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STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Docket No. 515

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 East of the Student Transportation
Parking Lot at 180 School Road, Wilton, Connecticut.

Zoom Remote Public Hearing (Teleconference),
on Thursday, June 29, 2023, beginning at 6:30 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)**

5 **BRIAN GOLEMBIEWSKI,**

6 **DEEP Designee**

8 **Quat Nguyen,**

9 **PURA Designee**

11 **ROBERT SILVESTRI**

13 **Council Staff:**

14 **MELANIE BACHMAN, ESQ.,**

15 **Executive Director and Staff Attorney**

17 **IFEANYI NWANKWO,**

18 **Siting Analyst**

20 **LISA FONTAINE,**

21 **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 **ROBINSON & COLE**

4 **280 Trumbull Street**

5 **Hartford, Connecticut 06103**

6 **By: KENNETH C. BALDWIN, ESQ.**

7 **KBaldwin@rc.com**

8 **860.275.8345**

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1 (Begin: 6:30 p.m.)
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4 THE HEARING OFFICER: Good evening, ladies and
5 gentlemen. This hearing is called to order this
6 Thursday, June 29, 2023, at 6:30 p.m.
7

8 My name is John Morissette, member and
9 presiding officer of the Connecticut Siting
10 Council. Other members of the Council are Brian
11 Golembiewski, designee for Commissioner Katie
12 Dykes of the Department of Energy and
13 Environmental Protection; Quat Nguyen, designee
14 for Chairman Marissa Paslick Gillett of the Public
15 Utilities Regulatory Authority; and we have Robert
16 Silvestri.
17

18 Members of the staff are Melanie Bachman,
19 Executive Director and Staff Attorney; Ifeanyi
20 Nwankwo, siting analyst; and Lisa Fontaine, fiscal
21 administrative officer.
22

23 If you haven't done so already, I ask that
24 everyone please mute their computer audio and/or
25 telephones now.
26

27 This is a continuation of the remote public
28 hearing that began at 2 p.m. this afternoon. A
29 copy of the prepared agenda is available on the
30 Council's Docket Number 515 webpage along with a
31
32

1 record of this matter, the public hearing notice,
2 instructions for public access to this remote
3 public hearing, and the Council's Citizen's Guide
4 to Siting Council Procedures.

5 This hearing is held pursuant to the
6 provisions of Title 16 of the Connecticut General
7 Statutes and of the Uniform Administrative
8 Procedure Act upon an application from Cellco
9 Partnership, d/b/a Verizon Wireless, for a
10 certificate of environmental compatibility and
11 public need for the construction, maintenance, and
12 operation of a telecommunications facility located
13 east of the student transportation parking lot at
14 180 School Road in Wilton, Connecticut. The
15 application was received by the Council on March
16, 2023.

17 This application is governed by the
18 Telecommunications Act of 1996, which is
19 administered by the Federal Communications
20 Commission. This act prohibits this Council from
21 considering the health effects of radiofrequency
22 emissions on the human health and wildlife to the
23 extent the emissions from the towers are within
24 the federal acceptable safe limits standards,
25 which standard is also followed by the State

Department of Public Health.

The Federal Act also prohibits this Council from discriminating between and amongst providers of functionally equivalent services. This means that if one carrier already provides a service in an area, other carriers have the right to compete and provide service in the same area.

The Council's legal notice of the date and time of this remote public hearing was published in the Wilton Bulletin on April 20, 2023.

Upon this Council's request, the Applicant erected a sign in the vicinity of the proposed site so as to inform the public of the name of the Applicant, the type of the facility, the remote public hearing date, and contact information for the Council, including the website and phone number.

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

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

This remote public comment session is

1 reserved for members of the public who signed up
2 in advance to make brief public statements. These
3 limited appearance statements are not subject to
4 questions from the parties or the Council, and
5 members of the public making statements may not
6 ask questions of the parties or the Council.

7 In accordance with the public hearing notice,
8 and in fairness to everyone who has signed up to
9 speak, these public statements will be limited to
10 three minutes. Please be advised that written
11 comments may be submitted by any person within 30
12 days of this public hearing.

13 I wish to note that parties and interveners,
14 including their representatives, witnesses, and
15 members are not allowed to participate in the
16 public comment session. I also wish to note for
17 those who are listening and for the benefit of
18 your friends and neighbors who are unable to join
19 us for the remote public comment session, that you
20 or they may send written statements to the Council
21 within 30 days of the date hereof by mail or by
22 e-mail.

23 Please be advised that any person may be
24 removed from the public comment session at the
25 discretion of the Council. We ask that each

1 person making a limited appearance statement in
2 this proceeding to confine his or her statements
3 to the subject matter before the Council, and to
4 avoid unreasonable repetition so that we may hear
5 all the concerns you and your neighbors may have.
6 Please be advised that the Council cannot answer
7 questions from the public about the proposal.

