

DOCKET NO. 113 - An application of Metro Mobile CTS of Fairfield County, Inc., for a Certificate of Environmental Compatibility and Public Need for cellular telephone antennas and associated equipment in the Town of Ridgefield, Connecticut. : Connecticut : : Siting : Council :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 at the proposed Ridgefield 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 Metro Mobile CTS of Fairfield County, Inc., for the construction, operation, and maintenance of a cellular telephone tower site and associated equipment at the proposed site on Governor Street in Ridgefield, Connecticut.

The facility shall be substantially constructed, operated, and maintained 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 143 feet, including antennas.

2. The facility shall be constructed in accordance with applicable sections of the State of Connecticut Basic Building Code.
3. Unless necessary to comply with conditions of the Federal Aviation Administration, no lights shall be installed on this tower.
4. The Certificate Holder or its successor shall not oppose public or private entities who seek to share space on the tower unless technical reasons preclude such tower sharing.
5. The Certificate Holder or its successor shall notify the Council for acknowledgement or approval if and when directional antennas or any equipment other than that listed in this application are added to this facility.
6. 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.
7. 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.
8. 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 Danbury News-Times, the Stamford Advocate, and the White Plains Reporter Dispatch.

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	ITS REPRESENTATIVE
Metro Mobile CTS of Fairfield County, Inc. 50 Rockland Road South Norwalk, CT 06854 ATTN: Phillip Mayberry General Manager	Jennifer Young Gaudet, Esq. David W. Bogan, Esq. Bryne, Slater, Sandler Shulman & Rouse, P.C. 330 Main Street P.O. Box 3216 Hartford, CT 06103
	Fleischman and Walsh, P.C. 1400 16th Street, N.W. Suite 600 Washington, D.C. 20036 ATTN: Richard Rubin, Esq.
INTERVENOR	ITS REPRESENTATIVE
SNET Cellular, Inc. 227 Church Street New Haven, CT 06506	Peter J. Tyrrell Senior Attorney SNET Cellular, Inc. Room 1021 227 Church Street New Haven, CT 06506

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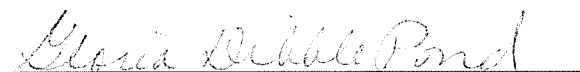
CERTIFICATION

The undersigned members of the Connecticut Siting Council hereby certify that they have heard this case in Docket No. 113 or read the record thereof, and that we voted as follows:

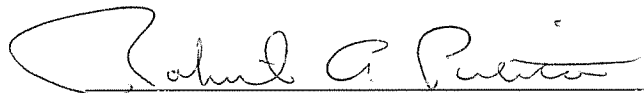
Dated at New Britain, Connecticut the 8th day of September, 1989.

Council Members

Vote Cast

  
Gloria Dibble Pond  
Chairperson

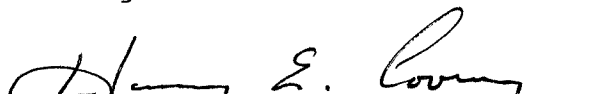
YES

  
Commissioner Peter Boucher  
Designee: Robert A. Pulito

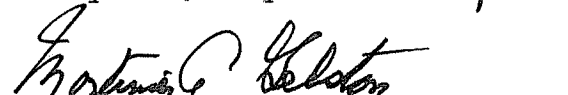
YES

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Commissioner Leslie Carothers  
Designee: Brian Emerick

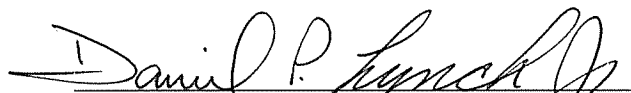
ABSENT

  
Harry E. Covey

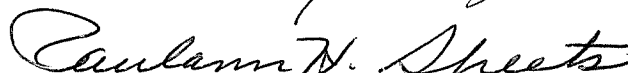
ABSTAIN

  
Mortimer A. Gelston


YES

  
Daniel P. Lynch, Jr.

YES

  
Paulann H. Sheets

YES

  
William H. Smith

YES

  
Colin C. Tait

YES