

STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

Docket No. 502

Cellco Partnership d/b/a Verizon Wireless  
Application for a Certificate of Environmental  
Compatibility and Public Need for the Construction,  
Maintenance, and Operation of a Telecommunications  
Facility Located at 118 Newton Road, Woodbridge,  
Connecticut

Zoom Remote Council Meeting (Teleconference),  
on Tuesday, October 19, 2021, beginning at 2 p.m.

H e l d   B e f o r e :

JOHN MORISSETTE, Member and Presiding Officer

1   **A p p e a r a n c e s :**

2           **Council Members:**

3           **JOHN MORISSETTE, (Hearing Officer)**

4  
5           **QUAT NGUYEN,**

6           **PURA Designee**

7  
8           **ROBERT SILVESTRI**

9           **ED EDELSON**

10          **DANIEL P. LYNCH, JR.**

11  
12       **Council Staff:**

13          **MELANIE BACHMAN, ESQ.,**

14          **Executive Director and Staff Attorney**

15  
16          **ROBERT MERCIER,**

17          **Siting Analyst**

18  
19          **LISA FONTAINE,**

20          **Fiscal Administrative Officer**

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

2 For Cellco Partnership d/b/a Verizon Wireless

3 (Applicant):

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11 For the TOWN OF WOODBRIDGE (Intervener):

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20 MARK GREENGARDEN (pro se)

21 MICHELE GREENGARDEN (pro se)

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24

25

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

2 For the Woodbridge Newton Environmental Trust, WNNET,  
3 (Intervener):

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1 THE HEARING OFFICER: Good afternoon, ladies and  
2 gentlemen. Can everyone hear me?

3 Very good. Thank you.

4 This continued remote evidentiary hearing  
5 session is called to order this Tuesday, October  
6 19, 2021, at 2 p.m. My name is John Morissette,  
7 member and Presiding Officer of the Connecticut,  
8 Siting Council.

9 As everyone is aware, there is currently a  
10 statewide effort to prevent the spread of the  
11 coronavirus. This is why the Council is holding  
12 this remote hearing, and we ask for your patience.

13 If you haven't done so already, I ask that  
14 everyone please mute their audios on their  
15 computer and telephones now.

16 A copy of the prepared agenda is available on  
17 the Council's Docket Number 502 webpage along with  
18 the record of this matter, the public hearing  
19 notice, instructions for public access to this  
20 remote public hearing and the Council's citizen's  
21 guide to Siting Council procedures.

22 Other members of the Council are Mr. Ed  
23 Edelson, Mr. Silvestri, Mr. Nguyen, Ms. Cooley,  
24 Mr. Lynch, Executive Director Melanie Bachman,  
25 Staff Analyst Robert Mercier, and Financial

1 Administrative Officer Lisa Fontaine.

2 This evidentiary session is a continuation of  
3 the remote public hearing held on July 13, 2021;  
4 August 31, 2021; and September 21, 2021. It is  
5 held pursuant to the provisions of Title 16 of the  
6 Connecticut General Statutes and of the Uniform  
7 Administrative Procedure Act upon an application  
8 from Cellco Partnership d/b/a Verizon Wireless for  
9 a certificate of environmental compatibility and  
10 public need for the construction, maintenance and  
11 operation of a telecommunications facility located  
12 at 118 Newton Road, Woodbridge, Connecticut.

13 Please be advised that the Council's project  
14 evaluation criteria under the statute does not  
15 include consideration of property values.

16 A verbatim transcript will be made available  
17 of this hearing and deposited with the Woodbridge  
18 Town Clerk's office for the convenience of the  
19 public.

20 The Council will take a 10 to 15-minute break  
21 at a convenient juncture around 3:30 p.m. Item 1B  
22 on the agenda, we have a motion. On October 12,  
23 2021, WNNET submitted a motion to dismiss, failure  
24 of mandatory notice.

25 Attorney Bachman may wish to comment?

1 MS. BACHMAN: Thank you, Mr. Morissette.

2 WNNET's motion to dismiss claims the  
3 Applicant failed to provide adequate notice for  
4 the public hearing under regulations of  
5 Connecticut State agency Section 16-50j-21, which  
6 requires an applicant to post a sign along a  
7 public road at or in the vicinity of where the  
8 proposed facility would be located at least ten  
9 days prior to the public hearing.

10 The sign shall set forth the name of the  
11 applicant, the type of facility, the remote public  
12 hearing date and contact information for the  
13 Council. The Council created the sign requirement  
14 at its 2012 regulations revisions proceeding. It  
15 does not require the instructions for  
16 participation in the public hearing to be included  
17 on the sign.

18 Applicant's July 9th sign posting affidavit  
19 indicates that signs were posted along Newton Road  
20 and Soundview Drive less than ten days in advance  
21 of the public hearing. During the August 31st  
22 evidentiary hearing session Attorney Baldwin  
23 stipulated that the sign was posted on July 7.

24 WNNET alleges this is a material omission  
25 because the instructions for participation in the

1 public hearing notice required any person to  
2 submit a request by July 6th. In the case of  
3 Mobley Versus Metro Mobile CTS, Incorporated, 216  
4 Conn. 1, abutting property owners to an approved  
5 tower site appealed the Council's decision  
6 alleging lack of notice of the filing of the  
7 application with the Council under General  
8 Statutes Section 16-501, Subsection B.

9 The Supreme Court held, quote, the purpose of  
10 constitutional notice is to advise all affected  
11 parties of their opportunity to be heard and to be  
12 appraised of the relief sought. That required  
13 notice, however, applies to notice of the hearing.

14 It does not extend to notice of a prehearing  
15 application, close quote, nor does it extend to  
16 notice by sign posting.

17 Consistent with the Council's holding, and  
18 the Court's holding in the case, and the  
19 requirements under Council statute 16-50m, notice  
20 of the hearing was published in the New Haven  
21 Register On June 10, 2021, in 10-point bold-faced  
22 font. Therefore, the constitutional notice  
23 requirements for this matter have been met.

24 Furthermore, WNNET is not prejudiced by the  
25 Applicant's late sign posting and does not have



1 standing to raise notice issues on behalf of third  
2 parties. Therefore, WNNET's motion to dismiss  
3 should be denied. Thank you.

4 THE HEARING OFFICER: Thank you. Attorney Bachman.

5 Is there a motion?

6 MR. EDELSON: This is Ed Edelson. I make a motion to  
7 deny WNNET's motion to dismiss the application.

8 THE HEARING OFFICER: Thank you, Mr. Edelson.

9 Is there a second?

10 MS. COOLEY: This is Mrs. Cooley. I would second  
11 Mr. Edison's motion to deny.

12 THE HEARING OFFICER: Thank you, Mrs. Cooley.

13 We have a motion by Mr. Edelson and a second  
14 by Ms. Cooley to deny the motion to dismiss,  
15 dismiss for failure of mandatory notice.

16 Is there any discussion, starting with  
17 Mr. Edelson?

18 MR. EDELSON: No, I don't think I have any discussion.

19 I think Attorney Bachman's explanation was  
20 clear and concise. Thank you.

21 THE HEARING OFFICER: Thank you, Mr. Edelson.

22 Mr. Silvestri, any discussion?

23 MR. SILVESTRI: No discussion, Mr. Morissette.

24 Thank you.

25 THE HEARING OFFICER: Thank you, Mr. Silvestri.

1                   Mr. Nguyen, any discussion?

2   MR. NGUYEN:   No discussion.   Thank you.

3   THE HEARING OFFICER:   Thank you, Mr. Nguyen.

4                   Mrs. Cooley, any discussion?

5   MS. COOLEY:   I have no discussion, Mr. Morissette.

6                   Thank you.

7   THE HEARING OFFICER:   Thank you.

8                   And Mr. Lynch.   Any discussion?

9   MR. LYNCH:    Negative on discussion.

10   THE HEARING OFFICER:   Thank you, Mr. Lynch.

11                   And I have no discussion as well.

12                   We'll now move to the vote.

13                   Mr. Edelson, how do you vote?

14   MR. EDELSON:   I vote in favor of the motion which is to

15                   deny the petition, the petition by WNNET.

16   THE HEARING OFFICER:   Thank you.   Mr. Edelson.

17                   Mr. Silvestri, how do you vote?

18   MR. SILVESTRI:   I vote in favor of the motion to deny.

19                   Thank you.

20   THE HEARING OFFICER:   Thank you.   Mr. Silvestri.

21                   Mr. Nguyen?   How do you vote?

22   MR. NGUYEN:    I vote to deny the motion to dismiss.

23   THE HEARING OFFICER:   You're voting against the motion?

24   MR. NGUYEN:    Yes.

25   THE HEARING OFFICER:   Okay.   Thank you.   Mr. Nguyen.

1 Ms. Cooley, how do you vote?

2 MS. COOLEY: I vote in favor of the motion to dismiss.

3 Thank you.

4 THE HEARING OFFICER: Thank you.

5 MS. COOLEY: The motion to deny the motion to dismiss.

6 Thank you.

7 THE HEARING OFFICER: Thank you.

8 Mr. Lynch, how do you vote?

9 MR. LYNCH: I vote in favor of the motion to deny.

10 THE HEARING OFFICER: Thank you, Mr. Lynch.

11 And I also vote in favor of the motion to  
12 deny.

13 So we have five approving the motion to deny  
14 the motion to dismiss, and we have one against.

15 The motion passes to deny the motion to  
16 dismiss. Thank you.

17 Moving on to item Roman numeral two in  
18 agenda, continued appearance by the Applicant. In  
19 accordance with the Council's September 22, 2021,  
20 continuation of the evidentiary hearing memo we  
21 will commence and conclude with the continued  
22 cross-examination of Applicant on it's late filed  
23 exhibits.

24 We will begin with cross-examination of the  
25 Applicant by the group party, slash, intervener

1 and CEPA interveners WNNET, Mark and Michelle  
2 Greengarden and Ochsner Place, LLC.

3 Z I A D C H E I B A N,  
4 T I M O T H Y P A R K S,  
5 S Y L V E S T E R B H E M B E,  
6 M I C H A E L L I B E R T I N E,  
7 B R I A N G A U D E T,  
8 D E A N G U S T A F S O N,

9 recalled as witnesses, being previously duly  
10 sworn, were examined and testified on their  
11 oaths as follows:

12  
13 THE HEARING OFFICER: And we'll start with Attorney  
14 Ainsworth. Attorney Ainsworth, good afternoon.

