DOCKET NO. 142 - An application of Springwich Limited Partnership for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a cellular telephone tower and associated equipment in the Town of Pomfret, Connecticut.

Connecticut

Siting

Council

June 20, 1991

OPINION

On February 15, 1991, the Springwich Cellular Limited Partnership (Springwich) applied to the Connecticut Siting Council for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance, and operation of a telecommunications facility in the Town of Pomfret, Connecticut.

The Federal Communications Commission (FCC) has determined that there is a general public need for cellular service. Therefore, under Connecticut State Law, the Council must balance the need to develop the proposed site as a cellular telecommunications facility with the need to protect the environment, including public health and safety, and minimize damage to the State's scenic, historic, and recreational values.

In finding a proposed cell site, an applicant must find a site or a suitable structure to share that offers the desired coverage. Because Springwich does not have the power to take land through eminent domain, acquisition of a potential site requires consent of the property owners to either lease or sell land rights.

Either the proposed Pomfret prime or alternate site would be added to an existing cellular network to provide cellular telecommunications coverage to areas not presently covered in the Springwich system along Routes 6, 12, 44, 101, 106, 171, and 197, and Interstate 395. This facility would provide hand-off capability with Springwich's existing facilities in the Towns of Ashford, Brooklyn, and Thompson, Connecticut.

Springwich's proposed Pomfret prime site is located approximately 2000 feet west of Tyrone Road in Pomfret on a 96-acre, residentially-zoned parcel that is presently cleared for agricultural use. Springwich would erect a 150-foot monopole tower with four to six omni-directional "whip" antennas and one message alert antenna placed on a triangular support structure on the top of the tower. These antennas would add 17 feet to the tower height, thus making the tower and its antennas a total of 167 feet above ground level (AGL).

Springwich's proposed Pomfret alternate site is also located approximately 2000 feet west of Tyrone Road in Pomfret on a 111-acre, residentially-zoned parcel that is heavily treed. This site is approximately 250 feet south of the proposed prime site. At this site, Springwich would erect a monopole tower with the same dimensions and characteristics as described for the proposed prime site.

Visual effects are one of the primary effects associated with the erection of a tower. Consistent with the opinion of the Town of Pomfret, we believe the trees found on the proposed alternate site would provide screening to the bottom half of the tower versus the open exposure that the proposed prime site would allow. Construction at the alternate site would involve the removal of some trees; however, these trees are of low quality and the removal of these trees would have little effect on the overall ecology of the site. Careful construction techniques to develop the site, service utilities, and site access could be used to minimize tree removal.

The proposed alternate site also has a slightly lower elevation than the proposed prime site. This reduction in elevation would help to reduce the visual effect of the tower, but would have little effect on coverage.

Although there are wetland soils on both the proposed prime and alternate sites, moving the alternate site facility north or northeast could reduce the encroachment of the facility on the wetland soils.

There are no known existing federally recognized endangered or threatened species, nor Connecticut species of special concern occurring at the proposed alternate site. The erection of the proposed tower and the development of the site would have no effect on the State's historic, architectural, or archeological resources listed on or eligible for the National Register of Historic Places.

Although electromagnetic radio frequency power density is a concern of the Council, the proposed Pomfret alternate facility's frequency power density at the cell site fence would be well below the state standard for the frequencies used by cellular telephone service.

The alternate site would cost $25,000 more to develop than the proposed prime site. This expense is justified by the screening provided by the surrounding trees and the reduction of the tower profile afforded by the lower elevation.

Based on its record in this proceeding, we find that the effects associated with the construction, operation, and maintenance of a cellular facility and its associated equipment building at the proposed Pomfret alternate 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 disproportionate either alone or cumulatively with other effects when compared to need, 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 Pomfret alternate site. The Council will require the Certificate holder to submit a Development and Management Plan (D&M) plan for approval by the Council prior to commencement of any construction or clearing at the facility site. This D&M plan shall include detailed plans of the tower, tower foundation, tower pedestal, equipment building, access road, and security fence. In addition, the D&M plan shall include detailed plans for clearing with techniques to minimize vegetation clearing, a site plan reorienting the facility, utilities, and access easements to avoid inland wetlands, and detailed plans for erosion and sedimentation control.

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