



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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

June 21, 2024

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

RE: **PETITION NO. 1629** – 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 and associated equipment on the roof of a multiuse building located at 330 Roberts Street, East Hartford, Connecticut. **Final Decision.**

Dear Attorney Baldwin:

At a public meeting held on June 20, 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 East Hartford;

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 Cellco 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. 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;
11. 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
12. 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 April 17, 2024, and additional information received on June 3, 2024.

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 June 20, 2024

c: The Honorable Connor Martin, Mayor, Town of East Hartford (cmartin@easthartfordct.gov)
Service List dated April 18, 2024

STATE OF CONNECTICUT)

: ss. Southington, Connecticut June 21, 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. 1629 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 June 21, 2024

COUNTY OF HARTFORD)

I certify that a copy of the Connecticut Siting Council Decision and Staff Report in Petition No. 1629 has been forwarded by Certified First Class Return Receipt Requested mail, on June 21, 2024, to each party and intervenor, or its authorized representative, as listed on the attached service list, dated April 18, 2024.

ATTEST:



Lisa 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	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. 1629
Cellco Partnership d/b/a Verizon Wireless
Small Wireless Facility
330 Roberts Street
East Hartford, Connecticut

Staff Report
June 20, 2024

Notice

On April 18, 2024, the Connecticut Siting Council (Council) received a petition from Cellco Partnership d/b/a Verizon Wireless (Cellco) 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 to be located at 330 Roberts Street, East Hartford, Connecticut (Petition or Project).

The small wireless facility would be installed on pipe masts attached to the existing screen wall on the roof of a four story office building owned by SMK Roberts Street LLC. It would replace Cellco's existing wireless facility on the roof of the former Ramada Inn hotel building located approximately 512 feet to the south at 363 Roberts Street.

Pursuant to Regulations of Connecticut State Agencies (RCSA) §16-50j-40, on or about April 17, 2024, Cellco provided notice to abutting property owners and the Town of East Hartford (Town). Cellco received questions from the Town regarding the proposed facility and Council jurisdiction.

On April 19, 2024, 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 May 18, 2024. No comments were received.

The Council issued interrogatories to Cellco on May 20, 2024. Cellco provided responses to the Council's interrogatories on June 3, 2024.

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 June 6, 2024, 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 July 17, 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.

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 proposed wireless facility would include the installation of nine antennas on the roof of the four story office building. They would be owned and operated by Cellco, 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 proposed antennas mounted on pipe masts would not extend the existing structure on which they are located more than 10 percent. The Project is a “small wireless facility” under the FCC definition.

Existing Rooftop Non-Tower Antenna Array

Cellco currently maintains a non-tower antenna array (NTAA) on the roof of the Ramada Inn Hotel located at 363 Roberts Street that was approved by the Town on February 11, 2015. Cellco’s antennas are located at 53 feet above ground level (agl). The existing facility consists of nine antennas attached to the façade of an equipment screen wall on the roof of the building. Associated equipment is located on the ground adjacent to the building.

The NTAA provides 700/850/1900/2100/3700 MHz service to portions of Interstate 84 (I-84) and the surrounding area. The NTAA would remain in service until the proposed facility is operational and would then be decommissioned.

Project Development

The proposed replacement facility would maintain Cellco’s existing coverage providing service to portions of I-84 and the surrounding commercial and residential areas. The proposed facility would provide wireless service in Cellco’s 700/850/1900/2100/3600/3700 MHz frequency ranges and be capable of providing 5G services.

The estimated cost of the Project is \$350,000. The decommissioning of the Ramada Inn facility would cost an additional \$50,000.

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. Cellco is a private entity.

Proposed Small Wireless Facility

The four story office building is located on a 1.44 acre parcel owned by SMK Roberts Street LLC. The host parcel is zoned Business (B-1) and abuts other similarly zoned parcels to the north, west and east and south, transmission lines to north, Hillside Street to the east and Roberts Street to the south. Further south is I-84 and residential properties. An existing vent stack which would be rerouted around Cellco's proposed equipment platform and would extend to a height of 63.1 feet agl. The nearest property boundary is 45 feet to the northwest and the nearest residential structure is located approximately 1,130 feet to the southeast at 40-200 Nutmeg Lane.

