

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Docket No. 512

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 60 Vail Road,
Brookfield, Connecticut.

Zoom Remote Council Meeting (Teleconference),
on Thursday, November 3, 2022, 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 **BRIAN GOLEMBIEWSKI,**

6 **DEEP Designee**

7
8 **ROBERT SILVESTRI**

9 **MARK QUINLAN**

10 **LOUANNE COOLEY**

11 **DANIEL P. LYNCH, JR.**

12
13 **Council Staff:**

14 **MELANIE BACHMAN, ESQ.,**

15 **Executive Director and Staff Attorney**

16
17 **MICHAEL PERRONE,**

18 **Siting Analyst**

19
20 **LISA FONTAINE,**

21 **Fiscal Administrative Officer**

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

2 For HOMELAND TOWERS, LLC, & NEW CINGULAR WIRELESS PCS,
3 LLC (HT/AT&T):

4 CUDDY & FEDER, LLP

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6 White Plains, New York 10601

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

3 Very good. Thank you. This remote public
4 hearing is called to order this Thursday,
5 November 3, 2022, at 2 p.m. My name is John
6 Morissette, Member and Presiding Officer of the
7 Connecticut Siting Council.

8 Other members of the Council are Quat Nguyen,
9 designee for Commissioner Marissa Paslick Gillett
10 of the Public Utilities Regulatory Authority;
11 Brian Golembiewski, designee for Commissioner
12 Katie Dykes of the Department of Energy and
13 Environmental Protection; Robert Silvestri;
14 Louanne Cooley; and Daniel P. Lynch, Jr.

15 Members of the staff are Melanie Bachman,
16 Executive Director and Staff Attorney; Michael
17 Perrone, Siting Analyst; and Lisa Fontaine, Fiscal
18 Administrative Officer.

19 If you haven't done so were already, I ask
20 that everyone please mute their computer audio
21 and/or telephones now.

22 This hearing is held pursuant to provisions
23 of Title 16 of the Connecticut General Statutes,
24 and of the Uniform Administrative Procedure Act
25 upon an application from Homeland Towers, LLC, and

1 New Cingular Wireless PCS, LLC, doing business as
2 AT&T for a certificate of environmental
3 compatibility and public need for the
4 construction, maintenance and operation of a
5 telecommunications facility located at 60 Vail
6 Road in Brookfield, Connecticut. This application
7 was received by the Council on August 10, 2022.

8 The Council's legal notice of the date and
9 time of this remote public hearing was published
10 in the Danbury News Time on September 17, 2022.

11 Upon this Council's request the Applicants
12 erected a sign in the vicinity of the proposed
13 site so as to inform the public of the name of the
14 applicants, the type of the facility, the remote
15 public hearing date, and the contact information
16 for the Council including the website and phone
17 number.

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

22 Parties and intervenors of the proceeding are
23 as follows. The Applicant, Homeland Towers, LLC,
24 and New Cingular Wireless PCS, LLC, also doing
25 business as AT&T. Its representatives are Lucia

1 Chiochhio, Esquire; and Daniel Patrick, Esquire,
2 of Cuddy & Feder, LLP.

3 We will proceed in accordance with the
4 prepared agenda, a copy which is available on the
5 Council's Docket Number 512 webpage along with the
6 record of this matter, the public hearing notice,
7 instructions for public access to this remote
8 public hearing and the Council's citizens guide to
9 Siting Council procedures.

10 Interested persons may join any session of
11 this public hearing to listen, but no public
12 comments will be received during the 2 p.m.
13 evidentiary session.

14 At at the end of the evidentiary session we
15 will recess until 6:30 p.m. for the public comment
16 session. Please be advised that any person may be
17 removed from the remote evidentiary session or
18 public comment session at the discretion of the
19 Council.

20 At 6:30 p.m. the public comment session is
21 reserved for the public to make brief statements
22 into the record. I wish to note that the
23 applicants, parties and intervenors including
24 their representatives, witnesses and members are
25 not allowed to participate in the public comment

1 session.

2 I also wish to note for those who are
3 listening and for the benefit of your friends and
4 neighbors who are unable to join us for the remote
5 public comment session, that you or they may send
6 written statements to the Council within 30 days
7 of the date hereof either by mail or by e-mail,
8 and such written statements will be given the same
9 weight as if spoken during the remote public
10 comment session.

11 A verbatim transcript of this remote public
12 hearing will be posted on the Council's Docket
13 Number 512 webpage and deposited with the Town
14 Clerk's office in Brookfield for the convenience
15 of the public.

16 Please be advised that the Council's project
17 evaluation criteria under the statute does not
18 include consideration for property values.

19 We'll now move to agenda item B; we have a
20 motion. On October 24, 2022, the Applicant
21 submitted a motion for protective order related to
22 the disclosure of monthly rent and financial terms
23 contained within the lease agreement.

24 Attorney Bachman may wish to comment.

25 Attorney Bachman?

1 MS. BACHMAN: Thank you, Mr. Morissette. The staff
2 recommends the motion be granted consistent with
3 the conclusions of law in Docket Number 366.

4 Thank you.

5 THE HEARING OFFICER: Thank you, Attorney Bachman.

6 With that, do we have a motion?

7 MR. SILVESTRI: I'll move to approve the request,
8 Mr. Morissette.

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

10 Do we have a second?

11 MR. LYNCH: Dan Lynch. I'll second.

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

13 We have a motion by Mr. Silvestri to approve
14 the motion for protective order, and we have a
15 second by Mr. Lynch. We will now move to
16 discussion.

17 Mr. Silvestri, any discussion?

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

19 Thank you.

20 THE HEARING OFFICER: Thank you.

21 Mrs. Cooley, any discussion?

22 MS. COOLEY: No discussion. Thank you.

23 THE HEARING OFFICER: Thank you.

24 Mr. Golembiewski, any discussion?

25 MR. GOLEMBIEWSKI: No discussion. Thank you.

1 THE HEARING OFFICER: Thank you.

2 Mr. Nguyen, any discussion?

3 MR. NGUYEN: Good afternoon. No discussion.

4 Thank you.

5 THE HEARING OFFICER: Good afternoon.

6 Mr. Lynch, any discussion?

7 MR. LYNCH: I have no discussion.

8 THE HEARING OFFICER: Thank you. And I have no
9 discussion. We'll now move to the vote.

10 Mr. Silvestri, how do you vote?

11 MR. SILVESTRI: Vote to approve. Thank you.

12 THE HEARING OFFICER: Thank you.

13 Mrs. Cooley, how do you vote?

14 MS. COOLEY: Vote to approve. Thank you.

15 THE HEARING OFFICER: Thank you.

16 Mr. Golembiewski, how do you vote?

17 MR. GOLEMBIEWSKI: I vote to approve. Thank you.

18 THE HEARING OFFICER: Thank you.

19 Mr. Nguyen, how do you vote?

20 MR. NGUYEN: Vote to approve.

21 THE HEARING OFFICER: Thank you.

22 Mr. Lynch, how do you vote?

23 MR. LYNCH: I vote approval.

24 THE HEARING OFFICER: Thank you.

25 And I vote approval. The motion passes

1 unanimously. The motion for protective order is
2 approved.

3 We'll now move onto item C, administrative
4 notices taken by the Council. I wish to call your
5 attention to those items shown on the hearing
6 program marked as Roman numerals 1C, items 1
7 through 78, that the Council was administratively
8 noticed.

9 Does any party or intervener have an
10 objection to the items that the Council has
11 administratively noticed?

12 Attorney Chiocchio and Attorney Patrick?

13 MR. PATRICK: Good afternoon, Mr. Morissette.

14 No objection from the Applicants.

15 THE HEARING OFFICER: Thank you. Accordingly the
16 Council hereby administratively notices these
17 items.

18 We will now continue with the appearance by
19 Applicant. Will the Applicant present its witness
20 panel for the purpose of taking the oath, and
21 Attorney Bachman will administer the oath.

