

DOCKET NO. 132 - An application of Continental Cablevision Company of Western New England, Inc., for a Certificate of Environmental Compatibility and Public Need for the construction of a community antenna television tower in the Town of Hartland, Connecticut.

Connecticut
Siting
Council

ORIGINAL

May 30, 1990

FINDINGS OF FACT

1. Continental Cablevision of Western New England, Inc. (Continental), in accordance with the provisions of Sections 16-50g to 16-50z of the Connecticut General Statutes (CGS), applied to the Connecticut Siting Council (Council) on December 20, 1989, for a Certificate of Environmental Compatibility and Public Need (Certificate) for the erection of a community antenna television tower (CATV) and associated equipment in the Town of Hartland, Connecticut. (Record)
2. The Council and its staff made an inspection of the proposed Hartland site on March 1, 1990. This inspection was publicly noticed in the Hartford Courant. (Record)
3. Pursuant to Section 16-50m of the CGS, the Council held a public hearing on the proposed tower site on March 1, 1990, beginning at 4:00 P.M. and continuing at 7:00 P.M. the same day, in the Hartland Elementary School, Hartland, Connecticut. (Record)
4. The parties to the proceeding are the applicant and those persons and organizations whose names are listed in the Decision and Order which accompanies these Findings of Fact. (Record)
5. The proposed facility would consist of a 220-foot self-supporting Rohn tower which would support one 10-foot diameter antenna dish at the 215-foot level (1380 feet above mean sea level). (Continental 8, p. 3)
6. The proposed Hartland tower would receive microwave signals from Continental's head-end in Stafford. The signals would then be distributed to Continental's service area in West Hartland as 52 cable television channels. (Continental 8, p. 3; Continental 10, Q. 30)

7. The proposed tower would also support two or three antennas to be used by the Town of Hartland for civil defense, mutual aid, and fire department purposes. These antennas would be 12 to 15 feet in height and placed within the top 20 feet of the tower. (Continental 9, Q. 18)
8. The microwave signals would be transmitted from Continental's head-end in Stafford using a 10-foot microwave dish at the 80-foot level of an existing 150-foot Stafford CATV tower. The 10-foot dish would replace an eight-foot dish originally planned to be attached to the 95-foot level of the Stafford tower. The Stafford tower is 30.28 miles from the proposed Hartland site. (Continental 8, p. 4, Ex. G)
9. Presently, 303 homes in East Hartland now receive cable television service, and Continental's system passes another 226 which may receive the service upon request. There are 160 homes in West Hartland which would be able to receive cable television service. (Continental 9, Q. 16)
10. The elevation of the proposed site is 1155 feet above mean sea level. The total elevation of the antenna must be at least 1380 feet above mean sea level in order to receive the signals from the Stafford tower. (Continental 24; Tr., p. 95)
11. The proposed site is located on a 70-foot by 70-foot parcel of land behind the West Hartland Volunteer Fire Department on Center Street in West Hartland. (Continental 8, p. 3)
12. Continental would lease the proposed site from the West Hartland Volunteer Fire Department. No lease between the Fire Department and Continental has been finalized. (Continental 8, p. 3; Record)
13. An access road 15 feet in width and 150 feet in length would be constructed behind the parking lot of the West Hartland Volunteer Fire Department. (Continental 9, Q. 10; Continental 6)
14. The proposed tower would include anti-climb provisions by removing the climbing feature of the tower for the first 15 to 20 feet from the ground. The tower site would be surrounded by an eight-foot fence. All of the equipment needed for the facility would be attached to the tower. No equipment building would be needed. (Continental 9, Q. 18; Tr., p. 21)

