

DOCKET NO. 129 - AN APPLICATION OF : Connecticut Siting
METRO MOBILE CTS OF HARTFORD, INC., : Council
FOR A CERTIFICATE OF ENVIRONMENTAL :
COMPATIBILITY AND PUBLIC NEED FOR :
THE CONSTRUCTION, OPERATION, AND : March 12, 1990
MAINTENANCE OF A CELLULAR TELEPHONE
TOWER AND ASSOCIATED EQUIPMENT IN
THE TOWN OF MANCHESTER, CONNECTICUT.

D E C I S I O N A N D O R D E R

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 cellular telephone facility at the proposed Manchester site, including effects on the natural environment; ecological integrity and balance; 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 Hartford, Inc., for the construction, operation, and maintenance of a cellular telecommunications tower, associated equipment, and building at the proposed site in Manchester, 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 monopole tower including antennas and associated equipment shall not exceed a height of 128 feet above ground level, 324 feet AMSL.
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 of the site preparation with a soil boring report; plans, design details, and specifications for the tower foundation; and a site plan with placement of the tower as far removed from abutting properties and structures as possible.
4. The Certificate Holder shall prepare the D&M plan in consultation with the Town of Manchester which may provide its comments to the Council within 20 days of submission to the Town.

5. 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.
6. The Certificate Holder 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.
7. The Certificate Holder shall permit public or private entities to share space on the tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
8. If this facility does not initially 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 of any new use shall be made to the Council before any such new use is made.
9. Unless otherwise approved by the Council, this Decision and Order shall be void if construction authorized herein is not completed within three years of the effective date of this Decision and Order.

Pursuant to Section 16-50p of the CGS, 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 Hartford Courant and Journal Inquirer.

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:

(Applicant)

Metro Mobile CTS of
Hartford, Inc.
100 Corporate Drive
Windsor, CT 06095
Attn: Gary N. Schulman
Vice President and
General Manager

(Its Representative)

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

(Intervenor)

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

(Its Representative)

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

(Party)

Town of Manchester
Planning & Zoning Commission
Town Hall
41 Center Street
Manchester, CT 06040

(Its Representative)

Mark Pellegrini
Director of Planning and
Economic Development
Town Hall
41 Center Street
Manchester, CT 06040

(Party)

Cheney Brothers National
Historic Landmark District
and Cheney National
Historic Commission

(Its Representative)

Bruce J. Comollo
Garrity, Diana, Conti &
Houck
1091 Main Street
Manchester, CT 06040

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CERTIFICATION

The undersigned members of the Connecticut Siting Council hereby certify that they have heard this case in DOCKET NO. 129 - An application of Metro Mobile CTS of Hartford, Inc., for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a cellular telephone tower and associated equipment in the Town of Manchester, Connecticut or read the record thereof, and that we voted as follows:

Dated at New Britain, Connecticut the 12th day of March, 1990.

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