated April 10, 2023, and stamped and signed by Christopher J. Schecks;
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 Structural Analysis;
4. Radio frequency access restriction and caution signage shall be installed at the site in compliance with FCC guidance;
5. Deployment of any 5G services must comply with FCC and FAA guidance relative to air navigation, as applicable;
6. The proposed fence for the expansion area shall be designed to match the existing equipment compound fence;
7. The Council shall be notified in writing at least two weeks prior to the commencement of site construction activities;
8. 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;

9. 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 City of New Britain;
10. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed **along with a representative photograph of the facility modification**;
11. Any nonfunctioning antenna and associated antenna mounting equipment on this facility owned and operated by Dish Wireless shall be removed within 60 days of the date the antenna ceased to function;
12. If the facility ceases to be used for signal transmission or reception in the electromagnetic spectrum pursuant to a Federal Communications Commission license for a period of one year, the facility owner/operator shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council within 90 days from the one year period of cessation of signal transmission or reception. The facility owner/operator may submit a written request to the Council for an extension of the 90 day period not later than 60 days prior to the expiration of the 90 day period; and
13. This Declaratory Ruling may be transferred or partially transferred, provided both the facility owner/operator/transferor and the transferee are current with payments to the Council for their respective annual assessments and invoices under Conn. Gen. Stat. §16-50v. 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. Both the facility owner/operator/transferor and the transferee shall provide the Council with a written agreement as to the entity responsible for any quarterly assessment charges under Conn. Gen. Stat. §16-50v(b)(2) that may be associated with this facility, including contact information for the individual acting on behalf of the transferee.

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 April 26, 2023, and additional correspondence received July 28, 2023.

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

Sincerely,



Melanie A. Bachman  
Executive Director

MAB/IN/dll

Enclosure: Staff Report dated September 14, 2023

c: The Honorable Erin Stewart, Mayor, City of New Britain ([Mayor@NewBritainCT.gov](mailto:Mayor@NewBritainCT.gov))

STATE OF CONNECTICUT )

: ss. Southington, Connecticut

September 15, 2023

COUNTY OF HARTFORD )

I hereby certify that the foregoing is a true and correct copy of the Decision and Staff Report in Petition No. 1570 issued by the Connecticut Siting Council, State of Connecticut.

ATTEST:



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Melanie A. Bachman  
Executive Director  
Connecticut Siting Council

STATE OF CONNECTICUT )

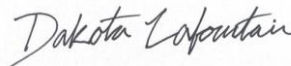
: ss. New Britain, Connecticut

September 15, 2023

COUNTY OF HARTFORD )

I certify that a copy of the Connecticut Siting Council Decision and Staff Report in Petition No. 1570 has been forwarded by Certified First Class Return Receipt Requested mail, on September 15, 2023, to each party and intervenor, or its authorized representative, as listed on the attached service list, dated May 1, 2023.

ATTEST:



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Dakota LaFountain  
Clerk Typist  
Connecticut Siting Council

Date: May 1, 2023

Petition No. 1570  
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**LIST OF PARTIES AND INTERVENORS**  
**SERVICE LIST**

<b>Status Granted</b>	<b>Document Service</b>	<b>Status Holder (name, address &amp; phone number)</b>	<b>Representative (name, address &amp; phone number)</b>
<b>Petitioner</b>	<input checked="" type="checkbox"/> E-mail	Dish Wireless, LLC	Victoria Masse Northeast Site Solutions 420 Main Street, Unit 1, Box 2 Sturbridge, MA 01566-1359 Phone (860) 306-2326 <a href="mailto:victoria@northeastsitesolutions.com">victoria@northeastsitesolutions.com</a>



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**Petition No. 1570**  
**DISH Wireless, LLC**  
**Chesley Park, 35 Wildwood Street**  
**New Britain, Connecticut**

**Staff Report**  
**September 14, 2023**

**Notice**

On April 28, 2023, 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 35 Wildwood Street in New Britain, 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 April 26, 2023, Dish provided notice to the abutting property owners and City of New Britain (City) officials. No comments from the City or abutting property owners were received.

On May 1, 2023, the Council sent correspondence to the City stating that the Council has received the Petition and invited the City to contact the Council with any questions or comments by May 28, 2023. No comments were received.

