



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051
Phone: (860) 827-2935 Fax: (860) 827-2950
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**VIA ELECTRONIC MAIL & CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

January 4, 2024

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597
kbaldwin@rc.com

RE: **PETITION NO. 1594** - Cellco Partnership d/b/a Verizon Wireless petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed installation of a small wireless telecommunications facility on the roof of the Greenwich Country Club clubhouse and associated equipment at ground level located at 19 Doubling Road, Greenwich, Connecticut. **Final Decision.**

Dear Attorney Baldwin:

At a public meeting held on January 4, 2024, 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. RF access restriction and caution signage shall be installed at the site in compliance with FCC guidance;
3. Deployment of any 5G services must comply with FCC and FAA guidance relative to air navigation, as applicable;
4. The Council shall be notified in writing at least two weeks prior to the commencement of site construction activities;
5. 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;
6. 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 Greenwich;

7. 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**;
8. Any nonfunctioning antenna and associated antenna mounting equipment on this facility owned and operated by Verizon Wireless shall be removed within 60 days of the date the antenna ceased to function;
9. 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;
10. 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; and
11. This Declaratory Ruling may be surrendered by the facility owner/operator upon written notification to the Council.

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 October 4, 2023 and additional correspondence dated November 8, 2023.

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

Sincerely,



Melanie A. Bachman
Executive Director

MAB/CMW/dll

Enclosure: Staff Report dated January 4, 2024

c: The Honorable Fred Camillo, First Selectperson, Town of Greenwich
(fred.camillo@greenwichct.org)

STATE OF CONNECTICUT)

: ss. Southington, Connecticut January 4, 2024

COUNTY OF HARTFORD)

I hereby certify that the foregoing is a true and correct copy of the Decision and Staff Report in Petition No. 1594 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 January 4, 2024

COUNTY OF HARTFORD)

I certify that a copy of the Connecticut Siting Council Decision and Staff Report in Petition No. 1594 has been forwarded by Certified First Class Return Receipt Requested mail, on January 4, 2024, to each party and intervenor, or its authorized representative, as listed on the attached service list, dated October 6, 2023.

ATTEST:



Dakota LaFountain
Clerk Typist
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	Cellco Partnership d/b/a Verizon Wireless	Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 Phone (860) 275-8200 kbaldwin@rc.com



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Petition No. 1594
Cellco Partnership d/b/a Verizon Wireless
Small Wireless Facility
19 Doubling Road
Greenwich, Connecticut

Staff Report
January 4, 2024

Notice

On October 6, 2023, the Connecticut Siting Council (Council) received a petition from Cellco Partnership d/b/a Verizon Wireless (Verizon) for a declaratory ruling, pursuant to Connecticut General Statutes (CGS) §4-176 and §16-50k, for the proposed installation of a small wireless telecommunications facility at 19 Doubling Road, Greenwich, Connecticut (Petition or Project).

The small wireless facility would be installed within two faux chimney radio frequency (RF) transparent enclosures on the roof of the Greenwich Country Club (GCC) clubhouse. It would provide network service to the property and surrounding residential areas.

Pursuant to Regulations of Connecticut State Agencies (RCSA) §16-50j-40, on or about October 4, 2023, Verizon provided notice to abutting property owners and the Town of Greenwich (Town). Verizon received comments from two abutting property owners regarding the proposed wireless service and the appearance of the proposed enclosures.

On October 6, 2023, 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 November 5, 2023. The Town Conservation Commission and Planning and Zoning Department provided comments dated October 26, 2023 and November 3, 2023, respectively¹.

The Council issued interrogatories to Verizon on October 26, 2023. Verizon provided responses to the Council's interrogatories on November 8, 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 for a declaratory ruling within 60 days of receipt. During a regular meeting held on November 9, 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 January 4, 2024, which is within the 180-day statutory deadline for a final decision under CGS §4-176(i) and is the 90-day decision deadline for a small wireless facility on a new structure under Federal Communications Commission (FCC) regulations.

