

DOCKET NO. 144 - An application of the Connecticut Light and Power Company for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications tower in the Town of Newtown, Connecticut. The proposed prime site is north of Barnabas Road approximately 400 feet west of the intersection of Tunnel and Barnabas Roads. The proposed alternate site is located south of Barnabas Road approximately 800 feet west of the intersection of Tunnel and Barnabas Roads.

Connecticut

Siting

Council

November 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 telecommunications facility and its associated equipment at the proposed Newtown Area Work Center prime 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 Connecticut Light and Power Company (CL&P) for the construction, operation, and maintenance of a telecommunications facility at the proposed Newtown Area Work Center prime site in Newtown, 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 self-supporting lattice 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 199 feet above ground level, with antennas and appurtenances.
2. 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, antenna placement, tower foundation, tower pedestal, and barriers to protect the tower from traffic.

3. The Certificate Holder shall comply with existing and future radio frequency (RF) standards 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.
4. 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.
5. 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.
6. 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.
7. 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 The Hartford Courant, the Newtown Bee, and the Danbury 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.

The parties and intervenors to this proceeding are:

PARTY

Northeast Utilities
Service Company

ITS REPRESENTATIVE

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INTERVENOR

The Honorable
Julia B. Wasserman
State Representative
106th District
State of Connecticut
House of Representatives
State Capitol
Hartford, CT 06106

ITS REPRESENTATIVE

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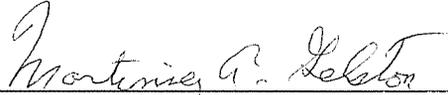
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CERTIFICATION

The undersigned members of the Connecticut Siting Council (Council) hereby certify that they have heard this case, or read the record thereof, in Docket No. 144, an application of the Connecticut Light and Power Company for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility in the Town of Newtown, Connecticut, and voted as follows to approve the proposed prime site located north of Barnabas Road approximately 400 feet west of the intersection of Tunnel and Barnabas Roads:

Council Members

Vote Cast



Mortimer A. Gelston
Chairman

YES



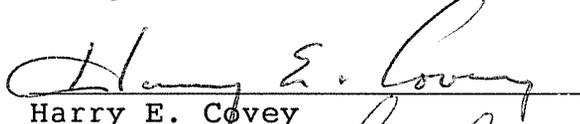
Commissioner Clifton A. Leonhardt
Designee:
Commissioner Richard G. Patterson

ABSTAIN



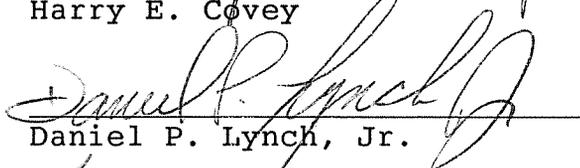
Commissioner Timothy R.E. Keeney
Designee: Brian Emerick

YES



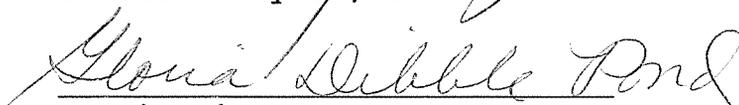
Harry E. Covey

YES



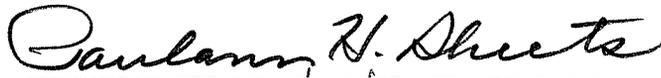
Daniel P. Lynch, Jr.

YES



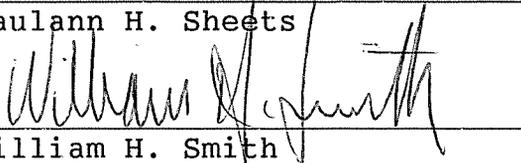
Gloria Dibble Pond

YES



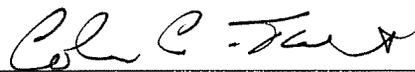
Paulann H. Sheets

YES



William H. Smith

YES



Colin C. Tait

YES

Dated at New Britain, Connecticut, November 20, 1991.