

APPLICATION BY HOUSATONIC CABLE
VISION COMPANY FOR A CERTIFICATE : POWER FACILITY
OF ENVIRONMENTAL COMPATIBILITY
AND PUBLIC NEED RESPECTING A : EVALUATION COUNCIL
PROPOSED COMMUNITY ANTENNA
TELEVISION TOWER TO BE CONSTRUCTED : APRIL 11, 1979
IN MONROE, CONNECTICUT

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

Based on the foregoing, the application of the Housatonic Cable Vision Company to construct a 140 foot community antenna television tower on an acre of land in the Town Landfill, Town of Monroe, Monroe, Connecticut, a certificate of environmental compatibility and public need, as required by section 16-50k of the General Statutes of Connecticut, Revisions of 1958, revised to 1979, as amended, shall be issued, subject to the following conditions:

1. This tower shall be no higher than necessary to provide the service and shall not be used to transmit any microwave signals nor shall it receive any other microwave signals except as granted in this certificate.
2. The Applicant shall construct the tower and associated structures with all applicable state and local laws and regulations.
3. The Applicant shall, prior to the commencement of construction of the certified facility, submit for the Council's approval a Development and Management Plan. The plan shall be prepared in conjunction with the Power Facility Evaluation Council staff. The Council staff shall request such participation in preparation of the plan by the Department of Environmental Protection and other state agencies as it deems appropriate in each case.
4. The Development and Management Plan shall be submitted to the Council, and the Council shall approve, modify, or disapprove the plan within 30 days after receipt of it. Except as otherwise authorized by the Council, no construction of the tower or associated structures shall begin prior to approval by the Council.

Elements of a Development and Management Plan

- A. Key Map. The Development and Management Plan shall include a key map of the tower site and surrounding area that is a reproduction

at a scale of 1 = 24,000 of the most recent topographic map.

B. Plan Drawings. The Development and Management Plan shall consist of maps at a scale of 1" = 200' or larger (called "plan drawings") and supporting documents, which shall contain the following information:

1. The edges of the proposed tower site.
2. Public roads and public lands crossing or adjoining the proposed site.
3. The approximate location on the site of each 10 foot contour line shown on the key map.
4. The exact location of the tower and associated structures, position of guys, and the location of any utility or other structures to remain on the site or to be removed.
5. Special design features required by locating the tower in a landfill such as:
 - (a) Special design of the tower base and guy anchors;
 - (b) Location of the tower and guy anchors;
 - (c) Fencing around tower base and guy anchors.
6. Special considerations arising from locating the tower in a landfill such as:
 - (a) The amount of anticipated foundation settlement;
 - (b) Possible effects of gas venting.
7. The probable point of access to the site.
8. Areas of high erosion potential.
9. Erosion control and rehabilitation procedures to protect areas of high erosion potential.
10. The location of public recreation areas or activities known to exist or being proposed in or adjacent to the tower site, together with copies of any agreements between the company and public agencies authorizing public recreational use of the site to the extent of the company's property rights thereto.

Supplemental Requirements

A. Other and Subsequent Information.

The company shall submit to the Council the names of supervisory personnel assigned to the project.

B. Notice of Beginning, Changes and Completion.

1. The company shall provide the Council, in writing, with a minimum of two weeks advance notice of the beginning of construction of the tower and associated structures.
2. The company shall provide the Council with advance notice whenever a significant modification of the approved Development and Management Plan is necessary such as a change in the location of the tower, associated structures, guy wires, or access road. The Council's staff shall promptly review the changes and shall approve, modify, or disapprove the changes.
3. The company shall provide the Council with a monthly construction progress report indicating changes and deviations from the approved Development and Management Plan.
4. The company shall provide the Council with written notice of completion of construction and site rehabilitation.

C. Final Report. The company shall provide the Council with a final report for the tower site after completion of all construction and rehabilitation. This final report will identify (a) all agreements with property owners regarding special maintenance precautions; (b) significant modifications of the Development and Management Plan that were required because of the property rights of underlying owners or for other reasons; (c) the location of construction materials which have been left in place in the form of culverts, erosion control structures along steep slopes; and (d) the location of areas where special planting and reseeded have been done. In addition, the final report shall include the actual construction cost of the tower and associated facilities but not limited to the following costs: (a) construction of the tower and associated facilities; and (b) rehabilitation.

5. If the construction authorized under this order is not completed within three years of the effective date of this order, this order shall be void.

We hereby direct, pursuant to section 16-50p(c) of the General Statutes of the State of Connecticut, Revision of 1958, revised to 1979, as amended, that a copy of this opinion, order and decision be served on each party as hereinafter names. A notice of the issuance of the order and opinion shall be published in the Bridgeport Post.

The parties to this proceeding are contained on the following list:

Housatonic Cable Vision Company
Mr. Paul Hancock, General Partner
2 East Street
New Milford, Connecticut 06776

Represented by:

Mr. Howard Slater, Esquire
Louden, Byrne, Shechtman, Slater & Rose
P.O. Box 3216
111 Pearl Street
Hartford, Connecticut 06103

C E R T I F I C A T I O N

The undersigned members of the Power Facility Evaluation Council hereby certify that they have heard this case or read the record thereof, and that we voted as follows:

Dated at Hartford, Connecticut this 11th day of April, 1979.

Council Members Vote Cast

Gloria Dibble Pond
Gloria Dibble Pond
Chairperson

Yes

Miriam B. Butterworth
Commissioner Miriam Butterworth

Yes

Jonathan T. Clapp
Commissioner Stanley Pac
Designee: Jonathan T. Clapp

Yes

Owen L. Clark
Owen L. Clark 4/11/79

Yes

Fred J. Doocy

Abstained

Mortimer A. Gelston
Mortimer A. Gelston

Yes

James G. Horsfall
James G. Horsfall

Yes

Colin C. Tait
Colin C. Tait

Yes

Christopher S. Wood
Christopher S. Wood

Yes


STATE OF CONNECTICUT)
 :)
COUNTY OF HARTFORD)

Hartford, April 11, 1979

ss.

I hereby certify that the foregoing is true and correct
copy of the decision and order issued by the Power Facility
Evaluation Council, State of Connecticut.

ATTEST:


Patricia M. Smith, Executive Director
Power Facility Evaluation Council