

AN APPLICATION OF METRO MOBILE CTS OF : CONNECTICUT SITING
NEW HAVEN, INC., FOR A CERTIFICATE OF :
ENVIRONMENTAL COMPATIBILITY AND PUBLIC : COUNCIL
NEED FOR THE CONSTRUCTION, MAINTENANCE, :
AND OPERATION OF FACILITIES TO PROVIDE : April 14, 1986
CELLULAR SERVICE IN NEW HAVEN COUNTY. :

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

Pursuant to the foregoing opinion, the Council hereby directs that a certificate of environmental compatibility and public need as required by section 16-50k of the General Statutes of Connecticut (CGS) be issued to Metro Mobile CTS of New Haven, Inc., for the construction, maintenance, and operation of cellular mobile phone telecommunication towers and associated equipment in the towns of Wolcott, Naugatuck, West Haven (existing tower), Milford, Hamden (existing tower), Guilford, and North Branford subject to the conditions below.

1. The proposed and alternate Beacon Falls sites are rejected without prejudice.
2. The Wolcott tower shall be constructed to meet Zone C wind loading with 1" of radial ice and shall not exceed 180' in height excluding antennas.
3. The Naugatuck tower shall not exceed 160' in height, excluding antennas. The certificate holder shall offer to remove the existing privately owned, unused tower now on the site.
4. Any future actions requiring the removal of the existing West Haven or Hamden towers to be shared by the certificate holder shall also apply to the equipment mounted on those towers by the certificate holder, regardless of that equipment's status under Chapter 277a of the CGS.

5. The Milford tower shall be a monopole structure not to exceed 100' in height, excluding antennas.
6. The Guilford tower shall be a monopole structure not to exceed 150' in height, excluding antennas.
7. The North Branford Route 17 site is rejected. The North Branford East Reeds Gap Road tower shall not exceed 160' in height, excluding antennas.
8. The certificate holder shall submit a development and management plan for the Wolcott, Naugatuck, Milford, Hamden, Guilford, and North Branford sites pursuant to sections 16-50j-75 through 16-50j-77 of the RSA, except that irrelevant items in section 16-50j-76 need only be identified as such. In addition to the requirements of section 16-50j-76, the D&M plan shall provide plans for evergreen screening around the fenced perimeter at the Wolcott, Milford, Hamden, Guilford, and North Branford sites. The D&M plan shall include a proposal for painting the approved monopole structures to blend with the sky. Any changes to specifications in the D&M plan must be approved by the Council prior to facility operation.
9. All certified facilities shall be constructed, operated, and maintained as specified in the Council's record and in the site development and management plan required by order 8.
10. The certificate holder shall permit public or private entities to share space on the towers approved herein, for due consideration received, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing. In addition to complying with 16-50j-73, the

certificate holder shall notify the Council of the addition of any equipment to any approved tower.

11. A fence not lower than 8' shall surround each tower and associated equipment.
12. Unless necessary to comply with order 13, below, no lights shall be installed on any of these towers.
13. The facilities' construction and any future tower sharing shall be in accordance with all applicable federal, state, and municipal laws and regulations. Shared uses by entities not subject to jurisdiction pursuant to sections 16-50i and 16-50k of the CGS shall be subject to all applicable federal, state, and municipal laws and regulations.
14. Construction activities shall take place during daylight working hours.
15. This decision and order shall be void and the towers and associated equipment shall be dismantled and removed, or reapplication for any new use shall be made to the CSC before any such new use is made, if the towers do not provide or permanently cease to provide cellular service following completion of construction.
16. This decision and order shall be void if all construction authorized herein is not completed within three years of the issuance of this decision, or within three years of the completion of any appeal if appeal of this decision is taken, unless otherwise approved by the Council.

Pursuant to CGS section 16-50p, we hereby direct that a copy of the decision and order shall be served on each person listed below. A notice

of the issuance shall be published in The Record-Journal, The New Haven Register, The Branford Review, The Evening Sentinel, The Waterbury American, and The Waterbury Republican.

