

An application of the Department : Docket 128  
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 Wilton, Connecticut. : April 30, 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 at the proposed Wilton, 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 site in Wilton, 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 facility shall be constructed in accordance with the State of Connecticut Basic Building Code.
2. The self-supporting lattice tower shall be no taller than necessary to provide the proposed communications and in no event shall the tower exceed 193 feet above ground level, with antennas and all appurtenances.
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, tower placement and foundation, architecture of the equipment building and fence, access road, and erosion and sedimentation controls.

4. The Certificate Holder shall comply with any applicable 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 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 towers 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.


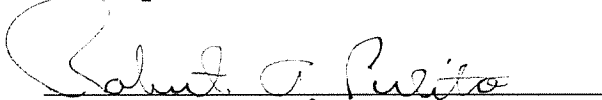
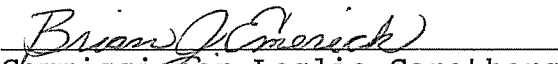
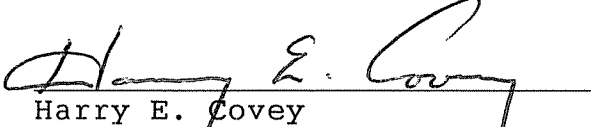
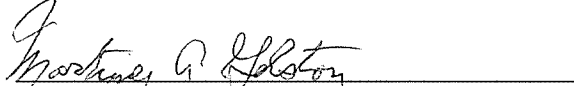
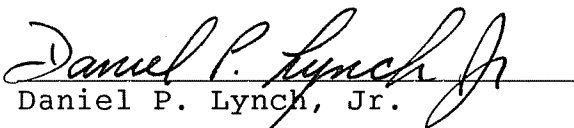
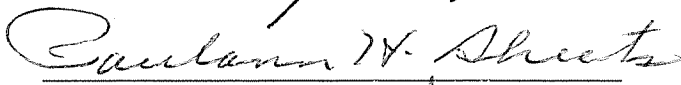
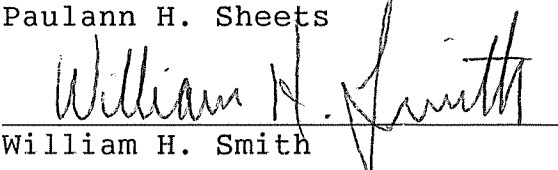

Pursuant to Section 16-50p, we hereby direct that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed below, and notice of issuance shall be published in the Bridgeport Post, The Hour, The Advocate, and The News-Times.

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.

CERTIFICATION

The undersigned members of the Connecticut Siting Council hereby certify that they have heard this case in Docket No. 128 or read the record thereof, and that we voted as follows:

Dated at New Britain, Connecticut the 30th day of April, 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.	Yes
 Paulann H. Sheets	Abstain
 William H. Smith	Yes
 Colin C. Tait	Yes

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. Mikulka 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
<u>Inteviewer</u>	<u>Its Representative</u>
Steven Lauten 31 Fenwood Lane Wilton, Connecticut	Jessie F. Bennett, Esq. Davidson, Naylor, & Leepson 535 Connecticut Avenue P.O. Box 5351 Norwalk, Connecticut 06856
<u>Inteviewer</u>	<u>Its Representative</u>
SNET Cellular, Inc. 227 Church Street New Haven, Connecticut 06506	Peter J. Tyrrell Senior Attorney SNET Cellular, Inc. 227 Church Street New Haven, Connecticut 06506
<u>Inteviewer</u>	<u>Its Representative</u>
Metro Mobile CTS, of Fairfield County, Inc. 50 Rockland Road South Norwalk, Connecticut 06854	Henry H. Sprague, Esq. Robinson & Cole One Commercial Plaza Hartford, Connecticut 06105
<u>Inteviewer</u>	<u>Its Representative</u>
Metro Mobile CTS, of 110 East 59th Street New York, New York 10022	Henry H. Sprague, Esq. Robinson & Cole One Commercial Plaza Hartford, Connecticut 06105

Party

Town of Wilton  
Town Hall  
238 Danbury Road  
Wilton, Connecticut 06880

Its Representative

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First Selectman  
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238 Danbury Road  
Wilton, Connecticut 06897

Party

Stephen J. Farley  
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