

DOCKET NO. 58

AN APPLICATION OF HARTFORD CELLULAR  
COPANY FOR A CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY AND PUBLIC  
NEED FOR THE CONSTRUCTION, MAINTENANCE,  
AND OPERATION OF FACILITIES TO PROVIDE  
CELLULAR SERVICE IN HARTFORD, TOLLAND AND  
MIDDLESEX COUNTIES.

CONNECTICUT SITING  
COUNCIL

July 11, 1986.

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

Pursuant to the foregoing opinion, the Connecticut Siting Council (Council) hereby 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 the Hartford Cellular Company for the construction, maintenance, and operation of cellular mobile phone telecommunication towers and associated equipment in the towns of Glastonbury, Haddam, Hartford, Portland, Rocky Hill, Somers, Vernon, Windsor, and Willington subject to the conditions below.

1) The proposed Bloomfield and Middlefield sites are rejected without prejudice.

2) The antennas on the Glastonbury tower shall be mounted no higher than the 180' level of this existing tower.

3) The Portland and Rocky Hill towers shall be monopoles.

4) The towers shall be no taller than necessary to provide the proposed service, and in no event shall exceed total heights, including antennas, of

a) 193' at the Haddam site;

b) 173' at the Portland site;

- c) 153' at the Rocky Hill site;
- d) 173' at the Somers site;
- e) 173' at the Vernon site;
- f) 153' at the Willington site;
- g) 173' at the Windsor site.

5) The Hartford site receive antennas shall be mounted below the top of the high point of the building to preclude visibility.

6) Any future actions requiring the removal of the existing Glastonbury tower to be shared by the certificate holder shall also apply to the equipment mounted on that tower by the certificate holder, regardless of that equipment's status under Chapter 277a of the CGS.

7) The certificate holder shall submit a development and management (D&M) plan for the Haddam, Portland, Rocky Hill, Somers, Vernon and Windsor sites pursuant to Sections 16-50j-75 through 16-50j-77 of the Regulations of State Agencies (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 Haddam, Somers, Vernon, and Windsor sites. The D&M plan shall include a proposal for painting the approved monopole structures to blend with the sky. The D&M plan must be approved prior to facility construction. Any changes to specifications in the D&M plan must be approved by the Council prior to facility operation.

8) All certified facilities shall be constructed, operated, and maintained as specified in the Council's record and in the

site plan required by order number 7.

9) The certificate holder shall comply with any future radiofrequency (RF) standards promulgated by state or federal regulatory agencies. Upon the establishment of any new governmental RF standards, the facilities granted in this decision shall continue to be in compliance with such standards.

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 Section 16-50j-73 of the RSA, 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, 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 Section 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 associate equipment shall be dismantled and removed, or reapplication for any new use shall be made to the Council 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 Hartford Courant, Middletown Press, Manchester Journal Inquirer, and the Willimantic Chronicle.

The parties to the proceeding are:

Metro Mobile (applicant)  
5 Eversley Avenue  
Norwalk, Connecticut 06855  
ATTN: Armand Mascioli  
General Manager

Howard L. Slater, Esq. (its attorneys)  
Scott A. Gursky, Esq.  
Byrne, Slater, Sandler,  
Shulman & Rouse, P.C.  
111 Pearl Street  
Hartford, Connecticut 06103

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

Mr. William Wamester  
1225 Randolph Road  
Middletown, Connecticut 06457

The Southern New England Telephone Company  
227 Church Street  
New Haven, Connecticut 06506  
ATTN: Peter J. Tyrrell, Esq.

