

An application of The Department of Public Safety, Division of State Police for a Certificate of Environmental Compatibility and Public Need for the construction, operation, and maintenance of telecommunications facilities located in the Towns of North Canaan, Norfolk, Litchfield, and Sharon, Connecticut. : Docket 118 : Connecticut Siting Council : February 5, 1990

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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 telecommunications towers at the proposed North Canaan, Norfolk, and Litchfield, Connecticut, sites 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 Department of Public Safety, Division of State Police, for the construction, operation, and maintenance of telecommunications towers, associated equipment, and buildings at the proposed sites of Troop "B" in North Canaan, Riggs Hill in Norfolk, and Troop "L" in Litchfield, Connecticut.

The facilities 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 lattice towers shall be no taller than necessary to provide the proposed communications and in no event shall the North Canaan, Troop "B", tower exceed 127 feet, the Norfolk, Riggs Hill, tower exceed 193 feet, and the Litchfield, Troop "L", tower exceed 187 feet with antennas and all appurtenances.
2. All facilities 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 these sites 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 site preparation, site access, and erosion and sedimentation controls. For the Norfolk, Riggs Hill site the D&M plan shall also include consideration of alternate construction methods and/or an alternate route for access to the site.

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 facilities 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 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 proposed towers for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
7. If any facility does not initially provide, or permanently ceases to provide telecommunications service following completion of construction, this Decision and Order shall be void, and the tower and all associated equipment shall be dismantled and removed or reapplication for 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 from 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 Register Citizen, the Waterbury Republican and American, and the Litchfield County Times.

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:

Department of Public Safety (Party)  
Division of State Police

Captain Ronald P. Milkulka (Its Representatives)  
Commanding Officer  
Connecticut State Police  
Police Support Services  
294 Colony Street  
Building No. 5  
Meriden, Connecticut 06450

L.D. McCallum and Robert F. Vachelli  
Assistant Attorneys General  
MacKenzie Hall  
110 Sherman Street  
Hartford, Connecticut 06105

Town of Sharon (Party)  
Conservation Commission  
Sharon, Connecticut 06069

Phyllis Fallow, Chairman (Its Representative)  
Cicily Hajek, Vice Chairman  
Conservation Commission  
Town of Sharon  
Sharon, Connecticut 06069

CERTIFICATION

The undersigned members of the Connecticut Siting Council hereby certify that they have heard this case in Docket No. 118 or read the record thereof, and that we voted as follows:

Dated at New Britain, Connecticut the 5th day of February 1990.

Council Members

Vote Cast

Gloria Dibble Pond  
Gloria Dibble Pond  
Chairperson

YES

Peter A. Boucher  
Commissioner Peter Boucher  
Designee: Robert A. Pulito

YES

Brian J. Emerick  
Commissioner Leslie Carothers  
Designee: Brian Emerick

YES

Harry E. Covey  
Harry E. Covey

ABSTAIN

Mortimer A. Gelston  
Mortimer A. Gelston

YES

Daniel P. Lynch, Jr.  
Daniel P. Lynch, Jr.

YES

Paulann H. Sheets  
Paulann H. Sheets  
William H. Smith  
William H. Smith

ABSENT

YES

Colin C. Tait  
Colin C. Tait

ABSTAIN