The parties to this proceeding are:

Metro Mobile CTS of New Haven, Inc. (Applicant)
5 Eversley Avenue
Norwalk, Connecticut 06855

ATTN: Armand Mascioli
General Manager

Mr. Kevin B. Sullivan, Esq. (its attorneys)
Byrne, Slater, Sandler, Shulman & Rouse, P.C.
111 Pearl Street
P.O. Box 3216
Hartford, Connecticut 06103

Mr. Richard Rubin, Esq.
Fleischman and Walsh, P.C.
1725 N Street, N.W.
Washington, D.C. 20036

Guilford Conservation Commission

represented by:

Mr. David B. Damer
Chairman
Guilford Conservation Commission
440 Great Hill Road
Guilford, Connecticut 06437

Mr. Robert W. Griswold, Jr.
100 Rimmon Hill Road
Beacon Falls, Connecticut 06403

Town of Hamden
Memorial Town Hall
2372 Whitney Avenue
Hamden, Connecticut 06518

ATTN: Shirley Gonzales
Town Planner

Guilford Planning and Zoning Commission

represented by:

Mr. David W. Fisher
Chairman
Town Hall
31 Park Street
Guilford, Connecticut 06437

Town of Hamden

represented by:

John DeNicola, Jr.
Mayor
Town of Hamden
Memorial Town Hall
2372 Whitney Avenue
New Haven, Connecticut 06518

Citizens Park Council of New Haven

represented by:

Mr. John J. Ciarleglio
President
Citizens Park Council
of New Haven
36 Elmwood Road
New Haven, Connecticut 06515

Mr. Thomas V. Keating
343 Rimmon Hill Road
Beacon Falls, Connecticut 06403

Ms. Evelyn M. Sirowich
245 Rimmon Hill Road
Beacon Falls, Connecticut 06403

Mr. Jack B. Levine
11 White Birch Lane
Beacon Falls, Connecticut 06403

Southern New England Telephone Company

represented by:

Mr. Peter J. Tyrrell, Esq.
227 Church Street
New Haven, Connecticut 06506

Mr. Dennis Bialecki
96 West Road
Beacon Falls, Connecticut 06403

Brittany Woods Homeowner's Association

represented by:

Mr. Stephen P. DeI Sole, Esq.
DeI Sole & DeI Sole
152 Temple Street
P.O. Box 405
New Haven, Connecticut 06502-0405

Ms. Barbara G. Schlein
Box 2993 Westville Station
New Haven, Connecticut 06515

Mr. & Mrs. Joseph T. Farrell, Jr.
334 Rimmon Hill Road
Beacon Falls, Connecticut 06403

Town of Beacon Falls

represented by:

The Honorable Leonard F. D'Amico
First Selectman
10 Maple Avenue
Beacon Falls, Connecticut 06403

West Rock Ridge Park Association

represented by:

Mr. William L. Doheny Jr., D.D.S.
President
220 Mountain Road
Hamden, Connecticut 06514

Department of Parks,
Recreation & Trees

represented by:

Mr. Robert G. Sheeley
Director
Parks, Recreation & Trees
P.O. Box 1416
New Haven, Connecticut 06506

Town of Wallingford

represented by:

William W. Dickinson, Jr.
Mayor
Municipal Building
350 Center Street
P.O. Box 427
Wallingford, Connecticut 06492

New Haven Sierra Club

represented by:

Ms. Laurie Klein
270 Edgewood Avenue
New Haven, Connecticut 06511

Peter M. Lerner
State Representative
8 Merritt Avenue
Woodbridge, Connecticut 06525

Carleton J. Benson
State Representative
161 Scott Road
Prospect, Connecticut 06712

Dr. Stephen Collins (service waived)
Vice Chairman
West Rock State Park
Advisory Council
Bethany, Connecticut

Mr. Louis Melillo (service waived)
985 Wintergreen Avenue
Hamden, Connecticut

Mr. John McGeever (service waived)
339 Rimmon Hill
Beacon Falls, Connecticut 06403

Senator John Consoli (service waived)
51 Luke Hill Road
Bethany, Connecticut 06525

Representative George P. Bassing (service waived)
14 Oakwood Drive
Seymour, Connecticut 06483

