

AN APPLICATION OF METRO MOBILE CTS OF : CONNECTICUT SITING
HARTFORD, INC., FOR A CERTIFICATE OF :
ENVIRONMENTAL COMPATIBILITY AND PUBLIC : COUNCIL
NEED FOR THE CONSTRUCTION, MAINTENANCE,
AND OPERATION OF FACILITIES TO PROVIDE
CELLULAR SERVICE IN THE TOWNS OF
KILLINGWORTH, MIDDLETOWN, AND
OLD SAYBROOK, CONNECTICUT. : February 18, 1987

O P I N I O N

Metro Mobile CTS of Hartford, Inc. (Metro Mobile), applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need for the construction, operation, and maintenance of telecommunication towers and associated equipment to provide cellular telephone coverage from tower sites in the towns of Killingworth, Middletown, and Old Saybrook. These towns are within the Hartford New England County Metropolitan Area (Hartford NECMA). The road coverages within this application are planned to overlap with coverages from sites in Portland and Haddam already certificated by the Council in Docket No. 58.

In the case of cellular telephone antenna towers, under section 16-50p of the General Statutes of Connecticut, the Council must consider the need for proposed antenna towers and the nature of their probable environmental impact, "including a specification of every significant adverse effect, whether alone or cumulatively with other effects, on, and conflict with the policies of the state concerning, the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forests and parks, air and water purity and fish and wildlife . . ." The Council may not grant a certificate unless it finds and determines why these adverse effects or conflicts with state policies are not sufficient reason to deny the application.

The proposed Middletown site is rejected without prejudice due to lack of written notice to an abutting landowner as required by section 16-501(b) of the General Statutes of Connecticut, as amended by Public Act 86-187. Although Metro Mobile complied with applicable notice requirements at the time of filing the original application, the company revised the proposal, rendering Carol B. Carpenter an abutting landowner who is entitled to notice by certified or registered mail. Had Ms. Carpenter been provided this notification in time to afford her an opportunity to be heard, the necessity of rejecting the application could have been avoided. However, the statutory deadline for Council decision of February 19, 1987, leaves the Council no alternative but to deny the application.

The visibility of the proposed towers is a major consideration, and one of the most difficult to quantify before construction. In its consideration of visual impacts, the Council relies on testimony of parties, facts in the record, sight-line graphics, photographs of existing facilities, balloon flights representing the heights of the proposed towers, and its experience in the siting of previous towers.

The potential visual impacts of the proposed Old Saybrook tower are of major concern to the Council. The Council is particularly troubled by the visibility of this proposed tower from the lower portion of the Connecticut River. The proposed tower would be visible from areas within the unique Connecticut River Gateway Commission Conservation Zone. The tower would be visible to Connecticut River boaters and to visitors to the new state park at the Old Ferry Tavern site in Old Lyme. The Connecticut River Gateway Commission and the Town of Old Saybrook opposed the tower, based on visual concerns. The proposed site location on Obed

Heights is a prominent point in the area, with an elevation of 140 feet above mean sea level. The proposed 160-foot monopole would be significantly higher than the nearby 75-foot high water tank and surrounding 60 to 80-foot trees.

The proposed Old Saybrook site is within an area zoned AA-1, which permits single family homes on one-acre lots. Additionally, the proposed tower would be inconsistent with Old Saybrook zoning regulations requiring minimum setbacks for structures over 35 feet in height. An applicant for a subdivision has a preliminary plan for approximately 30 homes for property surrounding the proposed site, increasing the number of residences for which the tower would be a visual intrusion on the rural residential character of the area.

The Council is concerned that Metro Mobile provided an incomplete examination of alternatives, such as the construction of two towers at lower elevations instead of a single 160-foot tower on Obed Heights.

Because of the visibility of this proposed tower in a unique scenic portion of Connecticut and the inadequate exploration of alternatives, the Council is unable to justify issuing a certificate for the proposed Old Saybrook site.

In its search for a tower site in the Killingworth area, Metro Mobile considered and rejected three potential sites in the area, including the existing 371-foot Storer Cable tower in Killingworth. Mounting cellular antennas on the Storer Cable tower would not provide coverage to Routes 9 or I-95. The proposed site is 300 feet from Route 80 and within a residential zone; moving the tower into the adjacent industrial zone would bring it closer to Route 80, and possibly bring the site onto a lower elevation. Although the owner would be willing to

relocate this site within the industrial zone, doing so would be largely symbolic and might cause unexpected difficulties with tower visibility and height. At the proposed location, the 160-foot lattice tower would be of limited visibility from nearby roads. The Town of Killingworth and the owner of one of the 35 residences within a 2,000-foot radius of the proposed site opposed the location of this tower on grounds of visibility.

The proposed Killingworth tower would provide coverage along portions of Routes I-95, 1, 9, 79, 80, 81, 145, 148, 153, and 154, and also cover the gap along Route 9 between the approved Haddam site and the proposed Old Saybrook site. It would also overlap with the proposed Old Saybrook site to provide coverage to boats in Long Island Sound.

In the absence of impacts on rare or endangered species or areas of unique historical significance, the visual impact of the Killingworth tower site and the minimal electromagnetic radiation levels produced by such facilities are not sufficient to deny the application. The Council will therefore issue a Certificate of Environmental Compatibility and Public Need for the proposed Killingworth tower site and will deny the proposed Old Saybrook and Middletown sites without prejudice.