

1                   STATE OF CONNECTICUT  
2                   CONNECTICUT SITING COUNCIL

3  
4                   Docket No. 500

5   **Arx Wireless Infrastructure, LLC application for a**  
6       **Certificate of Environmental Compatibility and**  
7       **Public Need for the construction, maintenance,**  
8       **and operation of a telecommunications facility**  
9           **located at 1061-1063 Boston Post Road,**  
10           **Milford, Connecticut.**

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13                   **VIA ZOOM AND TELECONFERENCE**

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16                   **Remote Public Hearing held on Tuesday,**  
17                   **June 15, 2021, beginning at 2 p.m.**  
18                   **via remote access.**

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21   **H e l d   B e f o r e:**

22                   **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  
3   **Council Members:**

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

8       **ROBERT SILVESTRI**

9       **EDWARD EDELSON**

10   **Council Staff:**

11       **MELANIE BACHMAN, ESQ.**  
12        Executive Director and  
13        Staff Attorney

14       **IFEANYI NWANKWO**  
15        Siting Analyst

16       **LISA FONTAINE**  
17        Fiscal Administrative Officer

18   **For Applicant Arx Wireless Infrastructure,**  
19   **LLC:**

20        **COHEN & WOLF, P.C.**  
21        1115 Broad Street  
22        Bridgeport, Connecticut 06604  
23        BY: **DAVID A. BALL, ESQ.**  
24        **PHILIP C. PIRES, ESQ.**

1     **A p p e a r a n c e s: (Cont'd)**

2  
3     **For Intervenor Cellco Partnership d/b/a**  
4     **Verizon Wireless:**  
5         **ROBINSON & COLE LLP**  
6         **280 Trumbull Street**  
7         **Hartford, Connecticut 06103-3597**  
8         **BY: KENNETH C. BALDWIN, ESQ.**

9  
10     **For Intervenor New Cingular Wireless PCS,**  
11     **LLC:**  
12         **CUDDY & FEDER, LLP**  
13         **445 Hamilton Avenue, 14th Floor**  
14         **White Plains, New York 10601**  
15         **BY: KRISTEN MOTEL, ESQ.**  
16         **LUCIA CHIOCCHIO, ESQ.**

17  
18     **For Party City of Milford:**  
19         **HURWITZ, SAGARIN, SLOSSBERG & KNUFF, LLC**  
20         **147 North Broad Street**  
21         **Milford, Connecticut 06460**  
22         **BY: JEFFREY P. NICHOLS, ESQ.**  
23         **JOHN W. KNUFF, ESQ.**

24  
25     **Also present: Aaron Demarest, Zoom co-host**

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

1 MR. MORISSETTE: This remote public  
2 hearing is called to order this Tuesday, June 15,  
3 2021, at 2 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 of the Department of Energy and  
8 Environmental Protection; Quat Nguyen, designee  
9 for Chairman Marissa Paslick Gillett of the Public  
10 Utilities Regulatory Authority; Robert Silvestri;  
11 Edward Edelson; Louanne Cooley.

12 Members of the staff are Melanie  
13 Bachman, the executive director and staff  
14 attorney; and Ifeanyi Nwankwo is siting analyst;  
15 Lisa Fontaine, the 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 first ever remote public hearing, and  
20 we ask for your patience. If you haven't done so  
21 already, I ask that everyone please mute their  
22 computer audio and their telephones now.

23 This hearing is held pursuant to the  
24 provisions of Title 16 of the Connecticut General  
25 Statutes and of the Uniform Administrative

1 Procedure Act upon an application from Arx  
2 Wireless Infrastructure, LLC for a Certificate of  
3 Environmental Compatibility and Public Need for  
4 the construction, maintenance, and operation of a  
5 telecommunications facility located at 1061-1063  
6 Boston Post Road, Milford, Connecticut. This  
7 application was received by the Council on March  
8 30, 2021.

9 The Council's legal notice of the date  
10 and time of this remote public hearing was  
11 published in the New Haven Register on April 27,  
12 2021. Upon this Council's request, the applicant  
13 erected a sign on Boston Post Road at the entrance  
14 of the proposed site so as to inform the public of  
15 the name of the applicant, the type of facility,  
16 the remote public hearing date, and contact  
17 information for the Council, which included the  
18 website and phone number.

19 As a reminder to all, off-the-record  
20 communication with a member of the Council or a  
21 member of the Council staff upon the merits of  
22 this application is prohibited by law.

23 The parties and intervenors to the  
24 proceeding are as follows: The applicant, Arx  
25 Wireless Infrastructure, LLC, represented by David

1 A. Ball, Esq. and Philip C. Pires, Esq. of Cohen &  
2 Wolf, P.C.

3 The intervenors are Celco Partnership  
4 doing business as Verizon Wireless, represented by  
5 Kenneth C. Baldwin, Esq. of Robinson & Cole LLP.  
6 And intervenor New Cingular Wireless PCS, LLC,  
7 also known as AT&T, represented by Kristen Motel  
8 and Lucia Chiocchio.

9 The parties are the City of Milford,  
10 represented by John W. Knuff and Jeffrey Nichols,  
11 Esq. of Hurwitz, Sagarin, Slossberg & Knuff.

12 We will proceed in accordance with the  
13 prepared agenda, a copy of which is available on  
14 the Council's Docket No. 500 webpage, along with  
15 the record of this matter, the public hearing  
16 notice, instructions for public access to this  
17 remote public hearing, and the Council's Citizens  
18 Guide to Siting Council Procedures. Interested  
19 persons may join any session of this public  
20 hearing to listen, but no public comments will be  
21 received during the 2 p.m. evidentiary session.

22 At the end of the evidentiary session  
23 we will recess until 6:30, at which time we'll  
24 have a public comment session. Please be advised  
25 that any person may be removed from the remote

1 public evidentiary session or the public comment  
2 session at the discretion of the Council. The  
3 6:30 p.m. public comment session is reserved for  
4 the public to make brief statements into the  
5 record. I wish note that the applicant, parties  
6 and intervenors, including their representatives,  
7 witnesses and members, are not allowed to  
8 participate in the public comment session.

9 I also wish to note that those who are  
10 listening and for the benefit of your friends and  
11 neighbors who are unable to join us for the remote  
12 public comment session that you or they may send  
13 written statements to the Council within 30 days  
14 of the date hereof either by mail or by email, and  
15 such written statements will be given the same  
16 weight as if spoken during the remote public  
17 comment session.

18 A verbatim transcript of this remote  
19 public hearing will be posted on the Council's  
20 Docket No. 500 webpage and deposited in the  
21 Milford City Clerk's Office for the convenience of  
22 the public.

23 Please be advised that the Council's  
24 project evaluation criteria under the statute does  
25 not include consideration of property values.

1           The Council will take a 10 to 15 minute  
2 break at a convenient juncture at around 3:30 p.m.

3           Administrative notice taken by the  
4 Council: I wish to call your attention to those  
5 items shown on the hearing program marked Roman  
6 Numeral I-B, Items 1 through 88, that the Council  
7 has administratively noticed.

8           Does any party or intervenor have an  
9 objection to the items that the Council has  
10 administratively noticed? Attorney Ball or  
11 Attorney Pires, any objection?

12           MR. BALL: Mr. Morissette, David Ball  
13 representing the applicant, Arx Infrastructure  
14 Wireless. No, we have no objection.

15           MR. MORISSETTE: Thank you, Attorney  
16 Ball.

17           Attorney Baldwin, any objections?

18           MR. BALDWIN: No objection, Mr.  
19 Morissette.

20           MR. MORISSETTE: Thank you, Attorney  
21 Baldwin.

22           Attorney Motel or Attorney Chiocchio?

23           MS. MOTEL: No objection, Mr.  
24 Morissette. Thank you.

25           MR. MORISSETTE: Thank you, Attorney



1 Motel.

2 Attorney Knuff or Attorney Nichols?

3 MR. NICHOLS: This is Jeff Nichols. No  
4 objection from the city.

5 MR. MORISSETTE: Thank you, Attorney  
6 Nichols.

7 Accordingly, the Council hereby  
8 administratively notices these items.

9 (Council's Administrative Notice Items  
10 I-B-1 through I-B-88: Received in evidence.)

11 MR. MORISSETTE: We'll now turn to the  
12 appearance by the applicant. Will the applicant  
13 present its witness panel for the purposes of  
14 taking the oath? Attorney Bachman will administer  
15 the oath.

16 MR. BALL: Thank you, Mr. Morissette.  
17 David Ball on behalf of the applicant. Our four  
18 witnesses are Keith Coppins, Doug Roberts, Mike  
19 Libertine and Brian Gaudet who are all on the  
20 call.

21 MR. MORISSETTE: Thank you, Attorney  
22 Ball.

23 Attorney Bachman.

24 MS. BACHMAN: Thank you, Mr.  
25 Morissette. Could the witnesses all please just

1 raise your right hand. Are we frozen?

2 MR. MORISSETTE: Yes. I think you  
3 froze up for a second there. Let's try it again.

4 MS. BACHMAN: Okay. Would the  
5 witnesses please raise their right hand.

6 K E I T H C O P P I N S,  
7 D O U G L A S R O B E R T S,  
8 M I C H A E L L I B E R T I N E,  
9 B R I A N G A U D E T,

10 called as witnesses, being first duly sworn  
11 (remotely) by Attorney Bachman, were examined  
12 and testified on their oath as follows:

13 MR. MORISSETTE: Thank you, Attorney  
14 Bachman.

15 Attorney Ball, please begin by  
16 verifying all the exhibits by the appropriate  
17 sworn witnesses.

18 MR. BALL: Thank you, Mr. Morissette.

19 DIRECT EXAMINATION

20 MR. BALL: And I'll go through each of  
21 the witnesses one by one. Mr. Coppins, if you can  
22 unmute yourself. Yes. All right. Mr. Coppins,  
23 you see there a total of the 11 exhibits that have  
24 been enumerated in the hearing program. I'm going  
25 to ask you about most, not all of them. Did you

1 prepare, assist or supervise in the preparation of  
2 the following Exhibits 1, 2, 3, 4, 5, 6, 7, 10 and  
3 11?

4 THE WITNESS (Coppins): Yes, I did.

5 MR. BALL: And do you have any  
6 revisions or corrections to these exhibits?

7 THE WITNESS (Coppins): No, I do not.

8 MR. BALL: I want to focus, if I may,  
9 Mr. Coppins, on Exhibit 7. That's your prefile  
10 testimony. Is that testimony true and accurate to  
11 the best of your knowledge?

12 THE WITNESS (Coppins): Yes, it is.

13 MR. BALL: Do you have any corrections  
14 or revisions to it?

15 THE WITNESS (Coppins): I do not.

16 MR. BALL: And do you adopt the  
17 testimony in Exhibit 7 as your testimony today?

18 THE WITNESS (Coppins): I do.

19 MR. BALL: And Mr. Coppins, I'm going  
20 to turn to the ARX's interrogatory responses to  
21 the Siting Council and to the City of Milford  
22 which are Exhibits 10 and 11 respectively. Are  
23 those responses true and accurate to the best of  
24 your knowledge?

25 THE WITNESS (Coppins): Yes, they are.

1 MR. BALL: And do you have any  
2 corrections or revisions to any of the responses?

3 THE WITNESS (Coppins): No, I don't.

4 MR. BALL: Thank you, Mr. Coppins.

5 Mr. Roberts, I'll run through a few of  
6 these with you when you're unmuted. Okay. Mr.  
7 Roberts, did you prepare, assist or supervise the  
8 preparation of Exhibits 1, 6, 8, 10 and 11?

9 THE WITNESS (Roberts): Yes, I did.

10 MR. BALL: And do you have any  
11 revisions or corrections to those exhibits?

12 THE WITNESS (Roberts): No, I do not.

13 MR. BALL: And Mr. Roberts, focusing on  
14 your prefile testimony, which is listed as Exhibit  
15 8, is that testimony true and accurate to the best  
16 of your knowledge?

17 THE WITNESS (Roberts): Yes, it is.

18 MR. BALL: Do you have any corrections  
19 or revisions to it?

20 THE WITNESS (Roberts): No, I do not.

21 MR. BALL: And do you adopt the  
22 testimony in Exhibit 8 as your testimony today?

23 THE WITNESS (Roberts): I do.

24 MR. BALL: Thank you. And Mr. Roberts,  
25 just focusing on Exhibits 10 and 11, which are the

1 interrogatory responses ARX submitted to the  
2 Siting Council and to the City of Milford, are the  
3 responses in those exhibits true and accurate to  
4 the best of your knowledge?

5 THE WITNESS (Roberts): Yes, they are.

6 MR. BALL: And do you have any  
7 corrections or revisions to those responses?

8 THE WITNESS (Roberts): No, I do not.

9 MR. BALL: Thank you, Mr. Roberts.

10 THE WITNESS (Roberts): Thank you.

11 MR. BALL: Mr. Libertine.

12 THE WITNESS (Libertine): Yes, sir.

13 MR. BALL: I'll start with you. There  
14 you are. Mr. Libertine, did you prepare, assist  
15 or supervise the preparation of Exhibits 1, 9, 10  
16 and 11?

17 THE WITNESS (Libertine): Yes.

18 MR. BALL: Do you have any revisions or  
19 corrections to those exhibits?

20 THE WITNESS (Libertine): No.

21 MR. BALL: And focusing on your prefile  
22 testimony, which is Exhibit 9, is it true and  
23 accurate to the best of your knowledge?

24 THE WITNESS (Libertine): Yes, sir.

25 MR. BALL: Do you have any corrections

1 or revisions to it?

2 THE WITNESS (Libertine): No, I do not.

3 MR. BALL: And Mr. Libertine, do you  
4 adopt that testimony in Exhibit 9 as your  
5 testimony today?

6 THE WITNESS (Libertine): Yes.

7 MR. BALL: And then focusing, Mr.  
8 Libertine, on Exhibits 10 and 11, the ARX's  
9 interrogatory responses to the Council and to the  
10 City of Milford, are those responses true and  
11 accurate to the best of your knowledge?

12 THE WITNESS (Libertine): Yes, they  
13 are.

14 MR. BALL: And do you have any  
15 corrections or revisions to those responses?

16 THE WITNESS (Libertine): No.

17 MR. BALL: Thank you, Mr. Libertine.

18 And our fourth witness sitting right  
19 next to you, Mr. Gaudet, I'm going to ask you  
20 about the same exhibits that I just asked Mr.  
21 Libertine about. Did you prepare, assist or  
22 supervise the preparation of Exhibits 1, 9, 10 and  
23 11?

24 THE WITNESS (Gaudet): Yes.

25 MR. BALL: And do you have any

1 revisions or corrections to those exhibits?

2 THE WITNESS (Gaudet): No, I do not.

3 MR. BALL: Your prefile testimony, Mr.  
4 Gaudet, is Exhibit 9. Is that true and accurate  
5 to the best of your knowledge?

6 THE WITNESS (Gaudet): Yes, it is.

7 MR. BALL: Do you have any corrections  
8 or revisions to it?

9 THE WITNESS (Gaudet): No, I do not.

10 MR. BALL: Do you adopt the testimony  
11 in Exhibit 9 as your testimony today?

12 THE WITNESS (Gaudet): Yes.

13 MR. BALL: And with respect to the  
14 interrogatory responses in Exhibits 10 and 11, are  
15 those responses true and accurate to the best of  
16 your knowledge?

17 THE WITNESS (Gaudet): Yes.

18 MR. BALL: And do you have any  
19 corrections or revisions to any of those  
20 responses?

21 THE WITNESS (Gaudet): No, I do not.

22 MR. BALL: Thank you, Mr. Gaudet.

23 Mr. Morissette, I would ask that the  
24 applicant's exhibits, which are 1 through 11, be  
25 made full exhibits.

1 MR. MORISSETTE: Thank you, Attorney  
2 Ball. Does any party or intervenor object to the  
3 admission of the applicant's exhibits? Attorney  
4 Baldwin?