15 MR. AINSWORTH: Good afternoon, Mr. Chairman.

16 So I'd like to begin with, I guess, ask --  
17 posing some questions, but I'd like to establish a  
18 couple of terminologies. I'll refer to 118 Newton  
19 Road as Newton, and the Meetinghouse, 4  
20 Meetinghouse and 50 Meetinghouse as a single  
21 entity, since they're right next to each other.

22 So I have a couple of questions for  
23 Mr. Cheiban, about the coverage and the  
24 Meetinghouse alternatives. In the application  
25 submitted to the Council on page 7, which is

1 exhibit 2B1, Verizon said that reliable service is  
2 the goal that they are seeking to achieve. And  
3 that that goal was equal to negative 95 dBm.

4 Is that correct?

5 THE WITNESS (Cheiban): I'll have to pull up that.

6 Can you tell me the exhibit number again, and  
7 the page?

8 MR. AINSWORTH: Yes. It's 2B1, and it's page 7.

9 And for the Council's benefit, if you would  
10 like, I can share a screen. And I have these all  
11 in the form of a PowerPoint slide -- if that would  
12 make it easier?

13 THE HEARING OFFICER: Thank you, Attorney Ainsworth.

14 We don't have the capability of doing that,  
15 and then we're not going to start at this point.

16 Thank you.

17 THE WITNESS (Cheiban): That is -- that is correct.

18 Our propagation plots at neg 95 is what we -- what  
19 the objective is.

20 MR. AINSWORTH: And that's what you would consider  
21 reliable service?

22 THE WITNESS (Cheiban): That is correct.

23 MR. AINSWORTH: And also at that same location in the  
24 application you were looking at a wireless service  
25 deficiency that existed, in particular, on

1 portions of Route 63, Route 67, Route 114 and in  
2 the area surrounding the property, which in this  
3 case would be Newton Road. Is that also true?

4 THE WITNESS (Cheiban): Yes.

5 MR. AINSWORTH: Okay. And it also included Amity  
6 Regional High school and Alice Newton Memorial  
7 Park. Correct?

8 THE WITNESS (Cheiban): I would have to check if that's  
9 what we put in that exhibit.

10 MR. AINSWORTH: I was actually -- I can quote from 2B1,  
11 page 7, but in there it appears that you -- it  
12 says, these wireless service deficiencies exist  
13 particularly along portions of Route 63, Route 67,  
14 Route 114, in the area surrounding the property,  
15 which I assume is Newton Road, and including Amity  
16 Regional High School parcel and the Alice Newton  
17 Memorial Park.

18 Do you have any issue with that  
19 representation, that that's what was in the  
20 application?

21 THE WITNESS (Cheiban): It is correct.

22 MR. AINSWORTH: Did you contribute to writing the  
23 description of the objections in the application?

24 THE WITNESS (Cheiban): Yes, I did.

25 MR. AINSWORTH: And so I assume then you would agree

1 with the statements that you made when you wrote  
2 that. Correct?

3 THE WITNESS (Cheiban): That is correct.

4 MR. AINSWORTH: The original application doesn't say  
5 anything about a need for negative 105 dBm  
6 coverage. Does it?

7 THE WITNESS (Cheiban): I -- I don't know. I mean, I  
8 need to review that entire application to be able  
9 to answer.

10 MR. AINSWORTH: Well, let's talk about the color code  
11 on Verizon's coverage maps. And I'm going to  
12 refer to the technical report, bulk item. That's  
13 2B1a -- that's the exhibit number. And the  
14 application attachment is 2B1, application  
15 attachment six. And your September 14th late  
16 files, attachments two and three. That's 2B11.

17 MR. BALDWIN: Can I get a clarification? Mr.  
18 Ainsworth, you said 2B1A.

19 MR. AINSWORTH: 2B1(a).

20 MR. BALDWIN: Is that the technical report that was  
21 filed with the Town?

22 MR. AINSWORTH: Yes, it is.

23 MR. BALDWIN: Okay.

24 MR. AINSWORTH: I was trying to be exact.

25 MR. BALDWIN: No, I appreciate that.

1 MR. AINSWORTH: Okay. So the three, the three  
2 documents each have references to the color coding  
3 for the coverage maps and I just wanted to be able  
4 to address those. On those coverage maps, the  
5 coverage greater than or equal to negative 95 is  
6 the green and the blue areas. Correct?

7 THE WITNESS (Cheiban): That is correct.

8 MR. AINSWORTH: And so blue and green are both more  
9 than -- or greater than negative 95.

10 Is that correct?

11 THE WITNESS (Cheiban): Neg 95 or -- or better, yes.

12 MR. AINSWORTH: And your 700 megahertz existing  
13 coverage maps show that the area around the  
14 proposed facility and going up Route 63 and Route  
15 67 already has negative 105 coverage in yellow.

16 THE WITNESS (Cheiban): I apologize. I need to find  
17 the exact plot that you are referring to.

18 MR. BALDWIN: We're still talking about the plots at  
19 the technical report. Is that correct?

20 MR. AINSWORTH: Yes, and the application B1 in  
21 attachment 6 also would have the existing 700  
22 megahertz coverage.

23 THE WITNESS (Cheiban): Okay. Can you repeat the  
24 question?

25 MR. AINSWORTH: Sure. Your existing coverage at 700



1           MHz, the area around the proposed facility at  
2           Newton Road and going up Route 63 and 67 shows a  
3           negative 105 dBm coverage, and that's the yellow  
4           area on those maps. Correct?

5   **THE WITNESS (Cheiban):** That is correct, yes.

6   **MR. AINSWORTH:** So the technical report at the  
7           application coverage maps are consistent with the  
8           application's stated goal of negative 95 dBm or  
9           better because they show that there's negative 105  
10          dBm service already available almost everywhere in  
11          Woodbridge. Correct?

12   **THE WITNESS (Cheiban):** That is what the maps show,  
13          yes, for 700 megahertz only.

14   **MR. AINSWORTH:** Yes. And if we're talking about PCS  
15          frequencies, that would be a subset of the greater  
16          coverage covered by 700 megahertz. In other  
17          words, it would be a smaller portion of the area.

18                  Would it not?

19   **THE WITNESS (Cheiban):** It would be a much, much  
20          smaller portion.

21   **MR. AINSWORTH:** Right. So for the other frequencies  
22          other than 700 megahertz, wherever you put this  
23          tower the PCS frequencies would be located in a  
24          smaller area around the proposed tower.

25                  Is that not true?

1 THE WITNESS (Cheiban): That is -- that is correct.

2 MR. AINSWORTH: So no matter where the tower ends up,  
3 the PCS frequencies will end up in that area on a  
4 smaller footprint than the 700?

5 THE WITNESS (Cheiban): That is correct.

6 MR. AINSWORTH: Thank you. So looking at the coverage  
7 maps provided in attachment six -- that's 2B1  
8 again. I see the logo is All Points on it. And  
9 that is that All Points Technology?

10 THE WITNESS (Cheiban): It has both the Verizon logo  
11 and the All Points Technology logo. All Points  
12 assisted in formatting the maps, you know, so that  
13 they are more presentable, let's say.

14 MR. AINSWORTH: Did All Points generate the maps? Or  
15 did Verizon generate the maps?

16 THE WITNESS (Cheiban): No, I generated the maps and  
17 sent the data to All Points, which then put it in  
18 this format that you see.

19 MR. AINSWORTH: Thank you. That's helpful. Now the  
20 legend on that map that we're referring to says  
21 blue is negative 85 dBm, and that it's designated  
22 as in-building. Is that correct?

23 THE WITNESS (Cheiban): Correct, yes.

24 MR. AINSWORTH: Green is -- negative 95 is vehicular?

25 THE WITNESS (Cheiban): Correct.

1 MR. AINSWORTH: And yellow, the yellow is the outdoor  
2 coverage?

3 THE WITNESS (Cheiban): Correct.

4 MR. AINSWORTH: All right. And so on July 13th, in the  
5 transcript at page 25, line 6, you confirm that  
6 yellow was outdoor coverage and green was in  
7 vehicle. Did you not?

8 THE WITNESS (Cheiban): I don't have the transcript in  
9 front of me, but that is likely that I did that,  
10 yes.

11 MR. AINSWORTH: And so also on July 13th you said a key  
12 objective in addition to reaching inside buildings  
13 was to get into vehicles.

14 Is that also a Verizon objective?

15 THE WITNESS (Cheiban): Correct.

16 MR. AINSWORTH: So since green is a negative 95  
17 in-vehicle coverage, that's a key objective of  
18 Verizon. Is it not?

19 THE WITNESS (Cheiban): Yes.

20 MR. AINSWORTH: So on August 31st, you seem to have  
21 testified that you said that yellow would cover  
22 inside a vehicle. And I'm referring to the  
23 transcript of August 31st on page 42.

24 If I can quote it says, and as far as the  
25 color scheme, this is kind of the standard that we

1 use at Verizon. So blue is, you know, very good  
2 coverage. Green is good, and it would cover  
3 inside the house, and the yellow would provide  
4 coverage in a vehicle, or to a vehicle inside a  
5 vehicle.

6 Do you do you recall giving that testimony?

7 THE WITNESS (Cheiban): I do not. I'm going to search  
8 for the transcript. Hang on one second.

9 Can you remind me the date of that hearing,  
10 of the transcript?

11 MR. AINSWORTH: Yes. It would be August 31st, on page  
12 42, lines 16 through 21.

13 MR. BALDWIN: Could I have a page reference again,  
14 please?

15 MR. AINSWORTH: Yes, page (unintelligible) -- two.

16 MR. BALDWIN: Twenty-two?

17 MR. AINSWORTH: Forty-two, four-two.

18 THE WITNESS (Cheiban): Okay. So this was referring to  
19 the actual drive test, not to the propagation  
20 plots.

21 MR. AINSWORTH: And so the drive tests used different  
22 colors?

23 THE WITNESS (Cheiban): I need a minute. Just give me  
24 one second. I'm -- I'm looking at those plots.

25 MR. AINSWORTH: Yeah, the drive test is 2B9. And if

1 I'm reading it right, yellow is negative 95 to  
2 105.

3 THE WITNESS (Cheiban): That is correct. However,  
4 there is -- there is a difference when looking at  
5 broadcast versus looking at the propagation plots  
6 that are generated by the -- the software that we  
7 use in that the -- there is a margin.

8 There is something called the fade margin  
9 which is -- basically accounts for the inaccuracy,  
10 potential inaccuracy of the software model. And  
11 so the -- that goes away when we actually do a  
12 measurement.

13 So it's basically the -- the yellow on the  
14 drive test is it indicates a better service  
15 than -- than the yellow on the propagation plot.  
16 Even though the signal level is the same, there is  
17 no uncertainty on that one. It is an actual  
18 measurement.

