

**Meeting Minutes**  
**Meeting of February 11, 2010**

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, February 11, 2010, in Hearing Room One, Ten Franklin Square, New Britain, Connecticut. The meeting was called to order with a quorum present by Daniel F. Caruso at 2:10 p.m.

**Council Members Present:**

Judge Daniel F. Caruso  
Chairman  
Colin C. Tait  
Vice Chairman  
Brian Golembiewski  
(designee for Commissioner Marrella)

Daniel P. Lynch, Jr.  
Edward S. Wilensky  
Barbara Currier Bell  
James Murphy

**Council Members Absent:**

Wayne V. Estey  
(designee for Commissioner DelGobbo)

Philip T. Ashton

**Staff Members Present:**

S. Derek Phelps  
Executive Director  
Robert L. Marconi  
Assistant Attorney General  
Fred Cunliffe  
Siting Analyst Supervisor

Robert Mercier  
Siting Analyst  
David Martin  
Siting Analyst  
Michael Perrone  
Siting Analyst

**Staff Members Absent**

Melanie Bachman  
Staff Attorney

Christina Walsh  
Siting Analyst

**Recording Secretary:**

Carriann Mulcahy

**Minutes of February 9, 2010.**

Mr. Wilensky moved to approve the minutes of January 7, 2010, as amended, seconded by Dr. Bell. The motion passed unanimously.

**DOCKET NO. 331 - TowerCo, LLC (TowerCo) Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 836 Foxon Road, East Haven, Connecticut. Development and Management Plan.**

Mr. Murphy moved to remove this item from the table, seconded by Dr. Bell. The motion passed unanimously.

Mr. Wilensky moved to approve the Development and Management Plan with the condition that any future equipment compound area be located adjacent to the area in the D&M Plan. The motion was seconded by Mr. Golembiewski. The motion passed unanimously.

Mr. Wilensky moved to grant an extension to complete construction of the facility until December 31, 2010. The motion was seconded by Mr. Lynch. The motion passed unanimously.

**DOCKET NO. 375 - New Cingular Wireless PCS, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 85 Paper Mill Road, Woodbury, Connecticut. Development and Management Plan.**

Mr. Murphy moved to approve the Development and Management Plan, seconded by Mr. Golembiewski. The motion passed unanimously.

**DOCKET NO. 383 - New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 316 Perkins Road, Southbury, Connecticut. Draft Findings of Fact, Opinion, and Decision and Order. Motion to Reopen.**

Mr. Golembiewski moved to grant the applicant's Motion to Reopen, seconded by Mr. Wilensky. The motion passed unanimously.

Mr. Tait moved to grant the extension of time to decide the application until July 19, 2010, seconded by Mr. Golembiewski. The motion passed unanimously.

**DOCKET NO. 384 - Phoenix Partnership, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 50 Devine Street, North Haven, Connecticut. Draft Findings of Fact.**

No action was taken on the item.

**DOCKET NO. 385 - T-Mobile Northeast LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 23 Stonybrook Road, Stratford, Connecticut. Draft Findings of Fact.**

No action was taken on this item.

**DOCKET NO. 386 - T-Mobile Northeast LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 123 Pine Orchard Road, Branford, Connecticut. Draft Findings of Fact.**

After reviewing the draft Findings of Fact, Chairman Caruso polled the Council members with Mr. Tait, Mr. Murphy, Mr. Lynch and Chairman Caruso in favor of granting a Certificate for the proposed 125-foot self-supporting monopole, with T-arms, and Dr. Bell, Mr. Wilensky, Mr. Golembiewski in favor of granting a Certificate for a 135-foot slim profile design tower.

Chairman Caruso directed staff to draft a favorable Opinion and Decision and Order, for the proposed 125-foot self-supporting monopole, to be reviewed at the next meeting.

**DOCKET NO. 387 - SBA Towers II, LLC application for a Certificate of Environmental Compatibility and Public need for the construction, maintenance and operation of a telecommunications facility located at 44 Gavitt Road, Barkhamsted, Connecticut. Draft Findings of Fact.**

After reviewing the draft Findings of Fact, Chairman Caruso polled the Council members with Mr. Tait, Mr. Murphy, Dr. Bell, Mr. Lynch, Mr. Wilensky, and Mr. Golembiewski unanimously in favor of granting a Certificate for the proposed telecommunications facility.

Chairman Caruso directed staff to draft a favorable Opinion and Decision and Order to be reviewed at the next meeting.

**DOCKET NO. 396 - SBA Towers II, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 49 Brainerd Road, Niantic (East Lyme), Connecticut. Request for Party/Intervenor Status.**

Mr. Murphy moved to grant intervenor status to New Cingular Wireless PCS, LLC, seconded by Dr. Bell. The motion passed unanimously.

