



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

VIA ELECTRONIC MAIL

June 29, 2022

TO: Service List, dated May 26, 2022

FROM: Melanie Bachman, Executive Director *MB*

RE: **DOCKET NO. 509** - Homeland Towers, LLC and New Cingular Wireless PCS, LLC d/b/a AT&T application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 1837 Ponus Ridge Road, New Canaan, Connecticut.

Motions

During a public hearing of the Connecticut Siting Council (Council) held on June 28, 2022 the Council ruled on the following motions:

1. Mark Buschmann, Trustee and Mark Buschmann Motion for Site Inspection, dated June 14, 2022

The motion was denied.

2. New Canaan Neighbors Motion to Compel Applicant Responses to Interrogatories, dated June 23, 2022

The motion was granted in part as it relates to Interrogatory No. 14. The motion was denied in part as it relates to Interrogatory No. 20.

3. Mark Buschmann, Trustee Motion to Compel Applicant Responses to Interrogatories, dated June 27, 2022

The motion was denied in part as it relates to Interrogatory Nos. 1 and 2. The motion was granted in part as it relates specifically to Michael Libertine's resume in Interrogatory No. 25.

4. Mark Buschmann, Trustee, Jamie Buschmann, Trustee, and Mark Buschmann Motion in Limine, dated June 27, 2022

The motion was denied.

Continuation of Evidentiary Hearing

The Connecticut Siting Council (Council) shall continue the evidentiary hearing for the above-referenced proceeding on Thursday, July 14, 2022, via Zoom conferencing, beginning at **2:00 p.m.** A copy of the Instructions for Public Access to the Continued Evidentiary Hearing is attached.

The hearing shall commence with the continued cross examination of the Applicants by the Council and the parties and intervenors and thereafter with the appearance of the parties and intervenors in the order listed on the hearing program for cross-examination by the Council, Applicants and other parties and intervenors.

Homeland Towers, LLC and New Cingular Wireless PCS, LLC d/b/a AT&T Late-Filed Exhibits

During the June 28, 2022 evidentiary hearing session, the Council requested that the Applicants submit the following information as late-filed exhibits:

1. Referring to the Revised Site Plans, provide the distance from the nearest point of the limit of disturbance to the on-site wetland;
2. Referring to the Revised Site Plans, provide the basis for the stormwater design (ex. 10-year storm);
3. Determine whether natural gas is available along Ponus Ridge Road, and if so, whether it could be provided to the proposed site;
4. Provide a photo log for the field reconnaissance photos attached to Applicants' Response to NCN Interrogatory No. 15;
5. Provide a photograph of the monopine tower located at Soundview Drive approved by the Council in Docket No. 487;
6. Explain the difference in State property data layers used for the Visibility Analysis Mapping and Avian Resource Mapping;
7. Address the comments and recommendations of the Department of Public Health and Council on Environmental Quality correspondence dated June 1 and June 27, respectively;
8. Analyze the feasibility of developing an alternate site along the southwest side of the hill on the host property, and if an alternate site is feasible, submit a preliminary site plan of the alternate location;
9. Analyze the feasibility of rotating the proposed site compound 90 degrees to be aligned in a northeast to southwest direction; and
10. Provide coverage plots for the three sites identified in Buschmann pre-filed testimony, 360°RF Report, Section IV. Coverage – Alternative Sites.

The Council requests these late-filed exhibits be submitted to the Council before the close of business on **July 7, 2022**.

If you have any questions about Council procedures, please do not hesitate to contact me at the Council office at 860-827-2935.

Thank you.

MAB/RDM/laf

Enclosures: Revised Schedule

Instructions for Public Access to Docket No. 509 Remote Continued Evidentiary Hearing Session

c: Council Members
BCT Reporting LLC
Pryme Tyme Entertainment



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REVISED SCHEDULE

DOCKET NO. 509 - Homeland Towers, LLC and New Cingular Wireless PCS, LLC d/b/a AT&T application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 1837 Ponus Ridge Road, New Canaan, Connecticut.

Application received	04/13/22
Completeness review	05/12/22
Council Interrogatories <ul style="list-style-type: none">• Set-One Filed• Set-One responses due	05/13/22 06/03/22
Pre-hearing conference via Zoom- 11:00 a.m.	06/08/22
Exchange of Interrogatories between Parties and Intervenors	06/14/22
Deadline for Pre-filed Testimony and Responses to Interrogatories	06/21/22
Deadline to request Party/Intervenor status	06/21/22
Public Hearing 2:00 p.m. evidentiary session and 6:30 p.m. public comment session via Zoom conferencing	06/28/22
Deadline for submission of Late Filed Exhibits	07/07/22
Continued Evidentiary Session using Zoom conferencing – 2:00 p.m. <i>(refer to Hearing Information section on Docket 509 project webpage for Zoom conferencing log in/call in)</i>	07/14/22
Final Exchange of Interrogatories between Parties and Intervenors	08/02/22
Final Deadline for Responses to Interrogatories and Late-Filed Exhibits	08/09/22
Continued Evidentiary Session(s)	08/16/22
Close of Evidentiary Record	08/16/22
Close of Public Comment Period	09/15/22
Draft Findings of Fact	09/29/22
Draft Findings of Fact, Opinion & Decision & Order	10/13/22
Deadline for Decision	09/10/22
Deadline for Decision with Applicants' consent to extension	TBD

Siting Analyst: Robert Mercier



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**Instructions for Public Access to Docket No. 509 Remote Continued
Evidentiary Public Hearing Session – July 14, 2022 – 2 PM**

PLEASE NOTE:

- Interested persons may join the continued evidentiary session to listen, but **no public comments will be received** during the continued evidentiary session. Public comments may be submitted to the Council by email at siting.council@ct.gov or by regular mail.
- Any person may be removed from the remote continued evidentiary session at the discretion of the Council.
- All participants are requested to mute sound notifications on their computer, smartphone or tablet. Telephones are often equipped with a “do not disturb” feature for the dial-in option.

Access to Continued Evidentiary Hearing Session

1. Attendees can join by clicking (or entering) the following link:
<https://us06web.zoom.us/j/88411697228?pwd=QW5xMnNNb3dGSjB2Tm5SQUpVRHNXUT09>
from a computer, smartphone, or tablet. No prior software download is required.
Meeting ID: 884 1169 7228 and Passcode: 0z7yb8
2. For audio-only participation, attendees can join by dialing in at **1 (929) 205 6099 (not toll free)** and then enter the **Meeting ID: 884 1169 7228 and Passcode: 665354** from a telephone.
3. All microphones will be muted upon entry into the meeting and will be turned on in the order of party appearances and cross examination governed by the Hearing Program.
4. **No public comments will be received during the continued evidentiary hearing session.**