

AN APPLICATION SUBMITTED BY CONTINENTAL : CONNECTICUT SITING
CABLEVISION OF CONNECTICUT, INCORPORATED :
FOR A CERTIFICATE OF ENVIRONMENTAL : COUNCIL
COMPATIBILITY AND PUBLIC NEED FOR THE :
ERECTION OF A COMMUNITY ANTENNA TELEVISION :
TOWER IN THE TOWN OF STAFFORD. : October 17, 1983

O P I N I O N

Continental Cablevision of Connecticut, Incorporated (Continental) applied for a certificate of environmental compatibility and public need for the construction of a cable antenna television tower, earth stations, and associated equipment on Chestnut Mountain Road, Stafford. The tower is proposed to support antennas to receive broadcast signals and microwave antennas to send signals to other sites in the franchise area. The earth stations are proposed to receive signals from satellites. These facilities are proposed to serve as the head-end facility for the Area Cable TV franchise.

Following the issuance of due notice, Council members inspected the proposed site and held a public hearing on the application at the Warren Memorial Town Hall in Stafford Springs August 18, 1983. The applicant presented testimony and exhibits to support its claim that the facilities were necessary, that adverse environmental effects would be minimal, and that alternative sites and technologies were not available or appropriate. No other persons appeared in support of or opposition to the proposal. The Department of Environmental Protection, in written comments, noted the possible esthetic impacts due to tower visibility; the DEP also noted that calculated microwave power densities would not pose a health hazard. The Department of Economic Development commented that the facility would be environmentally compatible and provide service to that area of the state.

The Council considered the potential adverse environmental effects of the proposed tower and concludes that they are not sufficient to deny the proposal.

The likely adverse environmental effects of the facility will be attributable almost exclusively to the tower's visibility. Construction at the site chosen will not encounter typical environmental difficulties such as the need for wetlands destruction or extensive vegetation clearing. Additionally, the earth stations and associated equipment buildings will have low profiles and may be screened from view by proper landscaping. The Council will order and review plans for such landscaping as a part of the development and management plan (D&M) which will be required by this decision.

The Council also believes that the retention of vegetation along the road and the addition of appropriate plantings near the tower structure may help to minimize that structure's visibility to passersby. Therefore, the Council will also order that the applicant attempt to amend their property rights at this site to assure the retention of the roadside vegetation. However, no amount of vegetative screening will suffice to totally obscure the 150 foot tower's intrusion on the landscape from vistas in the vicinity, most notably from Soapstone Mountain on the Shenipsit hiking trail. This visibility would be somewhat increased if the Federal Aviation Administration requires lighting; the Council's orders will prohibit lights unless required by other jurisdictions.

Although several microwave transmission antennas will be mounted on the tower, the calculated power density levels to which any person could be exposed are so far below known or proposed exposure standards that no risk to health can be expected. Additionally, the tower design and

location are such that any possibility of a tower collapse does not endanger the public.

The substantial adverse effect of a highly visible structure installed in a residentially zoned area, although sparsely populated, will not be sufficient to deny a certificate; yet it does justify close analysis of possible alternatives. The Council is satisfied that the applicant has conducted this analysis. First, Continental investigated two system alternatives, one of which would have required a 400 foot tower with seven hub sites; the other would use two 200 foot towers with no additional hub sites. Either of these would likely have greater environmental effect and the latter was shown to be technically inferior to the proposal.

The applicant also investigated alternative sites for their head-end facility, but such sites were precluded from further consideration by technological requirements or the unwillingness of property owners to convey necessary rights. Contrariwise, the applicant has indicated a willingness to negotiate with public or private entities for the use of space on their tower, and the Council commends this attitude.

The public need for CATV service has been established by the State Legislature and the state Department of Public Utility Control which awarded Continental the franchise for the Area 11 CATV franchise. The possible alternatives to this facility were sufficiently investigated by the Council and the applicant, and the Council finds that the environmental effects discussed above do not outweigh the need for this facility to provide that mandated service. This facility is needed and will be used regardless of the outcome of siting decisions regarding other components in the proposed Continental system.

Therefore, the Council will order that a certificate of environmental compatibility and public need be issued for the construction, maintenance, and operation of a 150' CATV tower, two earth stations, and other associated equipment as proposed.