5 MR. BALDWIN: No objection.

6 MR. MORISSETTE: Thank you, Attorney  
7 Baldwin. Attorney Motel?

8 MS. MOTEL: No objection. Thank you.

9 MR. MORISSETTE: Thank you. Attorney  
10 Nichols?

11 MR. NICHOLS: No objection. Thank you.

12 MR. MORISSETTE: Thank you. The  
13 exhibits are hereby admitted.

14 (Applicant's Exhibits II-B-1 through  
15 II-B-11: Received in evidence - described in  
16 index.)

17 MR. MORISSETTE: We'll now begin with  
18 cross-examination of the applicant by the Council  
19 starting with Mr. Nwankwo.

20 Mr. Nwankwo, please continue.

21 MR. NWANKWO: Thank you, Mr.  
22 Morissette.

23 CROSS-EXAMINATION

24 MR. NWANKWO: I'll begin with questions  
25 to the applicant, Arx Infrastructure Wireless.



1 Were there any alternative locations that were  
2 considered within the host parcel for the proposed  
3 facility?

4 THE WITNESS (Coppins): Other than the  
5 location that we chose?

6 MR. NWANKWO: Yes.

7 THE WITNESS (Coppins): We did not. We  
8 tried to stay out of the parking lot as the two  
9 businesses needed that parking.

10 MR. NWANKWO: Is there a possibility  
11 that the facility could be moved within the host  
12 parcel further north or northeast away from the  
13 southern property line?

14 THE WITNESS (Coppins): I have spoken  
15 with the landowner, and he's amenable to moving  
16 that to a different location away from the back  
17 lot line.

18 MR. NWANKWO: Thank you. Considering  
19 that, what will be the impact on existing and  
20 proposed utility connections within the host  
21 parcel?

22 THE WITNESS (Coppins): What would be  
23 the impact on --

24 MR. NWANKWO: On the existing proposed  
25 utility connections.

1           THE WITNESS (Roberts): I can maybe  
2 respond. This is Doug Roberts. The utilities we  
3 would still pull off Home Acre Avenue, and access  
4 would be, again, from Boston Post Road. Nothing  
5 really would have changed.

6           MR. NWANKWO: Thank you.

7           THE WITNESS (Roberts): You're welcome.

8           MR. NWANKWO: Did the applicant  
9 consider a rooftop tower on either of the  
10 buildings at the host parcel?

11          THE WITNESS (Coppins): We did not go  
12 to that length. We have had conversations with  
13 the landowner, but it doesn't seem like -- I  
14 haven't heard anything back from him in over three  
15 weeks, so I'm not sure if we could even get going  
16 on something on the rooftop.

17          MR. NWANKWO: Okay. Did the applicant  
18 consider a stealth flag pole tower for the  
19 proposed facility?

20          THE WITNESS (Coppins): We did not  
21 based on some of the things that the carrier --  
22 obviously the carriers are looking to get the most  
23 from their antennas, so we didn't look at that as  
24 an option.

25          MR. NWANKWO: Just to confirm, not at

1 all, not even in terms of visibility?

2 THE WITNESS (Coppins): I think I'm  
3 going to let my expert for visibility answer the  
4 visibility issue as far as a flag pole.

5 THE WITNESS (Libertine): Good  
6 afternoon, this is Mike Libertine. As part of the  
7 visibility analysis we typically do look at the  
8 context of the area and see if there might be some  
9 opportunities to soften the effects of the  
10 monopole. In this case we're in a fairly heavily  
11 commercially developed area. There's quite a bit  
12 of infrastructure. There's not a significant  
13 amount of coniferous vegetation. So some of the  
14 typical options that we might look at, whether it  
15 be a flag pole, or even a monopine, didn't seem to  
16 really fit from a context standpoint here.

17 And the real issue with going with a  
18 unipole or a flag pole and doing some type of  
19 internal array is that it typically, with the  
20 deployment of the antennas and equipment that's  
21 being used today, it usually requires each carrier  
22 to have more than one slot or one particular  
23 height, so it would drive the height up  
24 considerably to try to work that into the design.  
25 So in this case we felt a standard monopole was

1 the best option.

2 MR. NWANKWO: Thank you.

3 THE WITNESS (Libertine): You're  
4 welcome.

5 MR. NWANKWO: Will the applicant  
6 consider a stealth tree tower or monopine for this  
7 facility if it were ordered by the Council?

8 THE WITNESS (Coppins): Yes, we would,  
9 if it was ordered by the Council.

10 MR. NWANKWO: The \$80,000 stealth  
11 redesign mentioned in response to Council  
12 Interrogatory 26, is that in addition to the total  
13 cost of the tower?

14 THE WITNESS (Coppins): No, we figured  
15 it was about a 30 percent increase in cost of the  
16 tower. The last one, the last tree tower we did  
17 about a year and a half ago, was just under  
18 80,000. I think it was 76,000 for almost the same  
19 height tower.

20 MR. NWANKWO: Okay. Could the  
21 applicant please characterize the visibility of a  
22 possible stealth tree tower or monopine in  
23 contrast to the proposed monopole?

24 THE WITNESS (Gaudet): This is Brian  
25 Gaudet. A monopine here, there's no pine trees in

1 the area, and being a pretty strictly commercial  
2 and residential corridor there, the tree height is  
3 not substantial, so you'd have a pretty  
4 significant increase of height above the existing  
5 tree line with no additional pine trees in the  
6 area to blend it in. So it would stick out pretty  
7 sorely compared to a standard monopole design.

8 MR. NWANKWO: Thank you. If this  
9 application is denied, would ARX pursue a  
10 telecommunications facility at an alternative  
11 location?

12 THE WITNESS (Coppins): We put the  
13 better part of a year, a little over a year, into  
14 looking for the best possible solution here. And  
15 to the extent of looking for other properties, if  
16 there was an alternative property that was  
17 available to us prior to this application, we  
18 would have filed that one along with this one.  
19 But since there hasn't been, we feel like we've  
20 done our job and we've done what we needed to do  
21 to vet out every possible alternate location.

22 MR. NWANKWO: Thank you for that.  
23 Could you please identify the address of the  
24 property that was referenced in the response to  
25 Question 4 of the Council's interrogatories?

1 THE WITNESS (Coppins): Are you asking  
2 about the address of the house on Home Acres  
3 Avenue?

4 MR. NWANKWO: Yes.

5 THE WITNESS (Coppins): Mr. Roberts,  
6 could you provide that?

7 THE WITNESS (Roberts): Can you repeat  
8 the question? Sorry.

9 MR. NWANKWO: The address of the  
10 property that was referenced in the reference to  
11 Question 4 of the Council's interrogatories.

12 THE WITNESS (Roberts): I'll have to  
13 pull up that interrogatory response.

14 MR. NWANKWO: I believe the response  
15 was the distance from the proposed site to the  
16 nearest residence approximately 120 feet.

17 THE WITNESS (Roberts): Yes, that is  
18 correct. Yeah, that was on our SK drawing 2.  
19 Yes, that is correct.

20 THE WITNESS (Coppins): We're looking  
21 for the address.

22 THE WITNESS (Roberts): I believe it's  
23 29. Yeah, I believe it's 29.

24 MR. NWANKWO: Thank you. Looking at  
25 that aerial view of the proposed site and also

1 referencing ARX's response to Council  
2 Interrogatory 6, will the seven parking spots  
3 directly in front of the proposed site be fenced  
4 off during construction?

5 THE WITNESS (Coppins): I don't believe  
6 we're going to fence off those. I think what we  
7 would probably do is every evening before we leave  
8 we would have a fence put back in place while  
9 we're doing the construction, but I don't think  
10 that we would fence off those parking areas.  
11 We're going to try to allow both businesses to  
12 continue to use their parking.

13 MR. NWANKWO: Okay. Please elaborate  
14 on the screening referenced in response to the  
15 Council's Interrogatory Number 9.

16 THE WITNESS (Coppins): Our suggestion  
17 typically would be in a situation like this we  
18 wouldn't need to screen the back area of the  
19 compound because there's already screening there.  
20 We're not removing any trees from the site. But  
21 on both sides and the front of the compound we  
22 would screen with some type of an evergreen,  
23 whether it be a white pine or an arborvitae or  
24 something similar to that, and we would probably  
25 get more mature type trees too so that the growth

1 wouldn't be from a start.

2 MR. NWANKWO: Referencing the Council's  
3 Interrogatory 15, the applicant references  
4 Revision H for the Telecom Industry Association  
5 Structural Standards for the proposed tower. AT&T  
6 also references Revision H, but Cellco references  
7 Revision G for its antenna mounts. Does this  
8 affect the tower structure or capacity for the  
9 equipment loading? I do know that Revision G is  
10 still applicable, but just a difference in the  
11 standards, how does that affect the tower  
12 structure or capacity?

13 THE WITNESS (Roberts): I'll address  
14 that. Doug Roberts. Although we are still under  
15 G, the building code was supposed to be updated  
16 October 1st of 2020, but due to COVID it got  
17 postponed a year. And it's anticipated that it  
18 would be updated this year, October 1, 2021. So  
19 we referenced everything into H as the latest  
20 code. It's not a big difference. I'm sure  
21 Verizon's mount will adopt the same code at the  
22 time it's adopted here in Connecticut.

23 MR. NWANKWO: Excellent. Thank you.

24 THE WITNESS (Roberts): You're welcome,  
25 sir.



1 MR. NWANKWO: Also referencing the  
2 applicant's response to Council Interrogatory 12,  
3 at what height will ARX install the yield point  
4 for the proposed tower?

5 THE WITNESS (Roberts): We would  
6 propose a yield point so that if the tower was to  
7 fail it would be within, it would fall upon the  
8 host property in the areas to the north, southeast  
9 and west of that. So it would be the closest  
10 distance which would be at 80 feet -- excuse me,  
11 60 feet which would be the closest property line  
12 which would be to the cemetery.

13 MR. NWANKWO: Okay. Thank you.  
14 Referencing the crane test performed on December  
15 9, 2020 as stated in the visibility analysis, how  
16 long was the crane up for in terms of hours?

17 THE WITNESS (Gaudet): The setup time  
18 not included, setup and breakdown not included, it  
19 was up for about three and a half hours.

20 MR. NWANKWO: Okay. Also referencing  
21 the applicant's response to Council Interrogatory  
22 18, what other safety standards or codes will be  
23 implemented in the construction and operation of  
24 the proposed facility?

25 THE WITNESS (Roberts): Maybe I can

1 offer, certainly it will be designed to meet the  
2 Connecticut State Building Code as well as any  
3 OSHA requirements during construction activities.  
4 Connecticut code includes, you know, the  
5 electrical code, NFPA codes. So it's kind of, as  
6 long as we meet the Connecticut code we would be  
7 fine, but during construction, of course, OSHA  
8 would govern.

9 MR. NWANKWO: Thank you. Just to  
10 clarify, will that be the 2017 National Electrical  
11 Code?

12 THE WITNESS (Roberts): I believe it  
13 is. Again, once our new code gets adopted, we  
14 would revisit that.

15 MR. NWANKWO: Thank you. Has the  
16 applicant received any concerns raised by the  
17 notified abutters; and if so, how are these  
18 concerns addressed?

19 THE WITNESS (Coppins): We received a  
20 few notices that they just didn't want the tower,  
21 and I'm not sure exactly how we would have  
22 addressed the -- there weren't specific questions  
23 coming to us to where we could address anything.  
24 It was just we don't want the tower.

25 MR. NWANKWO: Has the applicant

1 designed the facility as proposed with these  
2 neighborhood concerns in mind at all?

3 THE WITNESS (Coppins): We recognize  
4 the area that we were in was an industrial area,  
5 an industrial/commercial area in the ICD zone of  
6 the site. And we did, we definitely do take into  
7 consideration as far as the height. There's other  
8 manufacturing companies in the abutting area as  
9 well, so we still felt like this was a good spot  
10 for a tower site.

11 MR. NWANKWO: Thank you. I just have  
12 one more question. Will there be any trimming of  
13 tree branches during and after construction?

14 THE WITNESS (Coppins): If it's  
15 necessary, we will trim it. We're hoping that we  
16 don't even need to touch them. We want to leave  
17 as much of the vegetation there as possible.

18 MR. NWANKWO: Thank you. That's all I  
19 have.

20 MR. MORISSETTE: Thank you, Mr.  
21 Nwankwo. We'll now continue with  
22 cross-examination by Mr. Edelson.

23 Mr. Edelson.

24 MR. EDELSON: Yes. Thank you. I don't  
25 have too many questions. I think my first

1 question -- can you hear me okay, Mr. Morissette?

2 MR. MORISSETTE: Yes, I can hear you  
3 fine. Thank you.

4 MR. EDELSON: My first question is, in  
5 the narrative on page 17 I want to make sure I was  
6 clear on the statement which says the new location  
7 will both satisfy existing coverage and provide  
8 significant capacity relief, but as I read the  
9 radio frequency report, it seemed to me it was  
10 just saying it would substitute for what is there  
11 today from the existing tower. So will this  
12 provide additional capacity relief above and  
13 beyond what's already there or -- well, again, if  
14 could you clarify it, I'd appreciate it.

15 THE WITNESS (Coppins): I believe that  
16 would be more of a question when you cross-examine  
17 the carriers rather than the developer.

18 MR. EDELSON: Okay, I'll keep that  
19 until then. Thank you.

20 Just for Mr. Libertine, on the  
21 visibility analysis, I think it's photo 31, it  
22 shows an existing tower in the background. And I  
23 was wondering if you can give me the address of  
24 that tower.

25 THE WITNESS (Libertine): If you could

1 bear with us just a moment.

2 THE WITNESS (Gaudet): I don't know the  
3 exact address. It's on Wampus Lane.

4 THE WITNESS (Libertine): We can get  
5 that for you and follow up, Mr. Edelson.

6 MR. EDELSON: Okay. And regarding, I  
7 guess, Mr. Coppins, just to put a final point on  
8 the monopine or a stealth design, did any  
9 intervenor or any other party, including possibly  
10 the abutters, ask for you to consider a monopine,  
11 or that was just something that was part of your,  
12 let's say, internal discussions as you were coming  
13 up with what you thought was the best approach?

14 THE WITNESS (Coppins): That was more  
15 internal. Nobody has asked to us do a monopine.  
16 I suggested a monopine because we were already  
17 near the trees. And as Mr. Gaudet said earlier,  
18 and that was even a discussion we had within the  
19 last two days, was that it may be sticking up  
20 since there wasn't any other evergreens there.  
21 But again, if it was a requirement, we would  
22 certainly do it.

23 MR. EDELSON: So my final question is  
24 regarding the site analysis or analysis of sites.  
25 The narrative provides a good deal of detail on

1 various sites you looked at, yet others have  
2 indicated that sites were suggested to you that  
3 you did not look at. Are you aware of any sites  
4 specifically that were suggested that you did not  
5 pursue?

6 THE WITNESS (Coppins): There is not a  
7 site that was suggested that I did not pursue and  
8 that I tried to talk to everybody. But I pursued  
9 every possible site that was suggested to us.  
10 Again, that's what took us an extra five months  
11 before we filed the application.

12 MR. EDELSON: I'm sorry, I skipped over  
13 -- I said that would be the last question, but I  
14 skipped over one. I apologize. In terms of the  
15 tower backup, the diesel generator, did you  
16 investigate whether natural gas was available  
17 there along the Boston Post Road as an alternative  
18 to diesel?

19 THE WITNESS (Coppins): Natural gas is  
20 available on Boston Post Road.

21 MR. EDELSON: Did you evaluate that as  
22 an alternative to having diesel on site, in other  
23 words, a natural gas generator as opposed to a  
24 diesel generator?