8 A verbatim transcript will be made of this
9 hearing and will be deposited in the Wilton Town
10 Clerk's office for the convenience of the public.

11 At this time, I request the applicant to make
12 a very brief presentation to the public describing
13 the proposed facility. Attorney Baldwin?

14 MR. BALDWIN: Thank you, Mr. Morissette.

15 Good evening, everyone. Again, my name is
16 Ken Baldwin. I'm a lawyer at Robinson & Cole, and
17 I represent Cellco Partnership doing business as
18 Verizon Wireless in its proposal to establish a
19 new telecommunications facility in the northwest
20 portion of a 109-acre parcel known as 180 School
21 Road.

22 Verizon intends to install a
23 telecommunications facility on this parcel and
24 provide service that is needed along portions of
25 Routes 7, 33, and 106 in the town of Wilton, as

1 well as the surrounding areas, residential and
2 commercial and area roadways.

3 In addition to the coverage benefits, as
4 testified to this afternoon during the evidentiary
5 session, the site would also provide some capacity
6 relief to several of Verizon's surrounding sites
7 that are currently exhausting in certain antenna
8 sectors.

9 Verizon has worked very closely with the Town
10 of Wilton through an RFP process to establish a
11 telecommunications facility at the school bus
12 parking lot across the street from the Middlebrook
13 School.

14 As shown on the map here, Plan L-2, the
15 facility would be located in the southeasterly
16 corner of the school bus parking lot adjacent to
17 the lot. Verizon would be using two parking
18 spaces to access its facility and replacing those
19 two parking spaces down in the southwest corner of
20 the parking lot.

21 The facility itself -- if we could go to the
22 next slide? The facility itself would consist of
23 a 60-foot by 60-foot fenced compound area. The
24 tower would be located in the westerly portion, as
25 shown on this plan.

1 Verizon would install an equipment pad in the
2 easterly corner, which would be occupied by an
3 equipment cabinet, a battery cabinet and a backup
4 generator, which would provide power to the
5 facility if commercial power is otherwise
6 interrupted. It's a propane fuel generator, so in
7 the southwesterly corner of the compound there is
8 a 1,000-gallon propane tank that would also be
9 installed on a concrete pad.

10 If we could go to the next slide, please?

11 The tower itself, at the request of the Town
12 and several of the neighbors that we communicated
13 with during the public input process, will be a
14 123-foot monopine tower, a tower disguised as a
15 pine tree. The top branches for the tree will
16 extend to an overall height of 128 feet, and as
17 discussed this afternoon, the benefits on the
18 visual impact of installing a tree tower here were
19 fairly substantial, and discussed at this
20 afternoon's session.

21 Thank you, Mr. Morissette.

22 THE HEARING OFFICER: Thank you, Attorney Baldwin.

23 We will now call on First Selectwoman
24 Vanderslice to make a public statement, followed
25 by Anne McCarty.

First Selectwoman Vanderslice, please?

FIRST SELECTWOMAN VANDERSLICE: Thank you. Good evening, Presiding Officer Morissette and members of the Council.

As noted, I am Lynn Vanderslice, the elected First Selectwoman of the Town of Wilton. Thank you for this opportunity to provide comments on behalf of Wilton residents and businesses. We support the application that is before you.

The Wilton Board of Selectmen determined there were significant deficiencies with cell service in the area of the proposed tower. We came to this determination based on resident complaints and comments, town and school employee comments, a resident survey, and our collective experiences in the area. We decided we needed to address the deficiencies.

The area includes residential and commercial properties and critical town buildings and facilities, including three of our four public schools, our community and senior center, a large number of sports playing fields, the site of our summer camp and other recreational programs, and a park with a swimming pond. The area also includes Wilton Center, the Wilton Y, and the popular

Norwalk River Valley Trail.

We chose the bus barn location as we believed it best addressed the needs of the community and those traveling through Wilton. We also believed it had minimal visual impact and disruption to the neighbors.

We fully support the request for a monopole. We consider the Town's ability to use the tower as an enhancement to our public safety capabilities and we appreciate Verizon's collaborative and transparent approach in addressing both Town and neighbor needs and requests.

Again, on behalf of the Town, I thank you for your thoughtful consideration of this application and hope you will view it favorably. Thank you.

THE HEARING OFFICER: Thank you, First Selectman
Vanderslice.

Thank you for coming out this evening.

We'll now call upon Anne McCarty, followed by Richard McCarty. Anne McCarty, please?