15. The proposed tower would be designed to withstand an 80 mile per hour basic wind speed, with one-half inch of radial ice. (Continental 11-1)
16. The Federal Aviation Administration (FAA) will require the proposed tower be obstruction marked and lighted. The proposed tower would be painted international orange and white. (Continental 11-1; Continental 34, p. 1)
17. Utilities would be brought into the proposed site from a pole to the corner of the firehouse and then to the proposed tower either by poles or underground. (Continental 9, Q. 10)
18. The area surrounding the proposed site is owned by the Department of Environmental Protection (DEP) and is part of the Tunxis State Forest. (Tr. p. 21; Continental 8, p. 3, Ex. D-3)
19. The proposed site is approximately one-eighth mile from the nearest wetland. (Continental 10, Q. 27)
20. There are no known existing populations of Connecticut species of special concern or Federal endangered or threatened species occurring at the proposed tower site. (Continental Ex. 1, letter of March 7, 1990)
21. There are 21 homes within a 2,000-foot radius of the proposed tower site. (Continental Late File 28)
22. To the north of the proposed site, approximately twelve homes and one church in the West Hartland village center would have direct views of the proposed tower. The tower would result in a significant intrusion on the village center's visual landscape. (DEP comments of February 26, 1990)
23. The fall zone of the proposed tower would include properties owned by the DEP, and by Edward J. and Elizabeth A. Baldwin. The fall zone would also include Center Street (Route 20). (Continental 6).
24. The proposed tower would be the tallest object in the area. The nearest home is directly across Route 20 from the West Hartland Fire Department. The Hartland Historical Society is located approximately 1000 feet from the proposed site. (DEP Comments of February 26, 1990; Tr., p. 88)
25. The proposed site is zoned rural residential. (Continental 8, p. 5)

26. The maximum height of a structure allowed in a Hartland rural residential zone is 30 feet. (Continental 9, Q. 4, p. 9)
27. The Town of Hartland Planning and Zoning Commission is opposed to the proposed tower site, and recommends that Continental explore alternative proposals. (Town of Hartland Late File 1)
28. Continental investigated several alternative tower sites in the Hartland area. Two sites were investigated on Booth Hill; one site was deemed to be too small, and the property at the other site is now in probate. The Booth Hill site would require a 450-foot tower. Two additional sites were investigated off of Route 20; the elevation was determined to be too low at both of these sites, and a higher tower would therefore be required. A request for use of state-owned property in the Tunxis State Forest was denied by the DEP. (Continental 9, Q. 20; Continental 8, p. 8, Ex. J, Ex. I, p. 5)
29. Continental investigated the possibility of relaying signals from the existing Stafford site to its existing East Hartland site and then to the West Hartland site. However, the double-relay would degrade the signal in an unacceptable manner. Additionally, a ridge between East Hartland and West Hartland would result in the need for a higher tower. (Continental 10, Q. 31)
30. Continental explored the possibility of extending a cable line from its existing East Hartland site and running this cable underwater across the Barkhamsted Reservoir. Another option investigated was to string cable on poles around the north end of Barkhamsted Reservoir. (Continental 8, Ex. I)
31. The MDC considered Continental's requests regarding the crossing of Barkhamsted Reservoir or the stringing of cables around the reservoir. On March 13, 1990, the MDC rejected both proposals. (Continental Late File 32, p. 4)
32. It would be technically possible for the West Hartland area to be served by AMRAC, which has a cable franchise in Riverton, Connecticut. Continental does not oppose AMRAC servicing West Hartland. Continental has had discussions with AMRAC regarding the possibility of AMRAC's providing CATV service to West Hartland. AMRAC could provide West Hartland CATV subscribers with good reception, repair services, maintenance, and other customer services. (Tr., pp. 76-77, pp. 82-84)

33. In order for AMRAC to provide CATV service to West Hartland, an agreement would have to be reached between Continental and AMRAC, and the Department of Public Utility Control could also have to give its approval of Continental's transfer of a portion of its franchise. (Tr., pp. 76-80)
34. Based on conservative assumptions, the electromagnetic radio frequency power density level would be 0.00000029 mW/cm² at the base of the proposed tower. The American National Standards Institute (ANSI) Safety Standard as adopted by the State of Connecticut for the proposed frequency is 5 mW/cm². (Continental 8, Ex. K, pp. 1-2; Continental 9, Q. 12)
35. Facility costs of the proposed Hartland tower site are estimated as follows:

Engineering	\$ 9,000.00
Excavation	4,000.00
Site preparation	10,000.00
Tower	36,219.00
P E Seal	300.00
Foundation design	1,000.00
Installation	28,668.00
AML equipment	17,220.00
Antennas, waveguide, and accessories	20,775.00
Second Year warranty	860.00
Test box	495.00
Power cable	<u>120.00</u>
Subtotal	\$128,657.00
Estimated taxes and freight	<u>10,800.00</u>
Total Cost	\$139,457.00
Recurring Costs	
Lease (paid yearly)	\$2,815.00
(Continental 8, Ex. B)	