DOCKET NO. 114 - 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 Monroe, Connecticut.	:	Connecticut Siting Council January 16, 1990

OPINION

On May 19, 1989, SNET Cellular, Inc. (SNET), applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatability and Public Need (Certificate) to construct, operate, and maintain a cellular telecommunications tower, associated equipment, and a building in the Town of Monroe, Connecticut.

A determination of public need for cellular telephone facilities has been pre-empted by the Federal Communications Commission (FCC). Under Connecticut state law, the Council must balance the need to develop the proposed site as a cellular telephone facility with the need to protect the environment, including public health and safety.

In finding a proposed tower site, an applicant must find a site or existing suitable tower to share, offering the desired coverage that would not have substantial effect on the environment and adjacent landowners. Because SNET does not have the power to take land through eminent domain, aquisition of a site requires consent of the property landowners to lease or sell the property.

The proposed site would offer cellular coverage to areas presently not covered by the SNET system. Coverage of this area would help build an integrated statewide system that could transfer calls from one area to another, as contemplated by the FCC.

The proposed site is located on property owned by the Town of Monroe and is in a residential and farming district zone with only a few residences within a 1000-foot radius of the proposed tower. Although a portion of this property was formerly used as a landfill, the proposed site would be located east of the former landfill on virgin soil. An existing 140-foot guyed, monopole tower is located on the landfill area, owned by the Housatonic Cable Company (HCV). SNET considered and rejected this tower because HCV's lease with the Town of Monroe would expire and at the time HCV did not want to enter an agreement with SNET.

The applicant has proposed to develop the site with a 240-foot lattice tower, which would allow greater latitude to accommodate additional antennas of future users sharing the tower. In fact, when the Town's public radio station, WMNR, removes its existing tower, the radio station could share the proposed tower, if the proposed tower were 20 feet taller.

While the Council prefers the use of monopoles which are visually less obtrusive, the use of a lattice tower in this case is well justified in that the sharing of the proposed lattice tower may avoid the construction of an additional tower by the radio station. Furthermore, because of the proximity of the former landfill and surrounding town-owned openspace, the development of a cellular telecommunications facility at the proposed site would not result in land use inconsistent or visually obtrusive on adjacent land uses now or in the long-term future. In addition, the town has adopted zoning regulations to develop this parcel of land as a "communications park."

A new 860-foot access road would extend from an existing accessway from Guinea Road. This new road would be constructed on top of the landfill. The utilities would be in concrete encased conduits buried within the new access road. Approximately twelve trees would be removed to develop the proposed site. Also, a small area of inland wetland soils was identified within the leased parcel. To minimize damage to the site during construction and to confirm the applicant's proposal to not disturb the landfill during development of the access road, the Council will require a detailed Development and Management (D&M) plan showing site preparation and cross-section of the proposed access road including erosion and sedimentation controls on the east slope of the landfill.

Electromagnetic radio frequency power density may be a public health and safety concern to residents living in the vicinity of a telecommunications tower. In the present case, the power density level at the base of the proposed tower would be approximately 0.05200 mW/cm^2. This modeled calculation would be well below the ANSI standard, as adopted by the DEP as the State standard, and would become much lower as distance increases from the tower.

Based on its record in this proceeding, the Council finds that the effects associated with the construction, operation, and maintenance of a cellular site 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.

The Council will require SNET to submit a D&M plan for approval prior to the commencement of any construction or clearing at the proposed site or accessway. This D&M plan shall include detailed plans of the proposed access road, placement of the proposed tower and equipment building, and erosion and sedimentation control.