

DOCKET NO. 99 - AN APPLICATION OF METRO :CONNECTICUT  
MOBILE CTS OF FAIRFIELD COUNTY, INC., FOR : SITING  
A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY : COUNCIL  
AND PUBLIC NEED FOR CELLULAR TELEPHONE :  
ANTENNAS AND ASSOCIATED EQUIPMENT IN THE :  
CITY OF STAMFORD, CONNECTICUT January 5, 1989

OPINION

On July 25, 1988, Metro Mobile CTS of Fairfield County, Inc., (Metro Mobile) applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need (Certificate) to construct and operate a cellular telephone tower site within the City of Stamford, Connecticut.

The public need for cellular telephone facilities has been pre-empted by the Federal Communications Commission (FCC). The Council must therefore balance the need to develop the proposed site as a cellular telephone facility with the need to protect the environment and minimize damage to the State's service, historic, and recreational values.

Pursuant to Section 16-50x of the Connecticut General Statutes,..."the Council shall have exclusive jurisdiction over the location and type of facilities." In rendering this decision, the Council gave consideration to the City of Stamford's regulations and the information provided by City officials and local residents.

In finding a proposed tower site, an applicant must find a site offering the desired coverage; adequate distance from homes, wetlands, and public recreation areas; and a willingness to lease or sell by a property owner. These requirements narrow the field of potential tower sites considerably, and in this case to only one available site in the North Stamford area. While the Council is concerned that Metro Mobile will have some difficulty in finding other cell sites to integrate with this site, the Council is of the opinion that there are no feasible or prudent alternatives to the proposed site, that this site is necessary to provide coverage to the North Stamford area, and that it will help meet the FCC mandate to provide adequate cellular telephone service within the Fairfield NECMA.

Tower visibility is an issue of significant concern to the Council and residents living in the general vicinity of a proposed cellular tower. Visibility of a tower is best minimized by a combination of surrounding stands of mature trees, adequate distance from residences, minimal tower height, and intervening topography. The combination of these factors at the proposed site is such that the unlighted tower would not present a significant visual impact to the homes in the North Stamford area.

There are no wetlands on the proposed site or along the route of the proposed access road leading to the site. The nearest wetlands are 500 feet to the southeast of the proposed site, near Quarry Road. The Council believes that with detailed erosion and sediment control plans, the clearing of the tower site and access road can be performed without significant environmental impact or effect to the nearby water supply reservoir.

The Council and its staff inspected the proposed site on its field review and do not believe construction of the proposed facility would have a substantial adverse effect on local wildlife or vegetation.

There are no existing records of federally endangered or threatened species or Connecticut species of special concern occurring in the area of the proposed site. The construction of the tower facility at the proposed site would not have a significant effect on historic or archaeological resources listed on or eligible for the National Register of Historic Places.

Electromagnetic radio frequency power densities are a concern to residents living in the vicinity of any broadcast facility. In the present case, however, the power density level would be approximately 53 times below the American National Standards Institute Safety Standard for the broadcast frequency at the base of the tower, and it would quickly become much lower as distance from the tower site increases.

The proposed site is zoned RA-3, a single family district zoning classification. Although the proposed site is within the most restrictive zoning district in Stamford, the Council believes that this facility is consistent with the adjacent water treatment plant that was approved by the City of Stamford Zoning Board of Appeals pursuant to a Special Exception. Moreover, the City does permit radio and television masts in such districts by Special Exception.

Procedural issues including claims of deficient notice of the application; deficient notice of the hearing and field review; ex parte communication; deficient notice of meeting; improper reopening of hearing; and deprivation of rights to cross-examination have all been considered by the Council, are inconsistent with the record, and are without merit. The Council believes that it holds all of its proceedings in a fair and open manner and far exceeds any requirement of due process.

Based on its record in this proceeding, the Council finds that the effects associated with the construction and operation of a cellular tower and associated equipment building at the proposed site, including effects on the natural environment, ecological integrity and balance, public health and safety, scenic, historic, and recreational values, forests and parks, air and water purity, and fish and wildlife, are not significant either alone or cumulatively with other effects, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application, and therefore, the Council will issue a Certificate for the construction of the proposed Stamford cellular tower site.

The Council will require Metro Mobile to submit a Development and Management (D&M) plan for approval prior to the commencement of any construction or clearing at the proposed site or access road. This D&M plan shall include detailed plans for erosion and sediment control, seeding, loaming, and landscaping at the proposed site and along the access road.

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