Pursuant to RCSA §16-50v-3: "The Council shall refrain from considering any pending and future matters filed by any person who fails to pay invoice and assessment amounts that are past due to the Council by 30 days or more under §16-50v of the Connecticut General Statutes." On November 30, 2023, the Council provided notice to Verizon that it had 14 invoices that were more than 30 days past due and that the Council will not process any pending and future Verizon matters until payment is received in full. The notice to

¹ https://portal.ct.gov/-/media/CSC/3_Petitions-medialibrary/Petitions_MediaLibrary/MediaPetitionNos1501-1600/PE1594/ProceduralCorrespondence/PE1594_GreenwichConsComandP_ZComments_a.pdf

Verizon had the effect of tolling the FCC 90-day decision deadline for a proposed small wireless facility on a new structure. The Council acknowledged receipt of Verizon's payment in full of the outstanding invoices on December 28, 2023.

Jurisdiction

Pursuant to CGS §16-50i(a)(6), the Council has exclusive jurisdiction over telecommunications towers, including associated equipment, owned or operated by the state, a public service company or a certified telecommunications provider or used in a cellular system.

Under RCSA §16-50j-2a (30), "Tower" means a structure, whether free standing or attached to a building or another structure, that has a height greater than its diameter and that is high relative to its surroundings, or that is used to support antennas for sending or receiving radio frequency signals, or for sending or receiving signals to or from satellites, or any of these, which is or is to be:

- a) **used principally to support one or more antennas** for receiving or sending radio frequency signals, or for sending or receiving signals to or from satellites, or any of these; and
- b) owned or operated by the state, a public service company as defined in Section 16-1 of the Connecticut General Statutes, or a **certified telecommunications provider**, or used in a cellular system, as defined in Section 16-50i(a) of the Connecticut General Statutes. (Emphasis added).

The small wireless facility would support nine antennas on the clubhouse roof. They would be owned and operated by Verizon, a certified telecommunications provider. Thus, the Council has jurisdiction over the proposed small wireless facility.

The FCC specifically defined "small wireless facility" in its 2018 Report and Order as facilities that meet any of the following conditions:

1. Mounted on structures 50 feet or less in height including their antennas; or
2. Mounted on structures no more than 10 percent taller than other adjacent structures; or
3. Do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater.

The faux chimneys do not extend the existing structure on which they are located more than 10 percent. They do not extend above the height of the tallest portion of the clubhouse roof. The Project is a "small wireless facility" under the FCC definition.

Project Development

The Project is needed to improve Verizon's wireless services on the GCC parcel and the surrounding residential areas including North Street, Stanwich Road, Doubling Road, Fairway Lane, Hill Road, Alpha Drive and Wyngate Road. The proposed facility would provide wireless service in Verizon's 700/850/1900/2100/3600/3700 MHz frequency ranges. It would interact with existing Verizon small cell facilities in the area and offload traffic from an existing site to the southeast. The facility would be capable of providing 5G services.

The estimated cost of the Project is \$300,000.

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. Verizon is a private entity.

Proposed Small Wireless Facility

GCC is located on an approximately 165-acre parcel owned by GCC and surrounded by residential areas. The tallest structure on the building is a chimney extending to a height of 56 feet above ground level (agl). The nearest property boundary is 809 feet to the west and the nearest residential structure is 870 feet to the west, both located at 10 Golf Club Road.

Verizon proposes to install nine 700/850/1900/2100/3600/3700 MHz panel antennas and six remote radio units attached to pipe masts within two faux chimney enclosures, one on the west end of the building and one on the east end. Six antennas and three remote radio units would be installed 10 feet above the roof at 52 feet agl in the western portion of the roof (Enclosure 1) in the location of an existing decorative chimney structure. This existing decorative chimney structure would be removed to the roofline and replaced with Enclosure 1. Three antennas and three remote radio units would be installed 12 feet above the roof at 49 feet, 9 inches agl in the eastern portion of the roof (Enclosure 2) in a location that does not host an existing decorative chimney structure.

Telephone service would be routed within conduits from the facility through the clubhouse building attic to Verizon's ground equipment adjacent to the northeast corner of the clubhouse. Electric service would be routed within conduits from an existing utility room in the basement of the building to Verizon's ground equipment that would be installed on a 5-foot by 8-foot concrete pad adjacent to existing GCC mechanical equipment enclosed by an existing 6-foot tall fence.

The faux chimney structures are designed to accommodate future antenna and equipment upgrades without substantial modifications.

Verizon would share GCC's 750-kilowatt natural gas-fueled emergency backup generator. Additionally, Verizon would install up to eight hours of battery backup power to the proposed facility in the event of a power outage.

