

DOCKET NO. 87 - An application of SNET Cellular, Inc., for a Certificate of Environmental Compatibility and Public Need for the construction, operation, and maintenance of a facility to provide cellular telephone service in the Town of Norwich, Connecticut.

: CONNECTICUT SITING  
COUNCIL

March 22, 1988

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

Pursuant to the foregoing opinion, the Connecticut Siting Council hereby directs that a Certificate of Environmental Compatibility and Public Need, as provided by Section 16-50k of the General Statutes of Connecticut (CGS) be issued to SNET Cellular, Inc., for the construction, operation, and maintenance of a cellular telephone tower site and associated equipment at the proposed Norwich site off of Rogers Road.

The facility shall be constructed, operated, and maintained as specified in the Council's record in this matter, and subject to the following conditions:

1. The monopole tower at the Norwich site shall be no taller than necessary to provide the proposed service, and in no event shall exceed a total height of 167 feet, including antennas and associated equipment.
2. The tower shall be relocated on the site so that the fall zone of the tower is completely within the lessor's property.
3. The tower shall be constructed so as to be sufficient to accomodate cellular antennas and equipment of the other cellular service provider authorized by the Federal Communications Commission (FCC).

4. The Certificate Holder shall negotiate in good faith to lease space on this tower to the other cellular provider authorized by the FCC. The fee for leasing the tower shall be based on the cost to acquire land, construct and maintain the tower, and to install such cellular antennas and associated equipment on the tower.

5. The Certificate Holder or its successor shall notify the Council if and when directional antennas or any equipment other than that listed in this application is added to this facility.

6. The facility shall be constructed in accordance with all applicable federal, state, and municipal laws and regulations.

7. Unless necessary to comply with condition number 6, above, no lights shall be installed on this tower.

8. The Certificate Holder shall prepare a development and management (D&M) plan for the Norwich site in compliance with Sections 16-50j-75 through 16-50j-77 of the Regulations of State Agencies. The D&M plan shall provide for permanent evergreen screening around the outside perimeter of the eight-foot chain link fence which will surround the site.

9. If this facility does not 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 in this application shall be dismantled and removed or reapplication for any new use shall be made to the Council before any such new use is made.

10. The Certificate Holder shall comply with any future radio frequency (RF) standards promulgated by state or federal regulatory agencies. Upon the establishment of any new governmental RF standards, the facility granted in this Decision and Order shall be brought into compliance with such standards.

11. 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 issuance of this Decision and Order, or within three years of the completion of any appeal taken in this Decision and Order.

Pursuant to Section 16-50p, we hereby direct that a copy of the Decision and Order be served on each person listed below. A 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 parties or intervenors to this proceeding are:

SNET Cellular, Inc.  
555 Long Wharf Drive  
New Haven, CT 06511

(Applicant)

Peter J. Tyrrell  
Senior Attorney  
SNET Cellular, Inc.  
227 Church Street  
New Haven, CT 06506

(Its attorney)

Metro Mobile CTS of  
New London, Inc.

(Intervenor)

Howard L. Slater, Esq.  
Jennifer Young Gaudet Esq.  
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330 Main Street  
P.O. Box 3216  
Hartford, CT 06103

(Its Attorney)

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CERTIFICATION

The undersigned members of the Connecticut Siting Council hereby certify that they have heard this case in Docket No. 87 or read the record thereof, and that we voted as follows:

Dated at New Britain, Connecticut the 22nd day of March, 1988.

<u>Council Members</u>	<u>Vote Cast</u>
<u>Gloria Dibble Pond</u> Gloria Dibble Pond Chairperson	Yes
<u>Patricia J. Austin</u> Commissioner Peter Boucher Designee: Patricia Austin	Yes
<u>Brian J. Emerick</u> Commissioner Leslie Carothers Designee: Brian Emerick	Yes
<u>Fred J. Doocy</u> Fred J. Doocy	Yes
<u>Mortimer A. Gelston</u> Mortimer A. Gelston	Yes
<u>James G. Horsfall</u> James G. Horsfall	Yes
<u>William H. Smith</u> William H. Smith	Yes
<u>Colin C. Tait</u> Colin C. Tait	Yes