The Council submitted interrogatories to Dish on May 23, 2023. Following two extensions, Dish submitted responses to the Council's interrogatories on July 28, 2023.

Pursuant to CGS §4-176(e) of the Uniform Administrative Procedure Act, an administrative agency is required to take an action on a petition within 60 days of receipt. On June 8, 2023, 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 October 25, 2023, which is the 180-day statutory deadline for a final decision under CGS §4-176(i).

**Project Development**

The Project is needed to provide coverage to eastern New Britain including portions of Route 9, Route 72, Route 174 and Route 5 and surrounding areas.

The estimated cost of the Project is \$73,000.

Neither the Project, nor any portion thereof, is proposed to be undertaken by state departments, institutions or agencies, or funded in whole or in part, by the state through any contract or grant. Dish is a private entity.

### **Existing Facility**

The City approved the tower in 2004 when AT&T proposed to replace an existing light pole for collocation of antennas. The Council issued a Declaratory Ruling to Verizon to collocate on this facility in Petition No. 850 on March 13, 2008.

The existing 110-foot monopole, owned by SRR Towers, LLC is located on an 11.85-acre parcel owned by the City. The property is used as a municipal park and is zoned Residential. The tower is located in the southeastern portion of the parcel adjacent to the baseball field. Lights are located at 60 feet above ground level.

The tower hosts AT&T at the top level, T-Mobile at the 100-foot level and Verizon at the 90-foot level. The fenced equipment compound consists of two existing equipment shelters and an existing concrete pad, which support cabinets and associated ground equipment of the telecommunications carriers. An existing generator is also located within the compound.

### **Proposed Modifications**

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 80 feet above ground level. The proposed antennas would be capable of providing 5G services.

Dish would expand the existing compound/lease area by approximately 63 square feet and install a 5-foot by 7-foot raised steel equipment platform to support its radio equipment cabinet and other associated ground level equipment. The expansion area is located about 57 feet west of John Downey Drive. It would be a rectangular area in the southern part of the compound and enclosed by a fence that matches the existing fence.

An underground power line would be installed within new conduits that extend from an existing field electric box to Dish's power protection cabinet mounted to an existing utility H-frame south of Dish's equipment platform. An underground fiber line would also be installed within new conduits that extend from Dish's fiber enclosure to an existing vault box located outside the compound 50 feet south of Dish's equipment platform.

Dish would have battery backup capable of supplying power for up to eight hours in the event of an outage. Dish would also utilize a network sharing agreement with T-Mobile and AT&T in the event of a prolonged outage. Dish proposes to install a generator plug within its equipment platform for future generator use.

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 Project would take approximately three weeks to complete. Work hours/days would be Monday through Saturday, 8:00 a.m. to 6:00 p.m., or as allowed by the tower and property owner.

### **Environmental Effects and Mitigation Measures**

Construction would occur in a previously disturbed area. No trees or other vegetation would be removed or trimmed to develop the site. No excavation or filling would be required. No additional lighting would be installed.

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

The Project site is not located within a Department of Energy and Environmental Protection (DEEP) Natural Diversity Database buffered area or a DEEP designated Aquifer Protection Area.

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 current Connecticut State Building Code, Telecommunications Industry Association (TIA) 222-H Structural Standards for Steel Antenna Towers and Antenna Supporting Structures using a maximum wind speed of 121 miles per hour, the National Electrical Code, the Connecticut State Fire Safety Code, and the Occupational Safety and Health Administration (OSHA) standards.

Construction would take place within the compound and the immediate adjacent area. There would be no impact on park operations or activities.

Expansion of the existing compound would not impact or interfere with any existing nearby public utilities. A fire hydrant is located 62 feet east of the expansion area which is compliant with National Fire Protection Association standards.

