

DOCKET NO. 99 - AN APPLICATION OF METRO
MOBILE CTS OF FAIRFIELD COUNTY, INC., FOR
A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY
AND PUBLIC NEED FOR CELLULAR TELEPHONE
ANTENNAS AND ASSOCIATED EQUIPMENT IN THE
CITY OF STAMFORD, CONNECTICUT.

:CONNECTICUT
: SITING
: COUNCIL
January 5, 1989

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 tower and associated equipment building at the proposed Stamford 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 proposed site on Stamford Water Company property in Stamford, Connecticut.

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

1. The tower shall be a monopole no taller than necessary to provide the proposed service, and in no event shall the structure exceed a total height of 173 feet, including antennas.
2. The facility shall be constructed in accordance with applicable sections of The State of Connecticut Basic Building Code.
3. Unless necessary to comply with conditions of the Federal Aviation Administration, 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 include detailed plans for erosion and sediment control along the access road and at the tower site, plans for permanent evergreen screening

along the outside perimeter of the eight foot fence surrounding the site, and plans for loaming and seeding the site and sides of the access road following completion of construction. The access road shall be constructed in a manner to minimize erosion and tree clearing as much as possible. The Certificate Holder shall consult with the City of Stamford in the preparation of the D&M plan. The Certificate Holder shall conduct an A-2 survey of the tower site. The tower foundation design shall be based on a detailed soil test, and the results provided to the Council.

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 are added to this facility.
6. 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.
7. 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 and a certificate granted before any such new use is made.
8. The Certificate Holder shall comply with any future radio frequency (RF) standard, 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.
9. 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.
10. Official representatives of City of Stamford shall be provided access for the purpose of inspecting and monitoring the facility at any time during the construction and/or operation of the facility.

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 Stamford Advocate.

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:

	STATUS HOLDER	REPRESENTATIVE
Party <div style="text-align: center;"><input checked="" type="checkbox"/></div> Intervenor <div style="text-align: center;"><input type="checkbox"/></div>	Metro Mobile CTS of Fairfield County, Inc. 50 Rockland Road South Norwalk, CT 06854 Attn: Michael Riley General Manager (203) 852-9292	Bryne, Slater, Sandler, Shulman & Rouse, P.C. P.O. Box 3216 Hartford, CT 06103 Attn: Jennifer Young Gaudet, Esq. (203) 525-4700
Party <div style="text-align: center;"><input type="checkbox"/></div> Intervenor <div style="text-align: center;"><input type="checkbox"/></div>		Fleischman & Walsh, P.C. 1400 16th Street, N.W. Suite 600 Washington, D.C. 20036 Attn: Richard Rubin, Esq (202) 939-7900
Party <div style="text-align: center;"><input type="checkbox"/></div> Intervenor <div style="text-align: center;"><input checked="" type="checkbox"/></div>	SNET Cellular, Inc.	Peter J. Tyrrell 227 Church Street New Haven, CT 06506 (203) 771-7381
Party <div style="text-align: center;"><input checked="" type="checkbox"/></div> Intervenor <div style="text-align: center;"><input type="checkbox"/></div>	Christopher B. Burnham State Representative Old Mill Lane Stamford, CT 06904	

	STATUS HOLDER	REPRESENTATIVE
Party <input checked="" type="checkbox"/> Intervenor <input type="checkbox"/>	City of Stamford 888 Washington Blvd. P.O. Box 10152 Stamford, CT 06904-2152 Attn: Mary E. Sommer	
Party <input checked="" type="checkbox"/> Intervenor <input type="checkbox"/>	Concerned Citizens of Stamford	Davidson, Driscoll & Naylor 535 Connecticut Avenue Norwalk, CT 06856 Attn: Robert Davidson, Esq.
Party <input type="checkbox"/> Intervenor <input checked="" type="checkbox"/>	Conservationists of Stamford, Inc. P.O. Box 2012 Stamford, CT 06906 Attn: Sidney Chohuar, President	
Party <input type="checkbox"/> Intervenor <input checked="" type="checkbox"/>	Rep. Maria C. Nakian 90 Campbell Drive Stamford, CT 06903	

	<u>STATUS HOLDER</u>	<u>REPRESENTATIVE</u>
Party <input checked="" type="checkbox"/> Intervenor <input type="checkbox"/>	Sen. Richard Blumenthal 106 Dolphin Cove Quay Stamford, CT 06902	
Party <input checked="" type="checkbox"/> Intervenor <input type="checkbox"/>	Marc Jerome Glass 216 Quarry Road Stamford, CT 06903	Marc Jerome Glass Glass, Lebovitz & Dubois 101 Pearl Street Hartford, CT 06103
Party <input checked="" type="checkbox"/> Intervenor <input type="checkbox"/>	Phyllis Kapiloff Arnold Kapiloff 200 Quarry Road Stamford, CT 06903	
Party <input checked="" type="checkbox"/> Intervenor <input type="checkbox"/> <input type="checkbox"/> (Intervenor under CGS 22a-19)	Michael Stein 60 Cypress Drive Stamford, CT 06903 (SERVICE WAIVED)	Davidson, Driscoll & Naylor 535 Connecticut Avenue Norwalk, CT 06856 Attn: Robert Davidson, Esq.

CERTIFICATION

The undersigned members of the Connecticut Siting Council hereby certify that they have heard this case in Docket No. 99 or read the record thereof, and that we voted as follows:

Dated at New Britain, Connecticut the 5th day of January, 1989.

<u>Council Members</u>	<u>Vote Cast</u>
<u><i>Gloria Dibble Pond</i></u> Gloria Dibble Pond Chairperson	Yes
<u><i>Patricia J. Austin</i></u> Commissioner Peter Boucher Designee: Patricia Austin	Yes
<u><i>Brian J. Emerick</i></u> Commissioner Leslie Carothers Designee: Brian Emerick	Yes
<u><i>Mortimer A. Gelston</i></u> Mortimer A. Gelston	Yes
<u><i>Harry E. Covey</i></u> Harry E. Covey	Abstain
<u><i>Daniel P. Lynch, Jr.</i></u> Daniel P. Lynch, Jr.	Yes
<u>Paulann H. Sheets</u>	Absent
<u><i>William H. Smith</i></u> William H. Smith	Yes
<u><i>Colin C. Tait</i></u> Colin C. Tait	Abstain