

Sec. 16-50j-75. Requirement for a Development and Management Plan (D&M plan)

(a) Purpose.

The Council may require the preparation of full or partial D&M plans for proposed community antenna television towers or head-end structures and associated equipment or telecommunications towers and associated equipment or a modification to an existing site, where the preparation of such a plan would help significantly in balancing the need for adequate and reliable utility services at the lowest reasonable cost to consumers with the need to protect the environment and ecology of the state.

(b) When required.

A partial or full D&M plan shall be prepared in accordance with this Section and shall include the information described in Sections 16-50j-76 to 16-50j-77, inclusive, of the Regulations of Connecticut State Agencies for any proposed facility for which the Council issues a certificate or for a modification to an existing site, except where the Council provides otherwise at the time it issues the certificate. Relevant information in the Council's record may be referenced.

(c) Procedure for preparation.

The D&M plan shall be prepared by the certificate holder of the tower and associated equipment, or modification to an existing facility. The preparer may consult with the staff of the Council to prepare the D&M plan.

(d) Timing of plan.

The D&M plan shall be submitted to the Council in one or more sections, and the Council shall approve, modify or disapprove each section of the plan not later than 60 days after receipt of it. If the Council does not act to approve, modify or disapprove the plan or any section thereof within 60 days after receipt of it, the plan shall be deemed approved. Except as otherwise authorized by the Council, no clearing or construction shall begin prior to approval of applicable sections of the D&M plan by the Council.

(e) Notice.

A copy, or notice of the filing, of the D&M plan, or any section thereof, or a copy, or notice of the filing of any changes to the D&M plan, or any section thereof, shall be provided to the service list and the property owner of record, if applicable, at the same time the plan, or any section thereof, or at the same time any changes to the D&M plan, or any section thereof, is submitted to the Council.

(f) Changes to plan.

The Council may order changes to the D&M Plan including, but not limited to, vegetative screening, paint color, or fence design at any time during or after preparation of the plan.

(Effective March 7, 1989; Amended September 7, 2012)