



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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Hearing Program
Docket No. 513
Thursday, May 4, 2023
2:00 p.m./6:30 p.m.
Zoom Remote Public Hearing

I. Opening by Council

A. Statement read by Presiding Officer.

B. 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
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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>
8. Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, §6409 Wireless Facilities Deployment 2012, *available at* <https://www.gpo.gov/fdsys/pkg/PLAW-112publ96/pdf/PLAW-112publ96.pdf>
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>
14. DIVISION OF MIGRATORY BIRD MANAGEMENT, UNITED STATES FISH & WILDLIFE SERVICE, UNITED STATES DEPARTMENT OF THE INTERIOR, *Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance and Decommissioning*, last updated March 2021, *available at* <https://www.fws.gov/sites/default/files/documents/usfws-communication-tower-guidance.pdf>
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>
16. FEDERAL AVIATION ADMINISTRATION, *Obstruction Marking and Lighting, Advisory Circular AC No. 70/7460-1L*, November 16, 2020, *available at* https://www.faa.gov/documentLibrary/media/Advisory_Circular/Advisory_Circular_70_7460_1M.pdf
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20. FEDERAL COMMUNICATIONS COMMISSION, *Public Notice – Wireless Telecommunications Bureau Offers Guidance on Interpretation of Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012*, DA 12-2407, January 25, 2013, available at https://apps.fcc.gov/edocs_public/attachmatch/DA-12-2047A1.pdf
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25. FEDERAL COMMUNICATIONS COMMISSION, *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment/Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, Third Report and Order and Declaratory Ruling*, FCC 18-111, August 3, 2018, available at <https://docs.fcc.gov/public/attachments/FCC-18-111A1.pdf>
26. FEDERAL COMMUNICATIONS COMMISSION, *FCC Fact Sheet: Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment; Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, Third Report and Order*, FCC 18-133, September 27, 2018, available at <https://docs.fcc.gov/public/attachments/DOC-353962A1.pdf>
27. FEDERAL COMMUNICATIONS COMMISSION, *Implementation of State and Local Governments' Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012, Declaratory Ruling and Notice of Proposed Rulemaking*, FCC 20-75, June 10, 2020, available at <https://ecfsapi.fcc.gov/file/0610971105336/FCC-20-75A1.pdf>
28. FEDERAL COMMUNICATIONS COMMISSION, *Implementation of State and Local Governments' Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012, Report and Order*, FCC 20-153, November 3, 2020, available at <https://docs.fcc.gov/public/attachments/FCC-20-153A1.pdf>

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30. UNITED STATES FISH AND WILDLIFE SERVICE, New England Field Office, Addressing Northern Long-eared Bat, *available at* [New England Field Office Endangered Species Act Project Review and Consultation | U.S. Fish & Wildlife Service \(fws.gov\)](#)

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31. STATE OF CONNECTICUT SITING COUNCIL, *Statewide Plan for Wireless Telecommunications Coverage*, Revised October 2018, *available at* <https://portal.ct.gov/-/media/CSC/Publications/2018TELCOMPLANFINALpdf.pdf>
32. STATE OF CONNECTICUT SITING COUNCIL, *Telecommunications Facilities: An Illustrated Primer on the Siting of Facilities Within Connecticut and Throughout the Nation, Version II*, *available at* <https://portal.ct.gov/-/media/CSC/CSCtower307pdf.pdf>
33. STATE OF CONNECTICUT SITING COUNCIL, *Statewide Telecommunications Coverage Database*, *available at* <https://portal.ct.gov/CSC/Common-Elements/Common-Elements/Connecticut-Siting-Council---Disclaimer>
34. **DOCKET NO. 432** – Feasibility study of back-up power requirements for telecommunications towers and antennas pursuant to Public Act 12-148, *available at* https://portal.ct.gov/CSC/1_Applications-and-Other-Pending-Matters/Applications/3_DocketNos400s/Docket-No-432
35. **DOCKET NO. 466** - The Connecticut Light & Power Company d/b/a Eversource Energy Certificate of Environmental Compatibility and Public Need for the Frost Bridge to Campville 115-kilovolt (kV) electric transmission line project that traverses the municipalities of Watertown, Thomaston, Litchfield, and Harwinton, which consists of (a) construction, maintenance and operation of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 10.4 miles between Eversource’s existing Frost Bridge Substation in the Town of Watertown and existing Campville Substation in the Town of Harwinton; (b) related modifications to Frost Bridge Substation and Campville Substation; and (c) reconfiguration of a 0.4 mile segment of two existing 115-kV electric transmission lines across the Naugatuck River in the Towns of Litchfield and Harwinton within the same existing right-of-way as the new 115-kV electric transmission line, *available at* https://portal.ct.gov/CSC/1_Applications-and-Other-Pending-Matters/Applications/3_DocketNos400s/Docket-No-466--Frost-Bridge-to-Campville-Project
36. **PETITION NO. 1433** - The Connecticut Light and Power Company d/b/a Eversource Energy declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed 1191 Line Rebuild Project, consisting of the replacement and reconductoring of electric transmission line structures along approximately 10 miles of its existing No. 1191 115- kilovolt (kV) single-circuit electric transmission line within