22 MR. PATRICK: Yes. Good afternoon, Mr. Morissette.

23 This is Daniel Patrick from the Law Firm of Cuddy
24 & Feder. I'm joined this afternoon with Lucia
25 Chiocchio of Cuddy & Feder also.

1 Here in the room for our witnesses we have
2 Mr. Raymond Vergati, the regional manager of
3 Homeland Towers, LLC.

4 Mr. Harry Carey, director of external affairs
5 at AT&T.

6 Robert Burns, PE, project manager of
7 All-Points Technology Corporation, PC.

8 Brian Gaudet, project manager, All-Points
9 Technology Corporation, PC.

10 Martin Lavin, radiofrequency engineer of C2
11 systems.

12 And joining us remotely via Zoom we have Dean
13 Gustafson, professional soil scientist and senior
14 wetlands scientist at All-Points Technology, PC.

15 And Paul H. Zito, the owner of New England
16 Radio Consultants, LLC, the emergency
17 communications consultant for the Town of
18 Brookfield.

19 Mr. Morissette, I present to you this witness
20 panel.

21 **THE HEARING OFFICER:** Thank you, Attorney Patrick.

22 Attorney Bachman, could you please administer
23 the oath?
24
25

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

8 called as witnesses, being first duly sworn
9 by the EXECUTIVE DIRECTOR, were examined and
10 testified on their oaths as follows:

11
12 THE HEARING OFFICER: Thank you, Attorney Bachman.

13 Attorney Patrick, please begin by verifying
14 all the exhibits by the appropriate sworn
15 witnesses.

16 MR. PATRICK: Thank you very much.

17 I'd like to offer as exhibits identified in
18 the hearing program as Roman Numeral two,
19 Subsection B, 1 through 5. And for verification
20 purposes I will ask our witness panel a series of
21 questions, and I'll ask them to answer yes or no
22 individually.

23 Did you prepare or assist in the preparation
24 of the exhibits identified? Mr. Vergati?

25 THE WITNESS (Vergati): I did.

1 MR. PATRICK: Mr. Carey?

2 THE WITNESS (Carey): I did.

3 MR. PATRICK: Mr. Burns?

4 THE WITNESS (Burns): I did.

5 MR. PATRICK: Mr. Gaudet?

6 THE WITNESS (Gaudet): I did.

7 MR. PATRICK: My Lavin?

8 THE WITNESS (Lavin): I did.

9 MR. PATRICK: Mr. Gustafson?

10 THE WITNESS (Gustafson): Yes.

11 MR. PATRICK: Mr. Zito?

12 THE WITNESS (Zito): (Inaudible.)

13 MR. PATRICK: Is Mr. Zito available?

14 THE WITNESS (Zito): Yes. Can you hear me?

15 MR. PATRICK: Yes.

16 THE WITNESS (Zito): Yes. Yes -- in the affirmative.

17 MR. PATRICK: Thank you.

18 Second question, do you have any updates or
19 corrections to the identified exhibits?

20 Mr. Vergati?

21 THE WITNESS (Vergati): Just one slight revision. In
22 speaking with the Town of Brookfield this week in
23 regards to public safety the existing plans before
24 the Siting Council show two omni antennas coming
25 off the top of the tower, each roughly 22 feet in

1 length.

2 For separation purposes it looks like the
3 Town's public safety folks would like to relocate
4 one of those antennas to a lower mounting height
5 of roughly 90 feet. The next set of drawings we
6 provide to the Council will show that revision.

7 MR. PATRICK: Thank you very much.

8 Mr. Carey?

9 THE WITNESS (Carey): I do not.

10 MR. PATRICK: Mr. Burns?

11 THE WITNESS (Burns): I do not.

12 MR. PATRICK: Mr. Gaudet?

13 THE WITNESS (Gaudet): No corrections.

14 MR. PATRICK: Mr. Lavin?

15 THE WITNESS (Lavin): No.

16 MR. PATRICK: Mr. Gustafson?

17 THE WITNESS (Gustafson): No corrections.

18 MR. PATRICK: Mr. Zito?

19 THE WITNESS (Zito): I do not.

20 MR. PATRICK: Thank you.

21 Third question, is the information contained
22 in the identified exhibits true and accurate to
23 the best of your belief? Mr. Vergati?

24 THE WITNESS (Vergati): Yes, it is.

25 MR. PATRICK: Mr. Carey?

1 THE WITNESS (Carey): It is.
2 MR. PATRICK: Mr. Burns?
3 THE WITNESS (Burns): Yes.
4 MR. PATRICK: Mr. Gaudet?
5 THE WITNESS (Gaudet): Yes.
6 MR. PATRICK: Mr. Lavin?
7 THE WITNESS (Lavin): Yes.
8 MR. PATRICK: Mr. Gustafson?
9 THE WITNESS (Gustafson): Yes.
10 MR. PATRICK: Mr. Zito?
11 THE WITNESS (Zito): Yes.
12 MR. PATRICK: Fourth question, do you adopt these
13 exhibits as your testimony?
14 Mr. Vergati?
15 THE WITNESS (Vergati): I do.
16 MR. PATRICK: Mr. Carey?
17 THE WITNESS (Carey): I do.
18 MR. PATRICK: Mr. Burns?
19 THE WITNESS (Burns): Yes.
20 MR. PATRICK: Mr. Gaudet?
21 THE WITNESS (Gaudet): Yes.
22 MR. PATRICK: Mr. Lavin?
23 THE WITNESS (Lavin): Yes.
24 MR. PATRICK: Mr. Gustafson?
25 THE WITNESS (Gustafson): Yes.

1 MR. PATRICK: And Mr. Zito?

2 THE WITNESS (Zito): Yes.

3 MR. PATRICK: Thank you very much, all.

4 And Mr. Morissette, I'll turn it back over to
5 you. And I offer these exhibits and our witness
6 panel for examination by the Council.

7 THE HEARING OFFICER: Thank you, Attorney Patrick.

8 Therefore, the exhibits are hereby admitted.

9 We'll now begin with cross-examination of the
10 Applicant by the Council, starting with
11 Mr. Perrone followed by Mr. Silvestri.

12 Mr. Perrone?

13 MS. BACHMAN: Mr. Morissette, Mr. Perrone is

14 experiencing technical difficulties at this time.
15 So I will get started with cross-examination, and
16 he'll take over when he's able to get back on the
17 meeting.

18 Sorry for the inconvenience.

19 THE HEARING OFFICER: Thank you, Attorney Bachman.

20 Please continue.

21 MS. BACHMAN: Thank you.

22 Aside from AT&T, or potentially Verizon, have
23 any other wireless carriers expressed an interest
24 in co-locating on the proposed facility?

25 THE WITNESS (Vergati): Ray Vergati with Homeland

1 Towers. To date we have not heard from any other
2 carriers expressing interest to co-locate on the
3 facility that's proposed.

4 **MS. BACHMAN:** Thank you. Referencing the response to
5 Council interrogatory number six, what is the
6 approximate location of the search ring center
7 such as by identification of street intersection?

8 **MR. PATRICK:** Can you repeat the question please?

9 **MS. BACHMAN:** Certainly. Referencing the response to
10 Council interrogatory number six, what is the
11 approximate location of the search ring center
12 such as an identification by a street intersection
13 as opposed to the coordinates.

14 **MR. PATRICK:** Our team is looking for it, for the
15 answer to that question. If we can defer to later
16 on in the hearing, we can get you that answer?

17 **MS. BACHMAN:** Okay, thank you.

