

1 STATE OF CONNECTICUT
2 CONNECTICUT SITING COUNCIL

3
4 Docket No. 501

5 New Cingular Wireless PCS, LLC application for a
6 Certificate of Environmental Compatibility and
7 Public Need for the construction, maintenance, and
8 operation of a telecommunications facility located
9 at 106 Sharon Road, Lakeville (Salisbury),
10 Connecticut.

11
12 VIA ZOOM AND TELECONFERENCE

13
14 Public Comment Session held on Tuesday, June 29,
15 2021, beginning at 6:30 p.m. via remote access.

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19 H e l d B e f o r e :

20 JOHN MORISSETTE, Presiding Officer

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25 Reporter: Lisa L. Warner, CSR #061

1 **A p p e a r a n c e s:**

2 **Council Members:**

3 **ROBERT HANNON**
4 **Designee for Commissioner Katie Dykes**
5 **Department of Energy and Environmental**
6 **Protection**

7 **QUAT NGUYEN**
8 **Designee for Chairman Marissa Paslick**
9 **Gillett**
10 **Public Utilities Regulatory Authority**

11 **ROBERT SILVESTRI**
12 **EDWARD EDELSON**
13 **LOUANNE COOLEY**

14 **Council Staff:**

15 **MELANIE BACHMAN, ESQ.**
16 **Executive Director and**
17 **Staff Attorney**

18 **MICHAEL PERRONE**
19 **Siting Analyst**

20 **LISA FONTAINE**
21 **Fiscal Administrative Officer**

22 **For New Cingular Wireless PCS, LLC (AT&T):**
23 **CUDDY & FEDER, LLP**
24 **445 Hamilton Avenue, 14th Floor**
25 **White Plains, New York 10601**
BY: **KRISTEN M. MOTEL, ESQ.**

Also present: **Thomas E. Johnson, Proterra**
Design Group

Public Speaker: Heidi Hoeller (Matthew
Asinari)

Zoom co-host: Aaron Demarest.

****All participants were present via remote access.**

1 MR. MORISSETTE: This remote public
2 hearing is called to order this Tuesday, June 29,
3 2021 at 6:30 p.m. My name is John Morissette,
4 member and presiding officer of the Connecticut
5 Siting Council. Other members of the Council are
6 Robert Hannon, designee for Commissioner Katie
7 Dykes, the Department of Energy and Environmental
8 Protection; Quat Nguyen, designee for Chairman
9 Marissa Paslick Gillett of the Public Utilities
10 Regulatory Authority; Robert Silvestri; Louanne
11 Cooley; Edward Edelson.

12 Members of the staff are Melanie
13 Bachman, executive director and staff attorney;
14 Michael Perrone, siting analyst; and Lisa
15 Fontaine, fiscal administrative officer.

16 As everyone is aware, there is
17 currently a statewide effort to prevent the spread
18 of the Coronavirus. This is why the Council is
19 holding this remote public hearing, and we ask for
20 your patience. If you haven't done so already, I
21 ask that everyone please mute their computer audio
22 and telephones now.

23 This is a continuation of a remote
24 public hearing that began at 2 p.m. this
25 afternoon. A copy of the prepared agenda is

1 available on the Council's Docket No. 501 webpage,
2 along with the record of this matter, the public
3 hearing notice, instructions for public access to
4 this remote public hearing, and the Citizen's
5 Guide to Siting Council Procedures.

6 This hearing is being held pursuant to
7 the provisions of Title 16 of the Connecticut
8 General Statutes and of the Uniform Administrative
9 Procedure Act upon an application from New
10 Cingular Wireless PCS, LLC for a Certificate of
11 Environmental Compatibility and Public Need for
12 the construction, maintenance, and operation of a
13 telecommunications facility located at 106 Sharon
14 Road in Lakeville (Salisbury), Connecticut. This
15 application was received by the Council on April
16 1, 2021.