19 MR. AINSWORTH: Although in the drive test there the  
20 yellow is designated in the legend as neg 95 to  
21 neg 105?

22 THE WITNESS (Cheiban): That is correct. It's -- so  
23 there is a difference between a model and a  
24 measurement in that the model needs to account for  
25 potential, you know, uncertainties which the

1 measurement does not. So even though it's showing  
2 the same level when you're looking at it on a  
3 drive test, it's actually -- it would actually  
4 cover inside a vehicle.

5 MR. AINSWORTH: So the legend doesn't say anything  
6 about what the yellow covers, or what green  
7 covers, or what the blue cover. Correct?

8 THE WITNESS (Cheiban): You were asking about my  
9 testimony, the transcript. Right? And --

10 MR. AINSWORTH: The question -- excuse me. The  
11 question I was asking right now is that the legend  
12 doesn't say anything about what each of these  
13 colors covered. Is that a true statement or not?

14 THE WITNESS (Cheiban): The legend is giving a signal  
15 level in dBm.

16 MR. AINSWORTH: Correct. And so there's no indication  
17 from that drive test document, what anything, what  
18 any particular color achieves in terms of where it  
19 would penetrate?

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

21 MR. AINSWORTH: So the only way that anyone could  
22 determine what might be the penetration level of  
23 any of these levels would be from the testimony  
24 that you gave?

25 THE WITNESS (Cheiban): That would -- I mean, yeah, I

1           guess that's true.

2   MR. AINSWORTH:   So during the CW test where is the  
3           antenna mounted?

4   THE WITNESS (Cheiban):   It's mounted on a crane.

5   MR. AINSWORTH:   At the top of the crane?

6   THE WITNESS (Cheiban):   It's -- yeah, the at the end of  
7           the boom of the crane and -- and the measurement  
8           device is -- is mounted inside the vehicle.

9   MR. AINSWORTH:   Okay.   And so on the vehicle end of it  
10           the antenna is actually -- the receiving antenna  
11           or the measuring antenna is on the car.   Correct?

12   THE WITNESS (Cheiban):   Yes.

13   MR. AINSWORTH:   All right.   So looking at the drive  
14           test map for 750 megahertz -- that's again 2B9,  
15           attachment two -- can you see where The State  
16           Highway 63 and 67 intersect?   They're almost  
17           exactly in the center of the map.

18   THE WITNESS (Cheiban):   Yes, I do.

19   MR. AINSWORTH:   Okay.   And north of that intersection  
20           there's no green or blue on either 67 or 63.

21                   Correct?

22   THE WITNESS (Cheiban):   That is correct, but I -- as I  
23           stated earlier, on the drive test, the yellow  
24           actually indicates a better level.   It indicates  
25           the in-vehicle level due to the fact that there is

1 no uncertainty from the software modeling.

2 MR. AINSWORTH: And so it's also, I guess, following up  
3 on what you just mentioned, the drive test in your  
4 view is more accurate than the coverage modeling  
5 that's done with the propagation software?

6 THE WITNESS (Cheiban): That is correct.

7 MR. AINSWORTH: And for the alternative site,  
8 Meetinghouse, the only party that has produced a  
9 drive test is WNNET. Is that not correct?

10 THE WITNESS (Cheiban): That is true.

11 MR. AINSWORTH: Now -- all right. So when you look at  
12 the coverage map that was provided by WNNET for  
13 the drive test, does it not show that there is  
14 coverage in the area around Newton Road?

15 THE WITNESS (Cheiban): I apologize. I need a minute  
16 to pull up that drive test.

17 MR. AINSWORTH: It was at the September 14th.

18 MR. BALDWIN: While he's doing that, Mr. Morissette, I  
19 might -- I might just object. That WNNET drive  
20 test is something that Mr. Cheiban should not be  
21 asked to testify about. It's not our exhibit. It  
22 is WNNET's exhibit.

23 Also, I'm hoping at some point this all ties  
24 back to the late-file exhibits that you stated  
25 earlier was going to be the focus of this



1 continued hearing. It's now 2:30, and I don't  
2 think we've touched on Applicant's Exhibits 10 or  
3 11, which are the late-file exhibits mentioned in  
4 the call.

5 **THE HEARING OFFICER:** Yes, thank you, attorney Baldwin.

6 Yes, this hearing is limited to the late-file  
7 exhibits. I'll allow a little bit of leeway,  
8 Attorney Ainsworth, but please circle back to the  
9 subject at hand if you would, please?

10 And I also agree that the witness is not  
11 going to be able to testify for somebody else's  
12 exhibit -- but if your questions are in general in  
13 nature, please proceed.

14 **MR. AINSWORTH:** Thank you, Mr. Chairman.

15 I think the idea is I'm trying to compare and  
16 contrast them, so let me see if I can refocus.

17 When you issued the SARF form, there were  
18 coverage objectives and areas that you'd like to  
19 reach at that time, and it appears that once you  
20 got to the application stage that the objectives  
21 seem to have changed from the SARF form.

22 Is there a reason why that happened?

23 **THE WITNESS (Cheiban):** First of all, I did not issue  
24 the SARF myself. It was done by the engineers  
25 that were previously working on this project. And

1 the -- the description in the SARF was very short.  
2 It didn't go into any details. The application  
3 went into more detail.

4 MR. AINSWORTH: Now, there was some information about  
5 you testified last time regarding the late-filed  
6 exhibits which were the coverage maps for  
7 Meetinghouse Lane. And in the application you had  
8 a list of sites that would interact with  
9 Woodbridge at page 9.

10 Do you recall Verizon using that, that  
11 language of, it is the sites that would interact  
12 with Woodbridge?

13 THE WITNESS (Cheiban): Yes, I do.

14 MR. AINSWORTH: And the reason for that is just to  
15 determine whether the -- or explain to the Council  
16 that here are the potential sources of existing  
17 coverage. Correct?

18 THE WITNESS (Cheiban): It is something that we  
19 typically include in our application. I'm -- I'm  
20 actually not, you know, I cannot answer your  
21 question, but it is something that we typically do  
22 include.

23 MR. AINSWORTH: Okay. And In the list of antennas that  
24 you disclosed, Ansonia, Beacon Falls and Hamden 8  
25 don't interact with Woodbridge. Do they not?

1 THE WITNESS (Cheiban): I would again have to go and  
2 search for that. Can you give me a page number?

3 MR. AINSWORTH: That would be application page 9, which  
4 was B2, B1, page 9.

5 THE WITNESS (Cheiban): Maybe in -- in order to speed  
6 things up, I mean, if -- if we did write something  
7 in the application, you know, I guess you could  
8 just quote it and -- and you don't have to  
9 question whether we actually said it or not.

10 It's in the public record.

11 MR. AINSWORTH: Okay. I'll try to expedite then.

12 Is it fair to say that a tower in Ansonia  
13 would not interact with Woodbridge just given its  
14 geographical distance?

15 THE WITNESS (Cheiban): Not necessarily. I don't think  
16 that would necessarily be a true statement.

17 MR. AINSWORTH: All right. So one of the things that  
18 you testified that there was a difference between  
19 the existing coverage and the technical report and  
20 the coverage maps at the application, and you said  
21 that was a result of new antennas being installed  
22 at the cell sites.

23 Do I have that generally correct?

24 THE WITNESS (Cheiban): There were -- so this is  
25 referring -- if you're referring to the existing

1 coverage, that is correct. As far as the proposed  
2 site, we dropped the height from 140 feet to a  
3 hundred -- excuse Me, to a hundred feet.

4 MR. AINSWORTH: Right. And my question was with regard  
5 to the existing coverage.

6 All right. So in your list of existing, or  
7 the antennas that are installed on the sites  
8 within Woodbridge, isn't it true that the antenna  
9 model Beginning with JAHH -- excuse me, is the  
10 designation for a multiband antenna?

11 THE WITNESS (Cheiban): That is correct.

12 MR. AINSWORTH: And on Hamden 8, in Ansonia, the  
13 multiband antennas are designated with MS?

14 THE WITNESS (Cheiban): That is a different model -- of  
15 also multiband antenna.

16 MR. AINSWORTH: But it's multiband. Yes?

17 THE WITNESS (Cheiban): Correct.

18 MR. AINSWORTH: And there are no other antennas listed  
19 on the list that you disclosed that show that  
20 there's multiband antennas. Correct?

21 THE WITNESS (Cheiban): I'd have to go back and look at  
22 what I submitted. I'm sorry.

23 MR. BALDWIN: Which exhibit are we were referring to  
24 now, Mr. Ainsworth?

25 MR. AINSWORTH: Yes, this is 2B11, the late files,

1 attachment one, part one.

2 MR. BALDWIN: So our Exhibit 11, which is our  
3 September 14th late-file response to the Council's  
4 request. Okay.

5 MR. AINSWORTH: Correct, yes.

6 MR. BALDWIN: And this is attachment one of that  
7 exhibit? Just to be sure.

8 MR. AINSWORTH: I think it's labeled as attachment one,  
9 part one. Antenna list or antenna table.

10 So would you agree that there are no new  
11 existing sites -- or there's no existing sites  
12 with new multiband antennas other than Ansonia,  
13 Beacon Falls and Hamden 8. Correct?

14 THE WITNESS (Cheiban): I'm still looking for the  
15 attachment.

16 Okay. Can you rephrase the question? I have  
17 the attachment now.

18 MR. AINSWORTH: For them to make it easier. Thank you.  
19 All right -- so, yes. So you see the list of  
20 antennas, and the only ones listed on that list  
21 that have multiband antennas, or at least are  
22 listed with them with those designations of JAHH  
23 and MX are in Ansonia, Beacon Falls, Hamden 8 and  
24 the Hamden relo.

25 THE WITNESS (Cheiban): That is not correct. There's

1 another kind that I show here which is SBNHH,  
2 which also is a multiband antenna. And I believe  
3 there's a another one which is called X7C. It  
4 starts with X7C.

5 MR. AINSWORTH: And which sites are those designated  
6 as, as existing at?

7 And I'm referring to the SBNHH and the X7C.

8 THE WITNESS (Cheiban): I just need just a minute.

9 MR. AINSWORTH: Not a problem.

10 THE WITNESS (Cheiban): I'm showing here Hamden 2 and  
11 Beacon Falls.

12 MR. AINSWORTH: Okay. So Beacon Falls, does that  
13 interact with the proposed target area in  
14 Woodbridge? And by interact, I refer to that as  
15 providing existing coverage.

16 THE WITNESS (Cheiban): Not with the coverage objective  
17 area, but it is -- it does provide coverage as  
18 shown on the -- on the maps.

