



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051
Phone: (860) 827-2935 Fax: (860) 827-2950
E-Mail: siting.council@ct.gov
Web Site: portal.ct.gov/csc

Hearing Program
Docket No. 504
Thursday, August 19, 2021
2:00 p.m. /6:30 p.m.
Zoom Remote Public Hearing

I. Opening by Council

A. Statement read by Presiding Officer.

B. Motion

1. Applicant's Motion for Protective Order, dated August 11, 2021

C. Administrative Notice taken by Council

FEDERAL

1. FEDERAL COMMUNICATIONS COMMISSION, OFFICE OF ENGINEERING AND TECHNOLOGY, *Questions and Answers About Biological Effects and Potential Hazards of Radiofrequency Electromagnetic Fields, OET Bulletin No. 56, August 1999, available at https://transition.fcc.gov/Bureaus/Engineering_Technology/Documents/bulletins/oet56/oet56e4.pdf*
2. FEDERAL COMMUNICATIONS COMMISSION, OFFICE OF ENGINEERING AND TECHNOLOGY, *Evaluating Compliance with FCC-Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields, OET Bulletin No. 65, August 1997, available at https://transition.fcc.gov/Bureaus/Engineering_Technology/Documents/bulletins/oet65/oet65.pdf*
3. FEDERAL COMMUNICATIONS COMMISSION, *Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation Report and Order, August 1, 1996, available at https://transition.fcc.gov/Bureaus/Engineering_Technology/Orders/1996/fcc96326.pdf*
4. Telecommunications Act of 1996, as amended, Pub. L. No. 104-104, 110 Stat. 56 (codified as amended in scattered sections of 47 U.S.C), *available at <https://transition.fcc.gov/Reports/tcom1996.pdf>*
5. FEDERAL COMMUNICATIONS COMMISSION, *Warning, Alert and Response Network Act, Pub. L. No. 109-437, 120 Stat. 1936 (2006), (codified at 47 U.S.C. §332(d)(1)) (2006), available at <https://transition.fcc.gov/pshs/docs/emergency-information/emas-warn-act.pdf>*
6. Wireless Communications and Public Safety Act of 1999, as amended, 47 U.S.C. §§ 615-615b, as amended, *available at <https://www.congress.gov/bill/106th-congress/house-bill/438/text/ih>.*

7. Enhance 911 Act of 2004, as amended, 47 U.S.C. § 942, as amended, *available at* <https://www.gpo.gov/fdsys/pkg/PLAW-108publ494/pdf/PLAW-108publ494.pdf>
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9. Actions That May Have a Significant Environmental Effect, for Which Environmental Assessments (EAs) Must be Prepared, 47 C.F.R. § 1.1307, as amended, *available at* <https://www.gpo.gov/fdsys/pkg/CFR-2013-title47-vol1/pdf/CFR-2013-title47-vol1-sec1-1307.pdf>
10. Radiofrequency Radiation Exposure Limits, 47 C.F.R. § 1.1310, as amended, *available at* <https://www.gpo.gov/fdsys/pkg/CFR-2002-title47-vol1/pdf/CFR-2002-title47-vol1-sec1-1310.pdf>
11. Presidential Proclamation No. 8460, 74 Fed. Reg. 234 (December 8, 2009), *available at* <http://www.presidency.ucsb.edu/ws/index.php?pid=86954>
12. Presidential Order No. 13616, Accelerating Broadband Infrastructure Development, 77 Fed. Reg. 119 (June 14, 2012), *available at* <http://www.gpo.gov/fdsys/pkg/FR-2012-06-20/pdf/2012-15183.pdf>
13. Presidential Policy Directive No. 21, Critical Infrastructure Security and Resilience, February 12, 2013, *available at* <https://obamawhitehouse.archives.gov/the-press-office/2013/02/12/presidential-policy-directive-critical-infrastructure-security-and-resil>
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15. National Park Service, United States Department of the Interior, *National Register of Historic Places* *available at* <https://www.nps.gov/subjects/nationalregister/index.htm>
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MAPS