The top of the office building is approximately 50.9 feet agl and currently supports three T-Mobile antennas and associated equipment within a screened equipment area.

Cellco proposes to install nine 700/850/1900/2100/3600/3700 MHz panel antennas and nine remote radio units mounted on pipe masts and attached to the existing 10 foot tall screen wall on the roof of the office building. Six antennas would be installed at a centerline height of 66.9 feet agl and three antennas would be installed at a centerline height of 65.1 feet agl. Cellco's antennas would extend at least 7 feet above the screen wall to a height of 68.1 feet agl. Cellco would also install a 14 foot by 24 foot steel frame equipment platform to the north of the existing screened enclosure to support two equipment cabinets and other associated equipment.

Electric and telephone service would be routed within conduits extending from Cellco's proposed utility riser to the southwestern corner of the building and down the exterior wall of the building to existing fiber and telco connections located in the basement of the building.

Cellco would install a battery cabinet on its equipment platform that could provide up to eight hours of 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 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 5:00 PM. Installation of the facility would take approximately 16 weeks.

Public Health and 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 150 miles per hour, the National Electrical Code, the Connecticut State Fire Safety Code, and the Occupational Safety and Health Administration (OSHA) standards.

Cellco'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 installation would not be a hazard to air navigation and no registration to the Federal Aviation Administration is required.

A Professional Engineer duly licensed in the State of Connecticut has certified that the building rooftop and proposed antenna mount are structurally adequate to support the proposed loading.

The location of the proposed small wireless facility is on the roof of the office building and is not accessible to the public. The door leading to the roof of the building would be always locked and access would be

limited to the wireless carriers and building maintenance personnel. Cellco's equipment would also be alarmed.

The calculated cumulative worst-case power density of Cellco's installation would be 19.5% of the applicable exposure limit established by the FCC at ground level using a far field approximation.

Environmental Effects and Mitigation Measures

No tree removal or grading is proposed. No ground disturbance is proposed. Project construction will occur on the roof of the building and basement of the building.

The visual impact of the proposed small cell wireless facility would be limited primarily to locations where the existing structure can be seen. The seven-foot extension above the existing screen wall is not expected to substantially increase the structure's visibility. Cellco's equipment platform is not screened and would be visible from immediate areas north of the building. Year round and seasonal visibility would occur over approximately 113 acres of a 503-acre study area.

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



Proposed Small Wireless Facility Site Plan



Proposed Verizon Wireless Equipment Cabinets Mounted on 14' x 24' Steel Framed Platform within Proposed Verizon Wireless 15' x 30' Lease Area

Proposed Verizon Wireless Alpha Sector Antennas Mounted to Existing Screening Wall (By Others)

Proposed Verizon Wireless Grounding Conduit (If Required from Proposed Utility Riser L₁ to Existing Water Main in Basement (By Others)

Proposed Verizon Wireless Gamma Sector Antennas Mounted to Existing Screening Wall (By Others)

