

DOCKET NO. 151 - An application of Springwich Cellular Limited Partnership for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a cellular telephone telecommunications tower, associated equipment, and building in the Town of Rocky Hill, Connecticut. The facility is proposed to be constructed on property owned by the Connecticut Light and Power Company (CL&P) located on West Street, adjacent to the CL&P substation at Exit 23 off Route 91.

Connecticut

Siting

Council

August 18, 1992

OPINION

On March 20, 1992, the Springwich Cellular Limited Partnership (Springwich) applied to the Connecticut Siting Council (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 Rocky Hill, Connecticut. The proposed facility would be within property owned by the Connecticut Light and Power Company (CL&P) adjacent and south of the existing CL&P Rocky Hill Substation located on West Street, Rocky Hill.

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 select 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.

The proposed Rocky Hill site would be added to an existing cellular network to provide telecommunications coverage to areas not presently or inadequately covered in the Springwich system along Routes 3, 9, 15, 99, 160, Interstate 91 (I-91), and the downtown area of Rocky Hill. This facility would interconnect with existing adjacent facilities in Berlin, Portland, and Hartford (South) to provide hand-off and improved coverage to locations not presently served by these facilities.

Springwich's proposed Rocky Hill site would be located about 450 feet east of Exit 23 off I-91 and 165 feet north of West Street within 12 acres of land owned by CL&P and used for CL&P's existing Rocky Hill Substation. Although the proposed site is located in a residentially zoned district with the nearest residence approximately 300 feet east of the site, we find the proposed facility would be well screened, compatible with this existing electric substation, and not inconsistent with surrounding land uses.

Visual effects are one of the primary effects associated with the construction of a tower. However, the mature trees and other vegetation surrounding the proposed site would provide screening for the bottom portion of the tower from nearby residences to the north and east. In addition, the presence of the adjacent electric substation and nearby transmission line support structures to the west and north of the site will help reduce the visual image of the tower structure. Even though the proposed tower would be located near West Street adjacent to an existing substation, the fall zone of the tower would lie totally within CL&P's property and would not encompass any of the electric cables and supporting towers servicing the substation.

Springwich would construct the proposed tower of sufficient structural strength to accommodate future antennas for use by CL&P and the Town of Rocky Hill, each of whom has expressed interest in sharing the proposed facility. This relationship of sharing towers for the greatest number of users possible may eliminate the construction of additional towers at other locations. Not only does this tower sharing meet the Council's long-term goal, but it fulfills a legislative intent for the purpose of the Council.

Although electromagnetic radio frequency power density is a concern of the Council, the proposed electromagnetic power density at the cell site fence would be well below the State standard for the frequencies used by cellular telephone service, and would become much lower as distance from the tower increases. Nonetheless, we will order that if such State standards are changed, the tower and associated equipment must be brought into compliance.

The proposed site would be accessed from an existing but abandoned service road. However, during the field review, we observed a drainage area parallel to the access road on the downhill side of the proposed site, with standing water present. Although preparation of this access road would be minimal and no wetlands have been identified on the site itself, we will order that all construction areas be managed in accordance with Connecticut Guidelines for Erosion and Sedimentation Control to minimize sedimentation into this wet area.

There are no known existing federally recognized endangered or threatened species, nor Connecticut species of special concern occurring at the proposed 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. Also, the proposed facility would have no effect on activities at Dinosaur State Park located on West Street approximately one half mile east of the site.

Based on the record in this proceeding, we find that the effects associated with the construction, operation, and maintenance of a cellular facility and an associated equipment building at the proposed Rocky Hill 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, 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 Rocky Hill facility.

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 proposed clearing at the facility site. This D&M plan shall include detailed plans of the tower, tower foundation, tower pedestal, equipment building, access road, utility line trench, and security fence. In addition, the D&M Plan shall include detailed plans for a facility designed to occupy an area as compact as possible with techniques to minimize vegetation clearing; a site plan orienting the facility, access road, and utilities to avoid drainage areas; and detailed plans for drainage, erosion, and sedimentation controls. The plan shall be submitted to the Council for approval prior to the commencement of proposed clearing and construction; however, selective removal of vegetation will be allowed to permit reconnaissance necessary to prepare this plan.