



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

DATE: October 6, 2015

TO: Telecommunications Service List

FROM: Melanie A. Bachman, Acting Executive Director *MAB*

RE: **Request for Connecticut Siting Council to Assume Jurisdiction over an Uncertificated Telecommunications Facility Located at 1338 Highland Avenue, Cheshire, Connecticut.**

The Connecticut Siting Council (Council) is in receipt of correspondence from the Town of Cheshire (Town) dated October 2, 2015 respectfully requesting the Council assume jurisdiction over the 64-foot existing silo telecommunications facility located at 1338 Highland Avenue in Cheshire. Pursuant to Connecticut General Statutes §16-50k(d), "any person intending to construct a facility excluded from one or more provisions of this chapter may, to the extent permitted by law, elect to waive such exclusion by delivering notice of such waiver to the Council. Such provisions shall thereafter apply to each facility identified in such notice from the date of its receipt by the Council." Although the above-referenced telecommunications facility was approved by the Cheshire Planning & Zoning Commission on November 22, 1999 and has been constructed and operational since that time, the Town has concerns about the entity that is legally responsible for the overall maintenance and condition of the telecommunications facility, as well as related public safety concerns, and has requested the Council assume jurisdiction over the facility.

The purposes for the Town's request are as follows:

1. Certain safety-related issues have recently arisen with the facility;
2. The Town lacks the technical resources and institutional knowledge to ensure that the facility is in compliance with applicable state and federal requirements concerning construction, installation, operation and modification; and
3. The facility meets the definition of a "telecommunications facility" under Connecticut General Statutes §16-50i(a)(6) and the definition of a "tower" under Section 16-50j-2a(23) of the Regulations of Connecticut State Agencies.

A copy of the Town's request and supporting materials are attached for review. The Council hereby requests submission of comments, including, but not limited to, whether a public hearing should be held, regarding the Town's request for the Council to assume jurisdiction over the telecommunications facility located at 1338 Highland Avenue in Cheshire before the close of business on Friday, October 30, 2015.

Thank you for your anticipated cooperation.

MAB/cm

Enclosures

cc: Burton B. Cohen, Esq., Murtha Cullina
Michael A. Milone, Town Manager, Town of Cheshire
William S. Voelker, Town Planner, Town of Cheshire

