



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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February 11, 2020

Kenneth C. Baldwin, Esq.  
Robinson & Cole  
280 Trumbull Street  
Hartford, CT 06103-3597

RE: **DOCKET NO. 477** - Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 46 Cemetery Road, Canterbury, Connecticut.

Dear Attorney Baldwin:

The Connecticut Siting Council (Council) is in receipt of your email correspondence dated February 11, 2020 regarding the Development and Management (D&M) Plan submitted by Cellco Partnership d/b/a Verizon Wireless (Cellco) for the above-referenced site that was approved by the Council on November 22, 2019.

Please be advised that the Council takes its charge of balancing the public need of a facility against potential environmental effects very seriously and is disappointed to be informed that the Cellco's Site Contractor, Zakjak Incorporated, did not adhere to the conditions of the approved D&M Plan. Specifically, the Site Contractor did not follow or adhere to the detailed D&M Plans that provided wetland boundary delineations and corresponding work procedures for construction within identified wetland areas.

The Site Contractor proceeded with utility trench construction in three wetland areas, identified on the Site Plans as Wetlands 4, 5 and 6, without adhering to specified wetland work procedures. Additionally, the Site Contractor proceeded with construction on February 4, 2020, well in advance of the anticipated start date of February 18, 2020, as indicated in your letter to the Council dated February 4, 2020.

Due to the non-adherence to wetland work procedures that resulted in the unmitigated disturbance to Wetlands 4, 5 and 6, Cellco's environmental consultant, All-Points Technology Corporation (APT), assessed construction impacts on February 5, 2020 and developed wetland remediation measures to be implemented by the Site Contractor.

Immediate corrective actions included soil stabilization with straw mulch, backfilling of open trenches within wetlands, the installation of trench plugs in Wetland 6 as was initially designed in the D&M Plan, and contractor environmental training. Trench plugs were also specified in the D&M Plan for Wetlands 4 and 5 but construction of the trench in these areas without the installation of plugs was already completed prior to APT's on-site inspection. However, given that the wetlands in these areas are small seeps that were previously disturbed by the installation of an electric utility trench by the landowner to service a residence on the property, the Council concurs with APT that the lack of trench plugs in Wetlands 4 and 5 would not adversely impact wetland hydrology.

APT recommends further wetland remediation activities, and therefore, pursuant to Regulations of Connecticut State Agencies §16-50j-77(b), the Council approves further wetland remediation as specified on page 4 of APT's Environmental Monitoring Report No. 1, including but not limited to,

1. GPS survey the actual area of temporary wetland disturbance during the next APT field inspection in order to verify areas of impact to compare against the previously estimated amounts that were detailed in the D&M Plan and in the Army Corps of Engineers project authorization;
2. Wetland topsoil shall be amended with approved wetland topsoil material since native wetland topsoil was lost due to improper soil sorting procedures during utility trenching;
3. Permanent vegetative stabilization/seeding shall occur once wetland topsoil placement has occurred, tentatively scheduled for the start of the 2020 growing season (late March/early April); and
4. Conduct post-construction monitoring to assess any potential short-term or long-term impacts to wetland resources during the 2020 growing season (ending in October 2020) to ensure native wetland vegetation has been permanently established and no adverse impact to wetland hydrology has occurred.

This approval applies only to the D&M Plan revision, received by email dated February 11, 2020, that is necessary to remediate construction-related wetland impacts at the site. Any significant changes to the D&M Plan require advance Council notification and approval.

Please be advised that deviations from this plan, such as the deviation more fully described above, are enforceable under the provisions of the Connecticut General Statutes § 16-50u. Furthermore, the Certificate Holder is responsible for reporting requirements pursuant to Regulations of Connecticut State Agencies Section 16-50j-77.

Thank you for your attention and cooperation.

Sincerely,



Melanie A. Bachman  
Executive Director

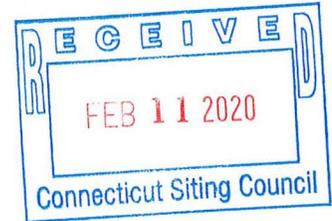
c: Council Members

## Mathews, Lisa A

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**From:** Bachman, Melanie  
**Sent:** Tuesday, February 11, 2020 9:51 AM  
**To:** Mercier, Robert; Walsh, Christina; Cunliffe, Fred  
**Cc:** Mathews, Lisa A; Fontaine, Lisa  
**Subject:** FW: Docket No. 477 - Canterbury South  
**Attachments:** VZW Canterbury South CT Compliance Monitoring Report #1\_020520.pdf

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**From:** Baldwin, Kenneth <KBALDWIN@RC.com>  
**Sent:** Tuesday, February 11, 2020 9:48 AM  
**To:** Bachman, Melanie <Melanie.Bachman@ct.gov>  
**Cc:** Dean Gustafson <dgustafson@allpointstech.com>; Hesselbach, Robert J <robert.hesselbach@verizonwireless.com>; Michael Humphreys <MHumphreys@structureconsulting.net>  
**Subject:** Docket No. 477 - Canterbury South

Ms. Bachman

As a follow up to our conversation earlier this morning, enclosed is the APT Environmental Monitoring Report No. 1 related to construction activity at the Canterbury South cell site that did not adhere to the wetland protection and restoration program approved as a part of the D&M Plan. As a result of these activities by the site contractor, APT has developed a series of preliminary recommendations to help correct these violations. These recommendations may be modified following future environmental inspections.

Please let me know if you have any questions or need any additional information regarding the attached monitoring report.

Ken

**Kenneth C. Baldwin**

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