19 MR. AINSWORTH: And to what portion of Woodbridge?

20 THE WITNESS (Cheiban): Again not Woodbridge, but kind  
21 of the northwest portion of the maps that were  
22 submitted, the propagation maps.

23 MR. AINSWORTH: And then you mentioned Hamden two, and  
24 does Hamden two interact with the Woodbridge  
25 proposed coverage area?

1 THE WITNESS (Cheiban): No.

2 MR. AINSWORTH: So of the antennas listed on the  
3 disclosed list of antennas, there are no multiband  
4 antennas that would have provided background  
5 coverage that would have impacted the existing  
6 coverage modeling that was presented in the  
7 application, and the subsequent modeling done for  
8 the alternate sites at Meetinghouse. Correct.

9 THE WITNESS (Cheiban): That is not correct. Again I  
10 mean, what I had explained is that we are  
11 continuously upgrading our network. And some of  
12 the antennas have changed. Some of the radio  
13 models have changed.

14 We went from a vendor called Nokia to another  
15 vendor called Samsung. The radios have slightly  
16 different power levels and what the -- what was  
17 provided in the late-file exhibit is a point in  
18 time representation of what our network was on  
19 that day that we prepared the exhibit.

20 It's not a historical -- it does not show the  
21 history of -- of each site and what antennas were  
22 there a few months ago.

23 MR. AINSWORTH: Okay. Was it accurate as of September  
24 14th?

25 THE WITNESS (Cheiban): It was.

1 MR. AINSWORTH: And as far as the Hamden relo site,  
2 there's a large ridge that intercedes between the  
3 Hamden relo site and the area in Woodbridge where  
4 the coverage is being sought. Correct?

5 THE WITNESS (Cheiban): I am -- yes, that is correct.

6 MR. AINSWORTH: And that large ridge would preclude it  
7 from providing any meaningful coverage, or a  
8 contribution to coverage within Woodbridge.

9 Correct?

10 THE WITNESS (Cheiban): That is correct.

11 MR. AINSWORTH: Okay. I'm going through my notes here.  
12 Please bear with me.

13 All right. And so with regard to the  
14 Meetinghouse Lane alternatives, would you expect  
15 that they would be able to provide coverage to the  
16 high school and the Alice Newton Memorial Park?

17 THE WITNESS (Cheiban): I need a minute to pull out my  
18 coverage plot.

19 Okay. So you're referring to the 15  
20 Meetinghouse Lane alternate?

21 MR. AINSWORTH: Yeah, 15 or 4. I guess they're close  
22 to each other -- would you attribute actually any  
23 meaningful difference between 15 and 4?

24 THE WITNESS (Cheiban): The -- the main difference was  
25 the -- the height that they were modeled at. Four



1 Meetinghouse Lane, the existing monopole was  
2 modeled at 120 feet, and 15 Meetinghouse Lane was  
3 modeled at 140.

4 The differences are slight, but to answer  
5 your earlier question, yes. I -- I -- they would  
6 cover the high school and the -- at least a good  
7 portion of the Alice Newton Memorial Park.

8 MR. AINSWORTH: And that, and when we say cover, we're  
9 talking at the objective level of negative 95?

10 Correct?

11 THE WITNESS (Cheiban): That is correct. And that is  
12 for 700 megahertz, which is what was modeled on  
13 these plots.

14 MR. AINSWORTH: And it would also cover Route 114  
15 similarly?

16 THE WITNESS (Cheiban): That is correct.

17 MR. AINSWORTH: Now would you agree that there's a high  
18 volume, a high volume of wireless traffic would  
19 come from an area that as things like a town hall,  
20 police department, fire department, church, ball  
21 fields, public park, DPW garage, senior center,  
22 public gym, high school, a state road?

23 THE WITNESS (Cheiban): Yeah, I would agree.

24 MR. AINSWORTH: And are you aware that all of those  
25 types of facilities exist within less than half a

1 mile from the Meetinghouse Lane sites?

2 THE WITNESS (Cheiban): Yes, I am aware.

3 MR. AINSWORTH: And now there's an existing radio tower  
4 at 4 Meetinghouse. Is there not?

5 THE WITNESS (Cheiban): That is correct.

6 MR. AINSWORTH: And isn't it one of Verizon's goals to  
7 try to share existing facilities before putting up  
8 new facilities?

9 THE WITNESS (Cheiban): It is.

10 MR. AINSWORTH: And did Verizon explore the possibility  
11 of utilizing the existing structure to provide  
12 coverage to the objectives in the application?

13 THE WITNESS (Cheiban): This particular tower was not  
14 included in our search summary because it is too  
15 far from where our original objective was, but we  
16 did evaluate it as part of the response in the  
17 late-file exhibit.

18 MR. AINSWORTH: But yet at that, the Meetinghouse  
19 locations would also provide coverage to the area  
20 around Newton Road. Would it not?

21 THE WITNESS (Cheiban): Actually, I apologize. I think  
22 I may have answered incorrectly. Let me go back  
23 and look at the search site summary. It may have  
24 been included. I was just speaking from memory.

25 MR. AINSWORTH: That's fine.

1 THE WITNESS (Cheiban): Yeah, I misspoke earlier. So  
2 we did evaluate the public works garage on  
3 Meetinghouse Lane, which is near that 15  
4 Meetinghouse Lane location. That was item number  
5 six on our site search summary.

6 MR. AINSWORTH: And --

7 THE WITNESS (Cheiban): And so I don't think, you know,  
8 we're not specifically asked to look at the  
9 existing tower, but we did look at the public  
10 works garage.

11 MR. AINSWORTH: And so why didn't the existing tower  
12 come up on the radar screen, so to speak, given  
13 that it's an existing facility that might provide  
14 real -- excuse me, a co-location opportunity?

15 THE WITNESS (Cheiban): As I mentioned earlier, it was  
16 way out of our search area. And we evaluated all  
17 the -- all the candidates that were submitted by  
18 the Town and by some of the residents, and for  
19 some reason that was not one of them.

20 MR. AINSWORTH: And so the coverage objectives in the  
21 original application included Alice Newton  
22 Memorial Park and Route 114, and Amity Regional  
23 High School. Did it not?

24 THE WITNESS (Cheiban): That was included in our  
25 application, yes, and the description -- the

1           narrative of our application.

2   MR. AINSWORTH:   And the area surrounding 118 Newton.

3           Correct?

4   THE WITNESS (Cheiban):   Correct, yes.

5   MR. AINSWORTH:   So the alternatives at Meetinghouse  
6           would actually meet those objectives for Route  
7           114, Amity High School and the Alice Newton  
8           Memorial park.  Would they not?  Even according to  
9           your coverage projection.

10   THE WITNESS (Cheiban):   That is correct, but if you  
11           recall the SARF mentions, and the narrative at the  
12           application mentions Route 67 and 63.

13   MR. AINSWORTH:   But even with your existing, or your  
14           proposed facility at 118 Newton your projected  
15           coverage has some -- is really only covered by  
16           what we see on that plot I was talking about  
17           earlier.

18           That's 2B9, which has the yellow coverage.

19   THE WITNESS (Cheiban):   You're referring to our CW  
20           drive test?

21   MR. AINSWORTH:   I am, yes.

22   THE WITNESS (Cheiban):   Yes, so Route 63 is covered  
23           completely, and Route 67 is covered partially.  
24           There is a small gap on Route 67.

25           And as I mentioned earlier, it's -- the

1 yellow on the CW drive test indicates a better  
2 level than the yellow on the propagation maps,  
3 because it does -- there is no uncertainty as to  
4 that reading. There's no margin of error. It is  
5 an actual measure.

6 MR. AINSWORTH: And that didn't appear in your  
7 testimony before, but you did indicate that there  
8 was coverage for 63 and 67.

9 But north of the intersection of 63 and 67  
10 what we see is all yellow and black. Correct?

11 THE WITNESS (Cheiban): That's correct. But as you,  
12 you know, the transcript that you just referred to  
13 on page 42, I said that the yellow on the CW drive  
14 test represents in-vehicle coverage. So the  
15 yellow on the CW drive test is different from the  
16 yellow on the propagation now.

17 So there is in-vehicle coverage on part of  
18 the 67 minus the small gap, and on a small portion  
19 of the 63 north of the intersection with the 67.

20 MR. AINSWORTH: But there are black areas, and the  
21 black is really totally unacceptable to Verizon.

22 Is it not?

23 THE WITNESS (Cheiban): That is correct, yes.

24 MR. AINSWORTH: And so at some point Verizon is going  
25 to need some sort of facility to the north of that

1 intersection to cover perhaps what we might call  
2 Woodbridge North. Is that true?

3 THE WITNESS (Cheiban): So we have existing sites north  
4 of this proposed location which is in Bethany, and  
5 that does cover the rest of the 63.

6 MR. AINSWORTH: And what about 67?

7 THE WITNESS (Cheiban): So 67, there's also a site  
8 on -- on that side. I need a minute to look up  
9 the name.

10 Yeah, so we -- we have a site that is called  
11 Woodbridge North, that it covers that, kind of,  
12 western part of the 67.

13 MR. AINSWORTH: And does that extend down to the  
14 intersection of 63 and 67?

15 THE WITNESS (Cheiban): No, it does not.

16 MR. AINSWORTH: So you'll still need some sort of  
17 infill to provide the target coverage that you are  
18 looking for to complete the coverage for 63 and  
19 67. Correct?

20 THE WITNESS (Cheiban): No. No, that is not -- that is  
21 not correct. So we -- the proposed facility at  
22 118 Newton Road covers, you know, the portion of  
23 the 67 minus the small area, which we're trying to  
24 put a small cell in to fill that gap.

25 And then the rest will be covered by the site

1 that is called Woodbridge North, which is an  
2 existing site. So that this can be seen from the  
3 existing coverage propagation there.

4 MR. AINSWORTH: So the proposed location at Newton Road  
5 is more than half a mile from Alice Newton Park  
6 and Route 114, and Meetinghouse Lane where the  
7 high school is. Correct?

8 THE WITNESS (Cheiban): It -- it is more than half a  
9 mile from the 114. I don't know the exact  
10 distance to the high school.

11 MR. AINSWORTH: And so isn't it true that the  
12 alternative of Meetinghouse would provide a fair  
13 amount of capacity where it's likely to be needed  
14 such as the high-demand high school area, the  
15 parks, the public works garage, the fire  
16 department, the police Department?

17 Wouldn't that be a desirable goal of Verizon?

18 MR. BALDWIN: Can I ask for clarification? Are you  
19 assuming that that site is built in addition to  
20 the proposed location?