existing Eversource electric transmission line right-of-way between the existing Frost Bridge Substation in Watertown and the existing Campville Substation in Harwinton, Connecticut, traversing Watertown, Thomaston, Litchfield and Harwinton, Connecticut, and related electric transmission line structure improvements, *available at* https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1431-1440/Petition-No-1433-Eversource_Watertown

37. **PETITION NO. 1527** – The Connecticut Light and Power Company d/b/a Eversource Energy declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed Stevenson to Pootatuck Rebuild Project consisting of the replacement and reconductoring of electric transmission line structures along approximately 8 miles of its existing Nos. 1560, 1808 and 1580 115-kilovolt (kV) electric transmission lines within existing Eversource electric transmission line right-of-way between Eversource’s Stevenson Substation, 1 Roosevelt Drive in Monroe and The United Illuminating Company’s Pootatuck Substation, 14 Old Stratford Road in Shelton, Connecticut, and related electric transmission line and substation improvements, *available at* https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1501-1600/PE1527

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38. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, CONNECTICUT COUNCIL ON SOIL AND WATER CONSERVATION, *Connecticut Guidelines for Soil Erosion and Sediment Control, DEP Bulletin 34*, last revised November 2007, *available at* <https://portal.ct.gov/DEEP/Water/Soil-Erosion-and-Sediment-Control-Guidelines/Guidelines-for-Soil-Erosion-and-Sediment-Control>
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42. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Connecticut Noise Control Regulations*, Effective June 15, 1978, Regulations of Connecticut State Agencies §§22a-69-1, et seq. <https://eregulations.ct.gov/eRegsPortal/Browse/getDocument?guid=%7b60A3E155-0600-CEB3-8088-B39D9CA5974D%7d>
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Other State Agencies

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MAPS

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83. Mail-A-Map Street Map, Litchfield, available at <http://mailamap.com/street-maps>
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C. State Agency comments

1. Council on Environmental Quality Comments, dated March 22, 2023
2. Connecticut Airport Authority Comments, dated March 22, 2023

II. Appearance by Applicant

Applicant:	Cellco Partnership d/b/a Verizon Wireless (VER)
Representative:	Kenneth C. Baldwin, Esq. Robinson + Cole, LLP

A. Administrative Notice.

- 1.

B. Exhibits for Identification.

1. Application for a Certificate of Environmental Compatibility and Public Need filed by Cellco Partnership d/b/a Verizon Wireless, received March 1, 2023, and attachments and bulk file exhibits including:

Bulk file exhibits:

- a. Technical Report to the Town of Litchfield
 - b. Town of Litchfield Zoning Regulations
 - c. Town of Litchfield Inland Wetlands and Watercourses Regulations
 - d. Town of Litchfield Plan of Conservation and Development
2. Applicant's Affidavit of Publication, dated March 2, 2023

3. Applicant's Signed Protective Order related to unredacted lease agreement, dated March 30, 2023
4. Applicant's Responses to Council Interrogatories, Set One, dated April 10, 2023
5. Applicant's Sign Posting Affidavit, dated April 25, 2023
6. Applicant's Proposed Alternate Tower Location, Modified Interrogatory Responses and attachments, dated April 27, 2023

C. Swear Witnesses

1. Shiva Gadasu, Radio Frequency Engineer, Verizon Wireless
2. Timothy Parks, Real Estate/Regulatory Specialist, Verizon Wireless
3. Carlo F. Centore, P.E., Principal, Centek Engineering, Inc.
4. Brian Gaudet, Project Manager, All-Points Technology Corporation P.C.
5. Dean Gustafson, Senior Wetland Scientist and Professional Soil Scientist, All-Points Technology Corporation P.C.

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

E. Cross Examination.

1. Council

III. Closing by Connecticut Siting Council.