DOCKET NO. 112 - An application of SNET Cellular, Inc., for a Certificate of Environmental Compatibility and Public Need for a cellular telephone tower and associated equipment in the Town of Colchester, Connecticut.

: Connecticut

: Siting

: Council

: September 8, 1989

ORIGINAL

OPINION

On April 14, 1989, SNET Cellular, Inc. (SNET) applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need (Certificate) to construct, operate, and maintain a cellular telephone tower site within the Town of Colchester, Connecticut.

The public need for cellular telephone facilities has been pre-empted by the Federal Communications Commission (FCC). The Council must therefore balance the need to develop the proposed site as a cellular telephone facility with the need to protect the environment and minimize damage to the State's scenic, historic, and recreational values.

In finding a proposed site, an applicant must locate a site offering the desired coverage; adequately distant from homes, wetlands, and public recreation areas; and available for lease or sale by a land owner. These requirements narrow the field of potential tower sites considerably.

While the Council remains concerned about the potential environmental impacts of the construction of the proposed tower, the Council is of the opinion that there are no feasible or prudent alternatives to the proposed site, that this cell site is necessary to provide coverage to the Colchester area, and that it will help meet the FCC mandate to provide adequate cellular telephone service within the New London NECMA.

Tower visibility is an issue of significant concern to people living in the vicinity of a proposed cellular tower. The nearest home is 600 feet from the proposed site, and there is only one other home within a 1000-foot radius of the proposed site. Most of the visibility of the tower would be along Route 2.

Approximately 128 trees would have to be removed during the construction of the tower site and the 600-foot access road leading to it. The development and management plan (D & M Plan) should address the issue of tree removal by developing a plan which would minimize tree removal as much as possible, and leave a buffer strip of trees between the site, the access road, and Route 2.

The western portion of the tower site touches a boundary of existing wetlands on the 72-acre property on which the 100-foot by 100-foot tower site sits. The owner of the 72-acre site has refused to consider moving the tower site to another portion of his land, away from the wetlands. The Council will therefore require SNET to stipulate that the tower site and access route are not within an inland wetlands as identified by a certified soil scientist. In addition, a detailed erosion and sedimentation control plan to protect the wetland areas will be required as an element of the D&M Plan.

Although the Council urges the applicant to have a determination from the FAA available to date, SNET has not received any approval from the Federal Aviation Administration (FAA) for tower construction, or a determination whether this tower must be obstruction-marked and lighted, or what effect, if any, a private landing strip 1500 feet south of the proposed site would have on this tower. Consequently, the exact tower height, marking, lighting, and location in regards to airports and landing strips are unclear. In order to clarify these uncertainties, the Council will condition its certification upon approval by the FAA.

Electromagnetic radio frequency power densities are a concern to residents living in the vicinity of any broadcast facility. In the present case, however, the power density levels at the base of the tower would be well below the American National Standards Institute safety standards for the proposed frequencies.

The proposed site is zoned General Commercial, and the owner plans to develop the remainder of the parcel as a lumber and building supply business. The tower and equipment building would not interfere with such development. However, the installation of overhead utilities might cause conflicts with the development. The Council will therefore require SNET to explore possible underground utility installation.

The base of the proposed tower is 156 feet from the nearest travel portion of Route 2. The Council is concerned about this major state highway being within the fall zone of this 197-foot tower structure. The Council will therefore attempt to have SNET either lower the height of the tower or move the site farther back from Route 2 to a location out of the fall zone of the tower.

There are no existing records of federally endangered or threatened species or Connecticut species of special concern occurring in the area of the proposed site. Construction of this tower and equipment building would not have a significant effect on historic or archaeological resources listed on or eligible for the National Register of Historic Places.

In rendering this decision, the Council considered the site, surrounding land uses, zoning, and the information provided by local residents.

Based on its record in this proceeding, the Council finds that the effects associated with the construction, operation, and maintenance of a cellular tower and associated equipment building at the proposed site, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife, are not significant either alone or cumulatively with other effects, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application.

Therefore the Council will issue a Certificate for the construction of the proposed Colchester tower site. The Council will require the applicant to submit a D & M Plan for approval to the Council prior to the commencement of any construction or clearing at the proposed site. This D & M Plan shall include detailed plans for erosion and sediment control, seeding, loaming, and landscaping around the tower site and equipment building.