

DOCKET NO. 137 - An application of Metro Mobile Connecticut
CTS of Hartford, Inc., for a Certificate of
Environmental Compatibility and Public Need Siting
for the construction, maintenance, and Council
operation of cellular facilities in the Towns
of East Hartford, South Windsor, and Windsor,
Connecticut. November 14, 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 two cellular telecommunications towers and associated equipment at the proposed Windsor and alternate South Windsor 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 need not be in conflict 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 (Certificate), as provided by section 16-50k of the Connecticut General Statutes (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 Windsor site and alternate South Windsor site.

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 facilities shall be constructed in accordance with the State of Connecticut Basic Building Code.
2. The self-supporting monopole towers shall be no taller than necessary to provide the proposed communication service and in no event shall the towers exceed a total height of 123 feet above ground level (AGL) at the alternate South Windsor site and 113 feet AGL at the proposed Windsor site, with antennas and appurtenances.
3. The Certificate holder shall prepare a Development and Management (D&M) Plan, for approval by the Council, 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 of the towers, tower foundations, soil boring reports, equipment buildings, access roads, security fences, erosion and sedimentation control plans consistent with the Connecticut Guidelines of Soil Erosion and Sedimentation Control, and landscaping plans.

At the alternate South Windsor site the applicant shall relocate the tower on the eastern half the leased parcel to reduce the amount of properties within the fall zone.

All pine trees bordering the alternate South Windsor site shall be flagged and protected from removal during site construction.

At the proposed Windsor site the applicant shall plant additional shrubs and trees along the border of the leased parcel facing the playing fields.

4. The Certificate Holder shall comply with any existing and 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 shall provide the Council a recalculated report of electromagnetic radio frequency power density if and when circumstances in operation cause a change in power densities 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 facilities do not initially provide, or permanently cease to provide cellular service following completion of construction, this Decision and Order shall be void, and the tower(s) 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 or within three years after all appeals to this Decision and Order have been resolved.

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 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 to this proceeding are:

(PARTIES)

Metro Mobile CTS of
Hartford, Inc.
20 Alexander Drive
P.O. Box 5029
Wallingford, CT. 06492
Attn: Gary Schulman

Town of East Hartford

(INTEVENORS)

Town of South Windsor

SNET Cellular, Inc.

(ITS REPRESENTATIVES)

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

Mr. G. Barry Goodberg
Asst. Corp. Counsel
Town of East Hartford
740 Main Street
East Hartford, CT. 06108

(ITS REPRESENTATIVES)

Jean E. Zurbrigen
Town Manager
Town of South Windsor
1540 Sullivan Avenue
South Windsor, CT. 06074




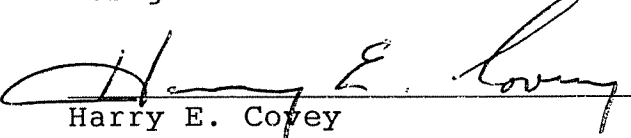
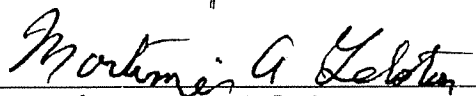
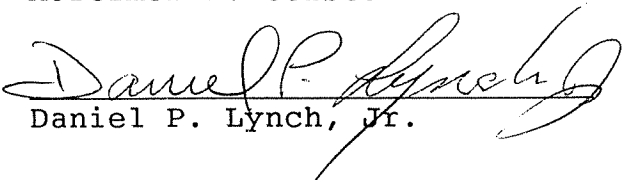
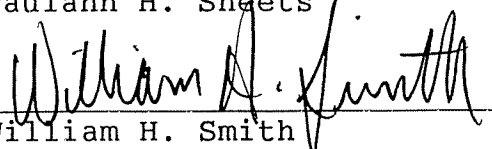
Peter J. Tyrrell, Esq.
SNET Cellular, Inc.
227 Church Street
New Haven, CT 06506

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CERTIFICATION

The undersigned members of the Connecticut Siting Council hereby certify that they have heard this case in Docket No. 137 or read the record thereof, and that we voted as follows:

Dated at New Britain, Connecticut the 14th day of November, 1990.

<u>Council Members</u>	<u>Vote Cast</u>
 Gloria Dibble Pond Chairperson	Yes
 Commissioner Peter Boucher Designee: Mark Marcus	Yes
 Commissioner Leslie Carothers Designee: Brian Emerick	Yes
 Harry E. Covey	No
 Mortimer A. Gelston	Yes
 Daniel P. Lynch, Jr.	Abstain
_____ Paulann H. Sheets	Absent
 William H. Smith	Yes
_____ Colin C. Tait	Absent