25 THE WITNESS (Coppins): So the

1 generator does not -- ARX is not going to be  
2 providing the generator. The carriers are  
3 providing their own. I think a lot of times the  
4 diesel are self-contained in their shelters or in  
5 the actual generator itself the diesel is there,  
6 the fuel is there. But that's what they've asked  
7 for, and that's a question that you may want to  
8 ask each of the carriers, but we did provide them  
9 that there was natural gas on Boston Post Road.

10 MR. EDELSON: And the carriers  
11 indicated their preference for diesel?

12 THE WITNESS (Coppins): Correct.

13 MR. EDELSON: Thank you. Those are all  
14 my questions right now, Mr. Morissette.

15 THE WITNESS (Libertine): Mr. Edelson,  
16 we can answer that question about the tower.

17 THE WITNESS (Gaudet): Photo 31, 160  
18 Wampus Lane.

19 MR. MORISSETTE: Say it one more time.

20 THE WITNESS (Gaudet): Wampus Lane.

21 MR. MORISSETTE: What was the address  
22 again?

23 THE WITNESS (Gaudet): 160.

24 MR. MORISSETTE: 1-6-0, thank you,  
25 Wampus Lane. Thank you, Mr. Edelson.

1 MR. EDELSON: Thank you.

2 MR. MORISSETTE: We'll now continue  
3 with cross-examination by Mr. Silvestri.

4 MR. SILVESTRI: Thank you, Mr.  
5 Morissette. And good afternoon all. For the  
6 record, I had visited the site and the surrounding  
7 area on April 5th.

8 What I'm going to pose is going to be  
9 somewhat lengthy and I'm going to reference our  
10 administrative notices as well. At times I kind  
11 of find myself delving into history because  
12 history tends to explain the current state of  
13 affairs, so I'd like to begin down that history  
14 path. And my question is going to be simple, but  
15 the introduction to it is going to be long, and  
16 the question will become somewhat convoluted as I  
17 don't know at this time if the applicant could  
18 provide that answer or the parties or the  
19 intervenors. So I'm going to pose it first to the  
20 applicant and reserve to ask the question again to  
21 the parties and intervenors when the appropriate  
22 cross-examination arises.

23 So having said that my question is, why  
24 are we here? And I'll provide a bit of background  
25 for the basis of that question. Going back on



1 July 2nd of 2019, the Siting Council received a  
2 petition from Cellco Partnership that was doing  
3 business as Verizon Wireless and also with  
4 T-Mobile Northeast and New Cingular Wireless PCS  
5 as AT&T for a declaratory ruling for the proposed  
6 installation of an approximately 126 foot  
7 temporary tower facility at 1052 Boston Post Road.  
8 That's referenced as Petition 1375 by the Council.

9 Now, the temporary facility would  
10 maintain continuity of service while demolition of  
11 the existing hotel and new construction occurred.  
12 And then the New Fairfield Inn Hotel, which is  
13 what it was going to be called, was designed to  
14 accommodate all of the existing wireless antennas  
15 on the roof behind RF transparent screening  
16 panels. Equipment associated with petitioners'  
17 antennas would be located inside the new equipment  
18 space in the basement of the Fairfield Inn Hotel.  
19 Three natural gas fueled backup generators for use  
20 by the petitioners would be installed at grade  
21 level on the west side of the property. And the  
22 new hotel, included all new rooftop mounted  
23 non-tower antenna arrays, equipment and generators  
24 was approved by the Milford P&Z commission on  
25 January 2, 2019.

1                   Now, the Council was then notified on  
2 December 14th of 2020 that construction of the  
3 temporary facility was delayed and extension of  
4 time was requested, and that extension was granted  
5 to August 16th of 2022.

6                   So going back, why are we here? What's  
7 changed with the proposed new hotel and its design  
8 for new antennas and equipment?

9                   THE WITNESS (Coppins): Let me see if I  
10 can take a stab at this. I understand your  
11 question. I know that the carriers have been  
12 working, including Mr. Roberts on our panel here,  
13 have been working with the hotel for, I would say,  
14 the past three years because it's been a year  
15 since I started looking at the site. The hotel  
16 stopped construction. It has since been put up  
17 for sale. There has been no indication that the  
18 hotel is going to go forward, and the old hotel is  
19 being demolished.

20                   So, based on that information, Mr.  
21 Silvestri, we proposed a more permanent solution  
22 for the -- you know, to move forward with it, and  
23 that's the reason why we've done that, and the  
24 carrier is on board as well.

25                   MR. SILVESTRI: Again, I'm going to

1 reserve that for the City of Milford as well when  
2 the time comes, not knowing, as you mentioned,  
3 that the property is for sale. So I'm going to  
4 pursue that with them at another point in time  
5 with the hearings to see what might be going there  
6 to kind of fill in the blank. But thank you, Mr.  
7 Coppins, for your response.

8 Moving on to another question. In the  
9 ARX response to the City of Milford's  
10 Interrogatories Number 15 and 16, it states that  
11 ARX does not perform coverage analyses. So the  
12 question I have for you, who performed the  
13 coverage analyses for ARX to determine that the  
14 proposed site is the preferred site?

15 THE WITNESS (Coppins): So knowing that  
16 this site was a replacement site for the existing  
17 Howard Johnson's hotel, we relied on the carriers'  
18 RF departments to provide the coverage plots that  
19 were needed to prove the need and prove what they  
20 needed to do. Similar to what we've done in most  
21 of our other -- in all my other applications, as  
22 many as I've done, I've never done a coverage plot  
23 as the developer.

24 MR. SILVESTRI: So the potential  
25 carriers did the coverage plots, provided you with

1 that data, to say that this would be the preferred  
2 site; is that correct?

3 THE WITNESS (Coppins): Yes, that is  
4 correct.

5 MR. SILVESTRI: Okay. And I'll reserve  
6 the questions on coverage to go with the specific  
7 carriers when we get there at some point in time  
8 in the future hearings. Thank you.

9 Another ARX response was the Council's  
10 Interrogatory Number 26. It stated that a stealth  
11 tree would be the best design option at the site.  
12 And I'd like to know your definition of a stealth  
13 tree.

14 THE WITNESS (Gaudet): This is Brian  
15 Gaudet. I believe they're referencing a monopine  
16 in that situation, stealth monopine.

17 MR. SILVESTRI: So the stealth tree  
18 there would be a monopine. Thank you.

19 And going back to the question that was  
20 posed from Mr. Nwankwo about the yield point,  
21 would the 60 foot yield point be the same if it  
22 were a monopole or a monopine?

23 THE WITNESS (Roberts): Yes, it would.

24 MR. SILVESTRI: Thank you also for that  
25 response. And again just a follow-up to Mr.

1 Nwankwo's question because I'm not quite sure of  
2 the answer, but I'll pose this one: Would flush  
3 mounted antennas work to provide the needed  
4 coverage?

5 THE WITNESS (Coppins): My suggestion  
6 would be to hold that question for the carriers,  
7 but I know that a more -- the question was asked  
8 in a different docket, I think it was in Norwalk,  
9 that more of a type of stealth tree would work.

10 MR. SILVESTRI: All right. I'll,  
11 again, reserve that for the carriers when the time  
12 comes as well. Thank you, Mr. Coppins.

13 THE WITNESS (Libertine): Mr.  
14 Silvestri, if I may, this is Mike Libertine, just  
15 to hopefully shed a little bit more light on that.

16 MR. SILVESTRI: Yes, Mr. Libertine.

17 THE WITNESS (Libertine): We were  
18 involved in the Norwalk proceeding, and in that  
19 case we were forced to do a closer contact array  
20 by the State Historic Preservation Office. The  
21 carriers in that situation, because we were pretty  
22 much right on top of the Merritt Parkway, which  
23 was the primary focus of coverage, they were able  
24 to accommodate that, but it is more or less site  
25 specific. So as Mr. Coppins has indicated, it's

1 probably a fairer question for each of the  
2 carriers that are here today to be able to let us  
3 all know whether or not that might work from an RF  
4 perspective.

5 MR. SILVESTRI: Very good. Thank you,  
6 Mr. Libertine.

7 THE WITNESS (Libertine): You're  
8 welcome.

9 MR. SILVESTRI: I'll make that note for  
10 the continuation part of our hearings.

11 Mr. Coppins, back to you again. On  
12 page 5 of your prefiled testimony it states that  
13 the proposed new hotel building did not satisfy  
14 coverage and capacity needs of AT&T. If AT&T is  
15 currently located there, is coverage and capacity  
16 adequate now, or is that a question for AT&T?

17 THE WITNESS (Coppins): I would pass  
18 that to AT&T.

19 MR. SILVESTRI: All right. Thank you  
20 again. Okay. If I'm not mistaken, I believe  
21 there are a number of small cells that are located  
22 in the Milford area. Could additional small cells  
23 be installed to provide coverage and capacity  
24 instead of constructing a new cell tower?

25 THE WITNESS (Coppins): Again, I think

1 that's a question for the carriers.

2 MR. SILVESTRI: I'm glad I'm not a  
3 baseball player, Mr. Coppins, my average would be  
4 very, very low. Thank you.

5 Okay. In the process of searching for  
6 sites, the Schick Edgewell Personal Care property,  
7 you had mentioned apparently they have plans for  
8 future expansion. However, was a modification of  
9 the Schick billboard investigated to add a cell  
10 tower?

11 THE WITNESS (Coppins): I talked to  
12 them directly about a cell tower, and I did not  
13 talk to them about the billboard itself. They  
14 didn't seem to be -- well, they weren't interested  
15 at all. I had emails back and forth with them,  
16 and they said that due to their expansion they  
17 were not going to entertain a cell site at their  
18 property.

19 MR. SILVESTRI: Understood, although  
20 they're probably thinking property as in the back  
21 part where the parking lot is or whatever. So  
22 that's why I posed the question because I know of  
23 at least one facility in the New Haven slash East  
24 Haven area that is going to modify a billboard to  
25 install a cell tower within that pole area.

1           But a follow-up question, were any  
2 billboards in the area investigated for possible  
3 conversion to a viable cell tower?

4           THE WITNESS (Coppins): I did not look  
5 at any of the billboards.

6           MR. SILVESTRI: Thank you. Mr. Gaudet  
7 or Mr. Libertine, one of you had responded back to  
8 Mr. Edelson about what was located at 160 Wampus  
9 Lane. That is a cell tower; is that correct?

10          THE WITNESS (Gaudet): That's correct.

11          MR. SILVESTRI: Thank you. Mr. Coppins  
12 or Mr. Roberts, do you know who is on that cell  
13 tower at 160 Wampus Lane?

14          THE WITNESS (Roberts): I do not.

15          MR. SILVESTRI: Okay. Again, I'll  
16 probably have to pose that one to the various  
17 carriers.

18          THE WITNESS (Gaudet): I do know that  
19 T-Mobile is on that tower. There are two  
20 carriers. I'm not sure who the second one is.

21          THE WITNESS (Libertine): Bear with us  
22 just one minute. I think we can get that  
23 information for you.

24          MR. SILVESTRI: Sure.

25          THE WITNESS (Libertine): You can come



1 back to that, if you'd like, if you have some more  
2 questions.

3 MR. SILVESTRI: The related questions I  
4 have are kind of based on that. So while I pose  
5 them, and possibly you could find the answer to  
6 that, and then we could meet after my additional  
7 questions.

8 Again, Mr. Coppins, you mentioned  
9 various sites were investigated, but we didn't  
10 have a formal quote/unquote search ring. So I'm  
11 curious if any of the following locations might be  
12 viable and, if not, why. The first one is the  
13 rear of Saint Mary's Church which is at 70 Golf  
14 Street. Did you look at that at all?

15 THE WITNESS (Coppins): That one does  
16 not -- if it was not in my site search summary, I  
17 did not look at it.

18 MR. SILVESTRI: Again, I don't know if  
19 it's too far away or what, but I looked at that  
20 and said maybe that's a good site for a cell  
21 tower.

22 Mr. Libertine, the other two I had, the  
23 questions were the rear of 80 Wampus Lane or the  
24 rear of 180 Wampus Lane, but if you mentioned  
25 there's a tower already at 160, I'm not quite sure

1 how viable my question is. I don't know if you  
2 had an answer yet.

3 THE WITNESS (Libertine): Well, it  
4 would likely be too close, but I'd prefer to let  
5 anyone who is involved on the RF end to talk about  
6 that. But I can answer the initial question you  
7 asked. There are two carriers currently on that  
8 Wampus Lane tower, Sprint and T-Mobile.

9 MR. SILVESTRI: Very good. Thank you.  
10 Okay. I'm going to reserve those three locations  
11 for the other carriers and see if we could get  
12 answers if those might be viable locations. So  
13 thank you.

14 And the last question I do have, the  
15 Department of Transportation has a number of  
16 laydown areas in the immediate vicinity of  
17 Interstate 95. I noticed that some have a width  
18 of about 275 feet. So the question I have, has  
19 there been any discussions with the Department of  
20 Transportation about the potential to use their  
21 laydown areas to install a cell tower?

22 THE WITNESS (Coppins): On this  
23 particular location I did not have any discussions  
24 with the Department of Transportation. I have had  
25 them in the past, and they didn't really go

1 anywhere, but I did not on this particular one  
2 speak with anybody at the Department of  
3 Transportation.

4 MR. SILVESTRI: Thank you, Mr. Coppins.  
5 And I look at that because you do have the  
6 interchange that's very, very close by, and I know  
7 that DOT does perform various functions and does  
8 have laydown areas there, which is why I had posed  
9 the question.

10 And like Mr. Edelson, I did overlook  
11 one question, so I'm going to go back to it and  
12 then wrap up. A question for you is who owns the  
13 area immediately behind the Athenian Diner? And  
14 that's between the diner and Interstate I-95.

15 THE WITNESS (Coppins): I believe  
16 that's the 1052 Post Road Turnpike Lodge I believe  
17 is the owner of that property.

18 MR. SILVESTRI: So they would own that  
19 area right behind there?

20 THE WITNESS (Coppins): That's correct.

21 MR. SILVESTRI: Do you know what that  
22 area might have been used for in the past, was it  
23 a parking area?

24 THE WITNESS (Coppins): I think it was  
25 all part of the Howard Johnson's hotel.

1 MR. SILVESTRI: I don't recall that  
2 part of it because the follow-up question I had,  
3 if it was a parking area, could that be a  
4 potential location for the cell tower albeit with  
5 permission from whoever owns the property? So I  
6 guess the question -- go ahead.

7 THE WITNESS (Coppins): I contacted  
8 both the Athenian and the hotel, I think it's  
9 Psome Athenian Diner. That's owned by the company  
10 Psome, P-S-O-M-E, which I contacted three times  
11 and then with no response from them. And directly  
12 behind that is Turnpike Lodge. And I contacted  
13 them, had some discussions with them. But again,  
14 over the last three weeks I asked them to possibly  
15 put something on paper to let me know where a  
16 possible location could go, and they've been  
17 silent.

18 MR. SILVESTRI: Okay. Thank you, Mr.  
19 Coppins.

20 Mr. Morissette, that is all the  
21 questions I have at this time. Thank you.

22 MR. MORISSETTE: Thank you, Mr.  
23 Silvestri. We will now continue with  
24 cross-examination by Mr. Hannon.

25 Mr. Hannon, please.

1 MR. HANNON: Thank you. Can you hear  
2 me all right? Okay. I do have a few questions.  
3 The first one, kind of like taken after Mr.  
4 Silvestri, deals a little bit with history. But  
5 on page 1 of this application in the description  
6 you talk about a 115 foot cell tower. But what  
7 kind of threw me off on this is in Section I in  
8 the NEPA Compliance Review it talks about 160 foot  
9 pole, and in the attachment section it talks about  
10 160 foot pole, the letter to SHPO is 160 foot  
11 pole, map LE-3 showing a diagram of the monopole  
12 it's 160 feet high, the letter to the mayor, the  
13 letter to P&Z, historic preservation, even the  
14 public notice that was done in 2020 all talks  
15 about a 160 foot high pole. So can you please  
16 tell me, one, why the change from 160 to 115; and  
17 then two, why wasn't that included in the  
18 description?

