

Town of Canandaigua  
5 & 20 West  
Canandaigua NY 14424

November 8, 2021

**RE: (Exhibit A) Special Permit and Site Plan Review for collocated communications antennas on tower located at 5416 Bliss Road, Canandaigua New York**

To Whom It May Concern:

Tilson Technology Management, Inc., ("Tilson") on behalf of Dish Wireless, LLC, ("Dish") is applying for a Special Permit as well as Site Plan Review to add an antenna array to the communications tower at 5416 Bliss Road in Canandaigua, New York. The scope of work includes adding three panel antennas and related equipment necessary for operation. This site is licensed to EIP Communications ("Everest") and the land is owned by the Frontier Tel of Rochester. Dish is currently obtaining a lease from Everest.

Pursuant to Town of Canandaigua Ordinances Tilson and Dish (together "Applicants") assert the following to demonstrate zoning compliance:

**§220-60 Personal Wireless Communications Facilities**

**§220-60(A):**

- §220-60(A)(1): Applicants are applying to collocate antennas and ancillary equipment on an existing communications tower within the AR-2 zoning district. This existing tower is located on 5416 Bliss Road.
  - §220-60(A)(1)(a): As this is a proposed collocation within a zoning district outlined in this Section, Applicants are applying for Special Use Permit and Site Plan Approval.
  - §220-60(A)(1)(b): This application is not for a new tower. This Section is not applicable.
- §220-60(A)(2): This parcel is approximately two acres. This site has been previously approved for a Special Use Permit.
- §220-60(A)(3): This parcel only houses one tower and Applicants are not proposing any new towers.
- §220-60(A)(4): Setbacks at the existing tower have been previously approved.
- §220-60(A)(5): The existing tower is 235' in height. Dish is proposing to collocate its antennas at 195'.
- §220-60(A)(6): This site is not a drumlin area, active farm land, within a wetland, or on a slope greater than 15%.
- §220-60(A)(7): This application does not propose to cut any trees.
- §220-60(A)(8): The tower is designed to withstand wind up to 90 miles per hour and one-half inch ice load.
- §220-60(A)(9): This Section is inapplicable; this is an application for a collocation not a new tower.
- §220-60(A)(10): The proposed site will be enclosed by an extension of the existing fence, which will be at least 8' tall.
- §220-60(A)(11): There is no signage proposed for this application except for owner/tower identification.
- §220-60(A)(12): The existing tower has been gone through FAA requirements for new towers. The collocation in this application will not be increasing the height of the tower and therefore will not change any FAA requirements.
- §220-60(A)(13): There are no proposed lights involved in Dish's collocation.
- §220-60(A)(14): Applicants will ensure any equipment above the tree lines will be galvanized finish or painted gray.
- §220-60(A)(15): Existing tower guys will not be changed in this application.

- §220-60(A)(16): The ancillary ground equipment included in this application will be screened by a fence and the wooded parcel.
- §220-60(A)(17): Applicants are proposing underground utilizes to the greatest extent possible as is demonstrated by the construction drawing.
- §220-60(A)(18): Applicants affirm they will comply with any FCC regulations.
- §220-60(A)(19): This application is for a collocation, not a new tower or maintenance of a new tower.
- §220-60(A)(20): The Applicants understand that they must remove their antennas if no longer in use for 90 days.
- §220-60(A)(21): Applicants understand they must provide a security bond for this application. Upon approval of this application and a set amount for the bond, applicants shall provide this bond.
- §220-60(A)(22): Applicants will add backup power if they cannot connect to the backup power currently existing.
- §220-60(A)(23): This section is not applicable to the collocation application.
- §220-60(A)(24): This section is not applicable to the collocation application.
- §220-60(A)(25): This site is accessible via the access road already existing on site.
- §220-60(A)(26): Applicants are applying for this approval to expand the tower compound to allow for Dish's ground equipment.
- §220-60(A)(27): Dish does not have any existing equipment in the Town of Canandaigua. Once the next planned facilities in the area are known, the applicants will provide a list of those facilities.

**§220-60(B):**

- §220-60(B)(1): Dish Wireless is a newly established wireless carrier, and therefore this site is needed to provide consumers with wireless connectivity.
- §220-60(B)(2)(a)-(g): This proposed collocation is an appropriate siting as it is a collocation on an existing tower. This site was previously approved for a Special Use Permit for the existing tower to be installed.
- §220-60(B)(3): Coordinates are shown on the construction drawing.
- §220-60(B)(4): Please see Exhibit E for the structural analysis
- §220-60(B)(5): this site is proposed to add three antenna panels to the existing tower including related ground equipment.
- §220-60(B)(6): Please see Exhibit E for the structural analysis as well as previously approved special use permit for the existing tower. This site is not increasing the height of the tower and is increasing the size of the tower compound, so ice and debris will be contained in the same way.
- §220-60(B)(7): FCC registration has been included here, as Exhibit F.
- §220-60(B)(8): Certificate of need by the Public Service Commission has been included in this application.
- §220-60(B)(9): This Section is not applicable to this application – this is an application for collocation not a new tower.
- §220-60(B)(10): This Section is not applicable to this application – this is an application for collocation not a new tower.
- §220-60(B)(11): Visual Environmental Assessment Form is included in this application which includes the photo simulation.

**§220-60(C):**

- §220-60(C)(1): a site plan map is being provided with this application. This outlines the requirements in this Section.

**§ 220-35 General Provisions, Special Use Permits**

**§ 220-35(A):**

- § 220-35(A)(1): A construction drawing is being submitted with this application.
- § 220-35(A)(2): This proposal is a collocated communications antenna array which will be located on the existing tower on Bliss Road in Canandaigua. The fenced tower compound will be expanded as demonstrated on the construction drawings included in this application.

- § 220-35(A)(3): Construction drawings demonstrate areas impacted by the special use.
- § 220-35(A)(4): Applicants will provide any further information required.

**§ 220-35(B):**

- § 220-35(B)(1): Applicants are applying for a collocation on the existing communications tower. This is consistent with the goals and objectives of the Town's Comprehensive Plan, as collocation is preferred over new communications towers. Additionally, this site is within the AR-2 zoning district, which is designated as one of the zoning districts where communications facilities are allowed via Planning Board approval.
- § 220-35(B)(2): This proposal is consistent with the AR-2 stated intent in that this site will conserve the alteration of any further farmland in the area. By collocating on the existing communications tower, this will meet the town's collocation preference and the AR-2 district intent of protecting viable agricultural soils and areas.
- § 220-35(B)(3): Construction drawings demonstrate the location, size, structure, etc., of this proposal.
- § 220-35(B)(4): This site will maintain compliance with the New York State Uniform Prevention and Building Code.
- § 220-35(B)(5): This proposed collocation will not be objectionable to nearby properties. The site is already used as a communications tower for antennas, and the additional collocation will not create anything more intrusive.
- § 220-35(B)(6): Please see above section for communications facilities per the Town Ordinance. This site will have proper ingress and egress, as well as any require buffering applicable to the collocated facility.

**§ 220-35(C)—(H):**

- Applicants recognize these requirements and have demonstrated zoning compliance with this letter and the entire application for this collocation.

The Applicants request that the Town review the application and schedule PRC Review on November 15, in preparation for the Planning Board Hearing on December 14, as outlined in the Special Use Application.

Thank you for your time and work on this application. Do not hesitate to reach out with any questions.

Sincerely,

Melanie Dorn  
Staff Attorney  
Tilson Technology Management, Inc.  
16 Middle Street, Fourth Floor  
Portland, Maine, 04101  
mdorn@tilsontech.com  
508.789.1871