

DOCKET NO. 94 - AN APPLICATION OF METRO : Connecticut
MOBILE CTS OF FAIRFIELD COUNTY, INC., FOR :
A CERTIFICATE OF ENVIRONMENTAL COMPATI- : Siting
BILITY AND PUBLIC NEED FOR CELLULAR : Council
TELEPHONE ANTENNAS AND ASSOCIATED EQUIP- :
MENT IN THE TOWN OF WILTON, CONNECTICUT. May 3, 1988

DECISION AND ORDER

Pursuant to the foregoing opinion, the Connecticut Siting Council finds that the effects associated with the construction and operation of a cellular monopole structure at the alternative Mather Street site, including effects on the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forests and parks, air and water purity and fish and wildlife, are not significant 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 Section 16-50k of the General Statutes of Connecticut (CGS) be issued to Metro Mobile CTS of Fairfield County, Inc. (Metro Mobile) for the construction, operation, and maintenance of a cellular telephone tower site and associated equipment at the "Wilton-D/AA" site on Mather Street in Wilton, Connecticut.

The proposed "D-Wilton" site on Richdale Drive and alternative "D/A Wilton" site on Quail Ridge Road are hereby denied.

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 tower shall be constructed as a monopole or lattice tower, as determined by the Council in approving the development and management plan, and be no taller than necessary to provide the proposed service, and in no event shall exceed a total height of 193 feet, including antennas and associated equipment.
2. The facility shall be constructed in accordance with all applicable federal, state, and municipal laws and regulations.

3. Unless necessary to comply with condition number two, above, no lights shall be installed on this tower.
4. 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 provide monopole and lattice tower foundation design specifications and plans for permanent evergreen screening around the outside perimeter of the eight-foot chain link fence which will surround the site.
5. The Certificate Holder shall provide the Council with the results of additional subsurface reconnaissance at the proposed site prior to the commencement of any construction at this site.
6. 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 are added to this facility.
7. The Certificate Holder or its successor shall permit public or private entities to share space on the tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
8. If this facility does not provide, or permanently ceases to provide, cellular service following the 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.
9. 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.

10. 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 Norwalk Hour and the Wilton 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:

Metro Mobile CTS of Fairfield County, Inc. (Party)
50 Rockland Road
South Norwalk, CT 06854
Attn: Michael Riley

Howard L. Slater, Esq. (Its Attorney)
Jennifer Young Gaudet, Esq.
Byrne, Slater, Sandler,
Shulman & Rouse, P.C.
330 Main Street
Hartford, CT 06103

Fleischman and Walsh, P.C. (Representative)
1725 N. Street, N.W.
Washington, D.C. 20036
Attn: Richard Rubin, Esq.

PEACE, Inc. (Party)

Ann Caggiano (Representative)
President
PEACE, Inc.
33 Honey Hill Trail
Wilton, CT 06897

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Town of Wilton	(Party)
Edward C. Desmond First Selectman Town of Wilton Town Hall 238 Danbury Road Wilton, CT 06897	(Representative)
Joseph C. Lee, Esq. Alice A. Bruno, Esq. Tyler Cooper & Alcorn 205 Church Street P.O. Box 1936 New Haven, CT 06509	(Its Attorney)
Margaret Doheny 21 Richdale Drive Wilton, CT 06897	(Party)
SNET Cellular, Inc.	(Intervenor)
Donald R. Chapman, Vice President Operations SNET Cellular, Inc. 555 Long Wharf Drive New Haven, CT 06511	(Representative)
Peter J. Tyrrell Senior Attorney SNET Cellular, Inc. 227 Church Street Room 1021 New Haven, CT 06506	(Its Attorney)
Ogden Bigelow 25 Hidden Lake Road Wilton, CT 06897	(Intervenor)

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John Jordon
32 Mayapple Road
Wilton, CT 06897

(Party)

Veronica Tella
41 Honey Hill Trail
Wilton, CT 06897

(Party)

Betsy Mitchell
125 Catalpa Road
Wilton, CT 06897
(SERVICE WAIVED)


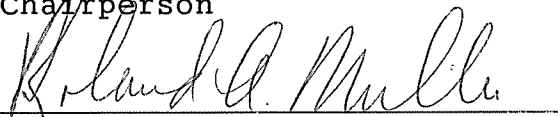

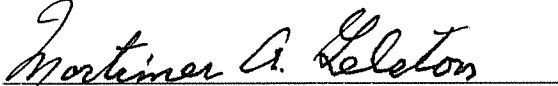
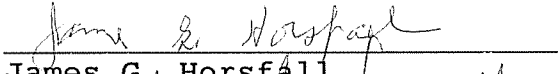
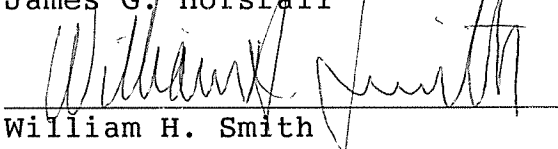
(Party)

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CERTIFICATION

The undersigned members of the Connecticut Siting Council hereby certify that they have heard this case in Docket 94 or read the record thereof, and that we voted as follows:

Dated at New Britain, Connecticut the 3rd day of May, 1988.

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