19 THE WITNESS (Gaudet): One second,  
20 Mr. Hannon, we're just looking at that right now.  
21 (Pause) I think originally when the tower was  
22 first being discussed for development, and Mr.  
23 Coppins can confirm or deny this, the lease  
24 exhibit that we had at the time showed 160 feet.  
25 So we go in with the worst-care scenario in some

1 instances. And since then, after discussion with  
2 the carriers, those tower heights can drop down  
3 once they determine if they can meet their RF  
4 coverage needs based on a lower height. It was  
5 initially discussed at that potential height.

6 MR. HANNON: But I guess what I'm a  
7 little confused on is, if almost all of the  
8 supporting documentation that goes along with this  
9 application is calling for 160 feet, shouldn't  
10 there have been some kind of discussion as to why  
11 you were able to reduce the height from 160 down  
12 to 115 and still meet the requirements of the  
13 carriers?

14 THE WITNESS (Coppins): I'm looking at  
15 my initial lease exhibit, and I'm wondering if  
16 there was a misunderstanding. The initial one was  
17 128 feet tall tower, but the AMSL was 160 feet.  
18 That may have been the discrepancy there. That's  
19 my first version of the lease exhibits that I just  
20 looked at.

21 MR. HANNON: Okay, because I didn't see  
22 anything that says that was 160 feet above ground  
23 level. I mean, it was plus or minus 160 feet, and  
24 this was the information submitted. I mean, I was  
25 just curious because even that was part of the

1 legal notice that went out in June, I think, of  
2 2020. So I was just curious as to why there  
3 wasn't an explanation as to why you were able to  
4 cut it down from the 160 to the 120. But I  
5 understand what you're saying is that if it was  
6 126 to start with, there may just be some  
7 connotation that's not quite right in the  
8 application. But okay, I was curious about that.

9 THE WITNESS (Coppins): Okay.

10 MR. HANNON: The maps, some of the maps  
11 in Exhibit G, I mean, I realize I'm getting older  
12 and I have to use reading glasses at times, but  
13 that's on an 8 and a half by 11. I have to tell  
14 you, it was hard reading these maps that are about  
15 5 and a half by 7. So I was using reading glasses  
16 and a magnifying glass and still had a problem  
17 getting information off of the maps. So, for  
18 example, with the topography I didn't see any spot  
19 elevations on the mapping. It looked as though  
20 there may have been some topo lines that were the  
21 darker black hashed line, but within the parking  
22 lot area and where you're proposing to put the  
23 tower there was a lighter gray hash line which  
24 typically indicates contours. So I'm not sure  
25 what the contours are like on the site. I think

1 the second or third to the last page of the entire  
2 document it actually gave a photo that showed that  
3 land looks like it's really flat, but based on the  
4 mapping I couldn't really get a good handle on  
5 what was out there on the site. So can you  
6 explain a little bit about the elevations on the  
7 site?

8 THE WITNESS (Roberts): Perhaps I could  
9 best address that. The site is primarily flat.  
10 It drops slightly down from the Boston Post Road,  
11 but as we get to the south portion of the site, it  
12 drops off a little bit onto where the existing  
13 trees are. The area that we're building in is  
14 primarily flat. We're just adjusting a few little  
15 contours to accommodate the compound itself.

16 MR. HANNON: Yeah, because, again,  
17 based on the mapping that was provided, you can't  
18 tell what the contours are. I mean, I didn't see  
19 any indication if it was a one foot contour with  
20 the darker black hash line, if it was a 5 foot, a  
21 10 foot. I couldn't find anything on it. But  
22 again, the map was 5 and a half by 7. I also  
23 didn't see any erosion sedimentation controls.

24 I've got a question about ingress and  
25 egress because in some of the 2020 documents it



1 talks about a combined easement for ingress and  
2 egress as well as utility easements, but in these  
3 maps in Exhibit G I think show a separate utility  
4 easement from the ingress and egress. So again,  
5 some of the maps just aren't consistent throughout  
6 the document, and I'm a little concerned about  
7 that. So can you explain just for clarification  
8 purposes the easements for ingress and egress and  
9 also for the utility line?

10 THE WITNESS (Roberts): Sure. Again,  
11 egress from the Boston Post Road and our utilities  
12 would be coming off Home Acres Avenue underground  
13 from the existing utility pole that's there.

14 MR. HANNON: Okay. So some of the maps  
15 towards the back, again, and I'm assuming that  
16 that goes back to sometime in 2020, things have  
17 been modified since then, but that I don't believe  
18 was discussed in part of the narrative. Okay.

19 Going back, the question was raised  
20 earlier about the backup generators. I understand  
21 that it's diesel backup, but I guess part of the  
22 question that I have is, based on the mapping, how  
23 would you even get an oil truck into that area to  
24 deliver diesel because it's tucked away in such a  
25 back corner, and you would have theoretically some

1 of the cabinets for the carriers that would be  
2 interfering with trying to get it there. I don't  
3 know if the trucks carry a 50 or 60 foot long  
4 hose. They may. So I'm just trying to make sure  
5 that there's not a problem getting access to the  
6 diesel to refill it should that be necessary. Can  
7 you comment on that?

8 THE WITNESS (Roberts): Doug Roberts  
9 again. My experience would be that this is  
10 standard compound layout, and it's not an issue  
11 getting, you know, fuel dropped off. They usually  
12 carry a couple hundred feet of hose.

13 MR. HANNON: Okay. Well, that will  
14 make life a lot easier in that respect, yes, I  
15 agree.

16 There was a comment that referenced  
17 something from U.S. Fish and Wildlife Service  
18 about what are their recommendations about trying  
19 to minimize or not even use herbicides and  
20 pesticides. Is there any policy that the company  
21 has about the use of pesticides or herbicides on  
22 these sites?

23 THE WITNESS (Coppins): Our company  
24 doesn't have a policy about using herbicides and  
25 pesticides, but we would use someone who, one, is

1 licensed; two, would make sure that they complied  
2 with all the environmental issues with an  
3 herbicide and pesticide. I have not run into that  
4 at all in any of my sites that I've done.

5 MR. HANNON: I know it was a  
6 recommendation from U.S. Fish and Wildlife, but  
7 that also went on to say you're better off, the  
8 preferred treatment would be sort of a hand  
9 dipping rather than an aerial spray. So just  
10 taking that to the extreme, I don't think anybody  
11 is looking at trying to do anything with an  
12 airplane or a helicopter or whatever trying to put  
13 down pesticides, but I just wanted to check to see  
14 if there was a policy.

15 You talked earlier about the yield  
16 point. I thought I heard two different things. I  
17 thought you said 80, but I think Mr. Silvestri  
18 might have said 60. So I just want to make sure I  
19 know exactly what the yield point design is.

20 THE WITNESS (Roberts): Sorry. That  
21 would be 61 feet.

22 MR. HANNON: 61 feet?

23 THE WITNESS (Roberts): Yes.

24 MR. HANNON: Okay. And I believe that  
25 that was said towards the property line, but I'm

1 curious as to how close some of the buildings are.  
2 Are they farther away than the property line?

3 THE WITNESS (Roberts): Yes, yes. All  
4 the buildings are considerably farther away than  
5 the height of the tower.

6 MR. HANNON: Okay. So that would  
7 protect the onsite buildings as well.

8 I don't think I have anything else at  
9 this time. Thank you.

10 MR. MORISSETTE: Thank you, Mr. Hannon.

11 I would like to continue with  
12 questioning starting with the revised Exhibit G,  
13 starting with page, or drawing TR-1. Now, this is  
14 the revised site plan that was filed recently. My  
15 first question is, what was revised on this plan  
16 from the previous version? If you could walk  
17 through the revisions, that would be helpful.

18 THE WITNESS (Roberts): Sure, I could  
19 probably do that best. We added the fourth  
20 carrier onto the tower. Originally we had only  
21 shown three RAD centers and we added a fourth.  
22 And that's at the 78 foot above ground level.  
23 Other than that, it's pretty much the same  
24 document.

25 MR. MORISSETTE: Very good. Following

1 up on Mr. Nwankwo's question relating to the  
2 ability to move the site, using drawing TR-1,  
3 could you describe that again so that I fully  
4 understand what you're proposing?

5 THE WITNESS (Coppins): So the site  
6 would actually be a longer and linear location  
7 directly behind the restaurant which is, if you're  
8 looking at Boston Post Road it's the building on  
9 the right. I'm looking for the north arrow on  
10 this so I could tell you whether it's north or  
11 south. So it's the south, the southeast, more of  
12 the southeast corner of the property.

13 MR. MORISSETTE: Okay. So instead of  
14 the compound being square, 75 by 75, it would be  
15 longer?

16 THE WITNESS (Coppins): It would be  
17 longer and linear, correct.

18 MR. MORISSETTE: Very good.

19 THE WITNESS (Coppins): With the tower  
20 being in the middle or more towards the middle and  
21 then the shelters would be on either side.

22 MR. MORISSETTE: Okay.

23 THE WITNESS (Roberts): I did that kind  
24 of design in Guilford at the DDR property on the  
25 Boston Post Road where we replaced the tower on

1 that site, and we made basically, put the tower in  
2 the center and then ran the carriers left and  
3 right of it, and we had a common ice bridge behind  
4 it.

5 MR. MORISSETTE: In response to the  
6 interrogatories there was an exhibit, Exhibit 7,  
7 that laid out the distances to the property, the  
8 properties on Home Acres Avenue. So given that  
9 the new design that you're considering, the  
10 shortest distance I see here is 179 feet to 43  
11 Home Acres Avenue. What would be the distance  
12 from the tower based on the new design we just  
13 discussed?

14 THE WITNESS (Roberts): It would again  
15 be just an estimate because we haven't really  
16 finalized that design, but it would be from that  
17 residence it would be at least 250.

18 MR. MORISSETTE: So it would increase  
19 from 170 to approximately 250 feet?

20 THE WITNESS (Roberts): Correct.

21 MR. MORISSETTE: Okay. Thank you.  
22 Moving on to the visual simulation, let's see if I  
23 can find it here. Okay. Starting on page 3 which  
24 is a shot of Home Acres Avenue, and it appears  
25 that the address is, I believe, 55 Home Acres

1 Avenue in which that shot was taken from, is that  
2 correct, so we're three houses down from 43 which  
3 is the closest property to the structure? Would  
4 you confirm that, please?

5 THE WITNESS (Gaudet): I don't have the  
6 address offhand, but yeah, it appears to be three  
7 -- it might be the fourth house down.

8 MR. MORISSETTE: Third or fourth. So  
9 you don't happen to have a picture from 43 Home  
10 Acres Avenue where that neighbor -- excuse me.

11 THE WITNESS (Gaudet): That's the  
12 nearest abutter, 43?

13 MR. MORISSETTE: Yes, 43 Home Acres  
14 Avenue is the closest abutter.

15 THE WITNESS (Gaudet): I think photos 3  
16 and 5 would be the two closest sort of bracketed  
17 on either side of 43, but, no, nothing directly at  
18 43.

19 MR. MORISSETTE: So 5 is the building  
20 which is the Tire Town, is it?

21 THE WITNESS (Gaudet): Yes, correct.

22 MR. MORISSETTE: All right. So to get  
23 a sense about what that neighbor is going to see  
24 is photo 5 would represent pretty closely as to  
25 what that neighbor will see?

1 THE WITNESS (Gaudet): I think, yeah,  
2 from a distance perspective that's probably as  
3 close as you'll get to what 43 Home Acres would  
4 see.

5 MR. MORISSETTE: Okay. Thank you. How  
6 how much longer would the facilities be located on  
7 Howard Johnson's, when do you need to get them off  
8 of there?

9 THE WITNESS (Coppins): I think that  
10 ends up being a question for the carriers when  
11 their notices are up. I haven't had that  
12 conversation with the owner.

13 MR. MORISSETTE: Okay. I'll ask the  
14 carriers when they're on. I do have a coverage  
15 question associated with Exhibit E, but I should  
16 raise that with the carriers as well?

17 THE WITNESS (Coppins): Yes.

18 MR. MORISSETTE: Okay. And which  
19 carrier provided the analysis, is it both of them  
20 or AT&T or Verizon?

21 THE WITNESS (Coppins): Both carriers  
22 provided coverage analysis for us.

23 MR. MORISSETTE: Okay. Very good.  
24 Okay. Thank you. Let me see, that pretty much  
25 covers the questions I have. So we will now



1 continue with cross-examination of the applicant  
2 by Verizon, Attorney Baldwin.

3 MR. BALDWIN: Mr. Morissette, I don't  
4 have any questions at this time for the applicant.

5 MR. MORISSETTE: Thank you. We will  
6 now continue the cross-examination by AT&T,  
7 Attorney Motel.

8 MS. MOTEL: Thank you, Mr. Morissette.  
9 We have no questions for the applicant at this  
10 time.

11 MR. MORISSETTE: Very good. Thank you,  
12 Attorney Motel. Okay. At this juncture we will  
13 take a 15 minute break -- a 17 minute break and  
14 come back at 3:30 and at which time we will  
15 continue with cross-examination of the applicant  
16 by the City of Milford. Attorney Nichols will be  
17 up when we return. Thank you.

18 (Whereupon, a recess was taken from  
19 3:13 p.m. until 3:30 p.m.)

20 MR. MORISSETTE: We will now continue  
21 with cross-examination of the applicant by the  
22 City of Milford, Attorney Nichols.

23 MR. NICHOLS: Yes. Good afternoon.  
24 This is Jeff Nichols on behalf of the City of  
25 Milford. My first question is a follow-up to Mr.

1 Morissette's question to Mr. Roberts. There was a  
2 reference to page TR-1 of revised attachment G.  
3 And I believe, Mr. Roberts, you were describing a  
4 potential elongation of the compound. And my  
5 question is, if the compound were elongated, in  
6 what direction would it be elongated, and where  
7 would the pinpoint of the tower appear on TR-1?  
8 I'm sorry, I don't believe your microphone is on.

9 THE WITNESS (Roberts): Sorry. It  
10 would be elongated parallel to the cemetery  
11 property line. We would place the tower close by  
12 the, as close as practical, to the existing  
13 building that's there which is the restaurant.  
14 And then we would run the carriers from the  
15 northwest to the southeast along that property  
16 line. So it would contain the same amount of  
17 square footage, but in fact it would be almost  
18 like a railroad car -- railroad train.

19 MR. NICHOLS: And again, I understand  
20 that this is all hypothetical at this point, but  
21 could you pinpoint on TR-1 where you believe  
22 presently the tower itself would have its base?

23 THE WITNESS (Roberts): Sure. There's  
24 a little bump out that, based on the survey  
25 information, is their dumpster area, and we would

1 just, next to that. Again, it would be a  
2 different kind of foundation, not a pad and pier.  
3 We'd do a drilled caisson foundation.

4 MR. NICHOLS: I believe there was a  
5 question earlier in which Mr. Coppins, I believe,  
6 said that the proposal would not impact parking.  
7 Am I correct that if this hypothetical change were  
8 made that there would be an impact on parking at  
9 the site?

10 THE WITNESS (Roberts): If we made this  
11 change, it would be taking parking spaces away  
12 from the restaurant. They'd have to be parked in  
13 the rear of the site where it's being proposed  
14 now.

15 MR. NICHOLS: Does anyone know, as you  
16 sit here today, what the impact would be on  
17 parking with reference to parking requirements in  
18 the zone?

19 THE WITNESS (Roberts): I do not. As  
20 it's a combination restaurant as well as the, I  
21 believe it's a Firestone dealer, I think it is, on  
22 the lease, that will be a combination, because  
23 it's the same parcel of those two use groups.

