

DOCKET NO. 145 - An application of the : CONNECTICUT
Department Public Safety, Division of State :
Police, for a Certificate of Environmental : SITING
Compatibility and Public Need for the :
construction, operation, and maintenance : COUNCIL
of a telecommunications facility to be :
located at the former West Haven toll :
stop, I-95 eastbound, in the City of :
West Haven, Connecticut. : April 21, 1992

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 tower, building, and associated equipment at the proposed site in West Haven, Connecticut, 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, 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 16-50k of the General Statutes of Connecticut (CGS), be issued to the Connecticut Department of Public Safety, Division of State Police, for the construction, operation, and maintenance of a telecommunications tower, building, and associated equipment at the proposed site in West Haven, 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 self-supporting, lattice tower shall be designed no taller than necessary to provide the proposed communications, and in no event shall the tower exceed the proposed tower height of 120 feet above ground level, with antennas and all appurtenances; except that if the tower location is adjusted, the height of the tower, with antennas and appurtenances, shall not exceed 140 feet to maintain a clear microwave path from West Haven to West Rock Ridge in New Haven, Connecticut.
2. The Certificate Holder shall not commence construction of the telecommunications tower until construction begins for the State Police operations center adjacent to the telecommunications tower.

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 be submitted and approved by the Council prior to the commencement of construction and shall also include a comprehensive site plan with the following components:
 - A) a tower location away from the vegetative buffer developed in conjunction with the proposed State Police operation center which maintains the radius of the tower fall zone away from all adjacent residential structures and Interstate 95;
 - B) detailed plans of the tower foundation, tower height, and antenna placement;
 - C) access road to include utilities serving the proposed site;
 - D) erosion and sedimentation control measures; and
 - E) architecturally-treated fencing and landscaping.
4. 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.
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 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 five years of the effective date of this Decision and Order or within five 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 New Haven Register and the West Haven News.

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

Connecticut State Police

ITS REPRESENTATIVES

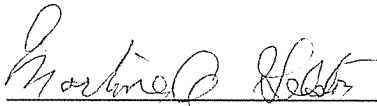
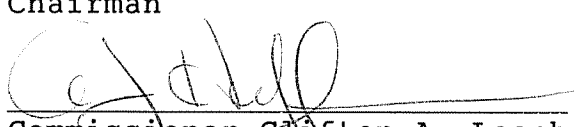
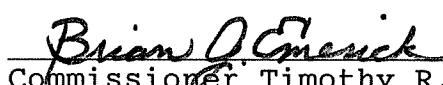

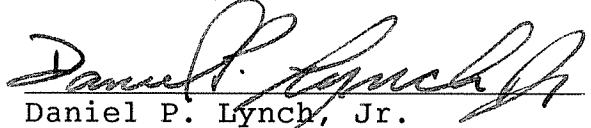
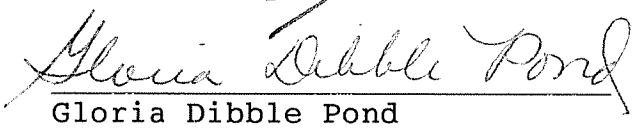
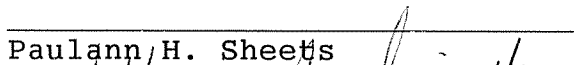
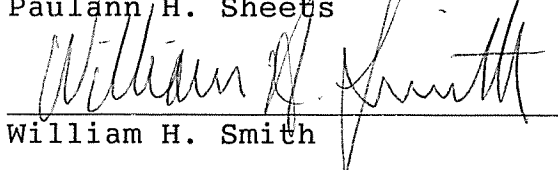
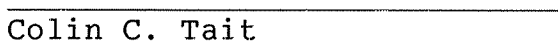
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CERTIFICATION

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. 145 - An application of the Department of Public Safety, Division of State Police for a Certificate of Environmental Compatibility and Public Need for the construction, operation, and maintenance of a telecommunications facility in the City of West Haven, Connecticut, and voted as follows to approve the proposed telecommunications tower to be located at the former West Haven toll stop, I-95 eastbound:

<u>Council Members</u>	<u>Vote Cast</u>
 Mortimer A. Gelston Chairman	Yes
 Commissioner Clifton A. Leonhardt Designee: Gerald J. Heffernan	Yes
 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	Absent
 William H. Smith	Yes
 Colin C. Tait	Absent

Dated at New Britain, Connecticut, April 21, 1992