

DOCKET NO. 112 - An application of
SNET Cellular, Inc., for a Certificate
of Environmental Compatibility and
Public Need for a cellular telephone
tower and associated equipment in the
Town of Colchester, Connecticut.

: Connecticut
: Siting
: Council

ORIGINAL

:September 8, 1989

DECISION AND ORDER

Pursuant to the foregoing Opinion, the Connecticut Siting Council finds that the effects associated with the construction, operation, and maintenance of a cellular monopole tower and associated equipment building at the proposed Colchester site, including effects on the natural environment; ecological balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife, are not significant 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, and therefore directs that a Certificate of Environmental Compatibility and Public Need, as provided by Section 16-50k of the Connecticut General Statutes (CGS) be issued to SNET Cellular, Inc., (SNET) for the construction, operation, and maintenance of a cellular telephone tower site and associated equipment at the proposed site on Chestnut Hill Road in Colchester, Connecticut.

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

1. The tower shall be a monopole no taller than necessary to provide the proposed service, and in no event shall the structure exceed a total height of 197 feet, including antennas.

2. No part of the tower site or access road shall be within an inland wetland as defined by CGS 22a-38(15) and identified by a certified soil scientist.
3. The facility shall be constructed in accordance with applicable sections of the State of Connecticut Basic Building Code.
4. Unless necessary to comply with conditions of the Federal Aviation Administration, no lights shall be installed on this tower.
5. 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 State Agencies. The D&M Plan shall include detailed plans for erosion and sediment control along the access road and at the tower site, plans for permanent evergreen screening along the outside perimeter of the eight-foot fence surrounding the site, plans for loaming and seeding the site and side of the access road following completion of construction, and, to the greatest extent possible, plans to shift the tower site and/or reduce the height of the tower to prevent an overlap of the tower fall zone with the nearest traveled portion of Route 2. The access road shall be constructed in a manner to minimize erosion and tree clearing as much as possible. The Certificate Holder shall consult with the Town of Colchester in the preparation of the D&M Plan. Utilities shall be installed underground if it is found overhead utilities would interfere with the development of land adjacent to the site.

6. The Certificate Holder or its successor shall permit public or private entities to share space on the tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
7. The Certificate Holder or its successor shall notify the Council if and when directional antennas or any equipment other than that listed in this application are added to this facility.
8. If this facility does not provide, or permanently ceases to provide, cellular service following the completion of construction, this Decision and Order shall be void, and the tower and all associated equipment in this application shall be dismantled and removed or reapplication for any new use shall be made to the Council and a Certificate granted before any such new use is made.
9. The Certificate Holder shall comply with any future radio frequency (RF) standard, promulgated by State or federal regulatory agencies. Upon the establishment of any new governmental RF standards, the facility granted in this Decision and Order shall be brought into compliance with such standards.
10. Unless otherwise approved by the Council, this Decision and Order shall be void if all construction authorized herein is not completed within three years of the issuance of this Decision and Order, or within three years of the completion of any appeal taken in this Decision and Order.

Pursuant to Section 16-50p, we hereby direct that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed below. A notice of issuance shall be published in the Hartford Courant, the New London Day, the Norwich Bulletin, and the Colchester Regional Standard.

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 State Agencies.

The parties or intervenors to this proceeding are:

PARTY

SNET Cellular, Inc.
227 Church Street
New Haven, CT 06506

ITS REPRESENTATIVE

SNET Cellular, Inc.
c/o Peter J. Tyrrell
Senior Attorney
227 Church Street
Room 1021
New Haven, CT 06506

INTERVENOR

Metro Mobile CTS of
Hartford, Inc.
100 Corporate Drive
Windsor, CT 06095

ITS REPRESENTATIVE

Kenneth I. Friedman, Esq.
David W. Bogan, Esq.
Byrne, Slater, Sandler
Shulman & Rouse, P.C.
330 Main Street
P.O. Box 3216
Hartford, CT 06103

CERTIFICATION

The undersigned members of the Connecticut Siting Council hereby certify that they have heard this case in Docket No. 112 or read the record thereof, and that we voted as follows:

Dated at New Britain, Connecticut the 8th day of September, 1989.

Council Members

Vote Cast


Gloria Dibble Pond
Chairperson

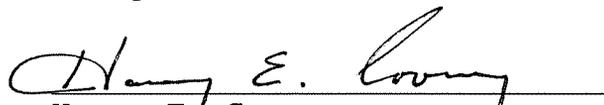
YES


Commissioner Peter Boucher
Designee: Robert A. Pulito

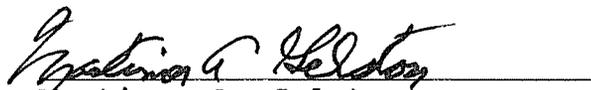
NO

Commissioner Leslie Carothers
Designee: Brian Emerick

ABSENT


Harry E. Covey

ABSTAIN


Mortimer A. Gelston

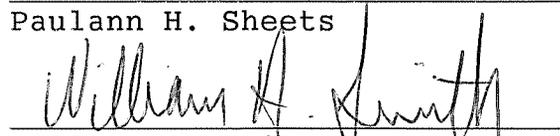
YES


Daniel P. Lynch, Jr.

YES


Paulann H. Sheets

NO


William H. Smith

YES


Colin C. Tait

NO