

DOCKET NO. 114 - An application : Connecticut  
of SNET Cellular, Inc., for a :  
Certificate of Environmental : Siting  
Compatibility and Public Need : Council  
for a cellular telephone tower :  
and associated equipment in the :  
Town of Monroe, Connecticut. : January 16, 1990

DECISION AND ORDER

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council finds that the effects associated with the construction, operation, and maintenance of a cellular telephone facility at the proposed Monroe site, 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 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 SNET Cellular, Inc. (SNET), for the construction, operation, and maintenance of a cellular telecommunications tower, associated equipment, and building at the proposed site in Monroe, 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. All SNET cellular antennas shall extend no higher than 252 feet above ground level (AGL). If the Town of Monroe and SNET reach an agreement to place the Town of Monroe's antennas for public radio station WMNR on the tower, then the tower shall be no higher than 260 feet AGL for the attachment of such town antennas; otherwise the tower shall be no higher than 240 feet AGL. Prior to the raising of the tower from 240 feet AGL to 260 feet AGL, notice of such sharing and raising of the tower shall be provided to the Council.
2. The facility shall be constructed in accordance with the State of Connecticut Basic Building Code.
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 State Agencies. The D&M plan shall include detailed plans for site preparation including a profile and cross-section of the proposed access road, placement of the proposed tower and equipment building within the leased parcel, and erosion and sedimentation control.

4. 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.
5. The Certificate Holder or its successor shall provide the Council a recalculated report of power density if and when additional channels over the proposed 45 channels, higher wattage over the proposed 100 watts per channel, or other circumstances in operation cause a change in power density above the levels originally calculated in the application.
6. The Certificate Holder or its successor shall permit public or private entities to share space on the proposed Monroe 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 initially 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.
8. 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 after the completion of any appeal from this Decision and Order.

Pursuant to Section 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. A notice of issuance shall be published in the Bridgeport Post and the Monroe Courier.

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. (Applicant)  
227 Church Street  
New Haven, CT 06506

Peter J. Tyrrell (Its Representative)  
SNET Cellular, Inc.  
Room 1021  
227 Church Street  
New Haven, CT 06506

Metro Mobile CTS of (Intervenor)  
Fairfield County, Inc.

Micheal W. Riley (Its Representatives)  
Vice-President North East Region  
Metro Mobile CTS, Inc.  
110 East 59th Street  
New York, New York 10022

Philip Mayberry, General Manager  
David S. Malko  
Metro Mobile CTS of  
Fairfield County, Inc.  
50 Rockland Road  
South Norwalk, Connecticut 06854

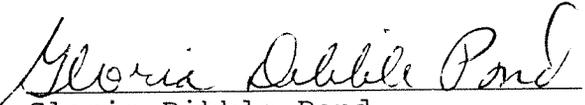
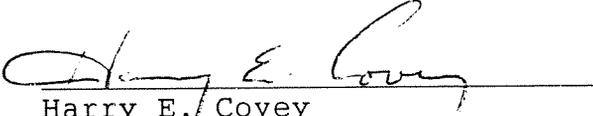
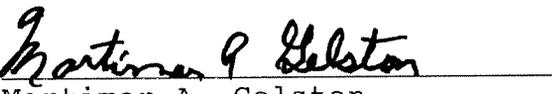
Paul M. Hancock, General Partner (Party)  
Housatonic Cable Vision Company  
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P.O. Box 1540  
New Milford, Connecticut 06766

Howard L. Slater, Esq. (Its Representative)  
Bryne, Slater, Sandler,  
Shulman, & Rouse, P.C.  
330 Main Street  
P.O. Box 3216  
Hartford, Connecticut 06103  
Attn: Jennifer Young Gaudet, Esq.

CERTIFICATION

The undersigned members of the Connecticut Siting Council hereby certify that they have heard this case in Docket 114 or read the record thereof, and that we voted as follows:

Dated at New Britain, Connecticut the 16 day of January, 1990.

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