

DOCKET NO. 198 - Crown Atlantic Company LLC and Celco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a cellular telecommunications facility in the Town of Salem. }  
 }  
 }  
 }

Connecticut  
 Siting  
 Council  
 September 5, 2002

**Reconsideration Opinion**

On March 7, 2002, the Connecticut Siting Council (Council) granted the request of the Town of Salem, Peter F. Sielman, and the Town of East Haddam to reconsider the Council's decision in this docket which had granted approval for the construction of a telecommunications tower at 399 West Road, Salem, Connecticut by Crown Atlantic Company LLC (Crown) and Celco Partnership (Celco) on July 25, 2001. The reconsideration request is based on contentions by the petitioners that a change in conditions has occurred under Connecticut General Statutes §§ 4-181a(b). The petitioners described the change in conditions as follows: "...that the Siting Council was unaware the area to be served by the proposed tower has no major roadways, a population of 50 homes and is surrounded by wetlands making future growth unlikely. In addition, the recent approval of a proposed tower in East Haddam for Nextel at a location known as Honey Hill Road and notification to East Haddam of a proposed telecommunication tower on Mt. Parnassus Road are evidence of a change in conditions, and refute Verizon's claim that the proposed tower in Salem meets a Public Need".

The Council's April 25, 2002 hearing on this request for reconsideration was limited to evidence that the Nextel tower on Honey Hill Road and a proposed tower on Mt. Parnassus Road are a change in conditions. Celco plans to attach its antennas on the Honey Hill Road Nextel tower to complement its coverage in the Salem area. This site is planned to operate in conjunction with the approved West Road tower in Salem. However, the proceeding was not reopened to reconsider those issues already covered in the Docket No. 198 case.

In effect, the petitioners are asking the Council to rescind the Certificate granted to Crown and Celco based on a proposed tower which has not yet been certificated and in fact might never be certificated. After questioning the parties and intervenors in this reconsideration and reviewing the exhibits presented, the Council sees no evidence of a change in conditions and therefore will affirm its decision of July 25, 2001, approving a telecommunications tower at 399 West Road, Salem, Connecticut.

DOCKET NO. 198 - Crown Atlantic Company LLC and Celco }  
 Partnership d/b/a Verizon Wireless Certificate of Environmental }  
 Compatibility and Public Need for the construction, maintenance, }  
 and operation of a cellular telecommunications facility in the }  
 Town of Salem. }

Connecticut  
 Siting  
 Council

September 5, 2002

**Decision and Order**

After holding a hearing in April 25, 2002, and reviewing the record in this matter, the Connecticut Siting Council finds no evidence of a change of conditions in this docket and therefore hereby affirms its Decision and Order of July 25, 2001, approving construction of a telecommunications tower at 399 West Road, Salem, Connecticut.

The parties and intervenors to this proceeding are:

**Applicant** Crown Atlantic Company LLC  
 and Celco Partnership d/b/a  
 Verizon Wireless

**Its Representative**

James Valeriani, Program Manager  
 Crown Atlantic Company LLC  
 500 West Cummings Park  
 Suite 6500  
 Woburn, MA 01801

Kenneth C. Baldwin, Esq.  
 Robinson & Cole LLP  
 280 Trumbull Street  
 Hartford, CT 06103-3597

**Party** Town of Salem

Melanie J. Howlett  
 MJH, LLC  
 700 Canal Street, 3<sup>rd</sup> floor  
 Stamford, CT 06902

**Party** Town of East Haddam

Susan D. Merrow, First Selectman  
 East Haddam Town Office Building  
 P.O. Box K  
 East Haddam, CT 06423

James Venturas, Land Use Administrator  
 East Haddam Land Use Office  
 P.O. Box K  
 East Haddam, CT 06423

**Party** Peter Sielman

Melanie J. Howlett  
 MJH, LLC  
 700 Canal Street, 3<sup>rd</sup> floor  
 Stamford, CT 06902

**Intervenor** Attorney General Richard Blumenthal

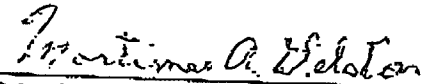
Mee Carolyn Wong  
 Assistant Attorney General  
 Mackenzie Hall  
 110 Sherman Street  
 Hartford, CT 06105

**CERTIFICATION**

The undersigned members of the Connecticut Siting Council (Council) hereby certify that they have heard this case, or read the record thereof, in the reconsideration of Docket No. 198-Crown Atlantic Company LLC and Celco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a cellular telecommunication facility at 399 West Road, Salem, Connecticut, and voted as follows to affirm the approval of the prime site:

