

DOCKET NO. 91A - SNET Cellular, Inc.'s proposed amendment to its Certificate of Environmental Compatibility and Public Need for cellular telephone antennas and associated equipment in the Town of North Stonington, Connecticut.

Connecticut

Siting

Council

April 30, 1990

#### FINDINGS OF FACT

1. SNET Cellular, Inc. (SNET) in accordance with provisions of Sections 16-50g through 16-50z of the Connecticut General Statutes (CGS) applied to the Connecticut Siting Council (Council) on December 4, 1987, for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, operation, and maintenance of a cellular telephone facility in the Town of North Stonington, Connecticut. (Record)
2. SNET proposed to attach its antennas between the 135-foot and 165-foot levels of an existing guyed tower 180 feet in height on a site owned by Gerald A. Goguen, 1600 feet north of Wintechog Hill Road in North Stonington. (Docket 91, Finding 16)
3. The North Stonington Board of Appeals granted the owner of the existing 180-foot tower a variance to construct this tower on December 9, 1986. The tower was completed in November 1987. (Docket 91, Finding 21)
4. The Siting Council issued a Certificate of Environmental Compatibility and Public Need to SNET on March 22, 1988, to construct a 22-foot by 24-foot equipment building and to attach its cellular antennas to this existing 180-foot tower as specified in the Council's record in the proceeding of Docket 91. (Council Decision and Order, Docket 91, March 22, 1988)
5. On September 23, 1988, the owner of the existing 180-foot guyed tower constructed a new 190-foot self-supporting tower capable of carrying a greater antenna load adjacent to the 180-foot tower. On September 24, 1988, the tower owner dismantled and removed the existing 180-foot tower. SNET constructed its equipment building approximately 15 feet from the side line rather than the 25 feet specified in the Town of North Stonington Zoning Regulations and the application approved by the Council in Docket 91, and attached its antennas to the 190-foot tower. On October 26, 1988, SNET notified the Council that it would not proceed any further with the development of the North

Stonington site until the owner of the 190-foot tower had received the necessary Town permits, and had notified the Council of the issuance of such permits. (SNET amendment of March 26, 1990, Exhibit 2, SNET letter of September 30, 1988; SNET letter of October 26, 1988)

6. The Federal Aviation Administration ruled on May 6, 1988, that the 190-foot tower would not require obstruction marking or lighting. (SNET letter of April 4, 1990)
7. On July 20, 1989, the North Stonington Planning and Zoning Commission granted the owner of the 190-foot tower approval to modify the special permit which allowed the 190-foot communications tower. On September 20, 1989, the North Stonington Zoning Enforcement Officer issued a permit for replacement of the 180-foot communications tower with the 190-foot self-supporting tower. On October 17, 1989, the North Stonington Building Inspector issued an as-built permit for the 190-foot tower. (SNET amendment of March 26, 1990, Exhibit 3, Town of North Stonington Planning and Zoning Commission letter of July 24, 1989; Exhibit 4, Town of North Stonington Zoning Permit of September 20, 1989; Exhibit 5, Town of North Stonington Building Permit of October 17, 1989)
8. On January 8, 1990, SNET submitted an application to the North Stonington Board of Appeals for a sideline variance for its 22-foot by 24-foot equipment building. The application requested that the building be permitted to be 15 feet from the sideline rather than the 25 feet specified in the North Stonington Zoning Regulations. The requested variance was granted by the North Stonington Zoning Board of Appeals on February 13, 1990. (SNET amendment of March 26, 1990, Exhibit 6, Town of North Stonington Zoning Board of Appeals Certification of Grant of Variance, February 13, 1990)
9. On March 26, 1990, SNET requested an amendment of the Council's Findings of Fact, Opinion, Decision and Order, and Certificate for Docket 91 issued March 22, 1988, to include: 1) a change of the tower on which SNET would attach its cellular antennas from a 180-foot guyed tower to a new existing 190-foot self-supporting tower; 2) a change of the equipment building location of 15 feet from the side line rather than the 25 feet specified in the Town of North Stonington Zoning Regulations; and 3) a revised site plan to be substituted for the site plan submitted with the Development and Management Plan of April 26, 1988, which incorporates these changes, including the construction of an eight-foot chain link fence around the equipment building and 190-foot tower, and the planting of 15 six-foot shrubs for screening around the outside perimeter of the fence. (SNET amendment of March 26, 1990)