Dr. George D. Whitney (service waived)
858 Oakwood Road
Orange, Connecticut

Mr. Steve Molnar (service waived)
205 West Road
Beacon Falls, Connecticut

Mr. James W. Grandy (service waived)
President
Hamden Land Conservation Trust
Hamden, Connecticut

Senator Richard S. Eaton (service waived)
269 Mulberry Point Road
Guilford, Connecticut 06437

Representative Robert M. Ward
719 Totoket Road
Northford, Connecticut 06472

Town of North Branford

represented by:

John Gesmonde, Esquire
3127 Whitney Avenue
Hamden, Connecticut 06518

Regina Smith
1887 Middletown Avenue
Northford, Connecticut 06472

(service waived)

Richard A. Nizolek
The Restland Farm Corporation
Route 17
Northford, Connecticut 06472

Mary Liska
83 Reeds Gap Road
Northford, Connecticut 06472

Ben Bullard
50 Christmas Hill Road
Guilford, Connecticut 06437

(service waived)

Roland Robichaud
31 Berncliff Drive
North Branford, Connecticut 06471

(service waived)

Irene Flynn
1926 Middletown Avenue
Northford, Connecticut 06472

(service waived)

Charles Pope
199 Donalds Road
Guilford, Connecticut 06437

Richard Abate
131 Manor Road
Guilford, Connecticut 06437

(service waived)

City of Milford

represented by:

Mayor Alberta Jagoe
Alderman Maurice Condon
Alderman Frederick Lisman
City Hall
River Street
Milford, Connecticut 06460

Thomas Scelfo
81 Berncliff Drive
North Branford, Connecticut 06471

(service waived)

Senator Thomas Scott
22 Meyers Court
Milford, Connecticut 06460

(service waived)

Helen Moore
385 Oronoque Road
Milford, Connecticut 06460

(service waived)

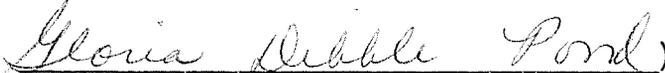
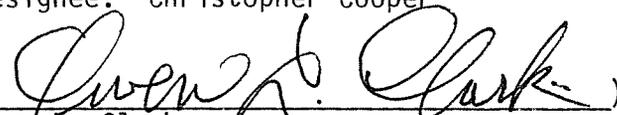
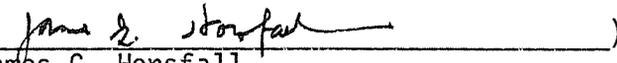
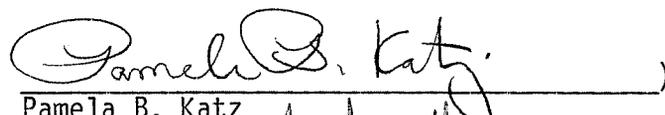
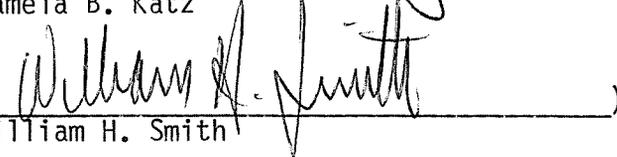
William Barberi
298 Oronoque Road
Milford, Connecticut 06460

(service waived)

C E R T I F I C A T I O N

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

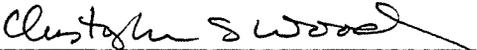
Dated at New Britain, Connecticut, this 14th day of April, 1986.

<u>Council Members</u>	<u>Vote Cast</u>
 Gloria Dibble Pond Chairperson	Yes
_____) Commissioner John Downey Designee: Commissioner Peter G. Boucher	Absent
 Commissioner Stanley Pad Designee: Christopher Cooper	No
 Owen L. Clark	Yes
 Mortimer A. Gelston	Yes
 James G. Horsfall	Yes
 Pamela B. Katz	Yes
 William H. Smith	No
 Colin C. Tait	No

STATE OF CONNECTICUT)
 :
COUNTY OF HARTFORD) ss. New Britain, April 14, 1986

I hereby certify that the foregoing is a true and correct copy of the decision and order issued by the Connecticut Siting Council, State of Connecticut.

ATTEST:



Christopher S. Wood, Executive Director
Connecticut Siting Council