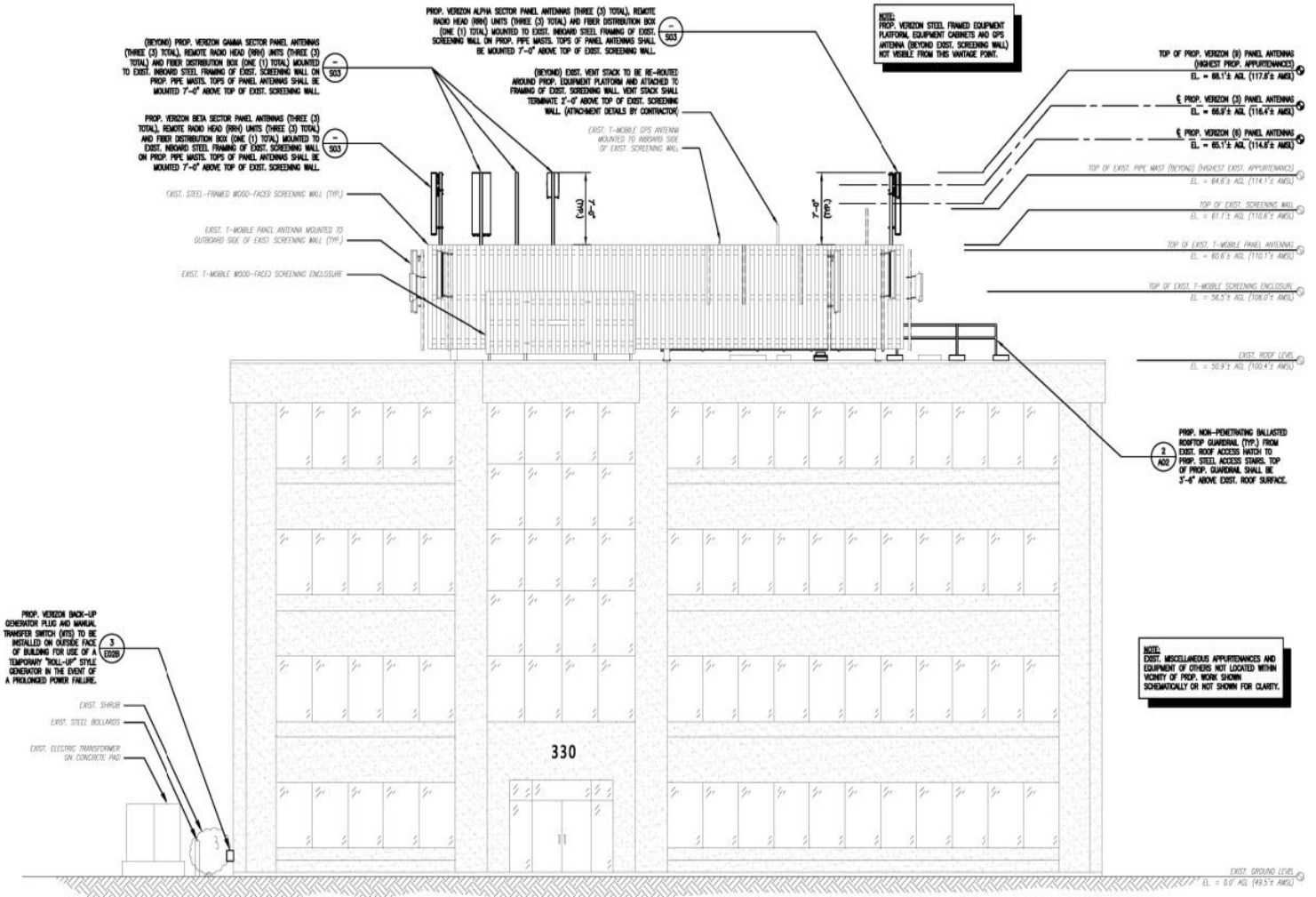
Proposed Verizon Wireless Beta Sector Antennas Mounted to Existing Screening Wall (By Others)

Proposed Verizon Wireless Telco Conduit from Proposed Utility Riser Location to Proposed Telco Backboard in Basement

- Legend**
- Proposed Verizon Wireless Equipment
 - Proposed Verizon Wireless Lease Area
 - Existing Screening Wall (By Others)
 - Existing Electrical Closets Below (By Others)
 - Proposed Verizon Wireless Conduit
 - Approximate Water Main (By Others)
 - Subject Property
 - Approximate Parcel Boundary

Site Schematic
 Proposed Wireless Telecommunications Facility
 East Hartford 8 CT RELO
 330 Roberts Street
 East Hartford, Connecticut

Facility Elevation Site Plan



SOUTHEAST (FRONT) BUILDING ELEVATION (ALONG ROBERTS STREET) 1
SCALE: 3/16" = 1'-0"
0 5'-0" 10'-0" 15'-0"

LEGEND	
AGL	ABOVE GROUND LEVEL
BGL	BELOW GROUND LEVEL
MSL	ABOVE MEAN SEA LEVEL