Mr. James W. Tilney

represented by:  
Patricia A. Ayars  
Samuel Baily, Jr.  
Robinson & Cole  
One Commercial Plaza  
Hartford, CT. 06103-3597

Mr. Samuel DuBosar, Chairman  
Bessie Bennett, Esq.  
Town Plan & Zoning Commission  
P.O. Box 337  
Bloomfield, Connecticut 06002

Town of Somers

represented by:

Mr. Robert F. Peters  
Town Counsel  
Tatoian, Devline, Peters  
& Davis  
11 South Road  
P.O. Box 415  
Somers, CT. 06071

Town of Haddam  
represented by:

Lucy R. Petrella  
Chairperson  
Town Office Building  
Route 9A  
P.O. Box 87  
Haddam, CT. 06438

Midstate Regional Planning Agency

represented by:

Thomas M. Gilligan  
Regional Planner  
P.O. Box 139  
Middletown, CT. 06457

Dr. Donald P. LaSalle  
Director  
Talcott Mountain Science Center  
Montevideo Road  
Avon, Connecticut 06001

Barnard Tilson (service waived)  
Secretary  
Avon Planning and Zoning  
60 West Main Street  
Avon, Connecticut 06001

Alden Giddings  
33 Privelege Road  
Bloomfield, Connecticut 06002

Town of Bloomfield

represented by:

Joseph M. Suggs, Jr.  
Deputy Mayor  
Town Hall  
880 Bloomfield Avenue  
P.O. Box 337  
Bloomfield, CT. 06002  
(service waived)

Town of Middlefield

represented by:

David Silverstone, Esq.  
Silverstone & Koontz  
37 Lewis Street  
Hartford, CT. 06103

with a copy to:

Geoffrey Colegrove  
Midstate Regional Planning Agency  
100 DeKoven Drive  
Middletown, CT. 06457

Zoning Commission  
Town of Somers

represented by:

Joseph A. Paradis  
Chairman  
Town Hall  
600 Main Street  
P.O. Box 803  
Somers, CT. 06071

Barbara Sirwilo, Secretary (service waived)  
Planning & Zoning Commission  
Town of Rocky Hill  
600 Old Main Street  
P.O. Box 657  
Rocky Hill, Connecticut 06067

H. Robert Goodrich (service waived)  
Goodrich Lane  
Portland, Connecticut 06480

The Honorable Richard P. Antonetti  
State Representative (service waived)  
5 Sachem Circle  
Meriden, Connecticut 06450

John Hevrin  
R.D. #1 - Plains Road  
Haddam, Connecticut 06438

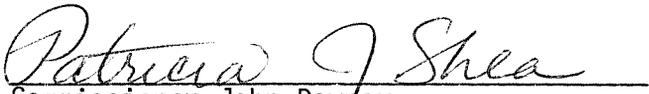
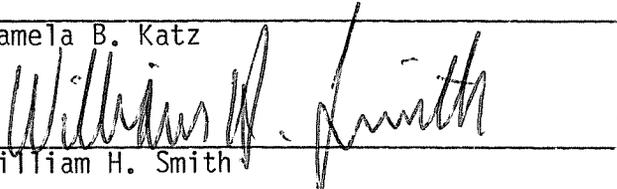
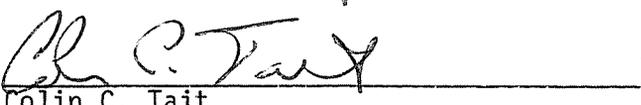
Norman and Darlene Manning (represented by)

Elizabeth Allen, Esq.  
P.O. Box 467  
Higganum, CT. 06441  
(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 11th day of July, 1986.

<u>Council Members</u>	<u>Vote Cast</u>
_____) Gloria Dibble Pond Chairperson	Absent
 _____) Commissioner John Downey Designee: Patricia Shea	Yes
 _____) Commissioner Stanley Pac Designee: Christopher Cooper	Yes
 _____) Owen L. Clark	Yes
 _____) Mortimer A. Gelston	Yes
 _____) James G. Horsfall	Yes
_____) Pamela B. Katz	Absent
 _____) William H. Smith	Yes
 _____) Colin C. Tait	Yes

STATE OF CONNECTICUT  
COUNTY OF HARTFORD

)  
:  
)

ss. New Britain, July 11, 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