

An application of The Department of Public Safety, Division of State Police for a Certificate of Environmental Compatibility and Public Need for the construction, operation, and maintenance of telecommunications facilities located in the Towns of North Canaan, Norfolk, Litchfield, and Sharon, Connecticut. : Docket 118
: Connecticut Siting Council
: February 5, 1990

ORIGINAL

OPINION

The Department of Public Safety, Division of State Police (State Police), applied to the Connecticut Siting Council (Council) on August 25, 1989, for a Certificate of Environmental Compatibility and Public Need (Certificate) to construct, maintain, and operate telecommunications towers, associated equipment, and buildings in the Towns of North Canaan, Norfolk, Litchfield, and Sharon, Connecticut. On November 16, 1989, the Sharon site was withdrawn from the application.

The Federal Communications Commission (FCC) has recognized a need for effective public safety communications and has therefore established a National Plan for frequency allocation in the 800MHz spectrum. The State Police with other public agencies, from New Jersey, New York, and New England states, cooperated in designing plans through both a Tri-State and the New England region for application of FCC licenses.

The State Police plan to replace their existing outdated, overburdened two-way radio system with a modern arrangement using point-to-point microwave and a 800 MHz two-way mobile telecommunications system. This proposed system would be able to support mobile data terminals, voice encryption, higher transmission speed for computer operation, operation of 2000 mobile units, and future expansion of the system which could not be addressed or upgraded in the current two-way radio system.

No alternate locations were explored because the proposed application primarily addresses the implementation of a point-to-point microwave telecommunications system linking centers of dispatch of each existing troop, district command, headquarters, and other fixed locations. Presently, these locations are served by leased telephone landlines which provide their point-to-point communication system. The proposed system would allow the State Police to operate an independent, efficient, and more reliable communications network than the existing landline system which is susceptible to a greater number of potential outage risks.

The proposed towers are replacing existing towers and antennas. The proposed towers at the Troop "B" in North Canaan and Troop "L" in Litchfield would be constructed within an area that is commercially developed. Established access roads presently serve each of these two sites. The wetlands that are located nearby the proposed Troop "B" and Troop "L" sites would not be affected by the construction of these two towers. In addition, the proposed towers at the Troop "B" and Troop "L" sites would have a sufficient buffer from other land uses, and the fall zone of the proposed towers would be totally within State Police property boundaries.

The proposed tower at the Riggs Hill site in Norfolk is within a rural/residential area. However, this site has been developed as a tower site for approximately 40 years. Privately-owned land abutting the proposed site, to the south, is within the fall zone of the proposed tower; however, the proposed equipment building would be the only structure within the fall zone. The existing access is via a 325-foot foot-path over an existing power line right-of-way serving the site. The proposed access road would be approximately 1500 feet in length and would be constructed over steep terrain. Based on the plans for construction of the proposed access road, the extent of excavation for the accessway appears excessive when compared with other possible alternate construction methods or routes. The proposed route would result in a substantially greater impact on upland vegetation than the access road width of 12 feet would suggest. Additionally, there is a potential for serious erosion of the thin mantle of soil on this mountainside. Consequently, the Council believes the proposed access road may pose an undue environmental risk and will require the applicant to submit a detailed Development and Management (D&M) plan exploring other routes, options, and construction methods to access the site.

The Council generally prefers monopole type towers which have a thinner appearance and are less visually obtrusive except when tower sharing requires the structural strength of a lattice tower. The Council believes the proposed lattice towers in this application are appropriate to support the proposed microwave dish antennas and the possible sharing of the towers by local, State, and private entities.

Electromagnetic radio frequency power density is a public health and safety concern of the Council. However, at the base of the towers the power density level would be approximately 25 times below the American National Standard Institute safety standard as adopted by the Department of Environmental Protection as the State standard, and it would become much lower as distance from the towers increased.

Based on its record in this proceeding, the Council finds that the effects associated with the construction and operation of telecommunications towers and associated equipment at the proposed sites, 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.

The Council will require the State Police to submit a D&M plan for approval prior to the commencement of any construction or clearing at the proposed Norfolk, Riggs Hill site, or accessway. This D&M plan shall include detailed plans for the site's preparation, access road, and erosion and sedimentation controls. The Council will also require the State Police to submit a D&M plan that includes controls to protect the adjacent inland wetland areas, for approval prior to the commencement of any construction at the Litchfield, Troop "L" and the North Cannan, Troop "B" sites.

3830E-10-12