

DOCKET NO. 47

AN APPLICATION SUBMITTED BY COMMUNITY TV SYSTEMS, INC., D/B/A ROLLINS CABLEVISION OF CONNECTICUT, FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION OF A MICROWAVE HUB SITE, TOWER, AND ASSOCIATED EQUIPMENT IN THE TOWN OF GUILFORD, CONNECTICUT. : CONNECTICUT SITING
: COUNCIL
: June 6, 1985

O P I N I O N

Community Television Systems, d/b/a Rollins Cablevision of Connecticut ("Rollins") applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need on January 11, 1985, for the construction, maintenance, and operation of a microwave hub site, tower, and associated equipment in the Town of Guilford, Connecticut.

After issuing due notice, Council members and staff inspected the proposed site and an alternate site and held a public hearing in Guilford on March 6, 1985. At that time the applicant presented testimony to support its claims that this hub site is necessary, that any adverse environmental effects are minimal, and that alternative sites or technologies are either unavailable or inappropriate.

In its written comments, the Department of Environmental Protection concluded that the environmental effects of this facility would be limited to its visibility, which would be confined to the immediate area and fade quickly with increasing distance. Since the tower will be galvanized steel, it is expected to fade and painting, which would add costs, would be of only minimal benefit. Therefore, the Council will not require painting. There are no known historic areas in the vicinity, nor is any portion of the site located in an inland wetland. No tree clearing would be necessary.

The Council is concerned with the fact that the lessor's dwelling lies within 150 feet of the 150 foot tower's base because in the unlikely event that the tower should fall, the possibility exists that it could hit human habitation. While we realize that the chances that the tower would fall are slim and that the chance that it would fall in the direction of the dwelling are also slim, we are not unmindful of Murphy's law that "If it can happen, it will happen." Under other circumstances such proximity of a tower to a dwelling would be sufficient to require that the tower be relocated to a distance greater than its height. Under the circumstances of this application, however, the property is the most suitable site for the tower and the tower cannot be relocated to more than its height from the buildings and still remain on the lessor's property.

The tower will be designed to exceed Electronic Industries Association standards for Zone A, including Connecticut, which requires towers to withstand 30 pounds per square inch (psi) of wind pressure and average extreme wind velocities of 87 mph. The proposed tower could withstand 100 mph wind with forty psi on tower members with $\frac{1}{2}$ inch radial ice. In the unlikely event of collapse, there is less than 10% chance the tower could strike the nearest residence. Since prevailing winds do not follow the axis from the tower to the only residence within 150 feet, such an occurrence appears even less likely. Radio frequency electromagnetic radiation power densities are not significant as this site would be a receive-only facility, and calculated densities will be below accepted or proposed standards. The Council is convinced that the tower will not pose unreasonable hazards.

We also note that the local zoning regulations do not require towers to be located away from dwellings by a distance equal to their height. Based on these considerations the Council will approve the present location. Permission in this case, however, should in no way be considered a precedent for future applications. Where a tower and occupied buildings can be separated they should be so located, and sites and alternate sites should be selected with this consideration in mind.

The applicant considered supertrunk technology as an alternative to constructing the hub site, but such an alternative was found to be impractical. Several alternative sites were considered, but were eliminated for reasons of cost, visibility, access, and little interest on the part of potential lessors. The proposed site is the most practical from both technical and environmental points of view.

The public's need for CATV service has been previously established by the Connecticut legislature and by the Department of Public Utility Control, which awarded Rollins the franchise for this area. Additionally, the DPUC has mandated universal franchise coverage, which this facility will provide for the area. Rollins has shown that this hub site would extend CATV service to the northern areas of Guilford and Madison, as well as improve the quality and reliability of services presently provided by its North Branford head-end site. The applicant has demonstrated to the Council's satisfaction that the hub site meets a public need.

Based on the foregoing, the Council will order that a Certificate of Environmental Compatibility and Public Need be issued to Rollins for the construction of this hub site.