24 MR. NICHOLS: Thank you. I'm curious  
25 to know if anybody on ARX's panel today has ever

1 been involved in an effort to site another  
2 wireless tower in the City of Milford.

3 THE WITNESS (Roberts): I did one at  
4 your police department.

5 MR. NICHOLS: And to your recollection,  
6 Mr. Roberts, did the City of Milford object in  
7 that instance or appear to object in any Siting  
8 Council procedure?

9 THE WITNESS (Roberts): I think that  
10 was done locally through your planning and zoning  
11 board. If my recollection is correct, it was  
12 probably in the 2002/2003 time frame.

13 MR. NICHOLS: And to your recollection,  
14 did the city work with the carriers and the  
15 applicant to find a good site?

16 THE WITNESS (Roberts): I don't  
17 honestly recall. Sorry.

18 MR. NICHOLS: Thank you. I assume that  
19 this question is probably for Mr. Coppins. Am I  
20 correct that ARX is not disputing that the tower  
21 compound is in the R-12.5 zone?

22 THE WITNESS (Coppins): We are not  
23 disputing that. I may have misspoke earlier and  
24 said that it was all in the ICD zone, but for  
25 correction I meant to say that the area around the

1 tower is all industrial, commercial, some  
2 residential.

3 MR. NICHOLS: And so just to follow up  
4 on that, when you characterized it as industrial,  
5 you're now correcting your testimony to clarify  
6 that there is residential obviously abutting the  
7 property itself?

8 THE WITNESS (Coppins): We never  
9 disputed there was residential next to our  
10 property. As a matter of fact, we corrected the  
11 application to say that it was in a split zone  
12 after Attorney Knuff brought it to our attention.

13 MR. NICHOLS: Thank you. And is my  
14 understanding then that ARX is not disputing that  
15 the tower in the proposed situation would not  
16 comply with Milford's zoning regulations, correct?

17 MR. BALL: I will object only to the  
18 extent that, as Attorney Nichols knows, the local  
19 zoning regulations are trumped by the Siting  
20 Council entirely, but with that clarification, I  
21 have no problem if the witness answers.

22 MR. MORISSETTE: Yes. Please answer  
23 the question noting Attorney Ball's comments.  
24 Thank you.

25 THE WITNESS (Coppins): According to

1 what Mr. Knuff has sent us, yes, you are correct.

2 MR. NICHOLS: So perhaps to clarify the  
3 question, ARX is assuming that the tower, as  
4 proposed in the R-12.5 zone, would not comply with  
5 the zoning regulations if they were controlling,  
6 correct?

7 THE WITNESS (Coppins): That is  
8 correct.

9 MR. NICHOLS: Mr. Coppins, have you  
10 been to Home Acres Avenue where the houses are  
11 located, the abutting houses?

12 THE WITNESS (Coppins): I have traveled  
13 that entire area, yes.

14 MR. NICHOLS: And as you stand along  
15 the street there along Home Acres Avenue with the  
16 houses that are close by, would you characterize  
17 that in your view as an industrial scene?

18 THE WITNESS (Coppins): I would  
19 characterize that area as commercial, industrial  
20 and residential.

21 MR. NICHOLS: Let me perhaps draw your  
22 attention to Exhibit Number 7. It's ARX's  
23 response to the city's interrogatories. It's  
24 drawing number SK-2.

25 THE WITNESS (Coppins): Bear with me so

1 I can get to it. Okay.

2 MR. NICHOLS: Am I correct that if one  
3 were to stand at the corner of Prairie Street and  
4 Home Acres Avenue, which I believe is house number  
5 51 on SK-2, if one were to look in all directions,  
6 would you see any commercial or industrial  
7 establishments?

8 THE WITNESS (Coppins): I don't know  
9 what I would look at if I'm looking at a piece of  
10 paper here. I can't tell you what I'm going to  
11 look at.

12 MR. NICHOLS: So you just don't know --

13 THE WITNESS (Coppins): I --

14 MR. NICHOLS: Sorry. Go ahead.

15 THE WITNESS (Coppins): We did visuals,  
16 and maybe the visibility analysis that Mr.  
17 Libertine and Mr. Gaudet did, and I'm sure they  
18 looked at all of those areas, have a visual on  
19 that area. And honestly it's very hard to answer  
20 a hypothetical question.

21 MR. NICHOLS: So as you sit here today,  
22 you don't know what the views are from house  
23 number 51 is what you're saying, correct?

24 THE WITNESS (Coppins): Other than what  
25 has been shown in our visibility analysis, which

1 All-Points, Mr. Gaudet and Mr. Libertine have  
2 done, that may -- I mean, I'm sure they can answer  
3 that according to what they've done and provided  
4 to the Council.

5 MR. NICHOLS: So perhaps let me just  
6 ask this, and I don't want to belabor the point,  
7 but Mr. Libertine or Mr. Gaudet, am I correct that  
8 there are places, properties that are residential  
9 that we see on SK-2 that have lines drawn from  
10 them to the base of the tower which one could  
11 stand and not see any commercial or industrial  
12 activity at all?

13 THE WITNESS (Libertine): Hi, this is  
14 Mike Libertine. Obviously, we didn't stand on any  
15 of those properties. I can surmise that there are  
16 likely some residential properties in that  
17 neighborhood where you're standing on and would  
18 not be able to see beyond the next two properties.  
19 So it stands to reason that there are likely some  
20 properties in that neighborhood where you do not  
21 see commercial, industrial or transportation uses  
22 that surround the area.

23 MR. NICHOLS: Thank you. And am I  
24 correct in looking at SK-2 that there are five  
25 properties at most 275 feet or closer to the base



1 of the proposed tower -- five houses I mean to  
2 say.

3 THE WITNESS (Coppins): How many did  
4 you say?

5 THE WITNESS (Roberts): I'm looking at  
6 that now. From under 250 feet, is that what you  
7 said?

8 MR. NICHOLS: Why don't I make this  
9 quicker this way: House number 43 is 170 feet,  
10 correct?

11 THE WITNESS (Roberts): That is  
12 correct.

13 MR. NICHOLS: And then going down Home  
14 Acres Avenue, 28 is 275, 32 is 267, 38 is 273, and  
15 at the corner of Prairie and Home Acres house  
16 number 51 is 260 feet. So I believe I'm correct  
17 that there are five houses within 275 feet of the  
18 proposed base of the tower; is that correct?

19 THE WITNESS (Roberts): Correct. Yes,  
20 you are.

21 MR. NICHOLS: What measures, if any,  
22 have been taken to deal with the potential for the  
23 tower compound being an attractive nuisance to  
24 children?

25 THE WITNESS (Coppins): I'm not sure

1 what you mean by that question. Can you clarify  
2 that?

3 MR. NICHOLS: Thank you. That's a bit  
4 of a term of art. Is ARX aware of whether there  
5 are children living in the neighborhood?

6 THE WITNESS (Coppins): I'm not aware  
7 of it.

8 MR. NICHOLS: Does that mean --

9 THE WITNESS (Roberts): Maybe I can  
10 offer, certainly what we have done in the past is  
11 introduce an unclimbable chain link fence. And  
12 again, the tower itself, it doesn't have climbing  
13 pegs starting at grade. So even if they were to  
14 breach the compound fence, which is of course  
15 locked, one can't just go ahead and start free  
16 climbing the tower. The climbing pegs start at 10  
17 to 15 feet above grade.

18 MR. NICHOLS: Thank you. And has those  
19 protections that you just characterized, Mr.  
20 Roberts, have those been incorporated into the  
21 design that's been proposed?

22 THE WITNESS (Roberts): They will be.  
23 That's standard design criteria for us.

24 MR. NICHOLS: And are you aware of  
25 whether there's any other barrier between 43 Home

1 Acres Ave. which is abutting and the property on  
2 which the tower is proposed to go, fences or the  
3 like?

4 THE WITNESS (Roberts): I don't recall  
5 any other barriers between the restaurant parking  
6 area and back lot near the residence.

7 MR. NICHOLS: Going back to the  
8 question of this being in an R-12.5 one-family  
9 residential zone, is a residential zone an ideal  
10 place to put a 116 foot tower?

11 THE WITNESS (Coppins): Well, it  
12 certainly depends on the circumstances. We have  
13 located tower sites in residential zones in the  
14 past.

15 MR. NICHOLS: And what sorts of  
16 circumstances would make it more palatable to have  
17 a tower in a residential zone?

18 THE WITNESS (Coppins): Well, in this  
19 particular instance, you know, we -- I did a  
20 thorough site search based on the city's -- you  
21 know, I relied on the city's information, and I  
22 found a landowner. I also did more research and  
23 looked for other properties. Obviously, we were  
24 looking for -- from the very beginning I thought I  
25 was in the ICD zone based on the city's

1 information. So it became aware to us after our  
2 application was filed that we were in a split  
3 zone. So at the end of the day, you know, you're  
4 asking a question that is it ideal. I still think  
5 that our site, based on the information and based  
6 on the research that I did with the  
7 recommendations of Mr. Knuff, we located it in the  
8 only place that was available.

9 THE WITNESS (Libertine): Attorney  
10 Nichols, if I may, this is Mike Libertine. That's  
11 a little bit of a loaded question. What I would  
12 say from my perspective the ideal spot is where RF  
13 directs us to get the best coverage. That's the  
14 ideal spot.

15 MR. NICHOLS: But of course I don't  
16 think that anyone would dispute that there are  
17 places where towers don't fit very well; am I  
18 correct?

19 THE WITNESS (Libertine): There are,  
20 certainly people have that opinion, yes, context  
21 certainly comes into play.

22 MR. NICHOLS: And, for example, in a  
23 residential zone if there were a parcel that was  
24 10 acres, there might be less concern about siting  
25 a tower there than a 2.44 acre parcel, correct?

1                   THE WITNESS (Libertine): Not  
2 necessarily. Maybe all things being equal, but  
3 everywhere is unique. If we have a wide open  
4 parcel like the Howard Johnson's parcel that's  
5 being redeveloped, there's no screening whatsoever  
6 on that site. So it does come down to certain  
7 things. I hear what you're saying. I'm not  
8 trying to be argumentative, but I just wanted to  
9 make sure that we got on the record that if we're  
10 talking about an ideal spot, we have to start with  
11 coverage objectives.

12                   MR. NICHOLS: So let's talk about  
13 coverage objectives then. First, am I correct --  
14 well, these may be deferred to the carriers, but  
15 I'll try to ask ones that are appropriate. Is it  
16 ARX's understanding that there is a current gap in  
17 coverage or a potential gap in coverage?

18                   THE WITNESS (Coppins): It is not ARX's  
19 understanding that there's a gap in coverage. It  
20 is our understanding that there is an existing  
21 site that needs to be replaced. That was the  
22 driving need for the new site.

23                   MR. NICHOLS: And to the extent that  
24 the search was informed by sites that would meet  
25 the carriers' coverage objectives, 1063 Boston

1 Post Road was not the only site that would do  
2 that, correct?

3 THE WITNESS (Coppins): That is the  
4 only, if it's a coverage question, I would ask the  
5 carriers, but that was the only site that I  
6 brought before them and it met their coverage  
7 objective. 1063 Boston Post Road is the site that  
8 we brought before them.

9 MR. NICHOLS: Sorry, I just want to  
10 make sure I understand. Are you saying, Mr.  
11 Coppins, that there were no other sites in the  
12 vicinity that would meet the carriers' coverage  
13 objectives?

14 THE WITNESS (Coppins): That's not what  
15 I said.

16 MR. NICHOLS: Okay. I just want to  
17 understand.

18 THE WITNESS (Coppins): What I said  
19 was -- yes, I can repeat it. The coverage  
20 objective would be answered by the carrier. The  
21 question that you have is, is this the only one.  
22 1063 Boston Post Road is the only one that I  
23 brought before the carriers for a site, and it met  
24 their coverage objective because it was the only  
25 one available.

1 MR. NICHOLS: It was the only one  
2 available from what perspective?

3 THE WITNESS (Coppins): From our site  
4 search this property was the only one that was  
5 available. Of all the other sites that I picked,  
6 some of them may have been, some of them may not  
7 have met the coverage objective, but at the end of  
8 the day this was the only one that I had available  
9 to us that we could bring forward, and it met  
10 their coverage objective.

11 MR. NICHOLS: When you say "available  
12 to us," Mr. Coppins, do you mean available to ARX?

13 THE WITNESS (Coppins): Available, yes,  
14 to ARX as the applicant, yes.

15 MR. NICHOLS: Okay. Was the potential  
16 for a tower at the mall discussed between ARX and  
17 the mall?

18 THE WITNESS (Coppins): There was no  
19 discussion between ARX and the mall. ARX reached  
20 out to the mall on three different occasions, as  
21 said in my prefile testimony. And the last one I  
22 sent to the owner of record to do a -- to possibly  
23 do a deal. It was sent out certified. It was  
24 answered -- it was accepted, with no response.

25 MR. NICHOLS: And that was --

1 THE WITNESS (Coppins): So that site  
2 does not become available to me because I don't  
3 have the ability to lease it up. If they had and  
4 they were able to, we would have looked at it.

5 MR. NICHOLS: So as you're sitting here  
6 today, you are saying that the mall is not able to  
7 put a tower on their property, or you don't know?

8 THE WITNESS (Coppins): I did not say  
9 that. That is not what I said. I said that ARX  
10 reached out to them on three different occasions.  
11 They did not respond to me. I'm the one looking  
12 for the tower site. I can't lease a tower site  
13 without having the owner say, yeah, we'll enter  
14 into a lease with you.

15 MR. NICHOLS: And the last --

16 THE WITNESS (Coppins): And the owner  
17 didn't do that.

18 MR. NICHOLS: I apologize, Mr. Coppins.  
19 It's a Zoom problem, and I keep jumping on your  
20 lines. Did you finish your response?

21 THE WITNESS (Coppins): I think so.

22 MR. NICHOLS: Thank you. And sorry  
23 again. So, the last certified letter that ARX  
24 sent to the mall was in October 2020, correct?

25 THE WITNESS (Coppins): I believe it



1 was January 2021. I can tell you the exact date.  
2 I think it's in the responses to the  
3 interrogatories.

4 MR. NICHOLS: I'm looking at page 10 of  
5 ARX's responses to the City of Milford's  
6 interrogatories. And at the bottom of the page  
7 there's a subheading 1201 Boston Post Road. And  
8 the third paragraph down in that subsection  
9 indicates a letter was sent on October 6, 2020 and  
10 was delivered on October 20, 2020. So is it safe  
11 to assume that was the last letter that was sent?

12 THE WITNESS (Coppins): I will tell you  
13 here in a second. Letter one sent April 2, 2020;  
14 letter two sent July 20, 2020; letter three sent  
15 certified delivered on 10/21, on 10/21/2020. So  
16 correct, so the last letter was delivered on  
17 10/21.

18 MR. NICHOLS: And thereafter on October  
19 27, 2020, the City of Milford through Mr. Knuff  
20 sent a letter to ARX's counsel identifying  
21 American Tower as the mall's designee for  
22 discussion of tower siting at the property,  
23 correct? I can break that question down if you  
24 want.

25 THE WITNESS (Coppins): I don't need it

1 broken down. I would not have contacted American  
2 Tower as they're a competitor in the tower  
3 business. They own towers in Connecticut. They  
4 own towers all over the country. I think they're  
5 the largest tower company in the country. So they  
6 would have, if there was a tower that they wanted  
7 to put on the mall, they would go through the same  
8 process that I'm going through right now.

9 MR. NICHOLS: In other words, a tower  
10 might be available to American Tower at the mall  
11 property but would not be available to ARX at the  
12 mall property, correct?

13 THE WITNESS (Coppins): Well, I don't  
14 know because I never heard back from the owner of  
15 record. He didn't direct me to that. He just,  
16 Mr. Knuff said that American Tower is with the  
17 mall, and it could be the reason why the owner of  
18 the mall didn't contact me.

