



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

www.ct.gov/csc

March 29, 2019

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

RE: **DOCKET NO. 337** - Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located off North Street (Route 63), Goshen, Connecticut.

TS-T-MOBILE-055-181031 - T-Mobile request for an order to approve tower sharing at an existing telecommunications facility located at 442 North Street, Goshen, Connecticut.

Dear Attorney Baldwin:

During a public meeting held on March 28, 2019, the Connecticut Siting Council (Council) by its Decision and Order dated March 28, 2019, modified the Decision and Order in Docket 337 rendered on December 14, 2007 for the construction, maintenance and management of a telecommunications facility located off North Street (Route 63), Goshen, Connecticut and reissued the Certificate of Environmental Compatibility and Public Need (Certificate), thereby eliminating the requirement that panel antennas of commercial wireless telecommunications providers on this telecommunications facility shall be installed using T-arm mounts.

Therefore, the Council hereby approves the T-Mobile tower share request to install eight 1900/2100 MHz antennas, eight remote radio units, one 11 GHz microwave dish, one outdoor unit and five cables on a low-profile square platform antenna mount with a handrail kit at the 138-foot level of the monopole, consistent with **TS-T-MOBILE-055-181031** - T-Mobile request for an order to approve tower sharing at an existing telecommunications facility located at 442 North Street, Goshen, Connecticut, with the following conditions:

1. Approval of any minor changes be delegated to Council staff;
2. Any deviation from the proposed installation as specified in the original tower share request and supporting materials with the Council shall render this decision invalid;
3. Any material changes to the proposed installation as specified in the original tower share request and supporting materials filed with the Council shall require an explicit request for modification to the Council pursuant to Connecticut General Statutes § 16-50aa, including all relevant information regarding the proposed change with cumulative worst-case modeling of radio frequency exposure at the closest point of uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin 65;
4. Not less than 45 days after completion of the proposed installation, the Council shall be notified in writing that the installation has been completed;
5. Any nonfunctioning antenna and associated antenna mounting equipment on this facility owned and operated by T-Mobile shall be removed within 60 days of the date the antenna ceased to function.
6. The validity of this action shall expire one year from the date of this letter; and
7. The applicant may file a request for an extension of time beyond the one year deadline provided that such request is submitted to the Council not less than 60 days prior to the expiration.

Enclosed are the Council's Staff report, Modified Decision and Order, and reissued Certificate.

Sincerely,



Melanie A. Bachman
Executive Director

MAB/RDM/IN/laf

Enclosures

- c: Kyle Richers, Transcend Wireless
- Parties and Intervenors
- State Documents Librarian
- The Honorable Robert P. Valentine, First Selectman, Town of Goshen
- Martin Connor, Land Use Enforcement Officer, Town of Goshen



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Docket No. 337
442 North Street, Goshen
ATC Request to Reopen and Modify the Decision and Order

Staff Report
March 28, 2019

Introduction

On December 27, 2007 the Connecticut Siting Council (Council) issued a Certificate of Environmental Compatibility and Public Need (Certificate) to Cellco Partnership d/b/a Verizon Wireless (Cellco) for the construction, maintenance and operation of a 150-foot telecommunications facility at 442 North Street, Goshen, Connecticut.

The Council's Docket 337 Decision and Order (D&O), Condition 1, specified that "panel antennas of commercial wireless telecommunications providers shall be installed on the tower using T-arm mounts".

On February 15, 2019, American Tower Corporation (ATC), the manager of the facility for Cellco, submitted a Request to Reopen and Modify D&O Condition 1 to allow for other types of antenna mounts to be used at this facility, thereby increasing opportunities for tower sharing from entities that cannot utilize T-arm mounts with current or future antenna designs and to promote safety of tower maintenance personnel.

Background Site Information

On May 8, 2008, the Council approved the Development and Management (D&M) Plan for this facility that included a 150-foot monopole and 12 panel antennas mounted on T-arm mounts at a centerline height of 150-feet. A minor revision to the D&M Plan was approved on August 28, 2008 to address concerns from the Department of Transportation and Department of Environmental Protection related to a curb cut and access road erosion control measures, respectively. The site was constructed and operational by mid-2009.

T-Mobile Tower Share Request

On October 19, 2018, Transcend Wireless, on behalf of T-Mobile Northeast LLC (T-Mobile), submitted a tower share request to install equipment at the 138-foot level of the existing facility. T-Mobile's tower share request included 8 panel antennas, a microwave dish and associated equipment to be installed on a low-profile antenna platform. On December 3, 2018, the Council submitted correspondence to Transcend Wireless stating the filing is incomplete as it does not conform to the Council's D&O Condition 1 that limited panel antennas to a T-arm mount design.