RICHARD McCARTY: This is Richard McCarty. My wife is not home from work at the moment -- so if she gets home in time, I would defer to her return.

THE HEARING OFFICER: Very good. Please continue.

RICHARD McCARTY: Okay. Thank you. I am Richard

1 McCarty. I live at 11 Cider Mill Place in the
2 town of Wilton.

3 And first I'd like to recognize Brian Gaudet
4 at Verizon and the Applicant for his wonderful
5 cooperation and communication during his visits to
6 the house during the phase of evaluating exposure
7 and visual impacts of the tower. He was
8 outstanding in his approach to the neighbors.

9 Three brief points, if I may? I live on
10 Cider Mill Place, so I would have to point out
11 that I think Mr. Baldwin's slide this evening did
12 not adequately or correctly indicate the location
13 of Cider Mill Place.

14 Cider Mill Place is not directly across the
15 street from the Applicant's parcel. It is a
16 little further down the street, and that is why
17 I'm perhaps a seasonal viewer of the tower.

18 But also, the discussion this afternoon about
19 alternative site one versus alternative site two,
20 I did not attend the first discussions on
21 alternative site one because I did not have an
22 impact on it. The move to alternative site two
23 has an impact, so that's why I'm testifying. And
24 while I have an informed opinion about why the
25 second site was chosen, it would be triple hearsay

1 for me to testify to that today.

2 In response to a question this afternoon
3 about the availability of natural gas, I know that
4 the school across the street, Middlebrook School
5 which is across the street from the proposed site,
6 is in fact heated by natural gas. Natural gas was
7 moved up to School Road several years ago, and it
8 is used to heat the school's facilities, the town
9 facilities along School Road, including the Senior
10 Center, and the other schools that the Honorable
11 Selectman talked about.

12 I think we all know the dangers of a
13 thousand-pound container of propane, and I would
14 suggest that the Siting Council take appropriate
15 action to ask Verizon to amend its application to
16 eliminate the thousand-pound propane tank and to
17 replace it with a connection to the reasonably
18 available natural gas location.

19 Third, there was some discussion also this
20 afternoon about the wetlands and drainage off the
21 school parking lot. Early in January of this year
22 there was a fire department incident at that
23 property involving volatile organic compounds. I
24 was assured my interest in that is that the town
25 enjoys the benefits of a drainage easement across

1 my property.

2 And so I'm pretty familiar with the drainage
3 across School Road, across the ball --

4 THE HEARING OFFICER: I'm sorry, Mr. McCarty. Your
5 time has expired. Is your wife available?

6 Is Ann McCarty available?

7 RICHARD McCARTY: No, she's not available.

8 THE HEARING OFFICER: Okay. We'll come back if she's
9 available before we end this evening. We'll give
10 it another shot.

11 We'll now call upon Craig Kelly. Mr. Kelly?
12 Mr. Kelly, are you available?

13
14 (No response.)

15
16 THE HEARING OFFICER: It doesn't look like Mr. Kelly is
17 here.

18 Mr. McCarty, is Ann McCarty available?

19 RICHARD McCARTY: I just heard some noise in the
20 kitchen. Let me go check -- if you can indulge me
21 for at least one moment?

22 THE HEARING OFFICER: Absolutely. Thank you.

23
24 (Pause.)
25

1 RICHARD McCARTY: Thank you. It wasn't her. I think
2 her only comment would have been to leave the
3 record open for 90 days and not 30 days.

4 Thank you.

5 THE HEARING OFFICER: Thank you.

6 Mr. McCarty, you didn't quite finish your
7 third point. Please go ahead and finish what you
8 were saying.

9 RICHARD McCARTY: Oh, thank you. My third point with
10 regard to volatile organic compounds.

11 While I was assured by the Town that it was a
12 one-incident, the presence of volatile organic
13 compounds at that site -- now I would suggest that
14 it may be appropriate for the Town to remediate
15 the drainage issues off the bus barn property
16 prior to the approval of this application, and
17 consistent with everyone's goals with regard to
18 ESG and the environment.

19 So I would ask that the Siting Council take
20 appropriate action with regard to potential
21 environmental issues presented by the addition of
22 the tower site.

23 Thank you, Mr. Morissette, and thank you to
24 the Siting Council.

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

1 for coming out this evening.

