

**Meeting Minutes**  
**Meeting of December 12, 2013**

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, December 12, 2013, in Hearing Room Two, Ten Franklin Square, New Britain, Connecticut. The meeting was called to order with a quorum present by Chairman Stein at 1:05 p.m.

**Council Members Present:**

Robert Stein  
Chairman  
James J. Murphy  
Vice Chairman  
Robert Hannon  
(designee for Commissioner Esty)

Philip T. Ashton  
Daniel P. Lynch  
Michael W. Klemens  
Barbara C. Bell  
Eileen M. Daily (arrived at 1:18 p.m.)

**Council Members Absent:**

Michael Caron  
(designee for Chairman House)

**Staff Members Present:**

Melanie Bachman  
Acting Executive Director/Staff Attorney  
Fred Cunliffe  
Siting Analyst Supervisor  
Christina Walsh  
Siting Analyst Supervisor

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

**Recording Secretary:**

Lisa Fontaine

**Minutes of November 14, 2013.**

Dr. Bell moved to approve the Minutes of November 14, 2013; seconded Dr. Klemens. The motion passed unanimously.

**DOCKET NO. F-2012/2013 – Connecticut Siting Council Review of the Ten-Year Forecast of Connecticut Electric Loads and Resources. Final Report.**

Mr. Ashton moved to approve the final 2012/2013 Report of the Ten-Year Forecast of Connecticut Electric Loads and Resources with changes, seconded by Mr. Murphy. The motion passed with Dr. Klemens abstaining.

**DOCKET NO. 391 - Bay Communications II, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located 232 Shore Road, Old Lyme, Connecticut. Revised Development and Management Plan.**

Mr. Murphy moved to approve the revised Development and Management Plan with the following conditions:

- Twelve one-inch diameter A325 flange bolts at the 80-foot level of the tower shall be replaced with 12 one-inch diameter A490 flange bolts per the structural analysis report dated November 8, 2013 and stamped by Carlo Centore, P.E.; and
- Within 45 days following completion of the antenna installation, AT&T shall provide documentation certified by a professional engineer that its installation complied with the recommendation of the structural analysis.

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

**DOCKET NO. 400 - 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 343 Daleville Road, Willington, Connecticut. Transfer of Certificate. Request for Extension of Time.**

Mr. Ashton moved to approve the transfer of Certificate from Cellco Partnership d/b/a Verizon Wireless to Construction Services Towers, LLC; seconded by Dr. Bell. The motion passed unanimously.

Mr. Murphy moved to approve a six-month extension of time to complete construction until August 2, 2014; seconded by Dr. Bell. The motion passed unanimously.

**DOCKET NO. 424 - The Connecticut Light & Power Company Certificate of Environmental Compatibility and Public Need for the Connecticut portion of the Interstate Reliability Project that traverses the municipalities of Lebanon, Columbia, Coventry, Mansfield, Chaplin, Hampton, Brooklyn, Pomfret, Killingly, Putnam, Thompson, and Windham, which consists of (a) new overhead 345-kV electric transmission lines and associated facilities extending between CL&P's Card Street Substation in the Town of Lebanon, Lake Road Switching Station in the Town of Killingly, and the**

**Connecticut/Rhode Island border in the Town of Thompson; and (b) related additions at CL&P's existing Card Street Substation, Lake Road Switching Station, and Killingly Substation. Request for Temporary Suspension of Environmental Inspections.**

Mr. Ashton moved to approve the request for the temporary suspension of Independent Environmental Inspections until the U.S. Army Corps of Engineers permit is received and commencement of construction activities; seconded by Dr. Bell. The motion passed unanimously.

**DOCKET NO. 438 - Cellco Partnership d/b/a Verizon Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 53 Gallup Road, Voluntown, Connecticut. Development and Management Plan – Part 1.**

Mr. Ashton moved to approve Development and Management Plan Part I (tree clearing) with the condition that the next phase of the Development and Management Plan contain an evaluation of the potential vernal pools as referenced in Tab 13 (Wetlands Delineation Report- Site 2 pg. 5 of the All –Points letter) of the application; seconded by Dr. Bell. The motion passed unanimously.

**PETITION NO. 1070 - BE 2012 A LLC Declaratory Ruling that no Certificate of Environmental Compatibility and Public Need is required for the location and construction of a Customer-Side 400 kW Fuel Cell to be located at AT&T, 348 Grand Street, Waterbury, Connecticut. Revision.**

Mr. Ashton moved to approve the revision to this petition; seconded by Dr. Bell. The motion passed unanimously.

**PETITION NO. 1075 - Crown Atlantic Company LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed relocation of the driveway at an existing telecommunications tower located at 1684 Chamberlain Highway, Berlin, Connecticut. Decision.**

Eileen M. Daily arrived at 1:18 p.m.

Mr. Ashton moved to approve this petition with the condition that the petitioner submit a revised site plan that indicates the distance of the new access drive to the Chamberlain Highway; seconded by Mr. Murphy. The motion passed unanimously.