Request to Reopen and Modify

In response to the Council's December 3, 2018 tower share request incomplete letter, ATC's February 15, 2019 Request to Reopen and Modify the D&O seeks to allow the use of low-profile platform antenna mounts and other antenna mounting designs to promote tower sharing, enhance existing wireless service and promote worker safety, as detailed below:

- Restricting antenna installations to T-arm mounts has the potential to deter wireless carriers and other entities that do not use this type of antenna mounting equipment from co-locating on the facility;
- Since the time of the Council's approval of this facility in 2007, there have been many technological advancements and changes to wireless technology and services. Panel antennas are larger and heavier and are usually deployed with associated remote radio heads, tower-mounted amplifiers, and other tower-mounted equipment. Due to the increase in the structural mass of antenna deployments, different mounting designs may be necessary to adequately support antenna structural loading;
- The use of a low-profile antenna platform increases worker safety and reduces overall work time for a cell site technician to perform work at an antenna installation by providing a safe, level workspace at the antenna array. T-arm antenna deployments require the use of cranes or a mechanical lift to provide safe access to the arrays, thereby increasing project time and cost for antenna maintenance/deployments; and
- The visual effect of a T-arm antenna deployment compared to a low-profile antenna deployment is negligible. Although there are walkways and handrails associated with a low-profile antenna mount, these components are mounted behind the visual mass of the antennas and would not be overly discernible except when viewed from areas near and below the tower. For this site, the tower is located in a heavily wooded area, approximately 1,000 feet east of the nearest road. No residences are within 500 feet. Based on a recent field evaluation of tower visibility, the existing antenna mounting equipment is not discernible from area vantage points, the nearest of which is a 0.65 mile to the northwest along Route 63.

On February 15, 2019, ATC notified the Town of Goshen and abutting property owners of the Request to Reopen and Modify the D&O.

On February 19, 2019, the Council notified parties and intervenors and the Town of Goshen of the Request to Reopen and Modify the D&O and requested that any submission of comments or statements with respect to whether the Request to Reopen and Modify the D&O should be granted or denied including any request for a hearing be submitted to the Council by close of business on March 15, 2019. No comments were received.

Photo simulation of Proposed T-Mobile installation with platform-mounted antennas





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**CERTIFICATE
OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED
DOCKET NO. 337**

Pursuant to General Statutes § 4-181a(b), the Connecticut Siting Council hereby reissues a Certificate of Environmental Compatibility and Public Need to Cellco Partnership d/b/a Verizon Wireless for the construction, maintenance and operation of a telecommunications facility located off North Street (Route 63), Goshen, Connecticut. This Certificate is issued in accordance with and subject to the terms and conditions set forth in the Decision and Order of the Council on March 28, 2019.

By order of the Council,

Melanie A. Bachman, Executive Director

March 28, 2019



DOCKET NO. 337 - Celco Partnership d/b/a Verizon Wireless } Connecticut
Certificate of Environmental Compatibility and Public Need for the }
construction, maintenance and operation of a telecommunications } Siting
facility located off North Street (Route 63), Goshen, Connecticut. } Council

March 28, 2019

Decision and Order

In response to the Connecticut Siting Council's (Council) reopening of the record in this docket on March 28, 2019 to consider whether changed conditions exist that would warrant a modification to the original Decision and Order's Condition 1 eliminating the requirement that panel antennas on this telecommunications facility be installed using T-arm mounts, the Council hereby rescinds the Decision and Order in Docket 337 rendered on December 14, 2007 and issues this new Decision and Order for the construction, maintenance and operation of a telecommunications facility located off North Street (Route 63), Goshen, Connecticut.

The facility shall be constructed, operated, and maintained substantially as specified in the Council's record in this matter, and subject to the following conditions:

1. The tower shall be designed and constructed as a monopole no taller than 150 feet above ground level to provide telecommunications services to both public and private entities.
2. The Certificate Holder shall prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-75 through 16-50j-77 of the Regulations of Connecticut State Agencies. The D&M Plan shall be served on the Town of Goshen and all parties and intervenors, as listed in the service list, and submitted to and approved by the Council prior to the commencement of facility construction and shall include:
 - a) a final site plan(s) of site development to include specifications for the tower, tower foundation, antenna mountings, equipment building, access road, and utility line;
 - b) construction plans for site clearing, water drainage, and erosion and sedimentation control consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended.
3. The Certificate Holder shall, prior to the commencement of operation, provide the Council worst-case modeling of the electromagnetic radio frequency power density of all proposed entities' antennas at the closest point of uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin No. 65, August 1997. The Certificate Holder shall ensure a recalculated report of the electromagnetic radio frequency power density be submitted to the Council in the event other carriers locate at this facility or if circumstances in operation cause a change in power density above the levels calculated and provided pursuant to this Decision and Order.
4. Upon the establishment of any new state or federal radio frequency standards applicable to frequencies of this facility, the facility granted herein shall be brought into compliance with such standards.