18 How is the specific location on the subject
19 property selected?

20 **THE WITNESS (Vergati):** Ray Vergati, Homeland Towers.

21 The specific location on the property was
22 selected in conjunction and working with the
23 landlord, obviously, on how they currently use the
24 parcel for commercial office space and storage
25 of -- of particular items they use for their

1 business.

2 This particular area, the -- I guess it would
3 be the north end of the property is an area that
4 they don't actively use as much, and it's an area
5 that makes sense to lease to Homeland Towers for a
6 facility.

7 **MS. BACHMAN:** Thank you. Is there a response from AT&T
8 about the location of the tower at this, on the
9 subject property?

10 **MR. PATRICK:** No, there's not.

11 **THE WITNESS (Vergati):** Ms. Bachman, to go back to your
12 prior question regarding the search ring, that's
13 basically a quarter mile in radius with the
14 lat/long that was provided in the response to
15 question six.

16 The cross streets for that particular --
17 particular lat/long is Duracell Drive, and it
18 looks like Research -- Research Drive would be the
19 cross streets.

20 **MS. BACHMAN:** Thank you.

21 Following up on the question to AT&T, why was
22 this particular property selected for network
23 operations? Does it meet the needs of AT&T?

24 **THE WITNESS (Vergati):** I'll turn it over to Martin
25 Lavin.

1 THE WITNESS (Lavin): Martin Lavin, C Squared.

2 It does meet the needs of AT&T, yes.

3 MS. BACHMAN: Did the Applicant consider a rooftop
4 facility at this site? Why or why not?

5 THE WITNESS (Lavin): I believe Mr. Vergati could speak
6 to the availability of rooftop --

7 THE WITNESS (Vergati): Height.

8 THE WITNESS (Lavin): In terms of height. I don't
9 think there's any rooftops in this area that would
10 serve our needs. Height-wise, it's just not high
11 enough.

12 MS. BACHMAN: Thank you, Mr. Lavin. What height is
13 required to meet AT&T's needs at this site?

14 THE WITNESS (Lavin): (Unintelligible) -- response,
15 it's the proposed height.

16 MS. BACHMAN: Referencing the response to Interrogatory
17 Number 34, the power density analysis for AT&T
18 that's included, does AT&T have any data on the
19 Town's RF power density?

20 THE WITNESS (Lavin): We didn't have it when that was
21 produced, but we can obtain that and submit an
22 updated report.

23 MR. LYNCH: Excuse me, Mr. Morissette?

24 THE HEARING OFFICER: Yes, Mr. Lynch?

25 MR. LYNCH: I know I'm going deaf -- but I have a hard

1 time hearing the witness panel. I know the
2 acoustics aren't the best, but could the witness
3 panel just speak up a little bit more, please?

4 THE WITNESS (Lavin): Certainly.

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

6 MS. BACHMAN: Mr. Lavin, if the tower is approved could
7 AT&T submit a cumulative far-field RF analysis for
8 the facility as part of the development and
9 management plan?

10 THE WITNESS (Lavin): Yes, certainly we can.

11 MS. BACHMAN: Thank you.

12 Referencing attachment one of the
13 application, page 1 of the RF report notes that
14 FirstNet is a federal agency. Does FirstNet
15 provide specific feedback to AT&T regarding which
16 areas require public safety enhancement?

17 THE WITNESS (Lavin): As far as I know, those areas are
18 agreed upon between FirstNet and AT&T, yes.

19 MS. BACHMAN: And did you receive any feedback from
20 FirstNet regarding a need for deployment in this
21 area of Brookfield?

22 THE WITNESS (Lavin): I -- I didn't personally. I
23 don't know exactly what the underlying
24 decision-making process was.

25 MS. BACHMAN: Referencing the responses to counsel

1 interrogatory number five, Applicants note that
2 the public and town officials raised questions
3 regarding the facility's ability to improve
4 coverage at the Town's schools.

5 Could you possibly elaborate on that, please?

6 **THE WITNESS (Vergati):** This is Ray Vergati with
7 Homeless Towers.

8 I think that question could be posed to
9 Mr. Paul Zito who is the Town's consultant.

10 **THE WITNESS (Zito):** This particular site for -- that
11 AT&T is proposing for cellphone -- or cell
12 coverage in that area does not affect the school,
13 the Brookfield Public Schools.

14 The Town is strictly looking at this for
15 increased coverage on the Federal Road Route 7
16 corridor where all the box stores are and lot of
17 road traffic.

18 **MS. BACHMAN:** Thank you, Mr. Zito.

19 I'm going to turn it over to Mr. Perrone. He
20 is back on, and we'll make sure that we can hear
21 him.

22 **THE HEARING OFFICER:** Thank you, Attorney Bachman.

23 Before you turn it over to Mr. Perrone,
24 concerning the question relating to the power
25 density from the Town, would it be acceptable,

1 assuming that the application is approved, that
2 that also be submitted as part of the D and M
3 plan, and the cumulative RFP analysis as well?

4 **THE WITNESS (Lavin):** Yes. Martin Lavin. We can -- we
5 just incorporate whatever the Town's parameters
6 are, and we can certainly get that in time for a D
7 and M Plan, assuming we get approval.

8 **THE HEARING OFFICER:** Thank you, Mr. Lavin.

9 Is that acceptable, Attorney Bachman?

10 **MS. BACHMAN:** Yes. Thank you, Mr. Morissette.

11 **THE HEARING OFFICER:** Thank you. Very good.

12 Mr. Perrone, please continue.

13 **MR. PERRONE:** Thank you, Mr. Morissette.

14 Referencing the response to Council
15 interrogatory number 27, do you have the existing
16 coverage gaps for Route 7 and Grays Bridge Road
17 for 700 megahertz?

18 **THE WITNESS (Lavin):** Well, I had only calculated the
19 new coverage there.

20 I can get you the existing gap distances.

21 **MR. PERRONE:** For those two roads at 700 megahertz?

22 And moving on, referencing the application
23 sheet SP1, a tower yield point is proposed. Could
24 you explain how the yield point works?

25 For example, do you over design the lower

1 section relative to the higher section?

2 THE WITNESS (Burns): Excuse me. Robert Burns,
3 All-Points Technologies.

4 Essentially, yes, that's the answer. The
5 tower is designed for TIA 222-H. And then the
6 area of the yield point has additional steel at
7 the bottom of the hinge point so that it buckles
8 on itself.

9 MR. PERRONE: And is the cost of the yield point
10 included in the tower cost figures?

11 THE WITNESS (Burns): Ray, do you know if the
12 figures --

13 THE WITNESS (Vergati): (Unintelligible.)

14 THE WITNESS (Burns): Yeah, I think the answer to that
15 is yes.

16 MR. PERRONE: Also Mr. Burns, what stormwater
17 management design features would be employed for
18 this project?

19 THE WITNESS (Burns): So this project will essentially
20 be -- the grade will match existing grade. The
21 surface will be gravel, which is -- essentially is
22 what is out there today.

23 So any slight increase in runoff will be held
24 within the voids of the stone in the compound, and
25 then either infiltrate or run out naturally.

1 MR. PERRONE: And referencing page 14 of the
2 application, approximately 70 cubic yards of
3 crushed stone would be used for the compound in
4 the driveway construction.

5 For the access drive itself would the crushed
6 stone be only for the new gravel section? Or
7 would you cut into the paved section and put
8 gravel there, too.

9 THE WITNESS (Burns): The only proposed work there will
10 be within the area of within the fence and the
11 small area in front where the utilities are.

12 That driveway -- the, quote, driveway exists
13 today. On our drawings I believe it's the area
14 that's hatched. I don't know how good a copy you
15 have. Sometimes that's an issue.