**Council Members**


**Vote Cast**

  
 Mortimer A. Gelston, Chairman

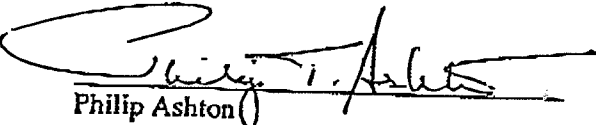
Yes

\_\_\_\_\_  
 Commissioner Donald W. Downes  
 Designee: Gerald J. Heffernan

Absent

  
 Commissioner Arthur J. Rocque, Jr.  
 Designee: Brian J. Emerick

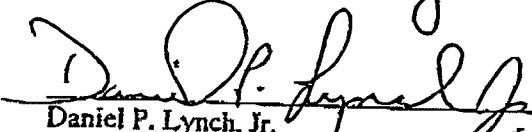
Yes

  
 Phillip Ashton

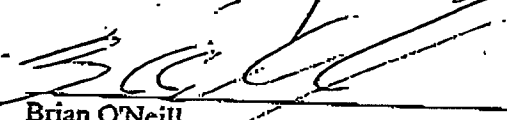
Yes

  
 Pamela B. Katz

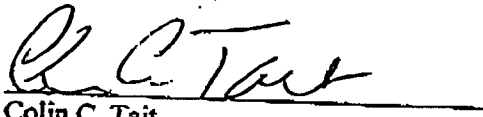
Yes

  
 Daniel P. Lynch, Jr.

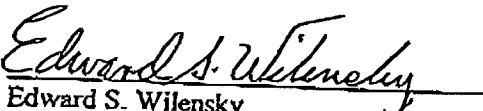
Yes

  
 Brian O'Neill

Abstain

  
 Colin C. Tait

Yes

  
 Edward S. Wilensky

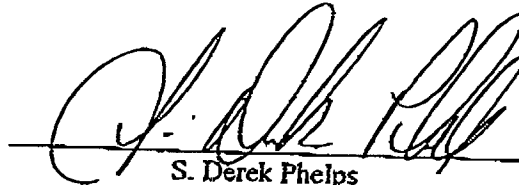
Yes

Dated at New Britain, Connecticut September 5, 2002.

STATE OF CONNECTICUT            )  
 ss. New Britain, Connecticut        :  
 COUNTY OF HARTFORD                )

I hereby certify that the foregoing is a true and correct copy of the Findings of Fact, Opinion, and Decision and Order issued by the Connecticut Siting Council, State of Connecticut.

ATTEST:



S. Derek Phelps  
 Executive Director  
 Connecticut Siting Council

I certify that a copy of the Findings of Fact, Opinion, and Decision and Order in Docket No. 198 has been forwarded by Certified First Class Return Receipt Requested mail on September 9, 2002, to all parties and intervenors of record as listed on the attached service list, dated March 21, 2002.

ATTEST:



Lisa A. Fontaine  
 Administrative Assistant  
 Connecticut Siting Council

March 21, 2002

Docket No. 198

Page 1 of 2

**LIST OF PARTIES AND INTERVENORS  
SERVICE LIST**

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	Crown Atlantic Company LLC and Cellco Partnership d/b/a Verizon Wireless	James Valeriani, Program Manager Crown Atlantic Company LLC 500 West Cummings Park Suite 6500 Woburn, MA 01801  Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200
Party	Town of Salem	Melanie J. Howlett MJH, LLC 700 Canal Street, 3 <sup>rd</sup> floor Stamford, CT 06902 (203) 328-3737 (203) 328-3738 - fax (203) 576-7647 - office
Party	Town of East Haddam	Susan D. Merrow, First Selectman East Haddam Town Office Building P.O. Box K East Haddam, CT 06423 (860) 873-5027 (860) 873-5025 - fax  James Venturas, Land Use Administrator East Haddam Land Use Office P.O. Box K East Haddam, CT 06423 (860) 873-5025 (860) 873-5031 - fax
Party	Peter Sielman	Melanie J. Howlett MJH, LLC 700 Canal Street, 3 <sup>rd</sup> floor Stamford, CT 06902 (203) 328-3737 (203) 328-3738 - fax (203) 576-7647 - office

March 21, 2002

Docket No. 198

Page 2 of 2

**LIST OF PARTIES AND INTERVENORS  
SERVICE LIST**

<b>Status Granted</b>	<b>Status Holder (name, address &amp; phone number)</b>	<b>Representative (name, address &amp; phone number)</b>
<b>Intervenor</b>	Attorney General Richard Blumenthal	Mee Carolyn Wong Assistant Attorney General Mackenzie Hall 110 Sherman Street Hartford, CT 06105 (860) 808-5400 (860) 808-5593 - fax



STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

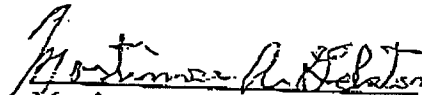
Ten Franklin Square  
New Britain, Connecticut 06051  
Phone: (860) 827-2935  
Fax: (860) 827-2950

CERTIFICATE  
OF  
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED  
DOCKET NO. 198

Pursuant to General Statutes § 16-50k, as amended, the Connecticut Siting Council hereby issues a Certificate of Environmental Compatibility and Public Need to Crown Atlantic Company LLC and Celco Partnership d/b/a Verizon Wireless application for the construction, maintenance and operation of a cellular telecommunications facility at the prime site located at 399 West Road, Salem, Connecticut. This Certificate is issued in accordance with and subject to the terms and conditions set forth in the Decision and Order of the Council on July 25, 2001.

By order of the Council,

July 25, 2001

  
Mortimer A. Gelston, Chairman