**PETITION NO. 1077 - 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 extension of an existing telecommunications facility at the Simsbury Volunteer Fire Department located at 345 Bushy Hill Road, Simsbury, Connecticut. Decision.**

Mr. Hannon moved to approve this petition; seconded by Mr. Ashton. The motion passed with Mr. Lynch voting no.

**PETITION NO. 1078 - CTS Energy, LLC petition for declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of a 4.98 megawatt fuel cell facility located at 245 Chapel Road, South Windsor, Connecticut. Decision**

Mr. Ashton moved to approve this petition; seconded by Mr. Lynch.

Mr. Lynch moved to amend Mr. Ashton's motion to add the conditions that:

- The approval shall be void if all construction authorized herein is not completed within four years of the effective date of approval; and
- Any request for extension of the time period for construction shall be filed with the Council not later than 60 days prior to the expiration date.

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

Chairman Stein, on behalf of the Council and staff, welcomed Council member Eileen M. Daily to the agency.

**PETITION NO. 1079 - Dominion Nuclear Connecticut, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of an equipment storage building at the Millstone Power Station in Waterford, Connecticut. Decision.**

Mr. Murphy moved to approve this petition; seconded by Mr. Lynch. The motion passed unanimously.

**PETITION NO. 1080 - The Connecticut Light and Power Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to an existing CL&P switching station located at 181 Cove Road, Haddam, Connecticut. Set Date for Decision.**

Mr. Murphy moved to set January 31, 2014, as the date by which the Council will make a decision on this petition; seconded by Dr. Bell. The motion passed unanimously.

**PETITION NO. 1081 - Bloom Energy Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the location and construction of a Customer-Side 200 kW Fuel Cell to be located at the Home Depot store, 75 North Frontage Road, East Haven, Connecticut. Set Date for Decision.**

Mr. Murphy moved to set May 7, 2014, as the date by which the Council will make a decision on this petition; seconded by Dr. Bell. The motion passed unanimously.

**PETITION NO. 1082 - Bloom Energy Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the location and construction of a Customer-Side 200 kW Fuel Cell to be located at the Home Depot store, 541 Kings Highway Cut-Off, Fairfield, Connecticut. Set Date for Decision.**

Mr. Ashton moved to set May 7, 2014, as the date by which the Council will make a decision on this petition; seconded by Mr. Murphy. The motion passed unanimously.

**PETITION NO. 1083 - Bloom Energy Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the location and construction of a Customer-Side 200 kW Fuel Cell to be located at the Home Depot store, 136 Elm Street, Enfield, Connecticut. Decision.**

Mr. Murphy moved to approve this petition; seconded by Mr. Ashton. The motion passed unanimously.

**PETITION NO. 1084 - Bloom Energy Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the location and construction of a Customer-Side 200 kW Fuel Cell to be located at the Home Depot store, 55 Granby Street, Bloomfield, Connecticut. Decision.**

Mr. Ashton moved to approve this petition; seconded by Dr. Bell. The motion passed unanimously.

**PETITION NO. 1085 - Bloom Energy Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the location and construction of a Customer-Side 200 kW Fuel Cell to be located at the Home Depot store, 117 Main Street, Derby, Connecticut. Set Date for Decision.**

Mr. Ashton moved to set May 7, 2014, as the date by which the Council will make a decision on this petition; seconded by Mr. Murphy. The motion passed unanimously.

**PETITION NO. 1086 - Bloom Energy Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the location and construction of a Customer-Side 200 kW Fuel Cell to be located at the Home Depot store, 656 Reservoir Avenue, Bridgeport, Connecticut. Decision.**

Mr. Ashton moved to set May 7, 2014, as the date by which the Council will make a decision on this petition; seconded by Dr. Bell. The motion passed unanimously.

**PETITION NO. 1087 - Wal-Mart Stores, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the location and construction of a Customer-Side 250 kW Fuel Cell to be located at the Wal-Mart store, 625 School Street, Putnam, Connecticut. Set Date for Decision.**

Mr. Ashton moved to set May 7, 2014, as the date by which the Council will make a decision on this petition; seconded by Mr. Murphy. The motion passed unanimously.

**PETITION NO. 1088 - Wal-Mart Stores, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the location and construction of a Customer-Side 250 kW Fuel Cell to be located at the Wal-Mart store, 161 Berlin Road, Cromwell, Connecticut. Decision.**

Dr. Klemens moved to approve this petition; seconded by Mr. Lynch. The motion passed unanimously.

**TS-AT&T-101-131108 - New Cingular Wireless PCS, LLC (AT&T) Request for an Order to Approve the Shared Use of an Existing Telecommunications Facility located at 50 Devine Street, North Haven, Connecticut. Decision.**

Mr. Ashton moved to approve this tower sharing request; seconded by Dr. Klemens. The motion passed unanimously.