16 In drawing SP2, it's hatched.

17 MR. PERRONE: And the length of the gravel section, do
18 you have an approximate length on that?

19 THE WITNESS (Burns): The length of the overall gravel
20 area?

21 MR. PERRONE: Yeah, that portion of the access.

22 THE WITNESS (Burns): It's -- the total is 45 by 70,
23 but the area outside the fence is 10 feet.

24 MR. PERRONE: I was referring to the access drive in
25 linear feet.

1 THE WITNESS (Burns): The existing?

2 MR. PERRONE: The proposed.

3 THE WITNESS (Burns): There, there is no proposed
4 driveway. All the work will be done within the
5 lease area, the driveway that exists today.

6 So they'll enter the site over the bituminous
7 area through the parking area, and then it becomes
8 gravel after that -- but they drive it today. So
9 there's no improvement to that being proposed.

10 We are showing a construction entrance, but
11 that's just temporary so that the vehicle's tires
12 can be cleaned prior to them going out in the
13 public right of way. That will be removed after.

14 MR. PERRONE: And regarding the 70 cubic feet of
15 material to be removed for construction of the
16 compound, does that also include the excavation
17 for the tower foundation?

18 THE WITNESS (Burns): It does not. It's just the
19 compound, the six inches of gravel -- so
20 essentially six inches across the entire area.

21 MR. PERRONE: What would you do with the surplus cut
22 material from the excavation?

23 THE WITNESS (Burns): If -- well, in this case we
24 wouldn't need it on site, because we're not
25 filling anywhere. So it will be trucked off site.

1 MR. PERRONE: Okay. And while we're on the subject of
2 the foundation, could you describe how the
3 geotechnical testing is conducted?

4 THE WITNESS (Burns): So we will have a geotechnical
5 engineer go to the site, or geotech -- he'll bring
6 in a drill rig. He'll do one extended boring,
7 the -- the -- I'm trying to remember the scope. I
8 think it's 35 feet. And then he'll do a couple of
9 probes in the compound which are 10 foot smaller
10 holes to determine if they do hit rock, the extent
11 of it, or if we need to do anything additional to
12 support the concrete slabs we'll put in.

13 And then at that point, the geotech is turned
14 over to the tower designer, and he designs the
15 tower and the foundation based on that and the
16 load we -- we provided.

17 MR. PERRONE: What types of equipment would be
18 necessary for the geotech investigation?

19 THE WITNESS (Burns): A truck-mounted drill rig,
20 similar to what somebody would have for a well
21 drilled in their house. It's the same type of
22 thing. He'll back in and he'll drill right off of
23 the truck.

24 In this case it's totally accessible. So
25 they'll be able to get a truck in there, pretty

1 simple.

2 MR. PERRONE: Would any tree clearing be necessary to
3 support the geotech?

4 THE WITNESS (Burns): The geotech? No, we're removing
5 four trees for the proposed design, but I don't
6 believe those trees will be in the way to do the
7 geotech.

8 MR. PERRONE: And moving onto the backup generator, do
9 you have the approximate run time for the diesel
10 generator based on its fuel tank capacity?

11 THE WITNESS (Burns): Oh, boy. I do not. It's not
12 something I have, but it can be provided.

13 MR. PERRONE: And also with that, the fuel tank
14 capacity in gallons?

15 THE WITNESS (Burns): Yeah. I believe it is actually
16 shown on drawing C3 on the detail. So it's a
17 belly tank, and it's a 54-gallon belly tank.

18 Belly tank means it sits underneath the
19 generator. The generator is mounted on the tank.

20 MR. PERRONE: Would that tank be double walled?

21 THE WITNESS (Burns): Yes.

22 MR. PERRONE: Okay. And I see the generator
23 containment pad. Would that containment pad
24 contain all generator fluids, like fuel, oil,
25 coolant?

1 THE WITNESS (Burns): Yeah, so one of the things that
2 AT&T does is they put -- when they do their
3 concrete generator pad, they provide a -- I
4 know it.

5 It's escaping me now, but essentially a
6 trench around the outside. So if the diesel does
7 spill outside of the double-walled tank, it will
8 hold in that trench. And then they have a
9 mechanism, a pipe that holds it so that it won't
10 leak out.

11 And with that we feel that it will contain
12 any kind of spill.

13 MR. PERRONE: My remaining questions are on the
14 visibility topic.

15 THE WITNESS (Burns): Okay. Thank you.

16 MR. PERRONE: Are there any state or local -- thank
17 you.

18 Are any state or locally designated scenic
19 roads located in the vicinity of the proposed
20 site?

21 THE WITNESS (Gaudet): Give me one second just to look
22 at the viewshed map.

23 There don't appear to be any. It's Brian
24 Gaudet with All-Points, as well.

25 MR. PERRONE: In the response to Council interrogatory

1 36, there's mention of alternative designs of the
2 antennas. And it mentions that that would require
3 additional height.

4 Approximately how much taller would a unipole
5 have to be to meet AT&T's wireless service
6 objectives?

7 **THE WITNESS (Gaudet):** I mean, you're talking three
8 antennas per sector. So that would be an
9 additional 25 to 30 feet. I can let Martin Lavin
10 speak on that, but I believe it would be somewhere
11 in that range just for AT&T.

12 **THE WITNESS (Lavin):** The question again was? I'm
13 sorry. About visibility and?

14 **MR. PERRONE:** Sure. If a unipole design were employed
15 with internally mounted antennas, how much taller
16 would the structure be?

17 **THE WITNESS (Lavin):** We would be -- we need two
18 ten-foot sections above where we are. So we're
19 looking at it being at least 20 feet taller.

20 **MR. PERRONE:** Okay. Thank you. That was I have.

21 **THE HEARING OFFICER:** Thank you, Mr. Perrone.

22 We'll now continue with cross-examination of
23 the applicant by Mr. Silvestri followed by
24 Mrs Cooley? Mr. Silvestri?

25 **MR. SILVESTRI:** Thank you, Mr. Morissette, and good

1 afternoon.

2 **THE HEARING OFFICER:** Good afternoon.

3 **MR. SILVESTRI:** Mr. Vergati, if you could reference
4 drawing CP-1 for me? And when we started the
5 hearing, you had an addition, slash, correction on
6 the municipality's whip antennas. That drawing
7 has two whip antennas up on top.

8 Could you reiterate what you said about
9 relocation?

10 **THE WITNESS (Vergati):** Sure, absolutely. Ray Vergati,
11 Homeland Towers. Just to reiterate, the two
12 existing antennas, one would remain off the top of
13 the tower. So you'd have one 22-foot whip
14 antenna.

15 The second one would be removed and relocated
16 down to a mounting height of 90 feet AGL; the same
17 spec antenna, 22.3 feet in length.

18 **MR. SILVESTRI:** Understood. Thank you. And the
19 relocated spot at 90 feet, that would be below the
20 fourth potential carrier. Would that be correct?

21 **THE WITNESS (Vergati):** It would, and when you do the
22 math we'd actually be able to fit a fifth carrier
23 in there, should that need arise, with a 22-foot
24 length antenna at 90 feet and that -- with three
25 or four-foot separation from the bottom antenna.

1 So you could effectively fit five carriers on
2 this pole and not have interference with public
3 safety.

4 MR. SILVESTRI: You took my followup question away --
5 but thank you.

6 All right. Mr. Burns, a followup to what
7 Mr. Perrone had asked about the diesel generator.

8 And good afternoon to you as well.

9 THE WITNESS (Burns): Good afternoon, Mr. Silvestri.
10 For the record, Robert Burns from All-Points
11 Technologies.

12 MR. SILVESTRI: If I understood correctly, there would
13 be a pad for the diesel generator with a trench.

14 Did I hear that correctly?

15 THE WITNESS (Burns): Yes, sir.

16 MR. SILVESTRI: Is the trench for that diesel generator
17 exposed to the elements?

18 THE WITNESS (Burns): Yes.

19 MR. SILVESTRI: Okay. Then if you have a spill, oil,
20 diesel fuel would go into the trench. You
21 mentioned there would be a plug to prevent it from
22 running out -- which I'm kind of familiar with
23 these, these petro type plugs.