21 Or in lieu of the proposed location?

22 MR. AINSWORTH: It's an alternative site. I'm not  
23 proposing that it be built in addition to.

24 MR. BALDWIN: Well, if you're asking a question about  
25 capacity relief, it's different animals. So I'm

1 just trying to understand whether we're talking  
2 about that site, the Meetinghouse Lane site as a  
3 tower location that is considered together with  
4 what we've proposed in the application, or in lieu  
5 of.

6 MR. AINSWORTH: Fair question. Fair question.

7 MR. BALDWIN: I'm just trying to frame out the question  
8 for Mr. Cheiban. That's all.

9 MR. AINSWORTH: Okay. Yes. And perhaps I can clarify  
10 by asking a couple of other questions.

11 One is, the 2100 megahertz at 118 Newton Road  
12 will generally cover approximately around a half  
13 mile around that location?

14 THE WITNESS (Cheiban): I need a minute to look at my  
15 plot.

16 Okay. So going -- so we -- that was also  
17 submitted in the CW drive test. There is -- the  
18 second page is the plot for the 2100 megahertz.  
19 And as you can see from that, it covers more than  
20 a mile in the southerly direction, but it covers  
21 less than a mile in the northerly direction.

22 And then it covers also more than a mile in  
23 the eastern and the western directions.

24 MR. AINSWORTH: And would you expect a similar tower at  
25 the southerly end of that range to have the same



1 projection to the north up to Newton Road.

2 MR. BALDWIN: Can you be more specific? The southerly  
3 end of what range are we talking about?

4 MR. AINSWORTH: Of the 2100 megahertz. We were just  
5 talking -- and I'll clarify. We were just talking  
6 about the potential 2100 megahertz PCS frequencies  
7 coming out of Newton Road. And you said they  
8 would project down a mile south or southerly from  
9 that location.

10 Wouldn't it also be true that if you were at  
11 the end of that mile going south, and you put in a  
12 facility there, that it would be able to reach a  
13 mile north with the PCS frequencies because you're  
14 talking with the same terrain?

15 THE WITNESS (Cheiban): Okay. First of all, just a  
16 point of clarification. 2100 is AWS, and 1900 is  
17 PCS.

18 But going to a question, it is not  
19 necessarily the case because that 118 Newton Road  
20 is kind of on a significantly higher ground  
21 elevation than the existing tower at Meetinghouse  
22 Lane. So I would not assume that, you know,  
23 there's reciprocity between the coverage of these  
24 two.

25 MR. AINSWORTH: If a signal can travel south over

1 terrain, why wouldn't it be able to travel north  
2 along the same terrain?

3 THE WITNESS (Cheiban): That's precisely the point.

4 It's not the same terrain. The -- the location at  
5 Meetinghouse Lane is at 350 feet, give or take a  
6 few. And the location at Newton Road is 450,  
7 roughly speaking. I -- I can look up the exact  
8 number, but it's somewhere around there.

9 MR. AINSWORTH: Correct, but this is all a

10 line-of-sight technology. It's not the relative  
11 height. The transmission of a radio signal will  
12 go up just as easily as it will go downhill. As  
13 long as there are no obstructions in between.

14 Correct?

15 THE WITNESS (Cheiban): The question is the

16 obstructions. The -- that's the key. So it  
17 will -- so that -- our 18 Newton Road is kind of  
18 on the -- the highest part of the terrain in that  
19 area, which would block any signal from going,  
20 propagating north.

21 MR. AINSWORTH: North from Newton Road, but I'm talking  
22 about going from Meetinghouse Lane to Newton Road.

23 I'm just taking the flipside of Newton Road  
24 projecting downhill and Meetinghouse projecting  
25 back up the same pathway.

1           If you've got a line-of-sight connection, why  
2           wouldn't there be a line-of-sight connection going  
3           in the opposite direction?

4   **THE WITNESS (Cheiban):** I don't want to speculate  
5           whether there is line of sight. You know, in --  
6           and, you know, we're talking about a fairly, you  
7           know, an area that is, you know, at least a mile.  
8           And I'm not sure that there is a line of sight  
9           in -- in every direction from there.

10 **MR. AINSWORTH:** Then why would you expect the, here the  
11           carriage of the 2100 megahertz to reach down to  
12           Meetinghouse if it doesn't have line of sight?

13 **THE WITNESS (Cheiban):** So -- so signals can, you know,  
14           it is better to have line of sight. You get  
15           stronger signal, but signals do propagate  
16           sometimes when there is no line of sight. And we  
17           did do -- we did perform the CW drive test, so an  
18           actual measurement of the 2100 megahertz signal  
19           from the crane at 118 Newton Road.

20           And -- and -- but that result was submitted  
21           and -- and it shows that there is coverage on the  
22           114 on Meetinghouse Lane, Amity High School, you  
23           know, all those areas that you mentioned. It  
24           actually covers more than a mile going south from  
25           118 Newton Road, and that's because the terrain is

1 sloping down. And so even if there are  
2 obstructions, we are, you know, the signal can  
3 kind of bounce over the obstruction and -- and  
4 reach those, some of those areas because of the  
5 higher terrain.

6 My -- my screen -- Attorney Ainsworth seems  
7 to have maybe dropped the connection, because the  
8 screen is frozen on my end.

9 MR. AINSWORTH: I'm sorry. Am I frozen for the entire  
10 panel?

11 THE HEARING OFFICER: You're back. Please continue.

12 MR. AINSWORTH: Sorry about that.

13 You didn't model 2100 megahertz from  
14 meetinghouse. Did you?

15 THE WITNESS (Cheiban): I did not.

16 MR. AINSWORTH: So you have no basis to determine  
17 whether or not the 21 megahertz would actually go  
18 back uphill to -- to Meetinghouse from -- excuse  
19 me, back uphill to Newton from Meetinghouse?

20 THE WITNESS (Cheiban): As I said earlier, I -- I don't  
21 want to make assumptions about what it would or  
22 would not do. I -- I do not know.

23 MR. AINSWORTH: Okay. And then just generally  
24 speaking, if you've got a wireless facility closer  
25 to a source of high demand, you're going to get a

1 more robust signal at both -- at all the  
2 frequencies, in fact. Correct?

3 THE WITNESS (Cheiban): Can you repeat the question?

4 MR. AINSWORTH: Certainly. Having a wireless facility,  
5 a cell tower closer to a source of high demand  
6 would be more desirable because it produces a  
7 stronger signal, and therefore provides better  
8 service to those areas of high demand.

9 Is that not true?

10 THE WITNESS (Cheiban): Generally speaking it is true.

11 However, the location we are proposing is close to  
12 the high traffic areas that we are concerned  
13 about. Its about three quarters of a mile from  
14 the high school. And again, due to the terrain it  
15 has an upside to it. It covers the area around  
16 Town Hall also with a strong signal, and that is  
17 shown on the CW drive test that we submitted.

18 It shows that it's in green. So between  
19 minus 85 and minus 95. So it's downhill.

20 MR. AINSWORTH: But Meetinghouse would also provide  
21 coverage for all of that area as well.

22 Would it not?

23 THE WITNESS (Cheiban): It -- it would provide coverage  
24 to the lower portion, to that southern portion  
25 around State Highway 114. But we -- I mean, we --

1 we have -- we do cover that. We have -- we're  
2 providing coverage and capacity for that area from  
3 our proposed location.

4 And we're providing more coverage and, you  
5 know, to the northern portion, north of 118 Newton  
6 Road, and also to the east and the west, as I  
7 mentioned earlier.

8 MR. AINSWORTH: But generally speaking, being closer to  
9 the source of high demand is a more desirable  
10 goal. Is it not?

11 THE WITNESS (Cheiban): Generally speaking it is, and  
12 we have achieved that and achieved more coverage.  
13 So we basically have a better site from a network  
14 perspective, and there's no question in my mind  
15 about that. What we're proposing is a better site  
16 than the Meetinghouse Lane location.

17 MR. AINSWORTH: Of course, there are two factors that  
18 the Siting Council considers when it's locating  
19 these facilities. One is the public need, which  
20 is essentially a proxy by looking at coverage, and  
21 the other is looking at environmental  
22 compatibility.

23 Isn't it more compatible to have a facility  
24 in an area of dense tree cover that already has a  
25 an existing tower than one that currently does

1 not?

2 MR. BALDWIN: I'm not sure Mr. Cheiban can speak to the  
3 environmental effects issues, but we do have other  
4 witnesses on the panel that can repeat some of  
5 their testimony from prior hearings as it relates  
6 to the Meetinghouse Road tower site.

7 And I see they're still all onboard here.

8 Perhaps they could chime in, Mr. Ainsworth.

9 THE HEARING OFFICER: Thank you, Attorney Baldwin.

10 Anybody want to respond?

11 THE WITNESS (Gaudet): This is Brian Gaudet. I can  
12 certainly speak to some of the environmental  
13 items. I'll then pass it along to Mr. Gustafson  
14 and Mr. Libertine.

15 I think there's -- there's certainly  
16 combinations of factors that go into -- to any  
17 sites. One of those environmental factors above  
18 and beyond, you know, the tree coverage does deal  
19 with historic impacts. We've mentioned before  
20 that you are immediately adjacent to the National  
21 Register of Historic District down there at the  
22 15t Meetinghouse Lane. There are no impacts with  
23 historic properties at Newton Road.

24 So that's certainly one thing. I'll pass it  
25 to Mr. Libertine and Mr. Gustafson for additional

1 comment.

2 MR. AINSWORTH: Actually if I could just follow up on  
3 that last statement? Just being adjacent to an  
4 historic district is not -- does not necessarily  
5 assume that there's impacts to the historic  
6 district. It still requires an actual visual  
7 intersection. Does it not?

8 THE WITNESS (Libertine): It does. This is Mike  
9 Libertine with All Points Technology. Our -- our  
10 experience is that the State Historic Preservation  
11 Office does take into account the visibility,  
12 whether it's in the district or whether it is  
13 actually visible from portions of the district.

14 The FCC and the advisory council at a  
15 national level have established certain protocols  
16 in certain areas that are considered to be  
17 potentially affected. So it's not necessarily  
18 whether it's actually physically in the historic  
19 district. It can be adjacent to it. It can be  
20 within a half mile in the case of towers that are  
21 200 feet or less in height.

22 Our experience is that the SHPO, whenever  
23 there's an opportunity to place a tower that has  
24 no visual impact whatsoever on historic resources,  
25 that would be the preferred option.



1 MR. AINSWORTH: And you haven't asked SHPO to determine  
2 whether or not the Meetinghouse Lane alternatives  
3 would have any impact whatsoever?

