

DOCKET NO. 309 - Cellco Partnership d/b/a Verizon Wireless }
application for a Certificate of Environmental Compatibility and }
Public Need for the construction, maintenance, and operation of a }
wireless telecommunications facility located at the Round Hill }
Community Church, 395 Round Hill Road, Greenwich, }
Connecticut.

Connecticut

Siting

Council

February 6, 2007

Decision and Order

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, operation, and maintenance of a telecommunications facility, 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, and therefore directs that a Certificate of Environmental Compatibility and Public Need, as provided by General Statutes § 16-50k, be issued to Cellco Partnership d/b/a Verizon Wireless, hereinafter referred to as the Certificate Holder, for a telecommunications facility at 395 Round Hill Road Greenwich, Connecticut.

The facility shall be constructed, operated, and maintained substantially as specified in the Council's record in this matter, and subject to the following conditions:

1. The facility shall be constructed as a two-monopole facility with internally mounted antennas, no taller than necessary to provide the proposed telecommunications services, sufficient to accommodate the antennas of Cellco Partnership d/b/a Verizon Wireless and other entities, both public and private, but such towers shall not exceed a height of 115 feet above ground level.
2. The Certificate Holder shall prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-75 through 16-50j-77 of the Regulations of Connecticut State Agencies. The D&M Plan shall be served on the Town of Greenwich for comment, and all parties and intervenors as listed in the service list, and submitted to and approved by the Council prior to the commencement of facility construction and shall include:
 - a) a final site plan(s) of site development to include specifications for the towers, tower foundations, antennas, equipment compound, radio equipment, access road, utility line, and landscaping; and
 - b) construction plans for site clearing, water drainage, and erosion and sedimentation control consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended.
3. The Certificate Holder shall, prior to the commencement of operation, provide the Council worst-case modeling of electromagnetic radio frequency power density of all proposed entities' antennas at the closest point of uncontrolled access to the base of the facility, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin No. 65, August 1997. The Certificate Holder shall ensure a recalculated report of electromagnetic radio frequency power density is submitted to the Council if and when circumstances in operation cause a change in power density above the levels calculated and provided pursuant to this Decision and Order.

4. Upon the establishment of any new State or federal radio frequency standards applicable to frequencies of this facility, the facility granted herein shall be brought into compliance with such standards.
5. The Certificate Holder shall permit public or private entities to share space on the proposed facility for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
6. The Certificate Holder shall provide reasonable space within one of the towers for no compensation for any Town of Greenwich public safety services (police, fire and medical services), provided such use can be accommodated and is compatible with the structural integrity of the tower.
7. If the facility authorized herein is not fully constructed and providing wireless services within eighteen months from the date of the mailing of the Council's Findings of Fact, Opinion, and Decision and Order (collectively called "Final Decision"), this Decision and Order shall be void, and the Certificate Holder shall dismantle both towers and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's Final Decision shall not be counted in calculating this deadline.
8. If the one or both towers of the facility ceases to provide wireless services for a period of one year, this Decision and Order shall be void, and the Certificate Holder shall dismantle the unused portion of the facility and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made.
9. The Certificate Holder shall remove any nonfunctioning antenna, and associated antenna mounting equipment, within 60 days of the date the antenna ceased to function.
10. Any request for extension of the time periods referred to in Conditions 7 & 8 shall be filed with the Council not later than sixty days prior to the expiration date of this Certificate and shall be served on all parties and intervenors, as listed in the service list, and the Town of Greenwich. Any proposed modifications to this Decision and Order shall likewise be so served.
11. In accordance with Section 16-50j-77 of the Regulations of Connecticut State Agencies, the Certificate Holder shall provide the Council with written notice two weeks prior to the commencement of site construction activities. In addition, the Certificate Holder shall provide the Council with written notice of the completion of site construction and the commencement of site operation.

Pursuant to General Statutes § 16-50p, the Council hereby directs that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed below, and notice of issuance shall be published in The Greenwich Time.

By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

The parties and intervenors to this proceeding are:

Applicant

Cellco Partnership d/b/a
Verizon Wireless

Intervenor

Omnipoint Communications, Inc.
(T-Mobile USA, Inc.)

Intervenor

Cliff Berger

Intervenor

New Cingular Wireless PCS, LLC

Intervenor

Sprint Nextel Corporation

Intervenor

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