Mr. Murphy moved to grant party status to Friends of the Pattagansett Trust, seconded by Mr. Lynch. The motion passed unanimously.

Mr. Murphy moved to grant intervenor status to Joseph Raia, seconded by Mr. Lynch. The motion passed unanimously.

**DOCKET NO. 398 - Northeast Utilities Service Company, on behalf of The Connecticut Light and Power Company application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of the Sherwood Substation located at 6 New Creek Road, Westport, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.**

Mr. Murphy moved to approve the application as complete and approve the schedule for processing the docket as per staff recommendations, the appointment of Lisa Fontaine as custodian of the docket, the deposition of the transcript in the Town of Westport, and a public field review and hearing in Westport on Wednesday, March 31, 2010; seconded by Mr. Wilensky. The motion passed unanimously.

**PETITION NO. 907 - Montville Power LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the retrofit and operation of a 40 MW Biomass-Fueled Generation Unit at the Montville Station in Montville, Connecticut. Draft Findings of Fact.**

After reviewing the draft Findings of Fact, Chairman Caruso polled the Council members with Mr. Tait, Mr. Murphy, Dr. Bell, Mr. Lynch, Mr. Wilensky, and Mr. Golembiewski unanimously in favor of granting a Declaratory Ruling for the proposed facility.

Chairman Caruso directed staff to draft a favorable Declaratory Ruling to be reviewed at the next meeting.

\*\*Mr. Lynch left at 4:05 p.m.

**PETITION NO. 926 - The United Illuminating Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to UI's existing East Shore Substation and West River Switching Station, New Haven, Connecticut. Decision.**

Dr. Bell moved to approve the petition, seconded by Mr. Murphy. The motion passed unanimously.

**PETITION NO. 929 - The MetroPCS New York, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the Attachment of Antennas to an Existing Tower at 30 Oliver Terrace in Shelton, Connecticut. Decision.**

Mr. Tait moved to approve the petition, seconded by Mr. Murphy. The motion passed unanimously.

**PETITION NO. 930 - Cellco Partnership d/b/a Verizon Wireless petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of a wireless repeater telecommunications facility at Pride's Corner Farm Nursery, 122 Waterman Road, Lebanon, Connecticut. Decision.**

Mr. Murphy moved to approve the petition, seconded by Mr. Tait. The motion passed unanimously.

**TS-ENFIELD-049-100104 - The Town of Enfield request for an order to approve tower sharing at an existing telecommunications facility located at Ecology Drive, Enfield, Connecticut.**

Mr. Wilensky moved to approve this request for tower sharing with the following condition:

- Not more than 45 days after completion of construction, the Council shall be notified in writing that the antennas were installed as specified and the proposed inventory reflects the updated tower inventory.

The motion was seconded by Dr. Bell. The motion passed unanimously.

**TS-CLEARWIRE-062-100128 - Clearwire Corporation request for an order to approve tower sharing at an existing telecommunications facility located at 1055 Wintergreen Avenue, Hamden, Connecticut.**

Dr. Bell moved to approve this request for tower sharing with the following conditions:

- The antennas and equipment shall be installed on the tower as specified in the structural analysis dated January 22, 2010 and sealed by Jeffrey Triezenberg, P.E.; and
- Not more than 45 days after completion of construction, a signed letter from a Professional Engineer shall be submitted to the Council to certify that the antennas and equipment on the tower have been installed as specified.

The motion was seconded by Mr. Murphy. The motion passed unanimously.

**Request from CL&P**

In accordance with Connecticut General Statute § 1-225 (c), Mr. Murphy moved to add the request from Connecticut Light and Power to the agenda, seconded by Mr. Tait. The motion passed unanimously.

**Connecticut Light and Power Company request to perform work on the 3533 line near Kleen Energy Systems, LLC. CL&P Proposes to isolate and bypass the Kleen Energy switchyard. Decision.**

Mr. Murphy moved to approve the request to perform work on the 3533 line and to report to the Council when the work is complete, seconded by Mr. Tait. The motion passed unanimously.

**Administrative Matters.**

Mr. Phelps announced that the next energy/telecommunications meeting is scheduled for Thursday, February 25, 2010, at 2:00 p.m.. Other calendar dates were also discussed.

**Adjournment.**

Mr. Wilensky moved to adjourn the meeting, seconded by Mr. Golembiewski. The motion passed unanimously.

The meeting adjourned at 4:25 p.m.

**Respectfully submitted,**

**Daniel F. Caruso**  
**Chairman**

DFC/cm