17 This application is also governed by
18 the Telecommunications Act of 1996 which is
19 administered by the Federal Communications
20 Commission. This act prohibits this Council from
21 considering the health effects of radio frequency
22 emissions on human health and wildlife to the
23 extent the emissions from towers are within the
24 federal acceptable safe limits standard, which
25 standard is also followed by the state Department

1 of Health. The Federal Act also prohibits the
2 Council from discriminating between and amongst
3 providers of functionally equivalent services.
4 This means that if one carrier already provides
5 service for an area, other carriers have the right
6 to compete and provide service in the same area.

7 The Council's legal notice of the date
8 and time of this remote public hearing was
9 published in The Republican American on April 28,
10 2021. Upon this Council's request, the applicant
11 erected a sign at the proposed site so as to
12 inform the public of the name of the applicant,
13 the type of facility, the remote public hearing
14 date, and contact information for the Council,
15 which includes the website and phone number.

16 This remote public comment session is
17 reserved for the public to make brief statements
18 into the record. These public statements are not
19 subject to questions from the parties or the
20 Council, and members of the public making
21 statements may not ask questions of the parties or
22 the Council.

23 In fairness to everyone who has signed
24 up to speak, these public statements will be
25 limited to three minutes and will become part of

1 the record for Council consideration. Please be
2 advised that if the public comment session does
3 not conclude by 9:30 p.m., written comments may be
4 submitted by any person within 30 days of this
5 public hearing.

6 As a reminder to all, off-the-record
7 communication with a member of the Council or a
8 member of the Council's staff upon the merits of
9 this application is prohibited by law.

10 I wish to note that parties and
11 intervenors, including their representatives,
12 witnesses and members, are not allowed to
13 participate in the public comment session. I also
14 wish to note for those who are listening and for
15 the benefit of your friends and neighbors who are
16 unable to join us for this remote public comment
17 session that you or they may send written
18 statements to the Council within 30 days of the
19 date hereof by mail or email, and such written
20 statements will be given the same weight as if
21 spoken at the remote public hearing comment
22 session. Please be advised that any person may be
23 removed from the remote public comment session at
24 the discretion of the Council.

25 We ask each person making a public

1 statement in this proceeding to confine his or her
2 statements to the subject matter before the
3 Council and to avoid unreasonable repetition so
4 that we may hear all of the concerns you and your
5 neighbors may have. Please be advised that the
6 Council cannot answer questions from the public
7 about the proposal.

8 A verbatim transcript of this remote
9 public hearing will be posted on the Council's
10 Docket No. 501 webpage and deposited in the
11 Salisbury Town Clerk's Office for the convenience
12 of the public.

13 Please be advised that the Council's
14 project evaluation criteria under the statute does
15 not include consideration of property value.

16 Before I call on members of the public
17 to make statements, I request the applicant to
18 make a very brief presentation to the public
19 describing the proposed facility.

20 Mr. Johnson, would you please make your
21 presentation.

22 MR. JOHNSON: Hi. Good evening. Can
23 everyone hear me okay?

24 MR. MORISSETTE: Yes, I can hear you
25 fine. Thank you, Mr. Johnson.

1 MR. JOHNSON: Okay. Great. My name is
2 Tom Johnson. I work with the engineering firm
3 Proterra Design Group, LLC. We're here tonight on
4 behalf of New Cingular Wireless PCS, LLC. They
5 are proposing a facility located at 106 Sharon
6 Road in the village of Lakeville, Town of
7 Salisbury, on a parcel which identified as map 47,
8 Lot 2, on the Town of Salisbury's tax map. The
9 parcel is the current location of the Wake Robin
10 Inn. The facility includes an approximately
11 10,000 square foot shaped lease area located in
12 the south central portion of the approximately
13 11.52 acre parcel which is owned by Wake Robin,
14 LLC.