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.

Normal work hours would be Monday through Saturday from 7:00 AM to 4:00 PM. Installation of the facility would take 12-15 weeks.

Environmental Effects and Mitigation Measures

No tree removal or grading is proposed. All rooftop antenna installations would be screened behind faux chimney structures. Ground equipment would be located adjacent to the existing GCC mechanical equipment behind an ornamental fence. The existing 6-foot-tall fence would be replaced with an 8-foot-tall fence of the same design that would exceed the height of Verizon's ground equipment and battery cabinets.

The visual impact of the proposed small wireless facility would be minimal as it would be enclosed within faux chimney screening enclosures painted to match the existing chimneys on the roof of the building. Ground equipment would be screened behind the proposed 8-foot-tall ornamental fence. Year-round views of the facility would be limited to the host parcel and its immediate surroundings.

No schools or commercial child day care centers are located within 250 feet of the proposed facility. The nearest school is North Street School approximately 0.4-mile to the west. Greenwich Country Day School - Lower Elementary School is approximately 0.5-mile south of the proposed facility. The facility may be visible from both schools during leaf-off conditions.

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 120 miles per hour, the National Electrical Code, the Connecticut State Fire Safety Code, and the Occupational Safety and Health Administration (OSHA) standards.

Verizon's proposed equipment installation would be capable of supporting text-to-911 service, comply with federal E911 requirements and the Warning, Alert and Response Network Act of 2006.

The proposed facility does not require registration with the Federal Aviation Administration as it would not extend above the tallest existing chimney on the roof of the building.

A Professional Engineer duly licensed in the State of Connecticut has certified that the existing chimney enclosures and antenna mounts are structurally adequate to support the proposed loading.

The location of the proposed small wireless facility is on the roof of the clubhouse building and is not accessible to the public. Any work inside the clubhouse building would be limited to the installation of the cables for facility connections. Ground equipment would be locked, and silent intrusion alarms would be monitored remotely. Additionally, existing security measures at GCC would deter unauthorized access and vandalism.

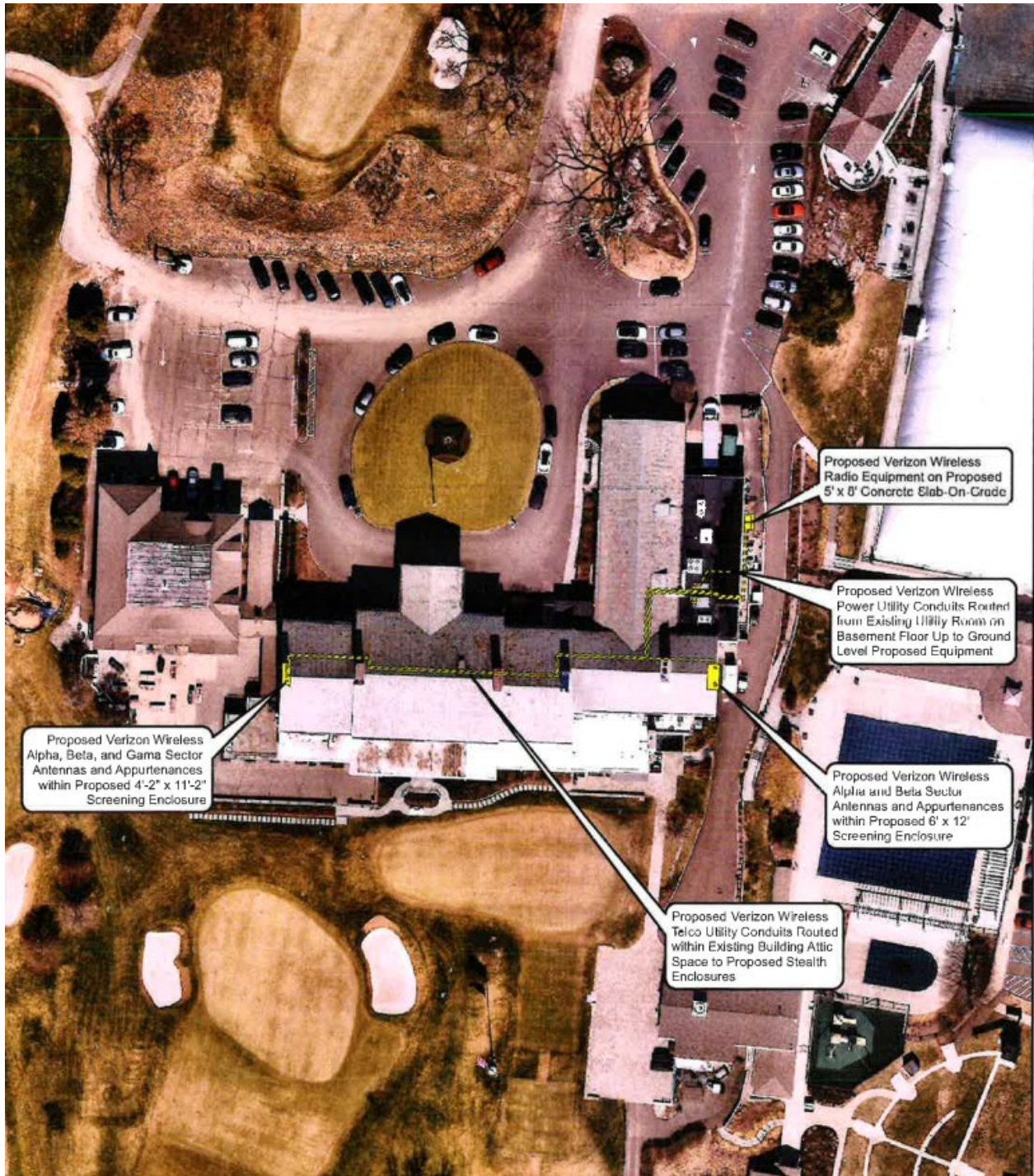
The calculated cumulative worst-case power density of Verizon's installation would be 7.9% of the applicable exposure limit established by the FCC at ground level using a far field approximation.

