

DOCKET NO. 242 - AT&T Wireless PCS, LLC d/b/a AT&T }
Wireless application for a Certificate of Environmental }
Compatibility and Public Need for the construction, maintenance }
and operation of a wireless telecommunications facility at one of }
two sites at 122 Route 6 (Andover Sportsmen Club), Andover, }
Connecticut.

Connecticut

Siting

Council

August 9, 2021

Decision and Order

In response to the Connecticut Siting Council (Council) reopening of the record in this docket on July 15, 2021 to consider whether changed conditions exist that would warrant the elimination of the original Decision and Order's Condition 2 requirement that antennas on the monopole shall be flush mounted, and receipt of the Transfer of Certificate dated August 6, 2021, the Council hereby rescinds the Decision and Order in Docket 242 rendered on October 14, 2003, and issues this new Decision and Order for the construction, maintenance and operation of a telecommunications facility located at 122 Route 6 (Andover Sportsmen Club), Andover, 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 constructed as a monopole, no taller than necessary to provide the proposed telecommunications services, sufficient to accommodate the antennas of AT&T Wireless PCS, LLC and Omnipoint Holdings, Inc. d/b/a T-Mobile and other entities, both public and private, but such tower shall not exceed a height of 150 feet above ground level.
2. Site preparation and construction activities shall occur during the time period of November 1 through March 31 to reduce potential impacts to populations of the Wood Turtle (*Clemmys insculpta*), a State Species of Special Concern.
3. 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 submitted to and approved by the Council prior to the commencement of facility construction and shall include:
 - a) a detailed site development plan that depicts the location of the access road, compound, tower, utility line, erosion and sedimentation control features, and landscaping;
 - b) specifications for the tower, tower foundation, antennas, equipment building, and security fence; and
 - c) 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.

5. The Certificate Holder shall, prior to the commencement of operation, provide the Council worst-case modeling of 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 electromagnetic radio frequency power density is submitted to the Council if and when circumstances in operation cause a change in power density above the levels calculated and provided pursuant to this Decision and Order.
6. 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.
7. 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. The Certificate Holder shall provide space on the tower for no compensation for any municipal antennas, provided such antennas are compatible with the structural integrity of the tower.
8. If the facility does not initially provide wireless services within one year of completion of construction or 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.
9. Any antenna that becomes obsolete and ceases to function shall be removed within 60 days after such antennas become obsolete and ceases to function.
10. Unless otherwise approved by the Council, this Decision and Order shall be void if the facility authorized herein is not operational within one year of the effective date of this Decision and Order or within one year after all appeals to this Decision and Order have been resolved.

Pursuant to General Statutes § 16-50p, we hereby direct that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed in the Service List, dated June 5, 2003, and notice of issuance shall be published in the Journal Inquirer.

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.