15 The facility consists of a monopole 94
16 feet in height with a lightning rod extending an
17 additional 6 feet above the top of the pole,
18 bringing the total height to approximately 100
19 feet. The tower will be located within a 2,500
20 square foot fenced compound enclosed within an 8
21 foot high chain link fence. AT&T proposes to
22 install panel antennas and remote radio head units
23 at a centerline height of 90 feet, and will
24 install a walk-in equipment cabinet and an
25 emergency back-up generator at grade on concrete

1 pads within the fenced equipment compound. The
2 fenced equipment compound and tower will be
3 designed for future shared use by one additional
4 FCC licensed wireless carrier.

5 Access to the facility will be provided
6 from Sharon Road using an existing paved driveway
7 and an existing gravel accessway which will be
8 upgraded and which will connect to a proposed 12
9 foot wide, approximately 231 foot long gravel
10 driveway on the western portion of the property
11 leading to the proposed compound.

12 Utility connections will be routed
13 underground along the proposed access road and the
14 existing driveway to Sharon Road to service the
15 facility.

16 Thank you.

17 MR. MORISSETTE: Thank you, Mr.
18 Johnson.

19 Just a quick note on remote public
20 hearings. Remote public hearings are quite
21 different from in-person public hearings. For
22 in-person public hearings members of the public
23 could sign in, step up to the podium and offer
24 their comments. For remote public hearings, the
25 public is required to sign up to speak well in

1 advance in order to provide Council staff with the
2 time necessary to facilitate connection
3 precautions, to prevent interruptions, or in
4 common terms, bombing of the proceedings. There
5 are protocols, procedures and consistency measures
6 that are followed as part of the remote public
7 hearing process. Written comments may be
8 submitted within 30 days of this public hearing.
9 Thank you.

10 We will now call on Matthew Asinari to
11 make a public statement. Mr. Asinari.

12 HEIDI HOELLER: Hi. This is Heidi
13 Hoeller. Matthew Asinari has a conflict this
14 evening, and he's asked me to read his prepared
15 statements. He has an abutting property to the
16 Wake Robin Inn. His home is immediately below
17 where the proposed tower would be built. He
18 strongly opposes the tower. He cites the
19 following reasons:

20 Number one, harmful to Lakeville's
21 natural beauty, the tower will instantly and
22 permanently disfigure the beautiful residential
23 area our community specifically values regarding
24 the idyllic qualities of the Lakeville Salisbury
25 environment. This is key to us as residents of

1 Lakeville and those around the lake with homes on
2 Sharon Road, Wells Hill Road, and also towards the
3 Hotchkiss School. And the beauty of our historic
4 town, it will also deface the local properties
5 that are eligible for or on the National and State
6 Historic Registers.

7 Point number two, it's harmful to our
8 lives. While the application describes the area
9 as mainly rural, that is demonstrably not the case
10 anymore. We are a residential area. He feels
11 this will permanently alter the skyline and vistas
12 from multiple directions across the neighboring
13 properties, also views from the lake and multiple
14 locations on the lake. Lake Wononscopomuc is a
15 well-known destination in the foothills of
16 Connecticut's mountains, and it's a premiere
17 residential asset for iconic vistas, swimming,
18 sailing, canoeing and fishing, both summer sports
19 and winter sports, and the antenna will deface the
20 pristine beauty of our lake vistas even more so in
21 the winter.

22 Point number three, it is harmful to
23 the property values. Loss of property value is
24 expected to occur to all of our local residences
25 since this is both a tourist destination as well

1 as a residential area, and it will bring equally
2 serious, negative financial impacts to the
3 property owners. The Cingular Tower is estimated
4 to have a 10 to 15 percent decrease in property
5 values in our area. He cites a report from Tall
6 Telecom's tower installations which has a tower
7 similar to ours, 100 foot tower, and in the report
8 it was a 10 to 15 percent decrease. The average
9 value of Lakeville homes is 1.1 million, according
10 to a May 2021 Realtor.com study, with the average
11 value of Lakeville homes on the market around the
12 lake is 2.7 million. There are currently 30 homes
13 in the range of the 4G tower. This equates to 81
14 million, or a loss of 8 to 12 million in property
15 value. And this is equal to 266,000 to 405,000
16 per resident in that vicinity. And this is a
17 devaluation that residents of our community are
18 not willing to incur.

