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DOCKET NO. 163 - An application of the Connecticut Department of Transportation, Bureau of Public Transportation for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at Connecticut Transit administration/ maintenance property, 470 James Street, New Haven, Connecticut.	:	Connecticut Siting Council December 5, 1994

OPINION

The State of Connecticut Department of Transportation, Bureau of Public Transportation (DOT), applied to the Connecticut Siting Council (Council) on April 20, 1994, for a Certificate of Environmental Compatibility and Public Need (Certificate) to construct, operate, and maintain a telecommunications tower and associated equipment in the City of New Haven, Connecticut.

The DOT plans to upgrade an existing, outdated, two-way radio system with a modern efficient design using point-to-point microwave and two-way mobile radio telecommunications system to improve bus service in South Central Connecticut and improve bus dispatch and communications between supervisory and maintenance personnel.

DOT would construct the proposed tower and dismantle the existing tower as part of a rebuilding project involving renovation of the existing bus terminal building and construction of a new extension to the terminal building. Access to the proposed tower would come from an existing paved driveway.

The existing, aging 60-foot high tower located on the roof of the main DOT terminal building would be replaced with a 140-foot high self-supporting, steel lattice tower constructed on the roof of a new, 30-foot high extension to the DOT building. The proposed tower would be 170 feet above ground level and would support three whip-type radio antennas and a new, four-foot in diameter microwave dish aimed to transmit and receive signals from a State Police facility on West Rock Ridge. The microwave dish would be mounted at the 128-foot level with the whip antennas mounted beneath it.

The DOT submitted testimony and microwave pathway analyses performed in 1984 and 1991 to justify the 140-foot above roof level height of the proposed tower. However, the results of these studies are inconsistent and inconclusive. The Council reopened the proceeding on October 4, 1994, to receive new evidence, including a new microwave pathway field survey which was conducted in September 1994. This new pathway survey identified intervening and adjacent objects as potential obstructions to the proposed microwave pathway and justified a minimum microwave antenna mounting height of 130 feet above roof level. DOT has allotted an additional ten feet to the tower to allow space for antenna mounting brackets, adjustments for microwave signal adjustments, and the mounting of a second microwave dish, although a second dish is not proposed by the DOT or any other entity at this time.

The additional ten feet of tower space that allowed for a second, unplanned microwave dish is not absolutely necessary, but the extra footage would not be readily noticeable from surrounding areas and would allow for tower sharing if the occasion arises in the future. Although speculative, tower sharing is a worthwhile goal to allow future placement of additional antennas on this tower and avoids the further construction of additional new towers.

The upper sections of this proposed tower would be visible from several residential and commercial areas located within 1,000 feet from the DOT property, particularly to the east, southeast, southwest, west, northwest, and from Interstate 91. However, views of the proposed tower would be partially screened by intervening buildings, an AMTRAK railroad embankment, a United Illuminating electric transmission line, an Interstate 91 embankment, and the DOT building itself. Furthermore, because the general nature of the area is commercial, the proposed tower would not have a significant effect on the existing visual character of the site or adjacent landuses.

The Federal Aviation Administration has determined that the proposed tower would not be an obstruction and hazard to air traffic navigation. Therefore, the DOT would not mark or light the tower as an aviation obstruction.

The fall zone of the proposed tower would encompass land owned by the State of Connecticut, including the DOT property and a short section of an Interstate 91 exit ramp. While we would have preferred to see the entire fall zone of this tower on unused property of the applicant, the commercial nature of this site makes this tower placement acceptable. Furthermore, there is no evidence that suggests this placement or tower would be unsafe.

The construction of the proposed facility would have no effect on the State's historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places. Moreover, there has not been any evidence that the construction of this telecommunications facility would have any substantial effect on the natural environment of the site, including the adjacent Mill River.

Electromagnetic radio frequency power density is a concern of the citizens of the State as well as the Council; however, at the base of the tower the calculated power density level would be well below the State standard and it would become much lower as distance from the tower increases.

Based on the record in this proceeding, we find that the effects associated with the construction and operation of a telecommunications tower and associated equipment 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 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 this application. Therefore, we will issue a Certificate for the

construction, maintenance, and operation of a telecommunications facility at the proposed site located at the DOT building at 470 James Street, New Haven, Connecticut.

Such certification will be conditioned upon the Certificate Holder submitting a Development and Management (D&M) Plan for approval by the Council prior to commencement of any construction at the facility site. This D&M Plan shall include locations of all antennas to be attached to this tower and a schedule for development.