**TS-AT&T-164-131114 - New Cingular Wireless PCS, LLC request for an order to approve the shared used of an existing telecommunications facility located at 599 Matianuck Avenue, Windsor, Connecticut. Decision.**

Mr. Murphy moved to approve this tower sharing request; seconded by Mr. Ashton. The motion passed unanimously.

**TS-AT&T-059T-13115 - New Cingular Wireless PCS, LLC request for an order to approve the shared use of an existing telecommunications facility located at 1294 Pleasant Valley Road North, Groton, Connecticut. Decision.**

Mr. Murphy moved to approve this tower sharing request; seconded by Mr. Ashton. The motion passed unanimously.

**Statewide Telecommunications Plan.**

The Council provided comments on the draft plan. No action was taken.

**Connecticut Siting Council Fiscal Year 2015 Budget.**

Mr. Ashton moved to approve the CSC Budget for Fiscal Year 2015; seconded by Dr. Klemens. The motion passed unanimously.

**Administrative Matters.**

**DOCKET NO. 443 – 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 257 Perkins Road, Southbury, Connecticut. Request for Party/Intervenor Status.**

Mr. Ashton moved to add this item to the agenda; seconded by Dr. Bell. The motion passed unanimously.

Mr. Ashton moved to approve intervenor status under CEPA, §4-177a and §16-50n to Protect the Purchase with the condition that members do not make a limited public appearance during the public comment portion of the public hearing; seconded by Mr. Lynch.

Mr. Lynch withdrew his second.

Mr. Murphy moved to modify the motion with the condition that the attorney for Protect the Purchase certify as Commissioner of the Superior Court that he will notify the Council if any members of Protect the Purchase attempt to make a limited public appearance during the public comment portion of the public hearing; seconded by Mr. Ashton. The motion passed unanimously.

**DOCKET NO. 435 - The Connecticut Light & Power Company Certificate of Environmental Compatibility and Public Need for the Stamford Reliability Cable Project, which consists of construction, maintenance, and operation of a new 115-kV underground transmission circuit extending approximately 1.5 miles between Glenbrook and South End Substations, Stamford, Connecticut and related substation improvements. Development and Management Plan.**

Chairman Stein is recused from this proceeding. Vice-Chairman Murphy presided over this item.

Dr. Klemens moved to approve the Development and Management Plan; seconded by Dr. Bell. The motion passed with Chairman Stein recusing.

Chairman Stein resumed the Chair.

**PETITION NO. 983 - BNE Energy, Inc. Declaratory Ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 4.8 MW Wind Renewable Generating facility located on Flagg Hill Road, Colebrook, Connecticut. Fairwind Objection to Partial Sealing of BNE's Development and Management Plan. Fairwind Objection to BNE's Development and Management Plan Modification. Development and Management Plan Modification.**

Mr. Lynch and Dr. Klemens are recused from this proceeding.

Mr. Murphy moved to modify the Protective Order consistent with the Superior Court ruling in FairwindCT v. CSC; seconded by Mr. Ashton. The motion passed with Mr. Lynch and Dr. Klemens recusing and Ms. Daily abstaining.

Mr. Ashton moved to overrule FairwindCT, Inc.'s objection to the partial sealing of BNE's Development and Management Plan modification; seconded by Mr. Murphy. The motion passed with Mr. Lynch and Dr. Klemens recusing and Ms. Daily abstaining.

Mr. Ashton moved to overrule FairwindCT, Inc.'s objection to the Development and Management Plan modification; seconded by Dr. Bell. The motion passed with Mr. Lynch and Dr. Klemens recusing and Ms. Daily abstaining.

Mr. Murphy moved to approve the Development and Management Plan modification with the condition that:

- BNE shall implement the Ice Safety Management Plan received on September 16, 2011 and approved by the Council on November 17, 2011, to the extent applicable to the new turbine design configuration.

The motion was seconded by Dr. Bell. The motion passed with Mr. Lynch and Dr. Klemens recusing and Ms. Daily abstaining

## **Wind Regulations**

Chairman Stein and Vice-Chairman Murphy briefed the Council on the meeting with representatives of the Legislative Regulations Review Committee on the status of the proposed wind regulations.

The following calendar dates were discussed:

- Thursday, December 19, 2013, **Docket No. 442** (AT&T-Norwalk) beginning at **2:00 p.m.**, Field Review and Public Hearing in Norwalk.
- Thursday, January 9, 2014, **Docket No. 441** (Homeland Towers/AT&T-Washington) beginning at **1:00 p.m.** continuation of Evidentiary Hearing, Hearing Room One, Ten Franklin Square, New Britain, Connecticut.
- Thursday, January 23, 2014, beginning at **1:00 p.m.** energy/telecommunications

## **Adjournment.**

Mr. Lynch moved to adjourn the meeting; seconded by Mr. Ashton. The motion passed unanimously.

Chairman Stein adjourned the meeting at 2:39 p.m.

**Respectfully submitted,**

**Robert Stein**  
**Chairman**

RS/laf