24 THE WITNESS (Burns): Correct.

25 MR. SILVESTRI: But being exposed to the elements,

1 should you get precipitation what would happen?

2 Would it overflow? Would you have to get a
3 certain amount of response time to get there to
4 clean it up?

5 What would happen in that event?

6 **THE WITNESS (Burns):** Well, the -- the -- if there was
7 a spill, the alarm would go to AT&T, and they
8 would have to send somebody out to repair it.

9 As far as what would happen, it would be
10 exposed to air until somebody came out, siphoned
11 it all out of the -- the containment trench and
12 then fixed the -- the leak.

13 **MR. SILVESTRI:** Do you know the capacity of the trench?

14 Would it be a hundred percent for the diesel
15 fuel? 110? Greater than that?

16 **THE WITNESS (Burns):** I have dimensions on it. I
17 haven't calculated the capacity. It's -- it's
18 around -- it goes around the entire pad. It's
19 eight inches deep and a foot wide.

20 I could certainly run some numbers and get
21 you what the capacity of the trench is.

22 **MR. SILVESTRI:** Yeah, if you could get that back to me,
23 you know, maybe right after the break or something
24 like that, that would be appreciated.

25 Thank you, Mr. Burns.

1 THE WITNESS (Burns): Thank you.

2 MR. SILVESTRI: The next one -- I'm not sure who it's
3 directed to, but if you could look at the wetland
4 inspection map there are two potential routes for
5 power and telco service. One of them is
6 underground and the other one is overhead.

7 Has there been a decision as to which one
8 would be selected should this project go through?

9 THE WITNESS (Vergati): This is Ray Vergati with
10 Homeland Towers. You are correct. We're -- there
11 are two options considered for bringing utilities
12 to the site. We did a utility consultation walk
13 with Robert Macy, the Eversource representative
14 back in February of 2022.

15 Eversource's preference in this case would be
16 to come in with the new pole off of Vail Road to
17 the site and set a pole up by the -- by the
18 compound.

19 MR. SILVESTRI: So when you have a pole by others, by
20 others would be Eversource. Is that correct?

21 THE WITNESS (Vergati): They are the provider.

22 That is correct.

23 MR. SILVESTRI: Okay. And is there concern going
24 overhead? Most of the connections that I've seen
25 for underground power and -- well, for power and

1 telco service have been underground as opposed to
2 going overhead.

3 Is there any concern on reliability, storm,
4 or anything else from your perspective?

5 THE WITNESS (Vergati): I think typically every site is
6 different, obviously. We -- we like to harden our
7 sites as a developer and -- and trench whenever
8 possible.

9 In this particular case, because we -- we
10 don't have a typical access drive going through a
11 wooded area where we're doing an aerial that is
12 susceptible to a tree limb falling and taking the
13 site out, we feel that just the simple short run
14 with one aerial pole is not an issue from losing
15 power. It doesn't increase the risk that much.
16 We're not going through a wooded area.

17 So to answer the question, no, we don't -- we
18 don't believe it's an issue on our end.

19 MR. SILVESTRI: No. Thank you, Mr. Vergati. Just one
20 followup on that one.

21 Where you have the proposed new pole going
22 overhead to the compound directly across the
23 street is the existing utility poles. Do you know
24 if there would be a connection from that existing
25 pole across the street to the proposed new pole?

1 THE WITNESS (Vergati): I believe there would be. I'll
2 take that as a homework assignment and double
3 check the notes from the utility walk that was
4 completed with Eversource -- but I believe there
5 is new overhead service going from that pole to
6 the new poll.

7 MR. SILVESTRI: And that's something you could get back
8 to me today as well?

9 THE WITNESS (Vergati): I think so.

10 MR. SILVESTRI: Very good. Thank you.

11 One last question I have -- and again, I'm
12 not sure who could answer it, but being next to
13 the railroad and the railroad siting, is there
14 concern regarding subsurface contamination during
15 excavation for the pole for the compound; PCBs,
16 petroleum, et cetera?

17 What's your feeling on that?

18 THE WITNESS (Vergati): Homeland Towers completed a
19 phase one on the site, like we do on all of our
20 sites. The phase two was not recommended.

21 So we don't believe there's any issue in
22 contamination on the property.

23 MR. SILVESTRI: Very good. Thank you.

24 Mr. Morissette, that's all the questions I
25 have. Thank you.

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

2 THE WITNESS (Vergati): This is Ray. I think I might
3 be able to answer that question regarding the
4 overhead service. The new pole that would be set
5 on Vail Road it would not be trenched.

6 If you looked at detail -- it's hard to see,
7 but you see O-H, for overhead. So there would be
8 a new pole set on Vail, and it would be an
9 overhead service to the new pole setup by the
10 compound. There would be no trenching whatsoever.

11 MR. SILVESTRI: Got it. Thank you.

12 THE WITNESS (Vergati): Thank you.

13 THE HEARING OFFICER: Very good. Thank you,
14 Mr. Silvestri.

15 We'll now continue with cross-examination by
16 Mrs. Cooley, followed by Mr. Golembiewski.

17 Mrs. Cooley?

18 MS. COOLEY: Good afternoon. First, I'd like to just
19 apologize because I'm getting a few delays here
20 and there. So if my questions freeze, I'll still
21 be here and I'll try to continue answering --
22 asking the questions.

23 Mr. Silvestri asked most of the questions
24 that I have, but I just had one question about the
25 gen. Was there ever any consideration of a

1 propane generator at the site? Or is there
2 natural gas at the site?

3 THE WITNESS (Vergati): I can't -- I don't know if AT&T
4 has considered propane here. They're obviously
5 proposing diesel right now.

6 In my conversations with the Town, they're
7 looking into it. It looks like they may prefer to
8 go propane from their perspective. They would
9 have a much smaller generator, approximately
10 around 14 kW.

11 I don't know if there is natural gas on the
12 street. I can look into that for you, but I
13 believe because of the lack of proximity of
14 wetlands to the site and not having an issue with
15 that, we think that diesel has been the way to go
16 here for -- for AT&T.

17 MS. COOLEY: Okay. Thank you. All right -- and I
18 think that's really all the questions that I had.

19 Thank you.

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

21 We will continue to cross examination by
22 Mr. Golembiewski, followed by Mr. Nguyen.

23 Mr. Golembiewski?

24 MR. GOLEMBIEWSKI: Thank you, Mr. Morissette. I don't
25 have any questions.

1 THE HEARING OFFICER: Very good. Thank you,
2 Mr. Golembiewski.

3 We'll continue with cross-examination by
4 Mr. Nguyen, followed by Mr. Lynch.

5 Mr. Nguyen?

6 MR. NGUYEN: Thank you, Mr. Morissette. Good
7 afternoon, everyone.

8 THE HEARING OFFICER: Good afternoon.

9 MR. NGUYEN: Couple of followups with respect to the
10 diesel backup generator. Who owns that backup
11 generator, and who will maintain it?

12 THE WITNESS (Vergati): The proposed diesel generator,
13 would be owned by AT&T, and they would be
14 responsible for maintenance of that, of that
15 generator.

16 MR. NGUYEN: Now that backup generator is -- will
17 certainly support AT&T. If other carriers come in
18 would that be shared, that generator?

19 Or each will have its own?

20 THE WITNESS (Vergati): Sure. Again for the record,
21 this is Ray Vergati with Homeland Towers.

22 We've been finding obviously out there that
23 each carrier is putting in their own backup
24 generation solely for their own purposes on the
25 majority of sites.

