

DOCKET NO. 209 - Wireless Solutions, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a wireless telecommunication facility at one of two locations at 72 Boggy Hole Road, or at 62-1 Boggy Hole Road, Old Lyme, Connecticut.	} } } }	Connecticut Siting Council June 25, 2002
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Revised Decision and Order

Pursuant to the foregoing Revised Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, operation, and maintenance of a telecommunications facility at the proposed Alternate #1 site in Old Lyme, 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 therefore directs that a Certificate of Environmental Compatibility and Public Need (Certificate), be issued to Wireless Solutions, LLC for the construction, maintenance, and operation of a telecommunication facility at the proposed Alternate #1 site at 62-1 Boggy Hole Road, Old Lyme, Connecticut. We revoke the Decision and Order and Certificate issued to Wireless Solutions, LLC on December 11, 2001 for the construction, maintenance, and operation of a telecommunication facility at proposed alternate site at 72 Boggy Hole Road. The Council denies certification of the proposed prime and alternate sites at 72 Boggy Hole Road, Old Lyme.

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 tower shall be constructed as a monopole, no taller than necessary to provide the proposed telecommunications services, sufficient to accommodate the antennas for SNET Mobility, LLC, AT&T Wireless, Inc., Nextel Communications of the Mid-Atlantic, VoiceStream Wireless Corporation, and other telecommunications entities both public and private, but such tower shall not exceed a height of 175 feet above ground level (AGL), including antennas.
2. The Certificate Holder shall construct a single equipment building with suitable architectural treatment to accommodate the telecommunications equipment for the carriers who have executed a lease at the time of construction, and allow future carriers to add onto the equipment building in increments, with the same external design and finish.
3. 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: a final site plan(s) for development of the proposed Alternate #1 site, including the location and specifications for the tower foundation, antennas, equipment building, security fence, access road consistent with the Town of Old Lyme regulations, and utility line; construction plans for site grading, tree trimming, water drainage, and erosion and sedimentation controls consistent with the Connecticut Guidelines for Soil Erosion and Sediment Control, as amended; landscaping; a tower finish that may include painting; and provisions for the prevention and containment of spills and/or other discharge into surface water and groundwater bodies.

4. The Certificate Holder shall provide the Council with a determination from the Federal Aviation Administration regarding obstruction marking and lighting; and a determination from the Connecticut Department of Environmental Protection regarding Federal or State Endangered, Threatened or Special Concern Species at the Alternate #1 site, during the submission of the D&M Plan.
5. 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.
6. The Certificate Holder shall provide the Council with 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.
7. 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.
8. If the facility does not initially provide, or permanently ceases to provide wireless 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 reapply for any continued or new use to the Council before any such use is made.
9. Any antenna that becomes obsolete and ceases to function shall be removed within 60 days after such antennas become obsolete and cease to function.
10. Unless otherwise approved by the Council, this Decision and Order shall be void if all construction authorized herein is not completed within one year of the effective date of this Decision and Order or within one year after all appeals to this Decision and Order have been resolved.

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 Hartford Courant, The Day, and the Pictorial/Gazette.

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:

Certificate Holder

Wireless Solutions, LLC

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Intervenor

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Party

Town of Old Lyme Zoning Commission

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Intervenor

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Intervenor

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Intervenor

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