

An application of the Department	:	Docket 123
of Public Safety, Division of	:	
State Police, for a Certificate of	:	Connecticut
Environmental Compatibility and Public	:	Siting
Need for the construction, operation,	:	Council
and maintenance of a telecommunications	:	
tower and associated equipment in the	:	
Town of Westport, Connecticut.	:	March 29, 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 a telecommunications tower, building, and associated equipment at the proposed Westport, Connecticut, 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 Department of Public Safety, Division of State Police, for the construction, operation, and maintenance of a telecommunications tower, associated equipment, and building at the proposed Troop "G" site in Westport, Connecticut.

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

1. The self-supporting lattice tower shall be no taller than necessary to provide the proposed communications and in no event shall the Westport, Troop "G", tower exceed 180 feet above ground level, with antennas and all appurtenances.
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 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 the site's preparation including the tower and building foundation, site access, and erosion and sedimentation controls.
4. The Certificate Holder shall comply with any future radio frequency (RF) standards, 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 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 and provided in the application.
6. The Certificate Holder shall permit public or private entities to share space on the proposed tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
7. If the 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 effective date of 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 Bridgeport Post, The Hour, and the Advocate.

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:

<u>Party</u>	<u>Its Representatives</u>
Department of Public Safety Division of State Police	Captain Ronald P. Milkulka 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

Party

Metro Mobile CTS, of
Fairfield County, Inc.
50 Rockland Road
South Norwalk, Connecticut 06854

Its Representative

Henry H. Sprague, Esq.
Robinson & Cole
One Commercial Plaza
Hartford, Connecticut 06105

Party

Metro Mobile CTS, of
110 East 59th Street
New York, New York 10022

Its Representative

Henry H. Sprague, Esq.
Robinson & Cole
One Commercial Plaza
Hartford, Connecticut 06105

Party

Town of Westport
110 Myrtle Avenue
Westport, Connecticut 06880

Its Representative

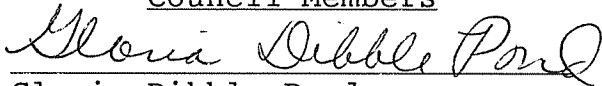



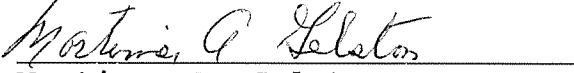
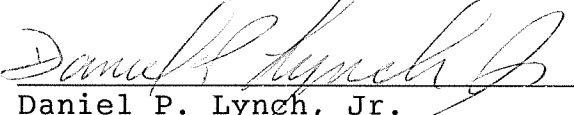
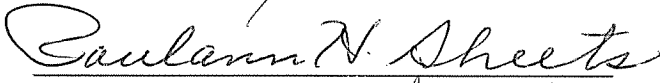
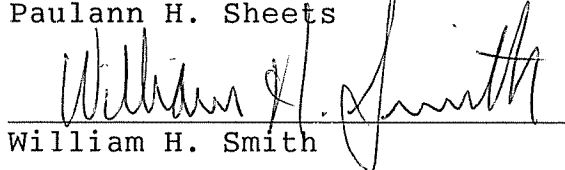
Paul L. Brozdowski
Office of Town Attorney
110 Myrtle Avenue
Westport, Connecticut 06880

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CERTIFICATION

The undersigned members of the Connecticut Siting Council hereby certify that they have heard this case in Docket No. 123 - 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 a telecommunications tower and associated equipment in the Town of Westport, Connecticut or read the record thereof, and that we voted as follows:

Dated at New Britain, Connecticut the 26th day of March, 1990.

<u>Council Members</u>	<u>Vote Cast</u>
 Gloria Dibble Pond Chairperson	Yes
 Commissioner Peter Boucher Designee: Mark Marcus	Abstain
 Commissioner Leslie Carothers Designee: Brian Emerick	Yes
 Harry E. Covey	Yes
 Mortimer A. Gelston	Yes
 Daniel P. Lynch, Jr.	Yes
 Paulann H. Sheets	Abstain
 William H. Smith	Yes
<hr/> Colin C. Tait	Absent