

DOCKET NO. 117 - An application of : Connecticut  
Metro Mobile CTS of New Haven, Inc., for a :  
Certificate of Environmental Compatibility : Siting  
and Public Need for the construction, : Council  
operation, and maintenance of a cellular :  
telephone tower and associated equipment in :  
the Town of North Haven, Connecticut. January 16, 1990

#### DECISION AND ORDER

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council finds that the effects associated with the construction, operation, and maintenance of cellular telephone facility at the alternate North Haven 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 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 General Statutes of Connecticut (CGS), be issued to Metro Mobile CTS of New Haven, Inc., for the construction, operation, and maintenance of a cellular telecommunications tower, associated equipment, and building at the alternate site in North Haven, 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 self-supporting, monopole tower including antennas and associated equipment shall not exceed a height of 133 feet AGL.
2. The facility shall be constructed in accordance with the State of Connecticut Basic Building Code.
3. The Certificate Holder shall prepare a Development and Management (D&M) Plan for this site which shall include detailed plans of the site preparation with specifications for the tower foundation.
4. 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.

5. The Certificate Holder or its successor shall provide the Council a recalculated report of power density if and when additional channels over the proposed 90 channels, higher wattage over the proposed 100 watts per channel, or if other circumstances in operation cause a change in power density above the levels originally calculated in the application.
6. The Certificate Holder or its successor shall permit public or private entities to share space on the North Haven tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
7. If this facility does not initially provide, or permanently ceases to provide cellular service following 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 of any new use shall be made to the Council before any such new use is made.
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 after the completion of any appeal to this Decision and Order.
9. The Applicant shall provide a final report to the Council upon completion of construction, including the final construction cost and date of commercial operation.

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 New Haven Register.

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:

Metro Mobile CTS of  
New Haven, Inc.  
50 Rockland Road  
South Norwalk, CT 06854  
ATTN: Phillip Mayberry  
General Manager

(Applicant)

Robinson and Cole  
One Commercial Plaza  
Hartford, CT 06103-3597  
ATTN: Earl W. Phillips, Jr., Esq.

(Its Representative)

Luke and Angelina Camarota and  
Surv Camarota  
303 Washington Avenue  
North Haven, CT 06473

(Party)

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

(Intervenor)

Peter J. Tyrrell  
SNET Cellular, Inc.  
Room 1021  
227 Church Street  
New Haven, CT 06506

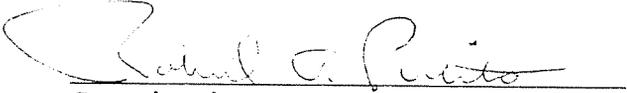
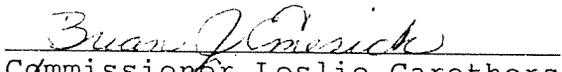
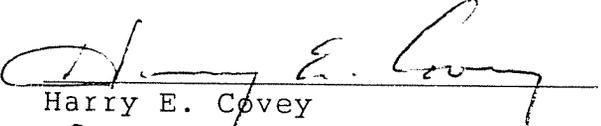
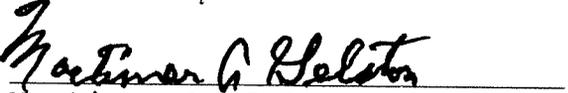
(its Representative)

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CERTIFICATION

The undersigned members of the Connecticut Siting Council hereby certify that they have heard this case in Docket No. 117 or read the record thereof, and that we voted as follows:

Dated at New Britain, Connecticut the 16th day of January, 1990.

<u>Council Members</u>	<u>Vote Cast</u>
 Gloria Dibble Pond Chairperson	YES
 Commissioner Peter Boucher Designee: Robert A. Pulito	YES
 Commissioner Leslie Carothers Designee: Brian Emerick	YES
 Harry E. Covey	YES
 Mortimer A. Gelston	YES
_____ Daniel P. Lynch, Jr.	ABSENT
_____ Paulann H. Sheets	ABSENT
_____ William H. Smith	ABSENT
_____ Colin C. Tait	ABSENT