4 THE WITNESS (Libertine): Why would we? We have no  
5 application in front of them. They would not  
6 comment on it one way or the other unless an  
7 applicant came forward.

8 I can tell you from my 25 years of experience  
9 working with the agencies that 120  
10 (unintelligible) --

11 MR. AINSWORTH: I don't want you to speculate what an  
12 agency might do.

13 MR. BALDWIN: Mr. Morissette, Mr. Ainsworth asked the  
14 question. I think it should be answered.

15 MR. AINSWORTH: Oh, no, no. I can object to the answer  
16 if the answer --

17 MR. BALDWIN: Well, let him answer it first then.

18 THE HEARING OFFICER: Go ahead, Mr. Libertine. Please  
19 continue. I'd like to hear the answer myself.

20 THE WITNESS (Libertine): I was just going to say that  
21 in the experience we have had working with Verizon  
22 and all the carriers in the state of Connecticut,  
23 that based on experience that a tower placed  
24 within the area of potential effect, which in this  
25 case is within a half a mile of a historic

1 district or a resource, that a 120 or 100-foot  
2 tower would certainly be looked at -- at the -- by  
3 the SHPO as something that they would have some  
4 concerns with.

5 And there would certainly be some  
6 discussions. I can't -- I can't say whether or  
7 not they would approve or disapprove of the tower,  
8 but we've had several applications in front of the  
9 Council where we have had this very issue where  
10 we've either had to move towers to other  
11 locations, we've had to mitigate significantly.

12 So again, I -- I just believe that in this  
13 case this would not be something that they would  
14 allow unequivocally.

15 **THE HEARING OFFICER:** Thank you, Mr. Libertine.

16 This topic has been discussed in previous  
17 hearings and is not part of the late-filed  
18 exhibits. So Attorney Ainsworth, if you could  
19 move off the topic and move on to something else,  
20 I would appreciate it.

21 Thank you, Attorney Ainsworth.

22 **MR. AINSWORTH:** One moment.

23 **THE HEARING OFFICER:** Thank you.

24 **MR. AINSWORTH:** I'm just going to take a look. I may  
25 be coming to an end, so if you give me a moment,

1           though. I just want to review my notes.

2   **THE HEARING OFFICER:** Certainly. Thank you.

3   **MR. AINSWORTH:** Actually with that I actually have  
4           concluded my cross-examination. You've covered  
5           the topics that I've been allowed to cover.

6   **THE HEARING OFFICER:** Thank you, Attorney Ainsworth.

7           We will now continue with cross-examination  
8           of the Applicant by Mark and Michelle Greengarden.

9           Mr. and Mrs. Greengarden, you may proceed.

10   **MR. GREENGARDEN:** Thank you, Mr. Chairman.

11           My first question is for Mr. Cheiban. You  
12           had stated that 118 Newton Road is not your ideal  
13           location. And I'd like to know if that's true why  
14           Verizon hasn't performed a CW test at the 15  
15           Meetinghouse Lane to see if it would have a  
16           comparable or better reading?

17   **THE WITNESS (Cheiban):** So we were initially looking  
18           closer to the intersection of Route 63 and 67. We  
19           were not successful in finding property that, you  
20           know, is suitable and where they're willing to  
21           work with us on this. And that's why we shifted a  
22           little bit to the south which ended up at 118  
23           Newton Road.

24           You know, as I stated earlier, the ground  
25           elevation at 118 Newton Road is about a hundred

1 feet higher than Meetinghouse Lane. It is closer  
2 to our objective, which is, you know, the 60 --  
3 portions of the 67 and the 63.

4 And from -- even from a capacity perspective,  
5 the way we can distribute the traffic among the  
6 three sectors of the south side works out better  
7 at 180 Newton road. So there is no doubt in my  
8 mind that from -- in my mind that from a network  
9 perspective, that was the better location.

10 It is not ideal. We rarely if ever get the  
11 ideal location that we seek, but it is a good  
12 location. And it was, you know, vastly superior  
13 to Meetinghouse Lane. So we did not conduct a  
14 drive test there.

15 We conducted a drive test at Newton Road  
16 because we dropped the -- the height. Initially  
17 we're aiming for 140 feet, and I needed to make  
18 sure that if we dropped it to a 100, to minimize  
19 the visual impact. That would still get most of  
20 our objective covered.

21 MR. GREENGARDEN: Okay. But I think what I understood  
22 you to say is that the results of the CW tests  
23 were more accurate. And if you're going to spend  
24 between 4 and 5 hundred thousand dollars to build  
25 this tower, which you said mostly comes from your

1 customers' money, wouldn't it be prudent to at  
2 least do the test, to see what the results are if  
3 they're similar so you can have a site that has  
4 less impact, has town support and possibly it  
5 could be cheaper to build?

6 MR. BALDWIN: Mr. Morissette, I'm going to object to  
7 the question. First of all, Mr. Cheiban has  
8 answered the question.

9 But more importantly again, there is not a  
10 tower site proposed at 15 or 4 Meetinghouse Lane  
11 that is currently before the Council.

12 THE HEARING OFFICER: Thank you, Attorney Baldwin.

13 Yes, the tower that is on the plate for the  
14 Council to deliberate over is at the Newton Road  
15 site. So the question is irrelevant.

16 Please continue.

17 MR. GREENGARDEN: Okay. My next question is for  
18 Mr. Libertine. You stated in your earlier  
19 testimony that your group was listening to  
20 neighbors' concerns, and because of those concerns  
21 you lowered the tower height.

22 Isn't that correct?

23 THE WITNESS (Libertine): We did, in fact, lower the  
24 height as part of the consultation process with  
25 the Town and hearing the neighbors' concerns.

1           That's correct.

2   **MR. GREENGARDEN:** Okay. So my question is this, if  
3           Verizon is truly listening to the neighbors'  
4           concerns, why then wouldn't you use the existing  
5           driveway at 118 Newton Road, which you said was  
6           feasible, and that would eliminate the traffic  
7           noise, be safer for children and adults to walk,  
8           play, ride bikes, play ball on the Soundview Drive  
9           cul-de-sac?

10 **THE WITNESS (Libertine):** We would be willing to use  
11           it. I believe that the landowner is not allowing  
12           us to do that and would prefer us to come in from  
13           the cul-de-sac. So it's a landlord issue and not  
14           necessarily a Verizon issue.

15 **MR. GREENGARDEN:** Okay. And is the landlord not  
16           willing to do that because they're going to be  
17           inconvenienced?

18 **THE WITNESS (Libertine):** I can't speak to that. I  
19           have not had any contact with the landlord.

20 **MR. GREENGARDEN:** Okay. So if the Council was to  
21           approve your application but made it a condition  
22           to use the existing driveway, would you still be  
23           able to build your tower?

24 **THE WITNESS (Libertine):** Using the existing driveway?

25 **MR. GREENGARDEN:** Yes, if that --

1 THE WITNESS (Libertine): I believe so. Sure. Yes.

2 MR. GREENGARDEN: So if that was the condition of the  
3 approval you would still be able to do it?

4 THE WITNESS (Libertine): We could physically do it and  
5 engineer it, and build it. Again, I can't speak  
6 to the landlords allowing us to do that or not.

7 MR. GREENGARDEN: But it would be feasible?

8 THE WITNESS (Libertine): Yes.

9 MS. GREENGARDEN: First, I had one correction. On  
10 document -- September 14th late-filed exhibit  
11 responses of Cellco Partnership, under the section  
12 where you do have the listing of all of the towers  
13 nearby, the address listed for Woodbridge North  
14 two, ironically, is listed as 118 Soundview Drive,  
15 not 118 Newton Road.

16 In terms of a question, with reference to the  
17 proposed revised location of the tower at the 118  
18 Newton Road site, Mr. Gaudet admitted that it  
19 would be more visible just by virtue of it being  
20 closer to Soundview Drive and the cul-de-sac  
21 there.

22 And it should be noted there are no heavy  
23 line of trees like there is somewhat more on the  
24 southern side. And the brush that was mentioned  
25 during the conversation is on the northern side,

1 and it's very low, rather negligible. So the  
2 tower would be definitely more visible and the  
3 area we're speaking of is a very open field.

4 What is the reasoning behind making it  
5 equidistant when there's a distance -- a  
6 difference between the distance from property  
7 lines versus proximity to the homes on those  
8 properties themselves?

9 MR. BALDWIN: Ms. Greengarden and Mr. Morissette, if I  
10 could just point out that the response that  
11 Ms. Greengarden is referring to was a response to  
12 a question from the Siting Council who asked the  
13 applicant if they could relocate the tower to a  
14 spot on the property equidistant from the property  
15 lines.

16 That's all the Applicant was responding to,  
17 and I think -- if Mr. Gaudet wants to reiterate, I  
18 think his testimony in a later proceeding was a  
19 little bit different than the testimony  
20 Ms. Greengarden is referring to -- and he can  
21 speak to that.

22 But again that was a direct question from the  
23 Council, which is why we responded to that  
24 interrogatory the way we did.

25 Mr. Gaudet?



1 THE HEARING OFFICER: Thank you, Attorney Baldwin.

2 Yes, Mr. Gaudet, if you could try to provide  
3 Mrs. Greengarden with some clarity, that would be  
4 helpful. Thank you.

5 THE WITNESS (Gaudet): Of course, yeah. So there was  
6 some misunderstanding between Mr. Morissette and  
7 myself when we were discussing where to shift that  
8 tower. So if the shift would take it essentially  
9 farther east on the property, as I understood, as  
10 opposed to initially in the response you just  
11 provided -- I was imagining it shifting just  
12 straight north on the property.

13 So it shifted to the east and north into the  
14 property.

15 It will reduce visibility. I don't know how  
16 substantially, but it would reduce the visibility  
17 at least from the street of Soundview Drive. I'm  
18 not sure of the nature of the intervening  
19 vegetation between any properties along that  
20 northern -- northern parcel line, but there there  
21 certainly is vegetation there currently.

22 And I do believe that shift to the east and  
23 into the property would reduce the visibility on  
24 Soundview.

25 MS. GREENGARDEN: I would tend to disagree only because

1 I see it, and it's a disadvantage that nobody else  
2 is seeing it. But that there are much fewer trees  
3 on that northern side than elsewhere. So I think  
4 that's something that needs to be understood.

5 As a followup, the noise from the generator  
6 as well as the floodlight would also be more  
7 imposing and have a bigger impact on the close-by  
8 homeowners because of that move. Isn't that true?

9 MR. BALDWIN: Ms. Greengarden, can I ask what  
10 floodlight you're referring to?

11 MS. GREENGARDEN: It was in your application as part of  
12 the materials that were going to be on the tower,  
13 and I think it was also alluded to with Mr. Bhembe  
14 at some point.

