

DOCKET NO. 142 - An application of Springwch Limited Partnership 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 Pomfret, Connecticut.

Connecticut

Siting

Council

June 20, 1991

DECISION AND ORDER

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, operation, and maintenance of a cellular telecommunications tower and equipment building at the proposed Pomfret, Connecticut, alternate 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 disproportionate either alone or cumulatively with other effects when compared to need, 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 Connecticut General Statutes (CGS), be issued to the Springwch Cellular Limited Partnership (Springwch), for the construction, operation, and maintenance of a cellular telecommunications tower, associated equipment, and building at the proposed alternate site in Pomfret, 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 facility shall be constructed in accordance with the State of Connecticut Basic Building Code.
2. The self-supporting monopole tower shall be no taller than necessary to provide the proposed communications service and in no event shall the tower exceed a total height of 167 feet above ground level, with antennas and appurtenances.
3. The Certificate holder shall prepare a 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 tower, tower foundation, tower pedestal,

equipment building, access road, and security fence. In addition, the D&M plan shall include detailed plans for clearing with techniques to minimize vegetation clearing; a site plan reorienting the facility, utilities, and access easements to avoid inland wetlands; and detailed plans for erosion and sedimentation control.

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 facility granted herein 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 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 cellular 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 or within three years after all appeals to this Decision and Order have been resolved.

Pursuant to CGS 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 Norwich Bulletin.

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 party to this proceeding is:

PARTY

The Springwich Cellular
Limited Partnership
555 Long Wharf Drive
New Haven, CT 06506

ITS REPRESENTATIVE

Peter J. Tyrrell
Senior Attorney
SNET Cellular, Inc.
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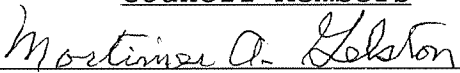



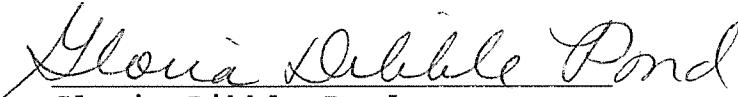
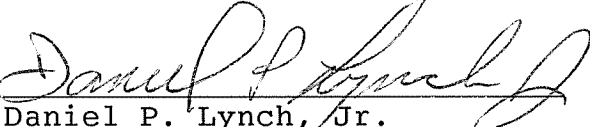
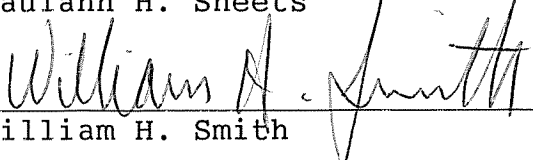
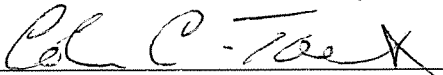
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CERTIFICATION

The undersigned members of the Connecticut Siting Council hereby certify that they have heard this case in DOCKET NO. 142 - An application of Springwich Limited Partnership 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 Pomfret, Connecticut, or read the record thereof, and that we voted as follows:

Dated at New Britain, Connecticut the 20th day of June 1991.

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