19 MR. NICHOLS: But you didn't reach out  
20 to the mall owners or to American Tower after  
21 receiving the contact information in Attorney  
22 Knuff's October 27, 2020 letter, correct?

23 THE WITNESS (Coppins): I reached  
24 out -- Attorney Knuff didn't give me the owner of  
25 record for the mall. He just gave me American

1 Tower. And I would not and still wouldn't contact  
2 American Tower to do a tower on the property  
3 because I'm not sure -- the owner of record would  
4 be the one to give me the rights to lease a  
5 property.

6 MR. NICHOLS: Mr. Coppins, are you  
7 aware of a letter that Attorney Ball sent to the  
8 city through Mr. Knuff on March 26, 2021?

9 THE WITNESS (Coppins): I'm sure I do.  
10 I mean --

11 MR. NICHOLS: And just for the record,  
12 that is at Exhibit M to the application. And I  
13 want to read from the fourth page of that letter,  
14 that March 26, 2021 letter from Attorney Ball to  
15 Attorney Knuff. On page 4 there's a subheading,  
16 1201 Boston Post Road. The second bullet point,  
17 second full sentence the letter reads, "A new  
18 tower site on the mall property might be  
19 acceptable if it were located close enough to  
20 Verizon's target area and far enough from its  
21 adjacent cell sites." Do you trust my reading of  
22 that or do you want me to point you to it?

23 THE WITNESS (Coppins): I don't dispute  
24 that.

25 MR. NICHOLS: So ARX is not disputing

1 that the coverage objectives might be met by a  
2 tower on the mall property?

3 THE WITNESS (Coppins): It might be. I  
4 don't know. I didn't run it by the carriers nor  
5 did I have an application to have an alternative  
6 site there. I mean, Mr. Knuff represents the  
7 mall. I mean, I would have thought that he would  
8 have had something. If they wanted to get in  
9 touch with me, they would have done that.

10 MR. NICHOLS: Well, I think the  
11 question here, Mr. Coppins, relates to your prior  
12 testimony that you pursued every option, and I  
13 believe we've identified an option that you  
14 decided not to pursue because ARX would not get  
15 the contract, correct?

16 THE WITNESS (Coppins): No, I did  
17 pursue it. I pursued it by three separate  
18 letters, just like I pursued the other eight sites  
19 that I did earlier that weren't answered or that  
20 were answered that didn't want to go forward. So  
21 you're saying that I didn't -- my testimony, I  
22 stand by my testimony that I pursued everything,  
23 and I contacted every property owner. And I did  
24 it in the only way that I know how to do it, by  
25 letters, phone calls, and if they don't respond to

1 any of those, then I do a certified mail. I can't  
2 make somebody lease the property to me. It would  
3 make my life a little easier, but again, I did  
4 pursue every opportunity.

5 MR. NICHOLS: Just one quick  
6 follow-up --

7 THE WITNESS (Coppins): If they would  
8 have responded, I would have pursued it just like  
9 I have in every other site that I've ever done in  
10 the State of Connecticut or anywhere else.

11 MR. NICHOLS: Thank you. Just to  
12 clarify, there are times when ARX deals with an  
13 agent rather than with the owner of the property  
14 directly, correct?

15 THE WITNESS (Coppins): If the owner  
16 sends their agent to me, yes, I do that.

17 MR. NICHOLS: Okay. While we're on  
18 page 10 of ARX's responses to the city  
19 interrogatories, part of the response to  
20 Interrogatory 12C referred to a pending  
21 application within the city to rezone this  
22 property. Do you recall that response?

23 THE WITNESS (Coppins): Yes.

24 MR. NICHOLS: As you sit here today,  
25 are you saying that some rezoning would impact the

1 ability to site a tower on the property, or don't  
2 you know?

3 THE WITNESS (Coppins): I wouldn't  
4 know. I know that they are trying to rezone the  
5 property, it's well noted, and to include  
6 residences.

7 MR. NICHOLS: Do you happen to know how  
8 -- well, withdrawn.

9 While we're looking at interrogatories,  
10 I have a question about ARX's response to the  
11 Council's Interrogatory Number 29. So  
12 specifically I'm looking at, excuse me, yes, 29F,  
13 ARX's response to the Siting Council. And the  
14 question was, "Describe the comparative visibility  
15 of the proposed facility with the visibility of a  
16 facility at the following sites," and Site F was  
17 the Connecticut Post Mall site.

18 And the response says, "There are two  
19 mast pipes with three antennas per pipe located on  
20 the rooftop of the Connecticut Post Mall above the  
21 Dave & Busters entrance. These antennas are on a  
22 large commercial property with no residences  
23 within the immediate vicinity."

24 I may not be understanding what the  
25 response is driving at. Can someone explain what

1 the response is to the Council's question about  
2 visibility of an installation at the mall?

3 THE WITNESS (Libertine): This is Mike  
4 Libertine. Yeah, we were trying to respond to the  
5 question which was to compare it with this  
6 proposal. And the only thing that we can compare  
7 there is what's there today. If we were asked to  
8 pick a location for a freestanding tower on that  
9 site and compare it, we would have to have looked  
10 at probably four different corners of that  
11 property. In this case there are antenna masts on  
12 it, so they are visible from the highway and from  
13 locations on the mall property. So that was the  
14 only intent of the question was to try to answer  
15 as best we could without getting into  
16 hypotheticals.

17 MR. NICHOLS: So the answer is not  
18 intended to opine on what it would look like if  
19 there were a tower at any point on that property?

20 THE WITNESS (Libertine): That's  
21 correct.

22 MR. NICHOLS: Thank you. Continuing  
23 with a question about the city's letter sent on  
24 October 27, 2020 through Mr. Knuff, there was  
25 contact information provided for the owners of the

1 Howard Johnson site as well, correct?

2 THE WITNESS (Coppins): That's correct.

3 MR. NICHOLS: And Mr. Coppins, I  
4 believe that you've attached to your responses to  
5 this, to ARX's responses to the city's  
6 interrogatories, some emails indicating that you  
7 reached out to Wes Craft starting on May 18, 2021,  
8 correct?

9 THE WITNESS (Coppins): That's correct.

10 MR. NICHOLS: Can you explain why you  
11 waited until after the application to inquire with  
12 Mr. Craft using the email address provided in  
13 October?

14 THE WITNESS (Coppins): Yes. I had  
15 many discussions with the carriers and their  
16 representatives that have been working on the site  
17 for more than two years, more than three years, I  
18 believe, regarding the new hotel, the old hotel,  
19 the site itself. And they had, to my satisfaction  
20 with their conversations, they kind of were  
21 frustrated and exhausted what they felt like they  
22 could do to move the project forward. And based  
23 on some of that, I purposely didn't reach out to  
24 him because I didn't want to really waste my time.  
25 But after thinking about it a little longer, and



1 had we looked at -- I reached out to Wes Craft  
2 with emails. He responded a few times. And if he  
3 would have been interested in moving forward, we  
4 would have probably halted this and redesigned and  
5 said let's look at this. At the end of the day, I  
6 haven't heard from him in three weeks, so that's  
7 the main reason I didn't do it.

8 MR. NICHOLS: But Mr. Craft has not  
9 said no to a tower, correct?

10 THE WITNESS (Coppins): Well, he hasn't  
11 completely come out and said no to me, but he's  
12 been MIA for three weeks after I asked him to put  
13 a plot and put a spot on the map and we can look  
14 at it and see if we can make that thing work, but  
15 I haven't heard from him.

16 MR. NICHOLS: So if Mr. Craft were to  
17 reach back out to you, you would be willing to  
18 talk to him about potentially siting a tower on  
19 that property?

20 THE WITNESS (Coppins): If the terms  
21 were correct and all things being equal, yes, we  
22 absolutely would if it worked for the carriers.

23 MR. NICHOLS: Speaking of if it worked  
24 for the carrier, am I correct that while there  
25 wasn't a search ring, per se, the sites that you,

1 meaning ARX, looked at were informed by what the  
2 carrier said could potentially meet its coverage  
3 objectives, correct?

4 THE WITNESS (Coppins): I'm trying to  
5 understand what you're asking, so if you can just  
6 ask --

7 MR. NICHOLS: Sure, I'm happy to  
8 rephrase.

9 THE WITNESS (Coppins): Okay.

10 MR. NICHOLS: My question is, doesn't  
11 ARX have to have some comfort that a site will  
12 satisfy the carrier's coverage objectives before  
13 spending the time investigating that site such as  
14 by reaching out to the owner?

15 THE WITNESS (Coppins): In most cases,  
16 yes, that's absolutely correct, we would want the  
17 carrier to say, yeah, that works for us before we  
18 would ever move forward. In this particular case  
19 the two carriers, AT&T and Verizon, looked at the  
20 site prior to me moving forward and said we like  
21 the site, let's move forward, which is what I did.  
22 I didn't move forward with the other one because  
23 they had already been working with the owners of  
24 1062.

25 MR. NICHOLS: I guess my question is,

1 isn't there some conversation about sites that  
2 could meet the coverage objectives before ARX  
3 spends the time looking at those sites? And I'm  
4 referring kind of to your answer where you said  
5 ARX does not want to waste time.

6 THE WITNESS (Coppins): Unless I have a  
7 leased site as a property, a lease area, I don't  
8 bring it to the carrier until I have that. And  
9 the reason I don't is I don't want to tell the RF  
10 department, say hey, listen, I've got this site,  
11 and then I've got to go lease it, and it may not  
12 ever be leased. I don't work like that.

13 MR. NICHOLS: So the questions that  
14 Council members asked before about coverage at the  
15 site, am I correct that the reason you deferred on  
16 those questions is because ARX can't say whether  
17 any of the sites you looked at potentially could  
18 meet the carriers' coverage objectives except for  
19 1063; is that correct?

20 THE WITNESS (Coppins): I didn't bring  
21 them to the carriers, so I couldn't get that  
22 answer from them. That's why I deferred the  
23 question to the carrier. I know that it works for  
24 the carriers on 1063 because I had a lease area, I  
25 had a leased site, and I can honestly bring it to

1 the carrier and say, hey, I've got this, what do  
2 you think. They gave me their answer and they  
3 said they liked it. Verizon said they liked it at  
4 112 feet, and AT&T said they liked it at 100 feet,  
5 and it would meet their objectives.

6 MR. NICHOLS: Thank you. So ARX, just  
7 to be clear, is not in a position, as you sit here  
8 today, to say X, Y and Z other sites will not work  
9 for the carriers' coverage objectives, correct?

10 THE WITNESS (Coppins): Other than  
11 what's in my testimony that is correct, but that  
12 could be a question to the carrier.

13 MR. NICHOLS: In the process of  
14 searching for sites, did ARX consider any rooftop  
15 installations that would be sited at multiple  
16 sites?

17 THE WITNESS (Coppins): We did not.

18 MR. NICHOLS: Did ARX consider any  
19 rooftop installations at a single site?

20 THE WITNESS (Coppins): ARX didn't, nor  
21 was any multiple sites brought up at our city  
22 consultation to where did you look at this  
23 property, did you look at that property, which was  
24 a time at which we could have done that.

25 MR. NICHOLS: (Pause) Pardon my delay.

1 I'm just looking for something.

2 Mr. Coppins, I'm going to read from  
3 page 1 of Attorney Knuff's October 27, 2020 letter  
4 to Attorney Ball. And this is just to ask if it  
5 refreshes your recollection. The second sentence  
6 of Mr. Knuff's letter says, "As I expressed during  
7 the meeting, it is the city's expectation that the  
8 carriers through the client will provide a  
9 detailed analysis of alternative methods of  
10 providing necessary coverage, including small  
11 cells co-locating on existing buildings in the  
12 area and alternative locations for a new facility  
13 either singly or in combination." Does that  
14 refresh your recollection of what was discussed at  
15 the October 1st meeting?

16 THE WITNESS (Coppins): We did discuss  
17 a lot of things, and if that's in the letter, then  
18 it's in the letter. But to my point earlier,  
19 while Mr. Knuff offered up the Connecticut Post  
20 Mall, and Mr. Craft's email, along with  
21 Mr. Wilcox's email, the city didn't say, hey, did  
22 you look at this property, did you look at that  
23 rooftop, did you look at this other rooftop for a  
24 multiple site, they didn't do that. They just  
25 said would you, and again, we were running down

1 the possibility of the other sites that Mr. Knuff  
2 had provided to us.

3 MR. NICHOLS: Thank you. I'd like to  
4 request from the Chair if I could take a quick  
5 two-minute break.

6 MR. MORISSETTE: Yes, you may. Thank  
7 you.

8 MR. NICHOLS: Thank you.

9 (Whereupon, a recess was taken from  
10 4:13 p.m. until 4:14 p.m.)

11 MR. NICHOLS: Mr. Morissette, I'm ready  
12 to continue, if the Council is.

13 MR. MORISSETTE: Thank you, Attorney  
14 Nichols. We shall proceed. Please continue.

15 MR. NICHOLS: Thank you. What spots on  
16 the Schick property did -- withdrawn.

17 I believe there was testimony  
18 previously that the siting of a tower was  
19 discussed but Schick was not interested. I'm  
20 curious to know what specific spots on the Schick  
21 property were discussed between ARX and the Schick  
22 owner. Actually, it was the agent, Jake Bealke.

23 THE WITNESS (Coppins): Correct. So  
24 specifically there weren't any specific areas, it  
25 was just a general. And he said that he was going

1 to talk with the plant manager or the head of the  
2 facility. And after speaking with them, they said  
3 that they had future plans for the property and  
4 they didn't want to move forward with the tower.  
5 So specifically there wasn't an opportunity to  
6 talk about a specific site so that I could bring  
7 it to the carriers.

8 MR. NICHOLS: I'd like to try to  
9 refresh your recollection again. I'm looking at  
10 page 11 of ARX's responses to the city's  
11 interrogatories, and on page 11 there's a  
12 subheading. It says 10 Leighton Road, Milford,  
13 Connecticut. The first line says, "This is the  
14 site of Schick Manufacturing." And the last  
15 sentence of the fourth paragraph says, "ARX  
16 responded with details including a potential area  
17 where a tower could be located on that site."  
18 Does that refresh your recollection?

19 THE WITNESS (Coppins): Well, when I  
20 sent them an area that we would like, it wasn't  
21 specific, but we talked about an area. Then I  
22 asked him about different areas. We spoke at  
23 length about different areas, and he said I don't  
24 know where we could go on it. So at the end of  
25 the day we didn't really talk about the specifics

1 of it. After their meeting they said that their  
2 area where the -- they have an area where trucks  
3 go by, go in and out, they have a big parking lot,  
4 they have an expansion plan. They didn't discuss  
5 the expansion plan with me. Again, if they were  
6 interested, we would have designed a site and  
7 moved forward with it, but they said no.

8 MR. NICHOLS: Were any of ARX's  
9 communications with Schick or its agents in  
10 writing?

11 THE WITNESS (Coppins): The initial  
12 site to get them to speak was in writing, and they  
13 didn't respond until after they got a certified  
14 letter.

15 MR. NICHOLS: And what about the  
16 details including a potential area where a tower  
17 could be located, is that on some sort of written  
18 record? I was just reading from ARX's response to  
19 the city's interrogatories at page 11.

20 THE WITNESS (Coppins): I would have to  
21 look back and see if there was something that I  
22 sent. But again, even after -- I don't know if I  
23 sent something to them. I believe I may have.  
24 But even after that we discussed anywhere on the  
25 property could it work, would they be interested



1 in --

2 MR. NICHOLS: So -- apologies.

3 THE WITNESS (Coppins): Due to their  
4 expansion and due to their trucks and whatnot,  
5 they said they didn't want to move forward with  
6 the tower at the property.

7 MR. NICHOLS: The city may be seeking  
8 any written communications in that regard as a  
9 supplement, but we could talk about that later. I  
10 just want to ask with regard to Schick was there  
11 any discussion about putting an antenna on the  
12 roof of the building?