15 MR. BALDWIN: Okay. Mr. Bhembe, can you speak to those  
16 two issues first regarding the security light over  
17 the -- that may or may not exist at the equipment.

18 MS. GREENGARDEN: I will also tell you on page 16 of  
19 the June 30th responses to the Siting Council it  
20 mentioned about the generator there.

21 MR. BALDWIN: Mr. Bhembe?

22 THE WITNESS (Bhembe): Yeah, so the generator is  
23 actually going to be covered with a south  
24 attenuating cover, which will pretty much lower  
25 the sound. It will be the -- the sound equal to

1 people having a conversation, and that's how loud  
2 it would be.

3 And then as far as the light goes, that's  
4 actually a work light -- but it only goes on when  
5 the technician is on the site doing some work and  
6 it's on a timer in the sense that, you know, once  
7 he's, once he's left the site, the -- the light  
8 will go off.

9 So it is not something that -- it isn't going  
10 to be intrusive.

11 MS. GREENGARDEN: Okay. Just also to clarify on that  
12 site on the page 16, as I was referring to in  
13 responses, it talks about the dBA when the  
14 generator is on, is at 51.6 dBA, when allowable at  
15 night from the Town of Woodbridge is 51.

16 It might not sound like a lot, but it is over  
17 the amount.

18 THE WITNESS (Bhembe): So the generator will only be  
19 tested -- this, the sound you're talking about is  
20 only during tests, and those only take place  
21 during the daytime.

22 MS. GREENGARDEN: Okay. And why weren't any  
23 simulations done on the revised site, you know, on  
24 that property? Or a scenic impact analysis done  
25 on that area?

1 THE WITNESS (Bhembe): You're talking about?

2 MS. GREENGARDEN: I don't know if it's you, Mr Bhembe.

3 I'm sorry, I don't know if it's Mr. Gaudet. I  
4 don't know who it would be, who can answer that,  
5 but --

6 MR. BALDWIN: Probably it's Mr. Gaudet, or Mr.

7 Libertine.

8 THE WITNESS (Gaudet): Yeah, I just want to make sure I

9 understand. You're referring to that shifted  
10 location that we just talked about?

11 MS. GREENGARDEN: Yes.

12 THE WITNESS (Gaudet): We -- we have not gone out and

13 formed a balloon float there for that shifted  
14 location.

15 MS. GREENGARDEN: Or any type of scenic impact analysis  
16 either?

17 THE WITNESS (Gaudet): We have not. It is a very minor

18 shift in location. I don't expect a significant  
19 change certainly to the predictive viewshed  
20 mapping that we do or the overall visibility.

21 MR. GREENGARDEN: But without the simulations you  
22 really can't tell. Can you?

23 MS. GREENGARDEN: You say it's minor, but yet you're  
24 also saying that it wouldn't be as visible because  
25 of where it's being moved to. So I'm getting

1 confused.

2 THE WITNESS (Gaudet): For one, for one specific  
3 location that's being shielded by the trees is  
4 referencing only Soundview Drive.

5 THE WITNESS (Libertine): If I -- if I might? I might  
6 try to clarify. Again, the -- the comments that  
7 were made previous were in response to one of the  
8 Council's questions. So it was a specific  
9 location and view line that was being addressed at  
10 that time.

11 I think it's fair to say that that shift,  
12 minor as it is, could have some difference on the  
13 areas immediately around the property itself. I  
14 think what Mr. Gaudet was trying to explain was  
15 that in the grand scheme of things in terms of the  
16 overall visibility it would not have a substantial  
17 difference in what has been shown.

18 But certainly, that shift would have some  
19 of -- some changes would occur compared to where  
20 we are proposing today if you were standing within  
21 a few hundred feet of the property.

22 MS. GREENGARDEN: That's correct. Okay. Back to  
23 Mr. Bhembe, if you will? You said in testimony  
24 that some trees would be removed on the 118 Newton  
25 Road proposal. And again, it's a very open field,

1           so can you tell us how many trees you're thinking  
2           will be removed and where those are?

3   **THE WITNESS (Bhembe):** Let me just pull out the plan.

4           So they are actually three trees that will be  
5           removed that are the size of ten inches in  
6           diameter, so little -- it's minimal clearance.  
7           Just three threes. (Unintelligible.)

8   **MR. BALDWIN:** And again -- and this is the proposed  
9           site. Not that, the relocated site, Mr. Bhembe?

10 **THE WITNESS (Bhembe):** Not the relocated site, the  
11           proposed site.

12 **MS. GREENGARDEN:** The proposed site? Okay. I didn't  
13           understand that to be the case. Okay. Thank you  
14           for clarifying that.

15           I was struck by a question Mr. Baldwin had  
16           asked of Mr. Snook at reference to the 15  
17           Meetinghouse location when he asked him, did you  
18           knock on any doors of neighbors who live around  
19           the Meetinghouse Lane area to ask them if they  
20           would object to a tower at the public work site.

21           So I'd like to ask the same thing of Verizon,  
22           whether or not they knocked on any doors of the  
23           neighbors who live on Soundview or Newton Road or  
24           Forest Glenn or Orchard Street, or any of our  
25           surrounding neighborhoods around here?

1 THE WITNESS (Libertine): I can answer that. We did  
2 not, but we had a public process in which everyone  
3 was made aware of what was going on.

4 MS. GREENGARDEN: You're right, except the question  
5 that Mr. Baldwin asked was, did anyone knock on  
6 doors to see if anyone objected? That wasn't the  
7 same case here.

8 You know, they had the idea of going to a  
9 hearing. Perhaps they spoke for or against it,  
10 but it wasn't that it was conducted house by house  
11 to see beforehand how people would feel.

12 THE WITNESS (Libertine): That's true and that --  
13 that's fair, but I do believe there's a  
14 distinction -- but that's fine.

15 MS. GREENGARDEN: Okay. Hypothetically speaking, if  
16 the Supremes had said no or if this application  
17 might get denied, or if it were to be appealed and  
18 then possibly denied there, what would Verizon do?  
19 Do you have a plan B or next step so to speak?

20 MR. BALDWIN: Mr. Morissette, I'm going to object to  
21 the question. We're not going to speculate on  
22 what may happen if other things happen in advance  
23 of that.

24 So Verizon will reevaluate. I think that's  
25 the best any of our witnesses could say.

1 THE HEARING OFFICER: I agree, Attorney Baldwin.

2 Mr. and Mrs. Greengarden, the hearing today  
3 is limited to the late-filed exhibits filed on  
4 August 17. I am allowing you quite a bit of  
5 leeway at your questioning, and I will allow some  
6 more questionings by you.

7 MS. GREENGARDEN: I appreciate that.

8 THE HEARING OFFICER: But please keep in mind that this  
9 is associated with the late-files exhibits filed  
10 on August 17th. So please continue.

11 MS. GREENGARDEN: Okay. I have only one more question  
12 and I'm sorry, because we were told that we could  
13 reflect on some of the other things that were  
14 presented -- so I'm sorry.

15 But in our mind, it appears you've changed  
16 things several times, and we tried very hard to  
17 keep up with those changes and jumping through all  
18 the hoops. And we acknowledge that there is a  
19 need for the purported tower in Woodbridge -- and  
20 did our due diligence and tried to find a viable  
21 alternative, tried to compare apples with apples  
22 that was suggested by many of the Council members.

23 And with your own team admitting that 118 is  
24 not an ideal location, anyway, if you were to  
25 pause and really wanted to choose the site --



1 which one of the Council members even said, and I  
2 quote, provide the best benefit at least impact.

3 And for the sake of good customer relations  
4 doesn't 15 Meetinghouse Lane meet that definition  
5 for so many reasons, including having so much  
6 support, and especially when it's a site that is  
7 500 feet or more away from the nearest residence  
8 and on town property, and that area being heavily  
9 dense?

10 Again, I know that's (unintelligible) --

11 MR. BALDWIN: Let me start by objecting to a lot of the  
12 characterizations that were just made about what  
13 our witnesses stated about in the application and  
14 the proposed site.

15 But with that said, perhaps Mr. Cheiban, you  
16 can talk once again about 118 and the Meetinghouse  
17 Road alternatives just to kind of sum it all up.

18 THE HEARING OFFICER: Thank you, Attorney Baldwin.

19 Mr. Cheiban?

20 THE WITNESS (Cheiban): Okay. So I mean, we did say we  
21 didn't get the ideal location. And as I mentioned  
22 earlier, this is typically -- this happens quite  
23 often.

24 We're not trying to, you know, make the  
25 good -- the perfect the enemy of the good. So you

1 know, we got a good site. It achieves a very good  
2 portion of what we set out to do.

3 And as I stated earlier, in my mind there is  
4 no question that is -- it's a better site from a  
5 network, from a coverage and from a capacity  
6 perspective. 118 Newton Road is better than the  
7 15 Meetinghouse Lane.

8 And also, you know, the -- the drive test and  
9 the plots that were submitted by Isotrope for 15  
10 Meetinghouse Lane were based on a 150-foot tower.  
11 We're actually proposing a hundred-foot tower. So  
12 we think that we have -- and so -- and -- and we  
13 were. I was at the public information meeting  
14 with the residents, and we took their feedback.

15 We basically are trying to achieve some  
16 compromise, and that's why we dropped the height  
17 of that proposed tower. And I believe that we --  
18 we did propose a good compromise which, you know,  
19 would meet our network needs and our customers'  
20 needs and, you know, try to minimize the visual  
21 impact as much as we could.

22 THE HEARING OFFICER: Thank you, Mr. Cheiban.

23 MS. GREENGARDEN: I have no more questions. Thank you.

24 MR. BALDWIN: Thank you, Mr. and Mrs. Greengarden.

25 Thank you for your questions.

1           At this point we will take an eleven-minute  
2 break and return at 3:45. And we'll see you then.  
3 So thank you very much, and we'll see you at 3:45.  
4

5                   (Pause: 3:34 p.m. to 3:45 p.m.)  
6

7 **THE HEARING OFFICER:** Very good. Thank you, everyone.

8           We are back on the record.

9           Is the Court Reporter back with us?

10 **THE REPORTER:** I am here, back on your record.

11 **THE HEARING OFFICER:** Great. Thank you very much. We  
12 will now continue with cross-examination of the  
13 applicant by the Town of Woodbridge. And I  
14 believe Attorney Bloom is going to be  
15 cross-examining.

16 **MR. BLOOM:** Thank you, Mr. Chairman.

17           You can hear me all right, I guess?

18 **THE HEARING OFFICER:** Yes, I can. Thank you.

