

DOCKET NO. 168 - An application of Springwiche
 Cellular Limited Partnership for a Certificate of
 Environmental Compatibility and Public Need for the
 construction, maintenance, and operation of a cellular
 telecommunications facility located on the former site of
 the Bethany Airport, 719 Amity Road (Route 63) in
 Bethany, Connecticut.

} Connecticut
 } Siting
 } Council
 } July 6, 1995

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 site in Bethany, 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 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 General Statutes § 16-50k, be issued to Springwiche Cellular Limited Partnership (Springwiche), for the construction, operation, and maintenance of a cellular telecommunications tower, associated equipment, and building at the proposed site located at the Bethany Airport, 719 Amity Road, Bethany, 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 monopole tower shall be no taller than necessary to provide the proposed communications service and the tower shall not exceed a total height of 150 feet above ground level (AGL).
2. 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 Connecticut State Agencies. The D&M Plan shall be submitted to and approved by the Council prior to the commencement of facility construction and shall include detailed plans for the tower location and tower foundation; the placement of all antennas to be attached to this tower; equipment building, access road, utility line, and security fence; site clearing and tree trimming; and water drainage and erosion and sedimentation controls consistent with the Connecticut Guidelines for Soil Erosion and Sedimentation Control, as amended.
3. Upon the establishment of any new State or federal radio frequency standards applicable to frequencies of this facility, 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 cellular services following completion of construction, this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapplication for any continued or new use shall be made to the Council before any such 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.
8. The Certificate Holder shall notify the Council upon completion of construction and provide the final cost to construct the facility.

Pursuant to General Statutes § 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 Beth-Wood 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 Connecticut State Agencies.

The parties and intervenors to this proceeding are:

APPLICANT

Springwich Cellular Limited Partnership

INTERVENOR

Metro Mobile CTS of Hartford, Inc.

ITS REPRESENTATIVES

Peter J. Tyrrell, Esq.
Springwich Cellular Limited Partnership
227 Church Street
New Haven, CT 06510

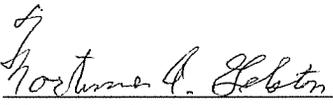
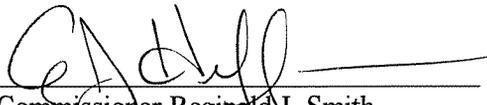
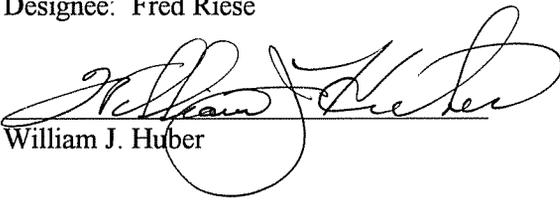
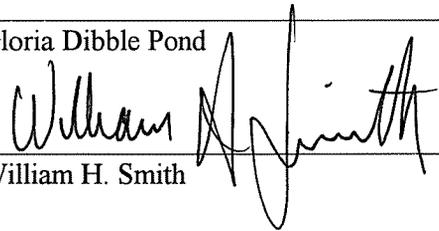
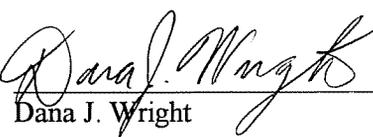
ITS REPRESENTATIVES

Metro Mobile CTS of Hartford, Inc.
20 Alexander Drive
Wallingford, CT 06492
Attn: David S. Malko, P.E., Manager
Engineering & Regulatory Services

Robinson & Cole
One Commercial Plaza
Hartford, CT 06103-3597
Attn: Brian C.S. Freeman, Esq.

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. 168 - An application of Springwich Cellular Limited Partnership for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a cellular telecommunications facility located on the former site of the Bethany Airport, 719 Amity Road (Route 63) in Bethany, Connecticut, and voted as follows:

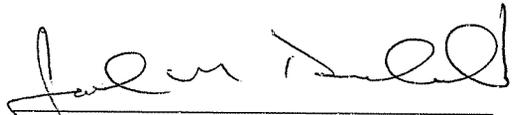
<u>Council Members</u>	<u>Vote Cast</u>
 Mortimer A. Gelston Chairman	YES
 Commissioner Reginald J. Smith Designee: Gerald J. Hefferman	YES
 Commissioner Sidney J. Holbrook Designee: Fred Riese	YES
 William J. Huber	YES
_____ Gloria Dibble Pond	ABSENT
 William H. Smith	YES
_____ Colin C. Tait	ABSTAIN
_____ Edward S. Wilensky	ABSENT
 Dana J. Wright	YES

Dated at New Britain, Connecticut, July 6, 1995.

STATE OF CONNECTICUT }
ss. New Britain, Connecticut }
COUNTY OF HARTFORD
STATE OF CONNECTICUT } July 7, 1995

I hereby certify that the foregoing is a true and correct copy of the Findings of Fact, Opinion, and Decision and Order issued by the Connecticut Siting Council, State of Connecticut.

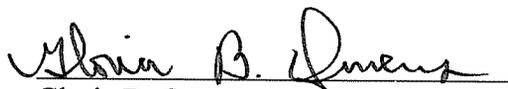
ATTEST:



Joel M. Rinebold
Executive Director
Connecticut Siting Council

I certify that a copy of the Findings of Fact, Opinion, and Decision and Order in Docket No. 168 have been forwarded by Certified First Class Return Receipt Requested mail on July 7, 1995, to all parties and intervenors of record as listed on the attached service list, dated April 10, 1995.

ATTEST:



Gloria B. Owens
Administrative Assistant
Connecticut Siting Council