13 THE WITNESS (Coppins): No, there was  
14 not.

15 MR. NICHOLS: Has ARX had any  
16 discussions with the carriers or anybody else  
17 affiliated with the application about reaching out  
18 to American Tower at this juncture to determine  
19 whether a tower might be sited at the mall  
20 property?

21 THE WITNESS (Coppins): I mean, again,  
22 I go to Mr. Knuff, and if he represents the mall,  
23 have them give me a call. We'd be happy to look  
24 at it.

25 MR. NICHOLS: I guess my question was,

1 has ARX had a conversation with the carriers or  
2 anybody else who's supporting the application in  
3 which it was decided whether or not to reach out  
4 to American Tower?

5 THE WITNESS (Coppins): We have not had  
6 that conversation.

7 MR. NICHOLS: Has ARX considered at any  
8 point after it found out that the proposed site is  
9 in a residential zone potentially revisiting the  
10 question of whether to reach out to American Tower  
11 about siting at the mall?

12 THE WITNESS (Coppins): We have not.  
13 We would not -- and I go back to my earlier  
14 testimony. I wouldn't reach out to American  
15 Tower. And again, Mr. Knuff represents the mall.  
16 He has a relationship with them. Have them call  
17 me. I would be happy to talk with them. I'm a  
18 developer. I mean, this site, whether it's this  
19 site or the other site, I don't really care. As  
20 long as it meets the needs of the carrier and a  
21 lease can be done, we're happy to do that.

22 MR. NICHOLS: Mr. Coppins, are you  
23 suggesting that if the mall doesn't reach out to  
24 ARX then the property is not available to site a  
25 tower on?

1 THE WITNESS (Coppins): No. So ARX  
2 reached out to the mall on three separate  
3 occasions. The mall didn't respond to those three  
4 separate occasions. And, I mean, I'm going to say  
5 it again, but Mr. Knuff represents the mall. If  
6 you guys want a tower sited at the mall, have the  
7 mall call me. We would be happy to talk with  
8 them.

9 MR. NICHOLS: Just to clarify --

10 THE WITNESS (Coppins): They could  
11 respond.

12 MR. NICHOLS: -- I'm representing the  
13 City of Milford in this proceeding. My question,  
14 my next question is, are you aware of the  
15 policy -- is ARX generally aware of the policy in  
16 the State of Connecticut not to proliferate towers  
17 that are unnecessary?

18 THE WITNESS (Coppins): We are aware of  
19 that, of that policy.

20 MR. NICHOLS: And ARX, if I understand  
21 from your website correctly, actually does work  
22 with certain rooftop solutions; is that correct?

23 THE WITNESS (Coppins): We do have some  
24 rooftop sites that we manage, and yes, absolutely.

25 MR. NICHOLS: But that was not in

1 consideration for this particular coverage area,  
2 correct?

3 THE WITNESS (Coppins): In looking  
4 around what I saw for the solution that we were  
5 proposing, the solution that we saw was going to  
6 be a tower site, not a rooftop site, to meet the  
7 needs of the carrier.

8 MR. NICHOLS: But Mr. Coppins, I  
9 thought you said before that you don't take  
10 coverage into account when you go to look for  
11 sites. I thought you said you look for sites and  
12 present them to the carrier which then says this  
13 will work or it won't.

14 THE WITNESS (Coppins): So let me see  
15 if I can answer the question. I've been in this  
16 industry for almost 30 years and doing the same  
17 exact thing. And if there was a solution that  
18 would have been on a rooftop, I certainly wouldn't  
19 have spent my money in doing a tower site at this  
20 site. Before I even move forward with a site, I  
21 looked at the area with my experience to see what  
22 would work, and I didn't see a working solution  
23 with a rooftop.

24 MR. NICHOLS: Speaking of ARX's  
25 investment in investigation, a considerable amount

1 was invested even prior to the October 2020  
2 meeting with the city, correct?

3 THE WITNESS (Coppins): I mean, I'm not  
4 sure what you're -- a considerable amount meaning  
5 what? I'm not sure what you mean.

6 MR. NICHOLS: Had ARX invested time and  
7 money in selecting a site prior to meeting with  
8 the city in October 2020?

9 THE WITNESS (Coppins): Yes.

10 MR. NICHOLS: And if ARX had decided  
11 thereafter to look for different sites given the  
12 city's objection, would some of that money have  
13 been lost?

14 THE WITNESS (Coppins): Yes, but that  
15 happens all the time. That's not the first time  
16 we've moved a site. We've moved sites, and it's  
17 the nature of the business.

18 MR. NICHOLS: Sometimes it doesn't work  
19 out and the investment is lost, sometimes it works  
20 out, correct?

21 THE WITNESS (Coppins): As part of  
22 development that is true. I mean, that's any  
23 development, whether it's a mall or a tower or  
24 even a housing development plan.

25 MR. NICHOLS: I think I'm down to one

1 more question which is, there was a question  
2 before about stealth flag poles, and I think there  
3 was a question reserved to the carriers as to what  
4 height that would have to be. Is ARX willing to  
5 do additional photosimulations of stealth flag  
6 poles based on the carriers' input on height?

7 THE WITNESS (Coppins): If the Council  
8 would so request us to do something like that, I'm  
9 sure we would comply.

10 MR. NICHOLS: Thank you, Mr. Coppins,  
11 and thank you to the other witnesses.

12 Mr. Chair, I would just reserve the  
13 right to ask follow-up questions about coverage  
14 issues that ARX deferred to the carriers in case  
15 the carriers' responses warrant followup with ARX.

16 MR. MORISSETTE: Thank you, Attorney  
17 Nichols. The opportunity to cross-examine ARX may  
18 not come forward. However, you will have the  
19 opportunity to cross-examine both of the carriers.

20 MR. NICHOLS: Thank you.

21 MR. MORISSETTE: Thank you. We will  
22 now continue with the appearance of Celco  
23 Partners doing business as Verizon Wireless.

24 MR. BALL: Mr. Morissette, I apologize  
25 for interrupting.

1 MR. MORISSETTE: Yes, Attorney Ball.

2 MR. BALL: I might, with your  
3 permission, just have a few questions of redirect  
4 if now is the appropriate time.

5 MR. MORISSETTE: Let me stop you right  
6 there. We do not allow for redirect. We are  
7 going to move on. Thank you.

8 MR. BALL: Okay.

9 MR. MORISSETTE: So we will continue  
10 with the cross-examination of Verizon, but first  
11 will the intervenor present its witness panel for  
12 purposes of taking the oath, and then Attorney  
13 Bachman will administer the oath.

14 MR. BALDWIN: Good afternoon, Mr.  
15 Morissette. Kenneth Baldwin with Robinson & Cole  
16 on behalf of intervenor Cellco Partnership doing  
17 business as Verizon Wireless. We have two  
18 witnesses to present in this docket. To my left  
19 is Mr. Tony Befera. Mr. Befera is a principal  
20 engineer in real estate and regulatory for Verizon  
21 Wireless. And on the Zoom screen is Mr. Ziad  
22 Cheiban. Mr. Cheiban is the RF engineer  
23 responsible for the cell site that we're talking  
24 about in this proceeding. And I offer them to be  
25 sworn at this time.

1 MR. MORISSETTE: Thank you, Attorney  
2 Baldwin.

3 Attorney Bachman.

4 MS. BACHMAN: Thank you, Mr.  
5 Morissette. Could the witnesses please raise  
6 their right hand.

7 A N T H O N Y B E F E R A,  
8 Z I A D C H E I B A N,

9 called as witnesses, being first duly sworn  
10 (remotely) by Attorney Bachman, were examined  
11 and testified on their oath as follows:

12 MS. BACHMAN: Thank you.

13 MR. BALDWIN: Mr. Morissette --

14 MR. MORISSETTE: Attorney Baldwin,  
15 please begin by verifying all the exhibits by the  
16 appropriate sworn witness. Thank you.

17 MR. BALDWIN: Thank you, Mr.  
18 Morissette.

19 DIRECT EXAMINATION

20 MR. BALDWIN: There are four exhibits  
21 listed in the hearing program under Roman III,  
22 Section B, that I'll ask our witnesses to verify.  
23 Did you prepare, assist in the preparation, or  
24 supervise in the preparation of Exhibits 2, 3 and  
25 4 listed in the hearing program under Roman III,



1 subsection B? Those include Verizon's responses  
2 to the Council's interrogatories, Verizon's  
3 responses to the City of Milford's  
4 interrogatories, and the supplemental response to  
5 Interrogatory Number 4 from the City of Milford.

6 Mr. Befera?

7 THE WITNESS (Befera): Yes.

8 MR. BALDWIN: Mr. Cheiban?

9 THE WITNESS (Cheiban): Yes.

10 MR. BALDWIN: And do you have any  
11 corrections, clarifications or amendments to offer  
12 to any of those exhibits?

13 Mr. Befera.

14 THE WITNESS (Befera): Yes, I have one  
15 correction to make on the prehearing  
16 interrogatories to the Council Set One. On  
17 Question 16, the response, a typo here that's on  
18 page 8. Milford South II Connecticut is a  
19 monopole, not a utility pole with our antennas at  
20 the height of 126 feet at 185 Research Parkway.  
21 It should say "monopole," not "utility pole"  
22 there.

23 MR. BALDWIN: Mr. Cheiban, any  
24 corrections or clarifications to make?

25 THE WITNESS (Cheiban): No.

1 MR. BALDWIN: And with that  
2 clarification and correction, is the information  
3 contained in those exhibits true and accurate to  
4 the best of your knowledge? Mr. Befera.

5 THE WITNESS (Befera): Yes.

6 MR. BALDWIN: And Mr. Cheiban.

7 THE WITNESS (Cheiban): Yes.

8 MR. BALDWIN: And do you adopt the  
9 information in those exhibits as your testimony in  
10 this proceeding? Mr. Befera.

11 THE WITNESS (Befera): Yes.

12 MR. BALDWIN: Mr. Cheiban.

13 THE WITNESS (Cheiban): Yes.

14 MR. BALDWIN: Mr. Morissette, I offer  
15 them as full exhibits.

16 MR. MORISSETTE: Thank you, Attorney  
17 Baldwin.

18 Does any party or intervenor object to  
19 the admission of Verizon's exhibits?

20 Attorney Ball.

21 MR. BALL: No objection.

22 MR. MORISSETTE: Thank you. Attorney  
23 Motel?

24 MS. MOTEL: No objection. Thank you.

25 MR. MORISSETTE: Thank you. Attorney

1 Nichols?

2 MR. NICHOLS: No objection. Thank you.

3 MR. MORISSETTE: Thank you. The  
4 exhibits are hereby admitted.

5 (Intervenor Cellco Partnership d/b/a  
6 Verizon Wireless Exhibits III-B-1 through III-B-4:  
7 Received in evidence - described in index.)

8 MR. MORISSETTE: We'll now begin with  
9 the cross-examination of Verizon by the Council  
10 beginning with Mr. Nwankwo.

11 MR. NWANKWO: Thank you, Mr.  
12 Morissette.

13 MR. MORISSETTE: Thank you.

14 CROSS-EXAMINATION

15 MR. NWANKWO: My questions for Cellco  
16 Partnership doing business as Verizon Wireless:  
17 Cellco mentions beam forming technology in its  
18 response to Council Interrogatories 19. Please  
19 elaborate on beamforming technology.

20 THE WITNESS (Cheiban): So basically we  
21 use two antennas on our 700 and 850 frequencies  
22 where the radio head, you know, transmits slightly  
23 different power and phases to each element of  
24 these antennas so it can steer the beam into the  
25 direction of where the user currently is.

1 MR. NWANKWO: So just to clarify, it is  
2 a beam from the antenna to the device that is  
3 being used?

4 THE WITNESS (Cheiban): That's correct,  
5 it tries to shape that beam towards the user, the  
6 individual users at any given time.

7 MR. NWANKWO: What will be the range  
8 for power to the antenna for this kind of  
9 technology?

10 THE WITNESS (Cheiban): So the power  
11 is, there are four ports of 40 watts each going  
12 into the antenna. That's the max power. And then  
13 the actual power that gets transmitted to the user  
14 will depend on the location of the user and how  
15 favorable or not favorable the propagation is  
16 towards them.

17 MR. NWANKWO: Okay. Just to clarify,  
18 when you say "four ports," are you referring to  
19 the channel or are you actually referring to the  
20 connection?

21 THE WITNESS (Cheiban): I'm talking  
22 about physical ports on the antennas and physical  
23 ports on the radio heads.

24 MR. NWANKWO: All right. How does this  
25 technology impact RF emissions and power density

1 for this particular site?

2 THE WITNESS (Cheiban): The amount of  
3 power transmitted is basically the same whether we  
4 are using the beamforming or not. It's just that  
5 it steers the beam towards those users. So it  
6 doesn't really have an impact on the RF emissions.

7 MR. NWANKWO: Okay. Thank you. My  
8 next question, how will a stealth flag pole tower  
9 impact Cellco's beamforming technology?

10 THE WITNESS (Cheiban): It would  
11 prevent us from using it because we need those  
12 antennas to be side by side and basically  
13 horizontally next to each other, and being on a  
14 flag pole that's impossible.

15 MR. NWANKWO: So just for clarity, a  
16 flag pole at this location will not be able to  
17 address Cellco's needs?

18 THE WITNESS (Cheiban): It would  
19 basically force us to use, you know, basically  
20 constrain what we can do with the technology that  
21 we have in several respects.

22 MR. NWANKWO: Okay. Would a stealth  
23 tree tower such as a monopine have any impact on  
24 Cellco's service goals or this beamforming  
25 technology?

1 THE WITNESS (Cheiban): No.

2 MR. NWANKWO: Just to confirm that all  
3 Cellco's equipment and installations would comply  
4 with the 2015 International Building Code as  
5 amended within the 2018 Connecticut Building Code?

6 THE WITNESS (Cheiban): I think that's  
7 a question for Mr. Befera.

8 THE WITNESS (Befera): Yes, in full  
9 compliance.

10 MR. NWANKWO: Thank you. Referencing  
11 Cellco's response to Council Interrogatory 10,  
12 would an antenna array fixed to the top of a  
13 transmission structure be considered a viable  
14 alternative to the proposed site?

15 THE WITNESS (Cheiban): And by  
16 "transmission structure," you mean like a  
17 transmission power line?

18 MR. NWANKWO: Yes.

19 MR. BALDWIN: Mr. Morissette, could I  
20 just ask for a clarification? Are we talking  
21 about any transmission line tower in particular,  
22 or is Mr. Nwankwo just talking generally about  
23 transmission line towers?

24 MR. NWANKWO: Generally. Thank you.

25 MR. BALDWIN: Thank you,.

1                   MR. MORISSETTE: Thank you, Attorney  
2 Baldwin.

3                   THE WITNESS (Cheiban): So generally  
4 speaking, yes, we can achieve our goals from a  
5 transmission tower, but there are some caveats.  
6 There are some restrictions from our company and  
7 from the utility company as far as the separation  
8 between our antennas and their conductors and  
9 their static lines. And there's an additional  
10 concern that Verizon has is that any time we go on  
11 a transmission tower, if we need to, if our  
12 equipment breaks down and we need to repair it or  
13 upgrade it, we need to wait until they have a  
14 scheduled outage which can take a year, sometimes  
15 more. So we can achieve coverage from that, but  
16 there are some constraints on it.

17                  MR. NWANKWO: Okay. In trying to  
18 resolve this issue of coverage where the facility  
19 at 1052 is deactivated, did Cellco consider any  
20 transmission lines at all?

21                  THE WITNESS (Cheiban): To the best of  
22 my knowledge there are no transmission lines  
23 running through that area, and so, no, we did not  
24 consider it.

25                  MR. NWANKWO: Thank you. Referencing

1 Cellco's response to Council Interrogatory 7, what  
2 will be the alternative plan for Cellco if this  
3 application is denied by the Council?