Conclusion

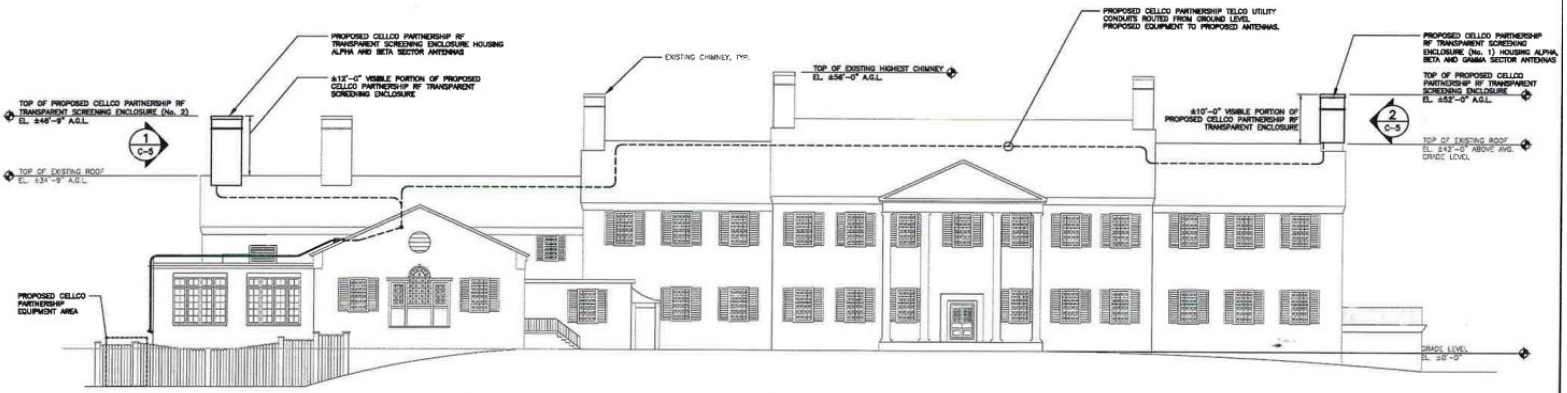
If approved, staff recommends the following conditions:

1. Approval of any project changes be delegated to Council staff;
2. RF access restriction and caution signage shall be installed at the site in compliance with FCC guidance; and
3. Deployment of any 5G services must comply with FCC and FAA guidance relative to air navigation, as applicable.

Site Location



Facility Elevation Site Plan



1 NORTH BUILDING ELEVATION
D-3 SCALE: 1" = 10'