5. The Certificate Holder shall permit public or private entities to share space on the proposed tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
6. The Certificate Holder shall provide reasonable space on the tower for no compensation for any Town of Goshen public safety services (police, fire and medical services), provided such use can be accommodated and is compatible with the structural integrity of the tower.
7. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed and providing wireless services within eighteen months from the date of the mailing of the Council's Findings of Fact, Opinion, and Decision and Order (collectively called "Final Decision"), this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower 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 Final Decision shall not be counted in calculating this deadline.
8. Any request for extension of the time period referred to in Condition 7 shall be filed with the Council not later than 60 days prior to the expiration date of this Certificate and shall be served on all parties and intervenors, as listed in the service list, and the Town of Goshen. Any proposed modifications to this Decision and Order shall likewise be so served.
9. If the facility ceases to provide wireless services for a period of one year, this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made.
10. The Certificate Holder shall remove any nonfunctioning antenna, and associated antenna mounting equipment, within 60 days of the date the antenna ceased to function.
11. In accordance with Section 16-50j-77 of the Regulations of Connecticut State Agencies, the Certificate Holder shall provide the Council with written notice two weeks prior to the commencement of construction activities. In addition, the Certificate Holder shall provide the Council with written notice of the completion of site construction and the commencement of site operation.

We hereby direct that a copy of the staff report and modified Decision and Order be served on each person listed in the Service List, dated May 24, 2007, and notice of issuance published in the Waterbury Republican-American.

By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

STATE OF CONNECTICUT)

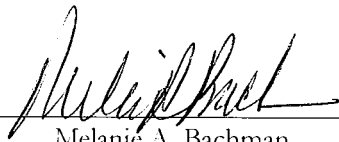
ss. New Britain, Connecticut :

March 29, 2019

COUNTY OF HARTFORD)

I hereby certify that the foregoing is a true and correct copy of the Modified Decision and Order and reissued Certificate of Environmental Compatibility and Public Need by the Connecticut Siting Council, State of Connecticut.

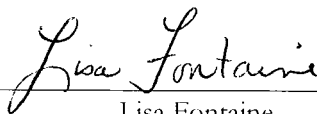
ATTEST:



Melanie A. Bachman
Executive Director
Connecticut Siting Council

I certify that a copy of the Modified Decision and Order and reissued Certificate of Environmental Compatibility and Public Need in Docket No. 337 have been forwarded by Certified First Class Return Receipt Requested mail on March 29, 2019, to all parties and intervenors of record as listed on the attached service list, dated May 24, 2007.

ATTEST:



Lisa Fontaine
Fiscal Administrative Officer
Connecticut Siting Council

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

| Status Granted | Status Holder (name, address & phone number) | Representative (name, address & phone number) |
|-----------------------|--|---|
| Applicant | Cellco Partnership d/b/a Verizon Wireless 99 East River Drive East Hartford, CT 06108 | Sandy Carter Regulatory Manager Verizon Wireless 99 East River Drive East Hartford, CT 06108 Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 |
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March 29, 2019

TO: Classified/Legal Supervisor

337190328

Waterbury Republican American

389 Meadow Street

P.O. Box 2090

Waterbury, CT 06722

FROM: Lisa Fontaine, Fiscal Administrative Officer

RE: **DOCKET NO. 337** - Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located off North Street (Route 63), Goshen, Connecticut.

Please publish the attached legal notice for one day on the first day possible from receipt of this notice.

Please send an affidavit of publication and invoice to my attention.

Thank you.

RDM/laf



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NOTICE

Pursuant to General Statutes § 4-181a(b), the Connecticut Siting Council (Council) announces that, on March 28, 2019, the Council modified the Decision and Order in Docket 337, dated December 14, 2007, and reissued the Certificate of Environmental Compatibility and Public Need, thereby eliminating the requirement that panel antennas on this telecommunications facility be installed using T-arm mounts in DOCKET NO. 337 - Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located off North Street (Route 63), Goshen, Connecticut. This record is available for public inspection in the Council's office, Ten Franklin Square, New Britain, Connecticut.