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79. NATIONAL AUDUBON SOCIETY, *Connecticut Important Bird Areas*, available at <http://netapp.audubon.org/iba/state/US-CT>
80. Mail-A-Map Street Map, Glastonbury, available at <http://mailamap.com/street-maps>
81. UNITED STATES GEOLOGICAL SURVEY, Interactive Topographical Map Viewer, available at <https://ngmdb.usgs.gov/topoview/viewer/#4/39.98/-100.06>

D. State Agency comments

1. Connecticut Council on Environmental Quality Comments, dated June 23, 2021
2. Connecticut Department of Transportation Comments, dated August 6, 2021

E. Municipal comments

1. Town of Glastonbury Comments, dated May 26, 2021
2. Town of Glastonbury Comments, dated June 29, 2021

II. Appearance by Applicant Arx Wireless Infrastructure, LLC (ARX)

Representative: Philip C. Pires, Esq.
David A. Ball, Esq.
Cohen & Wolf, P.C.

A. Administrative Notice.

B. Exhibits for Identification.

1. Application for a Certificate of Environmental Compatibility and Public Need filed by Arx Wireless Infrastructure, LLC, received June 4, 2021, and attachments and bulk file exhibits including:

Bulk file exhibits:

- a. Town of Glastonbury Zoning Regulations
 - b. Town of Glastonbury Zoning Map
 - c. Town of Glastonbury GIS Map of Site with Zoning Overlay
 - d. Town of Glastonbury Plan of Conservation and Development
 - e. Town of Glastonbury Inland Wetlands & Watercourses Regulations
 - f. Technical Report
2. Applicant's Affidavit of Publication, dated June 24, 2021
 3. Applicant's Sign Posting Affidavit, dated August 10, 2021
 4. Applicant's Responses to Council Interrogatories, Set One and Set Two, dated August 12, 2021
 5. Applicant's Revised Exhibit G and H to the Application, dated August 12, 2021
 6. Applicant's Pre-Filed Testimony of Keith Coppins, dated August 12, 2021
 7. Applicant's Pre-Filed Testimony of Douglas Roberts, dated August 12, 2021
 8. Applicant's Pre-Filed Testimony of Matthew Davison, dated August 12, 2021

9. Applicant's Pre-Filed Testimony of David Archambault, dated August 12, 2021
10. Applicant's Response to Council Interrogatory No. 27, dated August 13, 2021
11. Protective Order related to unredacted lease agreement, signed August 19, 2021

C. Swear Witnesses

1. Keith Coppins, Managing Director, Arx Wireless Infrastructure, LLC
2. Douglas Roberts, Architect
3. David Archambault, Vice President and Co-Owner, Virtual Site Simulations, LLC
4. Matt Davison, Owner, Davison Environmental, LLC

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. AT&T

III. Appearance by Intervenor: New Cingular Wireless PCS, LLC (AT&T)

Representatives: Kristen Motel, Esq.
Lucia Chiocchio, Esq.
Cuddy & Feder LLP

A. Administrative Notice.

1. **CONNECTICUT SITING COUNCIL DOCKET NO. 488** - Homeland Towers, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located 93 Richards Road, Kent, Connecticut. Record, *available at* https://portal.ct.gov/CSC/1_Applications-and-Other-Pending-Matters/Applications/3_DocketNos400s/Docket-No-488-Homeland-ATT-Kent

B. Exhibits for Identification.

1. AT&T's Request to Intervene, dated July 18, 2021
2. AT&T's Responses to Council Interrogatories, dated August 11, 2021
3. Resume of Simon J. Brighenti, Jr., dated August 11, 2021

C. Swear Witnesses

1. Martin Lavin, Senior RF Engineer, C Squared Systems, LLC
2. Simon J. Brighenti, Jr., Senior Site Acquisition Consultant, Centerline Communications

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Applicant

Docket No. 504
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IV. Closing by Connecticut Siting Council.