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

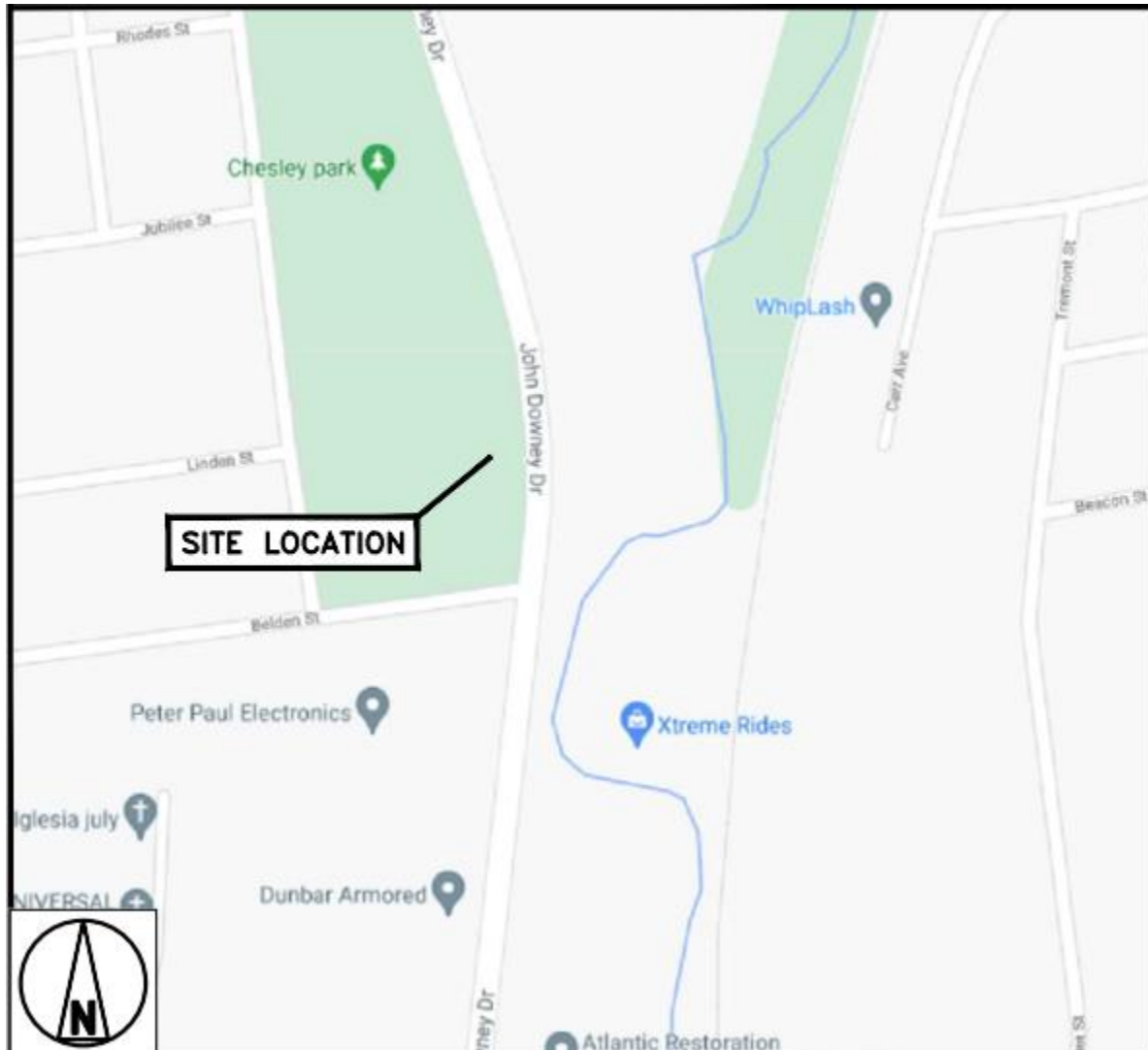
The calculated cumulative worst-case power density after Dish's installation would be 20.7% of the applicable exposure limit established by the Federal Communications Commission at ground level using a far field approximation.

### **Conclusion**

If approved, staff recommends the following conditions:

- 1) Approval of any project changes be delegated to Council staff;
- 2) Prior to installation of Dish's antennas, the proposed tower modifications shall be installed in accordance with the Structural Analysis prepared by GPD Engineering, dated April 10, 2023, and stamped and signed by Christopher J. Schecks;
- 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 Structural Analysis;
- 4) Radio frequency access restriction and caution signage shall be installed at the site in compliance with FCC guidance; and
- 5) Deployment of any 5G services must comply with FCC and FAA guidance relative to air navigation, as applicable.

### Facility Location Map





## Compound Site Plan



## Tower Elevation