19 **MR. BLOOM:** Okay. Thank you. Yes, Ira Bloom for the  
20 Town of Woodbridge. The Town has no questions.

21           Thank you.

22 **THE HEARING OFFICER:** We will now continue with  
23 cross-examination of the Applicant by the Council  
24 starting with Mr. Mercier. Mr. Mercier?

25 **MR. MERCIER:** I have no questions. Thank you.

1 THE HEARING OFFICER: Thank you, Mr. Mercier.

2 We will continue with cross examination by  
3 Mr. Edelson followed by Mr. Silvestri.

4 Mr. Edelson?

5 MR. EDELSON: Thank you very much, Mr. Morissette.

6 So this is a question to the Verizon  
7 representatives. Towards the end of our last  
8 hearing there was some discussion regarding Public  
9 Act 19-163, which is regarding the deployment of  
10 5G wireless.

11 And I'm wondering, has anybody from Verizon  
12 been notified or has found out that the Town of  
13 Woodbridge made inquiries to the Department of  
14 Transportation with regard to using the rights of  
15 way within Woodbridge for the location of a  
16 small-cell tower -- or small-cell antenna, I  
17 should say?

18 THE WITNESS (Parks): This is Tim Parks with Verizon.

19 I have not heard of anything about that.

20 MR. EDELSON: And I assume from looking at faces, no  
21 one else has heard that the Town pursued getting  
22 the Department of Transportation involved? So  
23 I'll take that as a no.

24 I guess my next question is for Mr. Cheiban.  
25 It was a little hard, I must confess, for me to

1 follow some of Attorney Ainsworth's questions  
2 regarding the surrounding towers -- but from your  
3 perspective, did any of that change your sense of  
4 what the needs are in this area and the coverage  
5 that you're trying to achieve?

6 THE WITNESS (Cheiban): No. You know, as I mentioned  
7 earlier, we are constantly upgrading our existing  
8 sites with, you know, in this case we changed the  
9 kind of radios and we add capacity, but the  
10 fundamental need for coverage at that area, in the  
11 Woodbridge North two area has not changed.

12 MR. EDELSON: Okay. Thank you. Mr. Morissette, those  
13 were my only questions. Thank you.

14 THE HEARING OFFICER: Thank you, Mr. Edelson.

15 We will continue to cross-examination by  
16 Mr. Silvestri followed by Mr. Nguyen.

17 Mr. Silvestri?

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

19 Mr. Cheiban, I wanted to go back to that  
20 September 14, 2021 late file. The multiband  
21 antenna, is it just the SBNHH, the X7C, and the  
22 JAHH? Or are there more?

23 THE WITNESS (Cheiban): Mr. Silvestri, there are also a  
24 model that starts with MX, which is also a  
25 multiband antenna.

1 MR. SILVESTRI: All right. But the LNX, the HBXX, BXA,  
2 et cetera, those are not multi. Correct?

3 THE WITNESS (Cheiban): These are -- so they are  
4 typically used for closely related bands. So the  
5 BXA, for example, can serve 700 and -- 700  
6 megahertz and 850 megahertz. The LNX, similarly  
7 700 and 850 megahertz. And the HBXX can serve  
8 2100 and 1900, which are also called AWS and PCS.

9 MR. SILVESTRI: Okay. So the three I mentioned, you  
10 just responded that they could serve two bands, if  
11 you will.

12 What is your definition on multiband? Is it  
13 three or more?

14 THE WITNESS (Cheiban): I mean, strictly speaking, you  
15 could say they're all multiband. But the  
16 difference is, I mean, there's a much bigger  
17 difference between 700 megahertz and 2100  
18 megahertz than there is between 700 and 850.

19 And so the -- the ones that we called  
20 multiband at the discussion with Attorney  
21 Ainsworth are the ones that cover 700, 850, 1900  
22 and 2100. So they cover the four commonly  
23 deployed bands that we have.

24 MR. SILVESTRI: Okay. So if I understand correctly,  
25 your explanation of multiband would be those four

1 bands. The other ones we mentioned, the LNX, HBXX  
2 are two or less?

3 THE WITNESS (Cheiban): Yes.

4 MR. SILVESTRI: Okay. Thank you. Then Attorney  
5 Baldwin, you might object to this but I'm going to  
6 pose the question, anyhow, because Mr. Greengarden  
7 started going where I wanted to go -- but I didn't  
8 quite hear the answer.

9 So let me start off that, I think we're all  
10 in agreement that the drive tests are more  
11 accurate than propagation. Plots.

12 Would that be correct again, Mr. Cheiban?

13 THE WITNESS (Cheiban): Yes, it is.

14 MR. SILVESTRI: Okay. Thank you. Then when we're  
15 looking at the filing that Verizon had for  
16 Meetinghouse at 140 feet, we had propagation plots  
17 that were provided, and that was in the late file  
18 from, I believe, September 14th.

19 The related question I had on that is that if  
20 Verizon did provide those propagation plots, why  
21 not the drive test?

22 THE WITNESS (Cheiban): So there's a couple of reasons.

23 One was, you know, practical. In -- in order to  
24 do the drive test we need to get permission from  
25 the Town. And we had, you know, we did not have

1           that much time.

2           The other thing is the cost. So basically we  
3 would need to get a crane out there, rent a crane  
4 and -- and the -- get a crew to do the testing for  
5 us. And so it was a combination of these two  
6 factors that, you know, that were the reasons that  
7 we did not do the CW test there.

8 MR. BALDWIN: But while I don't object, Mr. Silvestri,  
9 I can also add that the propagation-plus were  
10 provided because that's what the Council asked us  
11 to do. The Council did not ask us to do drive  
12 tests out there.

13 MR. SILVESTRI: Understood. Thank you, attorney  
14 Baldwin. Thank you, Mr. Cheiban.

15           Mr. Morissette, that's all I have, and thank  
16 you as well.

17 THE HEARING OFFICER: Thank you. Mr. Silvestri.

18           We'll now continue with cross-examination by  
19 Mr. Nguyen followed by Ms. Cooley.

20           Mr. Nguyen?

21 MR. NGUYEN: Mr. Morissette, I do not have any  
22 questions. Thank you.

23 THE HEARING OFFICER: Thank you, Mr. Nguyen. We will  
24 now continue with cross-examination by Ms. Cooley  
25 followed by Mr. Lynch.



1 Ms. Cooley?

2 MS. COOLEY: (Inaudible.)

3 THE HEARING OFFICER: Thank you.

4 We will continue with cross-examination by  
5 Mr. Lynch. Mr. Lynch?

6 MR. LYNCH: I have no questions, Mr. Chairman.

7 THE HEARING OFFICER: Thank you, Mr. Lynch.

8 I have a follow-up question, and I believe  
9 it's for Mr. Cheiban. It has to do with the  
10 accuracy of a drive test versus the propagation.

11 Is there a methodology or a measure of the  
12 range of errors between the two? There was one  
13 plus or minus 5 percent.

14 THE WITNESS (Cheiban): Yes, it is roughly speaking.

15 So let me kind of first explain, kind of, and give  
16 an analogy.

17 So if you look, if you remember when there's  
18 a hurricane they show the location where hurricane  
19 currently is, and then they show a cone of the  
20 possibility where it could go. And then once it  
21 actually is over they will plot the actual path of  
22 that, you know, the eye of the hurricane.

23 And so this is similar, it's that the  
24 computer modeling is kind of similar to the cone  
25 and the -- the CW drive test is actually the

1 actual path, you know.

2 So -- but to answer your question directly,  
3 the error is typically on the order of ten dBs.

4 So 8 to 10 dBs. So it's -- yes.

5 THE HEARING OFFICER: Eight to 10 dBs for the  
6 propagation or the drive test?

7 THE WITNESS (Cheiban): Between the propagation and the  
8 drive test. So I mean, we -- the propagation can  
9 be off by a factor of 8 to 10 dBs, whereas the  
10 drive test is an actual measurement.

11 THE HEARING OFFICER: Okay. So is it safe to say that  
12 the drive test, because it's an actual measurement  
13 there is no error in the measurement? Or is there  
14 still -- you know you must have some error.

15 THE WITNESS (Cheiban): Sure. So any measurement will  
16 have an error. It's just that the error is a lot  
17 smaller in magnitude. It's not 8 to 10 dB. It  
18 basically will depend on the accuracy of the  
19 equipment and it will be, you know, significantly  
20 less than 1 DB. It's a pretty small error.

21 THE HEARING OFFICER: Very good. Well, that's helpful.  
22 Thank you for your response.

23 That's all I had as well. Well, that pretty  
24 much wraps it up. We will, before closing the  
25 evidentiary record in this matter, the Siting

1 Council announces that briefs and proposed  
2 findings of fact may be filed with the Council by  
3 any party or intervener no later than November 18,  
4 2021.

5 The submission of briefs or proposed findings  
6 of fact are not required by this Council. Rather  
7 we leave this choice to the parties or  
8 interveners. Anyone who has not become a party or  
9 intervener but who desires to make his or her  
10 views known to the Council may file written  
11 statements to the Council within 30 days of the  
12 date hereof.

13 The Council will issue draft findings of  
14 fact, and thereafter parties and interveners may  
15 identify errors or inconsistencies between the  
16 Council's draft findings of fact and the record.  
17 However, no new information, no new evidence, no  
18 new arguments and no reply briefs without  
19 permission will be considered by the Council.

20 I hereby declare this hearing adjourned and  
21 thank you, everyone, for your participation.  
22

23 (End: 3:56 p.m.)  
24  
25

CERTIFICATE

I hereby certify that the foregoing 75 pages are a complete and accurate computer-aided transcription of my original verbatim notes taken of the remote teleconference meeting in Re:

CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS APPLICATION FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF A TELECOMMUNICATIONS FACILITY LOCATED AT 118 NEWTON ROAD, WOODBRIDGE, CONNECTICUT, which was held before JOHN MORISSETTE, Member and Presiding Officer, on October 19, 2021.



Robert G. Dixon, CVR-M 857  
Notary Public  
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My Commission Expires: 6/30/2025

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13  
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15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 INDEX

2  
3 WITNESSES

PAGE

4 Ziad Cheiban  
5 Timothy Parks  
6 Sylvester Bhembe  
7 Michael Libertine  
8 Brian Gaudet  
9 Dean Gustafson

12

10 EXAMINERS

PAGE

11 By Mr. Ainsworth  
12 By Mr. Greengarden  
13 By Ms. Greengarden  
14 By Mr. Edelson  
15 By Mr. Silvestri  
16 By Hearing Officer (Morissette)

17 12  
18 51  
19 55  
20 68  
21 69  
22 73