19 His fourth and final point is that it's
20 harmful to humans living in nearby homes to the
21 cell phone tower. The increased RFR EMF waves
22 will have an immediate and continuous and
23 permanent negative health effect on the local area
24 residents. While the Cancer Society is still
25 conducting studies on the direct impact to

1 generate cancer, there are peer reviewed published
2 science reports that prove that RFR is seriously
3 harmful to humans, their brains, their nervous
4 system and the environment. Children, the
5 elderly, and those already ill are most
6 vulnerable. Specifically, this peer reviewed
7 science shows that RFR can cause a wide range of
8 health problems, including nervous system stress
9 due to radiation, sleep problems, heart
10 arrhythmias, anxiety, headaches, ringing in the
11 ears and additional serious and permanent
12 symptoms, and he has provided a link to those
13 reports to the Siting Council.

14 He is not opposed to the tower in
15 general, but believes that it should be placed in
16 a rural nonresidential area. And he also feels
17 that the 4G technology is old technology and that
18 a 5G Point-to-Point antenna system should be
19 considered. Thank you.

20 MR. MORISSETTE: Thank you. Thank you
21 for conveying Mr. Asinari's comments this evening.
22 Could you kindly state your name again and spell
23 your last name for the record, please?

24 MS. HOELLER: Yes. For the record, my
25 name is Heidi Hoeller, and it's spelled

1 H-O-E-L-L-E-R.

2 MR. MORISSETTE: Thank you again.

3 MS. HOELLER: Thank you.

4 MR. MORISSETTE: That concludes the
5 public statements for this evening. But before
6 closing the evidentiary record in this matter, the
7 Connecticut Siting Council announces that briefs
8 and proposed findings of fact may be filed with
9 the Council by any party or intervenor no later
10 than July 29, 2021. The submission of briefs or
11 proposed findings of fact are not required by this
12 Council, rather we leave it to the choice of the
13 parties and intervenors.

14 Anyone who has become a party or
15 intervenor, but who desires to make his or her
16 views known to the Council, may file written
17 statements with the Council within 30 days of the
18 date hereof. The Council will issue draft
19 findings of fact, and thereafter parties and
20 intervenors may identify errors or inconsistencies
21 between the Council's draft findings of fact and
22 the record; however, no new information, no new
23 evidence, no arguments and no reply briefs without
24 permission will be considered by the Council.

25 Copies of the transcript of this

1 hearing will be filed in the Salisbury Town
2 Clerk's Office.

3 I hereby declare this hearing
4 adjourned. And thank you everyone for your
5 participation. Good evening.

6 (Whereupon, the above proceedings
7 concluded at 6:45 p.m.)

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1 CERTIFICATE FOR REMOTE HEARING

2
3 I hereby certify that the foregoing 15 pages
4 are a complete and accurate computer-aided
5 transcription of my original stenotype notes taken
6 of the REMOTE PUBLIC COMMENT SESSION IN RE:
7 DOCKET NO. 501, NEW CINGULAR WIRELESS PCS, LLC
8 APPLICATION FOR A CERTIFICATE OF ENVIRONMENTAL
9 COMPATIBILITY AND PUBLIC NEED FOR THE
10 CONSTRUCTION, MAINTENANCE, AND OPERATION OF A
11 TELECOMMUNICATIONS FACILITY LOCATED AT 106 SHARON
12 ROAD, LAKEVILLE (Salisbury), CONNECTICUT, which
13 was held before JOHN MORISSETTE, PRESIDING
14 OFFICER, on June 29, 2021.

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20 Lisa L. Warner, CSR 061
21 Court Reporter
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