1 In certain cases there's a shared generator,
2 but I think the carriers have realized that each
3 having their own generator as opposed to a shared
4 generator prevents a single source of failure.

5 In this particular case, should the next
6 carrier come to the site they would have their own
7 generator.

8 MR. NGUYEN: Thank you. And I would like to pose this
9 question specifically to Homeland Towers and AT&T
10 regarding the concept of an energy storage
11 solution. Essentially it's a program that could
12 potentially -- an alternative to diesel or propane
13 or natural gas power generators.

14 So the question is, has your company looked
15 into that?

16 THE WITNESS (Vergati): As a developer of towers
17 throughout New England, Homeland does not get
18 involved in the network designs or equipment.
19 It's more on the carrier base.

20 And I'm not sure if you're alluding to, you
21 know, maybe installing solar panels on a cell
22 tower to generate electricity that can be stored
23 in batteries on site, that would be a question I
24 think for -- for the carrier.

25 And I'll have Harry Carey to speak to that.

1 THE WITNESS (Carey): Harry Carey, AT&T. We have not
2 looked into that at this point, but are certainly
3 willing to do so.

4 MR. NGUYEN: Thank you. Now this question for AT&T,
5 question number 19, the company indicated that
6 currently the facility does not support 5G+. And
7 5G+, it's just an ATT name -- but that's a move to
8 the millimeter on the wavelength?

9 Is that right?

10 THE WITNESS (Lavin): It's Martin Lavin for AT&T. It
11 does not, as it's originally installed, support
12 5G+. It supports the lower band 5G.

13 MR. NGUYEN: And should there be a need in the future,
14 would that be easily accommodated?

15 THE WITNESS (Lavin): Yes, you just have to add the
16 millimeter wave antennas, and that's all that
17 would need to be done.

18 MR. NGUYEN: And is the company willing to consider
19 that?

20 THE WITNESS (Lavin): As far as I know at the moment,
21 it's not a priority or needed at this location.
22 The millimeter wave is the ultra wideband, and I
23 think at the moment AT&T doesn't feel it's
24 necessary to install there.

25 MR. NGUYEN: Yeah. I understand that, at the moment.

1 I'm talking about the future?

2 THE WITNESS (Lavin): Well, in the future? If it's
3 needed, certainly. It's -- it has very limited
4 coverage due to the frequency, but if there's a
5 need for it I don't think AT&T would have any
6 objection to installing it.

7 MR. NGUYEN: There was a question by Mr. Silvestri on
8 CP-1. And it's my understanding that there's some
9 modification to the Town's antenna that will be
10 relocated. Is that right?

11 THE WITNESS (Vergati): This is Ray Vergati with
12 Homeland Towers.

13 Could you repeat the question in regards to
14 the sheet CP-1 and the relocation of the antenna?

15 MR. NGUYEN: Yeah, with respect to CP-1 I want to ask
16 whether or not the lightning rod -- is there a
17 need for a lightning rod? And if not -- if not,
18 then why not?

19 THE WITNESS (Vergati): Right now there's no proposed
20 lightning rod. I can speak to -- I could have
21 (unintelligible) speak to not having the need for
22 a lightning rod on the facility.

23 MR. NGUYEN: And who would determine the need for that?
24 Is it per the regulation?

25 THE WITNESS (Burns): For the record, Robert Burns, All

1 Points Technologies. Excuse me.

2 The lightning rod of what's been -- these
3 towers are so grounded with our grounding design
4 that they haven't found the need for a lightning
5 rod.

6 If there's one required per regulation we
7 would put one on, but the tower manufacturer along
8 with the grounding design would determine it.

9 And for the record, if I may, Mr. Morissette?
10 I have the generator answers. If I can do that
11 while I'm sitting here -- if that's okay with you?

12 THE HEARING OFFICER: Certainly. That would be great.

13 THE WITNESS (Burns): As far as run time on the
14 generator, assuming that it's running at a hundred
15 percent, which it doesn't, you know, the load is
16 not always a hundred percent, it will be about 54
17 hours.

18 And then the trench, the containment trench
19 within the concrete pad will hold well over 200
20 gallons. So it will hold all 54 gallons plus have
21 room for more.

22 THE HEARING OFFICER: Very good. Thank you, Mr. Burns.

23 THE WITNESS (Burns): Thank you, sir.

24 MR. NGUYEN: Should I continue?

25 THE HEARING OFFICER: Please continue, Mr. Nguyen.

1 MR. NGUYEN: In addition to the diesel backup
2 generator, my understanding is that there will be
3 a battery backup as well that lasts about three to
4 four hours. Is that right?

5 THE WITNESS (Lavin): Martin Lavin for AT&T.

6 Yes, there's always a battery backup as a
7 bridge between commercial power and the generator.
8 All of our equipment to the site runs on DC power.
9 So if the commercial power goes out or the DC
10 plant stops functioning, the batteries instantly
11 take over.

12 And after a certain amount of time, maybe an
13 hour or so, then the generator would come on to
14 recharge the batteries.

15 MR. NGUYEN: Thank you.

16 Other questions regarding the utility
17 poles -- it was testified earlier that there will
18 be two poles going in the area to the compound.

19 Is that right?

20 THE WITNESS (Burns): For the record once again, Robert
21 Burns with All-Points.

22 In walking the site with the power company,
23 they are going to require a new poll on Vail
24 Street mid length between two existing poles. And
25 then from there, the utilities will run overhead

1 to a pole right outside the compound. The exact
2 location will be determined by the utility
3 company.

4 And then from that pole it will run down
5 underground to the meter bank, et cetera.

6 MR. NGUYEN: Okay.

7 THE WITNESS (Burns): So there will be two new polls,
8 yes, one on the street and one on our property.

9 MR. NGUYEN: Yes. And then you answered my followup
10 regarding the underground to the utility main.

11 That's all I have, Mr. Morissette. Thank you
12 very much. And thank you, gentlemen.

13 THE HEARING OFFICER: Thank you. Mr. Nguyen.

14 We'll continue with cross-examination by
15 Mr. Lynch. Mr. Lynch?

16 MR. LYNCH: Thank you, Mr. Morissette.

17 I'm kind of losing my voice -- so bear with
18 me. My first question is a curiosity question.
19 We've been going out to this area for the last 20
20 years, if not more, finding coverage gaps for all
21 of the telecom people. Now here we are so many
22 years later.

23 Why haven't we identified these coverage gaps
24 in Brookfield before? Or why now? And either
25 Homeland or AT&T can explain to me why we're here.

1 THE WITNESS (Vergati): This is Ray Vergati, Homeland
2 Towers. I -- I can speak, you know, as a tower
3 developer we -- we look for opportunities where we
4 think the carriers have a need because of -- of
5 lack of service.

6 I think it's no secret that this southern
7 portion of Brookfield/Bethel line regarding the
8 Super Route 7 there, or Route 7 and the amount of
9 traffic and the box stores on Federal Road, that
10 there's been a need here.

11 I -- I've been doing this tower work for the
12 better of 22, 23, years, and I recall back in the
13 early 2000's trying to look for a site in this
14 area for the carriers.

15 From my perspective, Homeland worked with the
16 Town of Brookfield back in 2016/2017 to put a
17 tower up, further up on 7 on town property at 100
18 Pocono Road behind the Fire Department. Verizon
19 ended up installing on that. They were the
20 applicant and the anchor there.

21 We've always known there's a need as a
22 developer on the southern portion, and that's why
23 we started our site search in securing a ground
24 lease. We're hopeful that other carriers will
25 come to the site.

