

DOCKET NO. 122 - AN APPLICATION OF METRO MOBILE CTS OF NEW HAVEN, INC., FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF A CELLULAR TELEPHONE TOWER AND ASSOCIATED EQUIPMENT IN THE TOWN OF BRANFORD, CONNECTICUT.

Connecticut Siting
Council
February 15, 1990

O P I N I O N

On September 27, 1989, Metro Mobile CTS of New Haven, Inc., (Metro Mobile) applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need (Certificate) to construct, maintain, and operate a cellular telecommunications tower, associated equipment, and building in the Town of Branford, Connecticut.

A determination of public need for cellular telephone service has been pre-empted by the Federal Communications Commission (FCC). Under Connecticut State law, the Council must balance the need to develop the proposed site as a cellular telephone facility with the need to protect the environment, including public health and safety.

In finding a proposed tower site, an applicant must locate a site or existing tower to share, offering the necessary coverage that would not have a substantial effect on the environment, and adequately distant from wetlands, public recreation areas, and adjacent homes. Because Metro Mobile does not have the authority to take land through eminent domain, acquisition of a site requires consent of the property owners to lease or sell the property. These requirements restrict the number of potential tower sites within defined search areas.

The proposed or alternate site would function as a secondary cellular facility, located near the intersection of two existing, primary cellular facilities in West Haven, and Guilford, Connecticut. The projected future cellular service demand is expected to exceed the call-handling capacity of these two facilities. The proposed Branford site would provide additional overlapping coverage between these cells for the continuous transfer of calls from West Haven to Guilford, from which there are presently inadequate coverage, weak signals, and interference. The proposed and alternative sites would provide similar coverage and call-handling capability throughout the area.

The proposed site would be developed in the northeast corner of private property located at 180 North Main Street. The proposed 123-foot, self-supporting monopole tower and antenna structure would be located approximately eight feet west of Stanley Laska's property and 150-feet north of North Main Street. The fall zone of the tower could encompass the I-95 right-of-way and three commercial/light industrial buildings of which one is owned by the lessor and the other two are on Stanley Laska's property. A single story equipment building, measuring 20 feet by 30 feet, would be constructed on the site. Vehicle access to the proposed site would be over an existing driveway on land of the lessor. Existing electrical and telephone utilities from North Main Street would be available to the facility. No vegetation would be cleared from the site.

The alternate site would be located on the eastern boundary of a larger lot at 164 North Main Street. The 133-foot, self-supporting monopole tower and antenna structure would be located approximately 15 feet west of the lot owned by the lessor of the proposed site, which has an existing metal working shop. The tower base would be placed 23 feet south of the I-95 right-of-way and approximately 245 feet north of Route 1. The fall zone of the alternate tower could encompass the I-95 right-of-way and one light industrial building owned by an abutting property owner to the south of the site. A single story equipment building, measuring 20 feet by 30 feet, would be constructed on the site. Vehicle access to the cell site would be over an existing tarmack and gravel driveway on land of the lessor. Existing electrical and telephone utilities form North Main Street would be available to the facility. No vegetation would be cleared from the site.

Stanley Laska's existing site would be located outside of the search area in a residentially zoned area. The 60-foot tower is not structurally capable of handling Metro Mobile's equipment.

Electro magnetic radio frequency power density is a health and safety concern of the Council. However, the power density level measured at the base of the proposed or alternate towers would be less than 0.1240 milliwatts per square centimeter (mW/cm^2), well below the American National Standards Institute (ANSI) safety standard of $2.92 \text{ mW}/\text{cm}^2$, as adopted by the State in CGS 22a-162. The power density would rapidly decrease as distance from the tower increases.

Tower visibility is an issue of concern to people living near the site of a proposed cellular tower. There are 42 mobile homes and approximately 35 other residences located within 1,000 feet of the proposed tower site. There are 52 mobile homes and 25 other residences located within 1,000 feet of the alternate site. Both sites would be partially screened by coniferous and deciduous trees, and buildings located on intervening lands.

Metro Mobile has agreed to share tower and building equipment space with Branford's Fire Department should relocating their equipment improve the Department's communications. Such tower sharing is beneficial in reducing the overall number of towers in the State. The Council will order that Metro Mobile provide the Council with finalized plans by the Town or reasons why the tower would not be shared prior to cell site construction.

Consultation with Branford town officials indicated a tower site should be located in an area zoned for industrial use. Both the proposed and alternative sites are located in industrially zoned areas with surrounding land comprising mostly industrial, commercial, and highway uses with some residential land use. The Town of Branford indicated a preference for the proposed site based upon the tower and building being less obtrusive than the alternate site when viewed from either I-95 or Route 1.

No wetlands or water courses exist at either site. No water flow and/or quality changes would be expected to result from the construction and operation of either the proposed or the alternative facilities.

There are no existing records of federally endangered or threatened species or Connecticut species of special concern occurring in the area of the proposed or alternate sites, according to the latest available information from the Connecticut Department of Environmental Protection Natural Resources Center. Construction of either facility would not have a significant effect on historic or archaeological resources listed on or eligible for the National Register of Historic Places.

Although both the proposed and alternate sites would have fall zones that extend onto property and structures of abutting property owners, the area of the sites is well developed with commercial and industrial services. Consequently it is not likely that these services would be affected, visually or otherwise. Furthermore, the proximity of the sites to the I-95 right-of-way strongly constrains development. The development of a cellular telecommunications tower at either of these locations would be an efficient and suitable site location, and would have few environmental effects. However, because the proposed tower would be ten feet lower, shielded to the north by intervening topography, and would cost slightly less to develop, it is the better choice.

Based on its record in this proceeding, the Council is of the opinion that the effects associated with the construction, operation, and maintenance of a cellular site and associated equipment building at the proposed site, including the 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 Metro Mobile to submit a Development and Management (D&M) plan for approval prior to the commencement of any construction at the proposed site or accessway. This D&M plan shall include detailed plans of the site preparation with the final tower height in relation to the site elevation, and placement of the tower as great a distance as possible from abutting properties.

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