

APPLICATION BY THE NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK), FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION OF A ONE-HUNDRED FOOT TELECOMMUNICATION TOWER IN NEW HAVEN, CONNECTICUT : POWER FACILITY EVALUATION COUNCIL

F I N D I N G S O F F A C T

I. PROCEDURES

1. The National Railroad Passenger Corporation (Amtrak) applied to the Power Facility Evaluation Council on February 26, 1980 for a certificate of environmental compatibility and public need for the construction of a radio tower which will be part of a maintenance of way radio system covering the northeast corridor from Washington, D.C. to Boston, Massachusetts. (Record)
2. The fee of \$450.00 accompanied the application. (Record)
3. The application was accompanied by proof of service as required by section 16-50 ℓ (b) of said General Statutes of the State of Connecticut. (Record)
4. Affidavits of newspapers noticed as required by statute in section 16-50 ℓ -1 of the regulations of Connecticut State Agencies were also filed. (Record)
5. Council members and staff made a ground inspection of the proposed site on April 30, 1980. (Record)
6. Pursuant to section 16-50m of said General Statutes of the State of Connecticut, the Power Facility Evaluation Council, after giving due notice thereof, held a public hearing at the Hall of Records, Hearing Room, 200 Orange Street, New Haven, Connecticut on April 30, 1980. (Record)
7. The parties to the proceedings are The National Railroad Passenger Corporation (Amtrak) and Mr. Christopher Shannon whose names and addresses are listed in the Decision and Order which accompanies these findings. (Record)

8. The following state agencies filed written comments with the Council pursuant to section 16-50j(f) of the General Statutes of the State of Connecticut; The Department of Transportation, Department of Business Environmental Protection, Department of Business Regulation, Division of Public Utility Control. (Record)

II. ENVIRONMENTAL

9. The applicant proposes to construct a 100 foot mono-tube steel pole on a railroad right of way within the New Haven railroad yard. The communication equipment will be a V.H.F. FM, two frequency base station consisting of one transmitter and one receiver. (Application No. 6b, No. 15a)
10. An eight foot by ten foot equipment enclosure and a 45 foot wood pole have been constructed on the tower site for preliminary tests. These facilities will remain on site for use with the new tower and antenna. (Application No. 6e; Tr. pp. 10, 11)
11. The proposed tower will be used by maintenance of way forces operating between New Haven, Guilford, and Berlin. (Application No. 7)
12. Steps on the pole will begin ten or twelve feet above ground to prevent unauthorized individuals from climbing the tower. Also, the New Haven railroad yard is fenced. (Tr. p. 9)
13. Access to the tower site will be over an existing two lane private road which enters Amtrak property from Hallock Avenue and passes in front of the proposed site. (Application No. 6f)
14. Overhead utility services for the proposed facility will be attached to an existing 45 foot pole. (Tr. pp. 10-12)

15. The proposed site is zoned for light industry.  
(Answer to question No. 3, 4/10/80)
16. The proposed facility conforms to the Municipal Plan of Development. (Answer to question No. 4, 4/10/80)
17. The power density radiated by the proposed facility will be 3.9 milliwatts per centimeter squared at the tower site. (Answer to question No. 1, 4/10/80)
18. No impacts to wildlife, wetlands, air, water quality, or recreation will result from construction and operation of the proposed facility. (Department of Environmental Protection letter dated 4/3/80)
19. The proposed facility is consistent with the policies and standards of the Connecticut Coastal Zone Management Act. (Department of Environmental Protection letter dated 4/3/80)
20. The state agencies identified in finding No. 8 raised no objection to the proposed facility. (Record)
21. The proposed tower will not have a significant adverse impact on historic or archeological sites. (Application No. 15a)
22. The proposed tower will not have significant adverse land-use impacts. (Application Nos. 20,21)
23. The proposed tower will not have a significant visual impact. (Application No. 23)
24. No clearing and no access road construction will be necessary for the proposed facility. (Application No. 26a; answers to questions No. 7 C,D, 4/10/80)
25. The proposed tower will not have significant adverse impacts on natural systems. (Application Nos. 16c, 26)
26. The proposed facility will not interfere with radio or television reception. (Tr. p. 18)
27. Other forms of communication are not practical or economically feasible due to the mobility of work forces. (Application No. 11)

28. The proposed site is one of twenty sites forming a regional, ribbon type radio system from Washington D.C. to Boston, Massachusetts. Any other site more than one mile from the proposed site could interrupt the continuity of the radio system. (Application Nos. 31,32)
29. Amtrak's tower at 1435 State Street, New Haven would not be satisfactory because the frequencies assigned to each system by the FCC are not compatible. (Answer to question No. 13, 4/10/80)
30. The proposed 100 foot tower will provide the signal cancellation necessary to operate a dual system by permitting the vertical separation of the transmitting and receiving antennae. This vertical separation of antennae eliminates the need for a second tower within one or two miles of the proposed site. (Tr.pp. 12,13)
31. The proposed site was selected for the following reasons:
  - (a) The site is owned by the applicant;
  - (b) The site is the only space on the applicant's property that is sufficiently wide to allow for unforeseen fall of the tower without fouling electric traction overhead trolley wire;
  - (c) Location further north would cause interference with the Amtrak Police Radio System;
  - (d) Location further south would reduce coverage of the system to the east and cause dead spots on the Springfield branch. (Answer to question No. 9, 4/10/80)