1 MR. LYNCH: Thank you.

2 And this is one -- I'd like to say, it's more
3 of a curiosity question. You know, gaps have
4 existed out there for years -- and that would lead
5 me to, I guess, Mr. Lavin, do you have to change
6 your antenna angles to deal with the terrain?

7 THE WITNESS (Lavin): We -- we only have them 120
8 degrees apart. Depending on terrain and road
9 layout and population and traffic densities, we do
10 adjust based on that. Sometimes they're not --
11 not 120 degrees apart.

12 MR. LYNCH: Okay. Thank you. Now you're putting a
13 fault into the tower as -- I forget what height,
14 but if it's going to stay within the compound, why
15 do you need a fault on it?

16 THE WITNESS (Burns): Robert Burns once again. The
17 hinge point is dictated by the distance to the
18 property line, not -- not the compound itself.

19 So I believe the hinge point here is at 129,
20 and the closest property line is 36 feet.

21 MR. LYNCH: I'm sorry. I kind of misread the
22 application. It said it was going to be totally
23 within the lease. If the tower falls, that would
24 be totally within the leased area. So thank you
25 for correcting that.

1 THE WITNESS (Burns): You're welcome.

2 MR. LYNCH: Now if I can revisit the backup generator
3 for a second. Thanks to my good colleague,
4 Mr. Silvestri, we've gone over a little bit.

5 But you're using -- the generator will be
6 powered by diesel?

7 THE WITNESS (Burns): That's correct.

8 MR. LYNCH: So I have two questions. One of them
9 involves when they fill up the diesel generator,
10 how much? What capacity does it take? 100
11 percent? 90 percent?

12 What do they use for capacity in the
13 generator?

14 THE WITNESS (Burns): You mean, how -- how big the tank
15 is and how much ultimately they would --

16 MR. LYNCH: How much they fill the tank, is what I'm
17 asking?

18 THE WITNESS (Burns): I don't know. I don't know
19 exactly, but my assumption is that they top it off
20 right to the top.

21 MR. LYNCH: Okay. Would you check that for me?

22 That's -- yeah. Again, we can come back later on.

23 THE WITNESS (Burns): Sure.

24 MR. LYNCH: Now as far as under our current crisis for
25 diesel fuel, would it be more advantageous to

1 switch over to a cheaper propane gas, rather than
2 rely on what's happening in the diesel fuel market
3 right now?

4 THE WITNESS (Burns): It's not really for me to answer.
5 Ray, Ray Vergati can answer that question.

6 THE WITNESS (Vergati): Ray Vergati, Homeland Towers.

7 It's typically a carrier-by-carrier decision
8 if they decide to use propane, natural gas or --
9 or diesel on the site. In this particular case,
10 the decision is just to use diesel by AT&T.

11 I -- I don't know if the market rates come to
12 play on -- on their decision. I think what
13 they'll look at typically is from an environmental
14 standpoint, if there's close proximity of wetlands
15 they'll go propane. In this case, there's not. I
16 think they're a hundred and twenty-three, 'four
17 feet away from the site. So they're going with
18 diesel.

19 You know, as a homeowner I just filled up
20 last week at \$5.80 cents a gallon for diesel. I
21 wish I had the luxury of going to propane, but I
22 don't.

23 So I don't think that makes the decision
24 right now in how they design a site for backup
25 generation.

1 And getting back to a previous question,
2 there is no natural gas out on the street on Vail
3 Road.

4 MR. LYNCH: Thank you. Yeah, the reason -- it is a
5 volatile market in the gas industry. So that's
6 why I put that out there.

7 THE WITNESS (Vergati): Yeah. I think, you know,
8 it's -- again, it's a -- it's a case-by-case
9 basis. And each has its pros and cons, I believe.

10 Look, the site down and you have a tree
11 across the road, you can't walk in propane. You
12 can certainly walk in diesel by hand to -- to get
13 a generator back up and running.

14 I believe sometimes diesel generators, the
15 way they're cooled, they may run at a lower dB
16 level for noise. So sometimes we'll make that
17 decision based upon proximity to property lines or
18 residential dwellings and dB levels.

19 So there's a lot that goes into, I think,
20 when a carrier picks a type of fuel source. I'm
21 not sure -- possibly the way things are going,
22 they may migrate toward propane if diesel costs
23 keep going higher.

24 MR. LYNCH: Thank you.

25 Mr. Silvestri also brought up the overhead

1 electrical versus the underground. And I think
2 we -- I share some of the concerns he has about
3 the overhead being, you know, more subject to
4 storms and stuff, and reliability.

5 Is it something that you would consider as an
6 option going underground?

7 **THE WITNESS (Vergati):** We completed the utility walk
8 with Eversource, and this was their preference.
9 We're happy to take a look at it. I would discuss
10 with my environmental folks -- if I recall, there
11 may be a seasonal swale that fills up on the side
12 of the road there that would preclude us from
13 trenching -- or preferably not. We would not look
14 to trench through that area. So we can -- we can
15 certainly take a look at the overhead.

16 And again, as I mentioned earlier, all of
17 Vail Road has overhead service. I don't think
18 we're creating a large risk in the site going down
19 with a simple run for the utilities being overhead
20 given the lack of the amount of trees on the site,
21 and the fact that everything is already aerial
22 there.

23 But we're happy to take a look if -- if
24 underground is an option and it makes sense.

25 **MR. LYNCH:** Thank you. And my last question has to

1 do -- again Mr. Silvestri brought this up. With
2 the railroad line, under the Affordable Care Act
3 railroads in the state, and some towns have gotten
4 funds for expansion or improving the rail line.

5 If they did that and you have your right of
6 way runs -- their right of way, excuse me, runs
7 right up to your leased area, how would that
8 impact your site?

9 THE WITNESS (Vergati): I -- I can't speak for their
10 expansion right now. They have existing tracks
11 there. I guess -- in myself looking at the right
12 of way they had with their tracks, I don't know if
13 there's additional room to put another track
14 closer to our site.

15 It wouldn't affect in the -- in the sense
16 that, as Mr. Burns testified, we have a hinge
17 point at 129. So in the event of a failure, the
18 tower would remain on the property.

19 Even, let's say hypothetically, the railroad
20 put another track within the right of way, we're
21 not encroaching onto their property and -- and
22 they're not encroaching onto our landlord's
23 property.

24 MR. LYNCH: Yeah. Well, that was pretty much my
25 concern. If they didn't do any improvements or

1 expansion, and they had increased the right of
2 way, you know, would that -- I think you just
3 covered it.

4 But would that in any way impact the site?

5 THE WITNESS (Vergati): No, we don't believe it would.

6 MR. LYNCH: Thank you.

7 Mr. Morissette, those are my questions.

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

9 While we're on the topic of hinge points, I
10 have some follow-up questions concerning that.

11 Considering that the railroad is adjacent to
12 the property, understanding that you have a hinge
13 point at 129 feet preventing it from going off the
14 property, does the hinge point also incorporate
15 directionality to it so it could be designed so it
16 collapses away from the railroad right of way?

17 THE WITNESS (Vergati): Not that we know of. Ray
18 Vergati, Homeland Towers. I believe the -- the
19 hinge point is obviously a thinner thickness of
20 steel that would go around the tower itself.

21 I don't believe the tower manufacturer
22 designs it specifically on one side of the tower.
23 Storms blow in, obviously, from north, south,
24 east, west.

25 Maybe that's a question for Bob to answer a

1 little bit better, but I think from my experience
2 as a developer I don't believe the manufacturers
3 design the hinge in one specific part of the
4 tower.

5 Bob, you may have more on that.

6 THE HEARING OFFICER: Thank you.

7 Good afternoon, Mr. Burns.

8 THE WITNESS (Burns): Good afternoon, Mr. Morissette.

9 I just wanted to bring up the fact that the
10 closest point from the tower to the -- to the
11 railroad track is 54 feet, and the property line
12 is actually closer. So our hinge point will be
13 well before that 54 feet. It's actually 36 feet
14 down.