4 THE WITNESS (Cheiban): So we have  
5 considered other options. One of them was putting  
6 a pole on the 1052 Boston Post Road property, and  
7 another one was to put a pole on another property  
8 at 354 North Street, and those would probably be  
9 the top two fallback options.

10 MR. NWANKWO: Thank you. My final  
11 question, would Cellco's ground equipment at this  
12 proposed facility be alarmed?

13 THE WITNESS (Cheiban): Yes.

14 MR. NWANKWO: Thank you. That's all I  
15 have, Mr. Morissette. Thank you.

16 MR. MORISSETTE: Thank you, Mr.  
17 Nwankwo. We'll now continue with  
18 cross-examination of Verizon by Mr. Edelson.

19 Mr. Edelson.

20 MR. EDELSON: Yes. Thank you, Mr.  
21 Morissette. I'd like to just continue with that  
22 questioning about what your options are if this is  
23 denied because the way it came across to me it  
24 sounded like Mr. Cheiban was saying those are  
25 viable options that have already been reviewed.



1 Can you clarify what the status of those two other  
2 options that you mentioned are?

3 THE WITNESS (Befera): Well, Ziad is  
4 responding that those are two viable options from  
5 an RF perspective. We have been unsuccessful to  
6 come to an agreement, let alone for the temporary  
7 pole with the property owners at 1052. We never  
8 got an agreement together for the temporary pole  
9 because they had a lot of moving parts over there  
10 at the time, and they didn't know where they could  
11 let us put it, and those discussions fell apart.

12 We have been trying to talk to them  
13 about doing something permanent towards the west  
14 end of the property where the elevation is a  
15 little better, but of course, you know, as close  
16 to 95 as possible because that's where we need it,  
17 and we haven't been able to come to any terms nor  
18 receive a response on a preliminary design that we  
19 came up with over in that area on the property.  
20 So they've been less than responsive for us on  
21 that. And then this application came along. And  
22 yes, we didn't pick this location, but from an RF  
23 perspective this proposal works for us, and it  
24 works very well, and that's why we joined this  
25 application because we weren't getting anywhere

1 with the Turnpike Lodge folks.

2           And the other property that Ziad  
3 mentions, from an RF perspective, yes, it's a  
4 great spot, it's right on 95, but it's one of  
5 those commercial properties that probably dates  
6 back to the fifties that's surrounded by some  
7 pretty dense residential. It's just on the north  
8 side of 95, and it's a little further west than  
9 the subject, the existing property that we're at,  
10 but would still, you know, being right on 95, but  
11 I don't know if from a public relations standpoint  
12 that that's the best proposal due to what I just  
13 mentioned.

14           MR. EDELSON: So Mr. Befera, maybe you  
15 can help clarify because I got a little bit  
16 confused about what I thought I understood to be  
17 the process, and if you will, the relationship  
18 between a company like ARX and a Verizon. My  
19 understanding was through conversations and  
20 discussions a site search circle is identified,  
21 and then with that a company like ARX will go in  
22 within that circle. And I should back up. And  
23 the circle, the search circle, is defined by  
24 what's seen as either to be the gap in coverage or  
25 in this case the replacement necessary because of

1 what's happening to the existing tower. And then  
2 once that circle is understood or agreed upon,  
3 then it becomes the more difficult task of finding  
4 a site owner who's comfortable with entering into  
5 a lease agreement or some kind of agreement to  
6 have a tower. So am I right that you as  
7 Verizon/Cellco are involved in helping to define  
8 that circle, that search circle?

9 THE WITNESS (Befera): Well, you could  
10 say that in most situations where we're looking  
11 for something, but, you know, 20 years ago when  
12 sites were a lot further apart and there were  
13 fewer users that a more condensed network wasn't  
14 required like it is today. Well, the circles get  
15 pretty small these days because the concentration  
16 of our existing sites, they're all closer together  
17 now, so where you put that next site becomes very  
18 specific. And then it becomes a matter of, you  
19 know, sure, you know, are there opportunities in  
20 that small area that would work for us because you  
21 can't be on top of the site on this side, you  
22 can't be on top of the one on the other side,  
23 you've got to kind of be equidistant from your  
24 existing network of sites.

25 So, you know, then it's a matter of

1 providing the engineers like Ziad what the  
2 opportunities may be. And from there, you know,  
3 he could tell us, well, you know, this location  
4 could work, but I need to be at least so many feet  
5 above the ground for it to fit in, otherwise it's  
6 not going to satisfy what's required of a new  
7 facility investment.

8 Now, in this particular instance it's a  
9 little bit different. This particular instance we  
10 have an existing site. We've been there almost 20  
11 years. And the only reason the site worked 20  
12 years ago was because we had a 30, 35 foot pole on  
13 top of the hotel roof that's there now, otherwise  
14 that wouldn't have worked, but they let us put  
15 that pole up on top of the roof. I believe AT&T  
16 has a pole on top of that roof as well.

17 So in a situation like this where, I  
18 don't know how familiar you are with the property,  
19 but, you know, we're in a situation there that is  
20 somewhat concerning. The property has been  
21 partially gutted. We don't have any place to go  
22 that's secure right now. Discussions about even  
23 the temp structure that Mr. Silvestri brought up  
24 earlier that we brought to the Council when we  
25 were trying to get an agreement together with the

1 Turnpike Lodge folks, that never came to fruition.  
2 And, you know, sometimes our cell technicians, our  
3 field personnel have to access these sites at  
4 nighttime. And inside this building where it's  
5 been partially gutted already there's wires  
6 hanging from the ceiling, there's debris piles  
7 along the alleyways. It's not necessarily the  
8 kind of place that we want to send our personnel  
9 at nighttime. So we're looking for a solution, a  
10 replacement solution as close as possible to this  
11 location that we can get with the required height  
12 so that we don't lose what we have today for our  
13 customers.

14 MR. EDELSON: Okay. Thank you.

15 THE WITNESS (Befera): And this  
16 proposal came along.

17 MR. EDELSON: Okay.

18 THE WITNESS (Befera): And this is  
19 further along than anything, anywhere we've been  
20 able to get with Turnpike Lodge on our own because  
21 we have no problem building a tower ourselves, if we  
22 can get that, but this came along. It's ahead of  
23 us in the process. This is a great location for  
24 us. This would work at the 115 feet proposed, you  
25 know.

1 MR. EDELSON: Along those lines, I'd be  
2 curious, did you approach the City of Milford and  
3 ask for their assistance or involvement in helping  
4 to identify a site that would help with the  
5 replacement? Obviously you mentioned your  
6 frustration dealing with what your original plan  
7 was, but did you bring that to the attention of  
8 the city and ask for their insight or support?

9 THE WITNESS (Befera): We didn't, no.  
10 We were still pressing with the Turnpike Lodge  
11 folks because being as close as possible to the  
12 existing transmitting source is the best solution  
13 for us.

14 MR. EDELSON: So a question I'd asked  
15 before and I think it was deferred. In the  
16 narrative of ARX they referred to capacity relief.  
17 And a lot of times when I hear that term I'm  
18 thinking of enhanced coverage. This is usually  
19 where, you know, another tower is brought in to  
20 help with the existing infrastructure, not  
21 necessarily a replacement. So I don't know if  
22 this was just maybe some confusion in terminology,  
23 but the term -- but the sentence read that this  
24 would both satisfy existing coverage and provide  
25 significant capacity relief. But when I read the

1 propagation report, the radio propagation report,  
2 it only talked in terms of replacement of what's  
3 there. So can you clarify if we're talking about  
4 replacement or we're talking about additional  
5 capacity relief above and beyond what's there  
6 today?

7 THE WITNESS (Befera): Well, at the  
8 existing location because of the flag pole type of  
9 structure, we're only able to utilize two of our  
10 five frequencies that we would be able to use on  
11 the tower that's proposed. And that's the  
12 difference that Ziad was talking about, about  
13 flush mounting antennas versus having them  
14 horizontally mounted in a triangle. It allows us  
15 to use three additional frequencies that we can't  
16 get in a flag pole structure unless we were to get  
17 three ports on that flag pole structure and the  
18 fattest flag pole you've ever seen --

19 MR. EDELSON: So to be real clear, if  
20 I'm a user in that area, a homeowner or a  
21 business, I'm going to see better -- it's not just  
22 replacement, if I hear you correctly, I'm going to  
23 see better service?

24 THE WITNESS (Befera): We would realize  
25 a significant increase in the services that we

1 would be able to provide. We would be able to add  
2 three additional frequencies.

3 And Ziad, please feel free to jump in  
4 and shut me up and correct me if I'm wrong, but  
5 we're only using two of our five top frequencies  
6 right now at the existing location where this new  
7 location is going to allow us to use all five,  
8 including the latest in 5G, the fastest you've  
9 ever seen.

10 MR. EDELSON: And just to make the  
11 point, if for some reason the existing structure,  
12 that people said, you know, we'd love to have you  
13 stay, it sounds like you wouldn't want to stay in  
14 that current location because --

15 THE WITNESS (Befera): Well, we  
16 wouldn't want to stay there with those  
17 restrictions.

18 MR. EDELSON: Right, with the existing  
19 structure.

20 THE WITNESS (Befera): We'd like to  
21 bring this site into the 21st Century. We'd like  
22 to bring it into the 2020s. And that would  
23 involve a horizontal array that would allow us to  
24 use all five frequencies that we have planned for  
25 this area that we have planned for this tower



1 that's proposed because we can't do it where we're  
2 at.

3 MR. EDELSON: So my other question that  
4 was deferred was about natural gas as an  
5 alternative for generation. Can someone address  
6 why, if I understood ARX correctly, it was the  
7 carriers who wanted diesel generation as the  
8 backup and not natural gas? I think you  
9 understand we prefer natural gas because you don't  
10 have the delivery, you don't have to worry about  
11 run out, and it's cleaner.

12 THE WITNESS (Befera): Well, in a lot  
13 of situations where, you know, we're required to  
14 use natural gas because where the generator is you  
15 can't get a refill, either propane or diesel, and  
16 those are typically rooftop situations where all  
17 our stuff is on the roof of a building and we have  
18 to do natural gas. Where we have a choice, we  
19 tend to go with the diesel engines.

20 Now, in a situation like this it's not  
21 necessarily the engine being natural gas versus  
22 diesel. One thing that's nice about natural gas  
23 is that we don't have to worry about refilling for  
24 an extended power outage. That's one of the  
25 beauties of it. And really the choice comes down

1 to getting the gas in from the street, it's on our  
2 coin, and it's going to cost us more than putting  
3 a diesel tank in the belly of the generator on  
4 site. So if natural gas is what the Council would  
5 prefer, I would request that you make that a  
6 requirement of the approval for our location here  
7 so that I'm not responsible for spending Verizon's  
8 money on natural gas piping that we could  
9 otherwise avoid.

10 MR. EDELSON: All right. Well, thank  
11 you very much.

12 Mr. Morissette, I think that's all the  
13 questions I have right now. Thank you.

14 MR. MORISSETTE: Thank you, Mr.  
15 Edelson.

16 This looks like a good time to break  
17 for dinner. We will, the Council will recess  
18 until 6:30 p.m., at which time we will commence  
19 the public comment session of this remote public  
20 hearing. Thank you, everyone. Have a good  
21 dinner. And we'll see everybody at 6:30.

22 (Whereupon, the witnesses were excused  
23 and the above proceedings were adjourned at 4:52  
24 p.m.)

1 CERTIFICATE FOR REMOTE HEARING

2  
3 I hereby certify that the foregoing 114 pages  
4 are a complete and accurate computer-aided  
5 transcription of my original stenotype notes taken  
6 of the REMOTE PUBLIC HEARING IN RE: DOCKET NO.  
7 500, ARX WIRELESS INFRASTRUCTURE, LLC APPLICATION  
8 FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY  
9 AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE,  
10 AND OPERATION OF A TELECOMMUNICATIONS FACILITY  
11 LOCATED AT 1061-1063 BOSTON POST ROAD, MILFORD,  
12 CONNECTICUT, which was held before JOHN  
13 MORISSETTE, PRESIDING OFFICER, on June 15, 2021.  
14  
15  
16  
17

18 

19 -----  
20 Lisa L. Warner, CSR 061  
21 Court Reporter  
22 BCT REPORTING, LLC  
23 55 WHITING STREET, SUITE 1A  
24 PLAINVILLE, CONNECTICUT 06062  
25

1 I N D E X

2  
3 WITNESSES: (Sworn on page 10)

4 KEITH COPPINS

5 DOUGLAS ROBERTS

6 MICHAEL LIBERTINE

7 BRIAN GAUDET

8 EXAMINERS:

PAGE

9 Mr. Ball (Direct)

10

10 Mr. Nwankwo (Start of cross)

16

11 Mr. Edelson

27

12 Mr. Silvestri

32

13 Mr. Hannon

45

14 Mr. Morissette

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15 Mr. Nichols

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16 WITNESSES: (Sworn on page 96)

17 ZIAD CHEIBAN

18 ANTHONY BEFERA

19 EXAMINERS:

PAGE

20 Mr. Baldwin (Direct)

96

21 Mr. Nwankwo (Start of cross)

99

22 Mr. Edelson

104

1 I n d e x: (Cont'd)

2  
3 APPLICANT ARX WIRELESS  
4 INFRASTRUCTURE, LLC EXHIBITS  
(Received in evidence)

5 EXHIBIT	DESCRIPTION	PAGE
6 II-B-1	Application for a Certificate of 7 Environmental Compatibility and Public 8 Need filed by Arx Wireless 9 Infrastructure, LLC, received 10 March 20, 2021, and attachments and 11 bulk file exhibits including: 12 a. City of Milford zoning 13 regulations, dated March 22, 2019 14 b. City of Milford zoning 15 regulations, amendment 16 c. City of Milford Plan of 17 Conservation and Development, 18 dated December 2012 19 d. City of Milford Inland Wetlands 20 and Watercourses regulations, dated 21 April 1989 and amended to June 2001 22 e. Technical report, dated 23 August 26, 2020	16
17 II-B-2	Applicant's affidavit of 18 publication, dated April 21, 2021	16
19 II-B-3	Applicant's reply to the City 20 of Milford's memorandum regarding 21 location preferences and siting 22 criteria, dated May 4, 2021	16
21 II-B-4	Applicant's supplement to 22 Section VII(C) of the application 23 narrative, dated May 5, 2021	16
23 II-B-5	Applicant's sign posting 24 affidavit, dated June 7, 2021	16

1 I n d e x: (Cont'd)

2	3	4	5	6	7	8	9	10	11	12	13	14	15
	EXHIBIT	DESCRIPTION											
	II-B-6	Applicant's revised Exhibit G to the application, dated June 7, 2021											
	II-B-7	Applicant's prefiled testimony of Keith Coppins, dated June 8, 2021											
	II-B-8	Applicant's prefiled testimony of Douglas Roberts, dated June 8, 2021											
	II-B-9	Applicant's prefiled testimony of Michael Libertine and Brian Gaudet, dated June 8, 2021											
	II-B-10	Applicant's responses to Council's interrogatories, Set One, dated June 8, 2021											
	II-B-11	Applicant's responses to City of Milford's interrogatories, Set One, dated June 8, 2021											

16 INTERVENOR CELLCO PARTNERSHIP  
17 D/B/A VERIZON EXHIBITS  
(Received in evidence)

18	19	20	21	22	23	24	25
	EXHIBIT	DESCRIPTION					
	III-B-1	Verizon's request to intervene, dated April 1, 2021					
	III-B-2	Verizon's responses to Council interrogatories, Set One, dated June 8, 2021					
	III-B-3	Verizon's responses to the City of Milford's interrogatories, Set One, dated June 8, 2021					
	III-B-4	Verizon's supplemental response to City of Milford's Interrogatory No. 4, dated June 9, 2021					