

The Talias Trail group requests that the Council denies the petition to reopen the evidentiary hearing concerning the placement of a cell tower at 499 Mile Lane, Middletown.

The applicant (AT&T) began this process in 2018 with the City of Middletown, almost 4 years ago. Since then, they have had months of hearings and questions with ample opportunity to present any and all documentation that would be relevant to the case. The Council explicitly asked about alternate locations or options, but the applicant testified that no feasible alternatives were available. The one other location that was considered, Lawrence Middle School, was ruled out due to elevation. The applicant later stated in written testimony that they do not consider schools ever as a viable option meaning only one location was ever truly contemplated. In the three evidentiary hearings and a separate feasibility hearing, no alternatives other than a shared tower were considered by the applicant. Only after realizing the proposal could be denied as is, did the applicant want to introduce alternate locations and an additional intervenor. Again, both of which were topics of conversation during all hearings. Even in direct questioning, answers were ambiguous and contradictory.

Director Bartolotta, from the City of Middletown, testified that the only option the City would consider at the 499 Mile Lane site was a second tower. Any form of sharing a tower would not be considered due to the interruption of the emergency communications currently operating at that site. This should have immediately triggered the team from AT&T to explore options such as Eversource or other City properties as discussed in the hearings. The applicant testified they did not consider Eversource structures because they were wooden. When it was revealed that they were steel, no efforts to explore that possibility were made. Even when the TT residents pushed for a different site, the applicant did not acknowledge it as viable, again making no effort to provide the Council with legitimate options to explore.

In summary, this process has been ongoing since 2018, affording the applicant more than a reasonable amount of time to prepare. They have had every opportunity at the request of the residents and from the council's questions to present meaningful evidence. No further resources should be expended by the Council and the request to reopen Docket 506 should be formally denied.

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