15 I don't believe they've designed it -- excuse
16 me -- with a direction, a directional hinge point,
17 if you will. I don't know what else I would call
18 it, so.

19 THE HEARING OFFICER: Right. Okay, so -- but within
20 your design you've captured enough in your hinge
21 point so that it shouldn't be an issue, unless
22 something unusual had happened as far as heavy
23 high-speed winds blowing it into the railroad, but
24 that's highly unlikely --

25 THE WITNESS (Burns): Mr. Morissette, I apologize for

1 interrupting. But the closest railroad track is
2 also -- I think it's like a spur line where they
3 park railroad -- whatever you call it.

4 THE WITNESS (Vergati): Cars?

5 THE WITNESS (Burns): Yeah, thank you.

6 So it wouldn't affect railroad traffic per
7 se. So it's more or less a parking spot.

8 That's the closest point.

9 THE HEARING OFFICER: Very good. Great. Thank you for
10 those answers.

11 Let's see. Mr. Lavin, I've got a couple of
12 questions for you.

13 THE WITNESS (Lavin): Hello, Mr. Morissette.

14 THE HEARING OFFICER: Good afternoon.

15 THE WITNESS (Lavin): Good afternoon.

16 THE HEARING OFFICER: Concerning attachment one, page
17 10, 10 and 11 -- which is relating to the existing
18 coverage at 700 megahertz -- it's actually more
19 towards page 11.

20 Now with this facility you clearly improved
21 coverage on Route 7 and Grays Bridge Road -- and
22 even I think it's Route 202. I don't think it was
23 necessarily your intent to improve coverage on
24 202, but it certainly did.

25 But if I look south towards I-84 and Route 6,

1 you have a pretty good sized gap south of 84.

2 What's the plan for filling in that coverage
3 gap in that area?

4 **THE WITNESS (Lavin):** I don't know what the plan is
5 offhand. The train certainly blocks us in that
6 direction. If you look at page 7 of the RF
7 report, it goes from blue to green to yellow in
8 that direction -- which it prevents the -- is why
9 the signal isn't getting in that direction nearly
10 as well as it's making its way up and down
11 Route 7.

12 **THE HEARING OFFICER:** Oh, I see. I didn't pick up on
13 that.

14 So North of 84 you have a ridgeline?

15 **THE WITNESS (Lavin):** Yes, and -- and south of there it
16 kind of -- it levels out south of there, which
17 would result in shadowing south of 84.

18 I don't know of a specific plan, but I'm
19 guessing there would have the -- have to be
20 another site in that area.

21 **THE HEARING OFFICER:** Well, there would have to be
22 another site to cover south of the ridgeline?

23 **THE WITNESS (Lavin):** Yes.

24 **THE HEARING OFFICER:** Okay. Well, that makes sense.

25 Okay. All right.

1 If you were -- a hypothetical here. If you
2 were to move it south, you would still have that
3 gap?

4 **THE WITNESS (Lavin):** Yes.

5 **THE HEARING OFFICER:** Okay.

6 **THE WITNESS (Lavin):** Yes, we would.

7 **THE HEARING OFFICER:** All right. Very good. All
8 right. That's all the questions I have this
9 afternoon.

10 We do have some open questions here. So what
11 I propose to do -- well, let me run off what
12 questions that I see that we have open, and then
13 we can take a short break and see if we can get
14 some answers for them, and hopefully be able to
15 close the record here.

16 So the first one is the coverage gap on
17 Route 7 and Grays Bridge, by Mr. Perrone at the
18 700 megahertz level?

19 **THE WITNESS (Lavin):** Yes. The existing gap on Grays
20 Bridge is 0.9 miles. The existing gap on US-7 is
21 0.8 miles. And the site fills both in completely.

22 **THE HEARING OFFICER:** Very good.

23 Mr. Perrone, does that satisfy your question?

24 **MR. PERRONE:** Yes, it does, thank you.

25 **THE HEARING OFFICER:** Very good. Thank you.

1 THE WITNESS (Lavin): Sorry for missing that on the
2 first go round.

3 THE HEARING OFFICER: No problem. In this -- let me
4 see. The question that is open relating to the
5 fuel tank.

6 And the capacity of the fuel tank, is it
7 filled to a hundred percent or something there
8 lower than that in percentage?

9 That was asked by Mr. Lynch.

10 MS. CHIOCCHIO: I think we have an answer for that,
11 Mr. Morissette.

12 THE HEARING OFFICER: Great. Thank you.

13 THE WITNESS (Burns): Once again, Mr. Morissette --
14 Robert Burns from All-Points.

15 In checking with AT&T, the fuel tank is
16 topped off. So it's up to a hundred percent.

17 THE HEARING OFFICER: Very good. Thank you.

18 Mr. Lynch, does that satisfy your question?

19 MR. LYNCH: Yes, Mr. Morissette.

20 THE HEARING OFFICER: Very good. Thank you.

21 And the last one I have open is Mr. Ray
22 Vergati is going to look at underground versus
23 overhead, and I don't believe that can be
24 accomplished here this afternoon.

25 So I would propose that if the project gets

1 approved, that it be addressed in the D and M
2 plan. Is that acceptable, Attorney Chiocchio?

3 MR. PATRICK: Yes, that is acceptable to the Applicant.

4 THE HEARING OFFICER: Very good. Well, that's all the
5 items I had that was open.

6 Attorney Patrick, do you have anything else?

7 MR. PATRICK: No, sir. Not today. Thank you.

8 THE HEARING OFFICER: Okay. I'm going to quickly go
9 through -- since we have a little bit of time
10 here, go through the Council and to see if they
11 have any follow-up questions concerning this
12 matter. We'll start with Mr. Perrone.

13 Mr. Perrone, any follow-up questions?

14 MR. PERRONE: No, Mr. Morissette. I'm all set.

15 THE HEARING OFFICER: Very good. Thank you.

16 Mr. Silvestri, any follow-up questions?

17 MR. SILVESTRI: No, Mr. Morissette. It's just while we
18 were conducting business I was looking at Google
19 Maps. It's an interesting array of utility poles
20 that go up and down Valley Road -- just a comment.

21 Thank you.

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

23 Mrs. Cooley, any follow-up questions.

24 MS. COOLEY: Thank you, Mr. Morissette. I am all set.

25 THE HEARING OFFICER: Very good. Thank you.

1 Mr. Golembiewski, any follow-up questions?

2 MR. GOLEMBIEWSKI: No. No, thank you, Mr. Morissette.

3 THE HEARING OFFICER: Thank you.

4 Mr. Nguyen, any follow-up questions?

5 MR. NGUYEN: I have none. Thank you.

6 THE HEARING OFFICER: Thank you.

7 Mr. Lynch, any follow-up questions.

8 MR. LYNCH: Wait a minute. Let me get out my list --
9 no more questions, Mr. Morissette.

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

11 And I have no followup questions. So with
12 that we'll wrap it up -- and thank you, everyone.

13 So the Council will recess until 6:30 p.m.,
14 at which time we will commence with the public
15 comment session of this remote public hearing.

16 Thank you, everybody, for your attention in
17 this matter. And we will see you at 6:30.

18 Thank you.

19
20 (End: 3:10 p.m.)
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25

CERTIFICATE

I hereby certify that the foregoing 59 pages are a complete and accurate computer-aided transcription of my original verbatim notes taken of the remote teleconference meeting of The Connecticut Siting Council in Re: DOCKET NO. 512, 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 60 VAIL ROAD, BROOKFIELD, CONNECTICUT., which was held before JOHN MORISSETTE, Member and Presiding Officer, on November 3, 2022.



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

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