2 I'll ask for Craig Kelly one more time.

3
4 (No response.)
5

6 THE HEARING OFFICER: Okay. I don't see Mr. Kelly on
7 the screen.

8 A VOICE: He's having a hard time unmuting his screen.

9 THE HEARING OFFICER: Okay. Let's give him a second
10 here. Mr. Kelly?

11
12 (No response.)
13

14 A VOICE: He said he's on his phone.

15 THE HEARING OFFICER: Unfortunately, he's not -- he's
16 still muted. What is his phone number?

17 A VOICE: His phone number is (475)279-7910.

18 THE HEARING OFFICER: He's on the screen.
19 He appears to be muted.

20 A VOICE: Yeah, he's having a hard time unmuting.

21 CRAIG KELLY: Hello? You can hear me now?

22 THE HEARING OFFICER: Yes, we can hear you. Thank you.

23 CRAIG KELLY: I just pressed star six. I didn't know
24 that was the combination.

25 Good afternoon, everyone.

1 THE HEARING OFFICER: Good evening. Please continue.

2 CRAIG KELLY: Yes -- no, because I work at a bus
3 company. So you know, I was wondering what would
4 be the effect of us being there on a daily basis?
5 You know, because we're probably there the most
6 hours out of anybody who would be affected by the
7 tower, per se.

8 You have some drivers who leave earlier, but
9 they don't really do too many hours. But you
10 have, like, the mechanics and the trainers who are
11 there for, like you know, several hours a day. So
12 I just want to know what would be the effect of us
13 being, you know, there around that tower, you
14 know, for that long period of time?

15 And also, since the buses sit in the lot, you
16 know, hours per day, is there an effect of, like,
17 you know, residual -- I don't know if it's
18 radiation or whatever. You know, whatever the 5G
19 pushes out, would there be, you know, affecting
20 the buses just sitting there and us being there
21 for hours on end?

22 THE HEARING OFFICER: Unfortunately, this is a public
23 comment session, and we do not accept questions or
24 respond to questions during this session. This is
25 for public comments only. My suggestion --

1 CRAIG KELLY: (Unintelligible) --

2 THE HEARING OFFICER: My suggestion would be --

3 CRAIG KELLY: (Unintelligible) -- go ahead.

4 THE HEARING OFFICER: My suggestion is to go to the
5 Connecticut Siting Council webpage under Docket
6 Number 515. And you can review the information
7 that is available about the project itself.

8 CRAIG KELLY: Okay. All right. Thank you.

9 THE HEARING OFFICER: Okay. Anything else?

10 CRAIG KELLY: No, thank you. That's it.

11 THE HEARING OFFICER: Very good. Thank you for calling
12 in.

13 Okay. With that, we will be closing the
14 evidentiary record. Before closing this hearing,
15 the Connecticut Siting Council announces that
16 briefs and proposed finding of fact may be filed
17 with the Council by any party or intervenor no
18 later than July 29, 2023.

19 The submission of briefs or proposed findings
20 of fact are not required by this Council. Rather,
21 we leave it to the choice of the parties and
22 interveners. Anyone who has not become a party or
23 intervenor, but who desires to make his or her
24 views known to the Council may file written
25 statements with the Council within 30 days of the

1 date hereof.

2 The Council will issue draft findings of
3 fact, and thereafter parties and interveners may
4 identify errors or inconsistencies between the
5 Council's draft findings of fact and the record.
6 However, no new information, no new evidence, no
7 arguments, and no reply briefs without permission
8 will be considered by the Council.

9 Copies of the transcript of this hearing will
10 be filed with the Wilton Town Clerk's office.

11 I hereby declare this hearing adjourned. And
12 thank you, everyone, for your participation this
13 evening. Thank you, everyone. Have a great
14 evening.

15 MR. BALDWIN: Thank you.

16
17 (End: 6:52 p.m.)
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1 CERTIFICATE

2

3 I hereby certify that the foregoing 20 pages

4 are a complete and accurate computer-aided

5 transcription of my original verbatim notes taken

6 of the remote public hearing of THE CONNECTICUT

7 SITING COUNCIL PUBLIC HEARING in Re: DOCKET NO.

8 515, CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS

9 APPLICATION FOR A CERTIFICATE OF ENVIRONMENTAL

10 COMPATIBILITY AND PUBLIC NEED FOR THE

11 CONSTRUCTION, MAINTENANCE, AND OPERATION OF A

12 TELECOMMUNICATIONS FACILITY LOCATED EAST OF THE

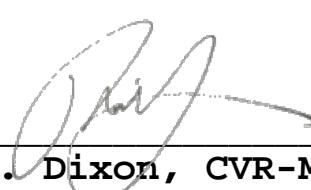
13 STUDENT TRANSPORTATION PARKING LOT AT 180 SCHOOL

14 ROAD, WILTON, CONNECTICUT, which was held before

15 JOHN MORISSETTE, Member and Presiding Officer, on

16 June 29, 2023.

17

18 

19 Robert G. Dixon, CVR-M 857

20 Notary Public

21 My Commission Expires: 6/30/2025

22

23

24

25