

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE:

APPLICATION BY MCM HOLDINGS, LLC
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR THE
CONSTRUCTION MAINTENANCE AND
OPERATION OF A WIRELESS
TELECOMMUNICATIONS FACILITY AT
3 MARCHANT ROAD (CAMP HOYT), 288
SIMPAUG TURNPIKE (PARCEL NO. 12-29),
REDDING, CONNECTICUT

DOCKET NO. 517

January 16, 2024

**RESPONSES OF MCM HOLDINGS, LLC TO INTERVENOR JOANN VILLAMIZAR,
SECOND SET OF PRE-HEARING INTERROGATORIES**

Q1. In the event that MCM's application is granted with the restriction to move the site and access road to a location 100 feet from Wetlands 1, please provide the distance from the (1) fenced area and (2) the monopole for each of the following areas listed on the Boy Scout Camp map submitted by MCM in Attachment 2:

The latrine
The Carter Cabin
Johnson training area
Arthur training area

A1. *Based on the analyses and testimony provided in the record, which demonstrates that the proposed location of the facility does not result in any significant environmental impact, the Applicant does not expect a relocation of the facility.*

Q2. MCM's response to Intervenor Villamizar interrogatory 6 relative to the date that MCM began its search in West Redding simply references the Verizon Site Search Summary in MCM's Attachment 2. As the attachments to the MCM lease agreement are dated 2014, please advise when MCM began a search for a site for a cell tower in West Redding and the basis for the search as it appears that it was not on the behest of Verizon based on Verizon's testimony that it did not begin its search until 2016.

A2. *As Ms. King testified at the November 30th evidentiary hearing (11/30/23 Transcript pg. 31), it is her understanding that MCM's review of this area was based on interest for a site expressed by Verizon through their submission of an application to collocate on the facility in October of 2016.*

Q3. Please provide the basis for MCM's search of properties in West Redding in 2014?

A3. *Please see response A2.*

Q4. Please provide the evidence supporting MCM's testimony that it is not likely that any amphibians using the area of the Wetland I would traverse approximately 750 feet to

vernal pool 1 as it is stated in Intervenor Villamizar Exhibit IV-3 that the spotted salamanders may move more than 1/2 mile from bodies of water where they breed.

- A4. *As noted in Mr. Gustafson's testimony at the November 30th evidentiary hearing (11/30/23 Transcript pg. 44), the majority of amphibians utilizing Vernal Pool 1 embedded within Wetland 2, located ±430 feet east of the proposed facility, are likely using upland forested habitats directly adjacent to both the east and west sides of Wetland 2 (and Vernal Pool 1). As no vernal pool habitat was identified within Wetland 1, obligate vernal pool amphibians are less likely to occur within the upland forested area where the facility is proposed. Please refer to a detailed evaluation of the vernal pool habitat and potential impacts by the proposed Facility provided under MCM's Responses to Council Interrogatories, Set One, dated 11/01/23, Attachment 6 – Wetland & Vernal Pool Impact Analysis for additional details. As noted in the referenced report and as contained in Mr. Gustafson's testimony, there is still the potential for encountering vernal pool obligate amphibians in proximity to the proposed facility, however that potential becomes less likely as the distance from the vernal pool increases. Since it is recognized that the potential to encounter these amphibians at the facility location is not zero, MCM is proposing a comprehensive Resource Protection Plan to protect amphibians potentially utilizing the upland habitat during construction (also provided in the Wetland & Vernal Pool Impact Analysis Report). The vernal pool impact analysis documents de minimis increase of development within Vernal Pool 1's terrestrial habitat conservation zone (the Critical Terrestrial Habitat ("CTH")). In combination with the resource protection plan, the proposed facility will not result in a likely adverse impact to existing amphibian productivity, nor will it result in long-term adverse impact to the CTH.*
- Q5. *As the spotted salamander is secretive and rarely seen spending most of their time hiding in burrows or under moist leaf litter (as stated in Intervenor Villamizar Exhibit IV-4), please explain how a spotter is going to spot the salamander in order to ensure that it is not killed?*
- A5. *The fossorial nature of spotted salamanders does create a potential for unintentional mortality, albeit a very low one due to the separating distance from Vernal Pool 1 to the proposed Facility. The proposed amphibian protection measures detailed in the Resource Protection Plan are focused on protecting migrating amphibians that could be encountered during migratory periods. Those migratory periods represent the highest potential for encountering spotted salamanders (or wood frogs) during construction of the facility. It is much less likely that a subterranean spotted salamander would be encountered within the relatively small area that represents the proposed Facility. The CTH surrounding Vernal Pool 1 (100'-750' from the vernal pool edge), will remain largely intact; the proposed development would only result in a de minimis increase of ±0.2% development in the CTH. The prescribed contractor training and use of a spotter is intended to minimize inadvertent mortality during construction activities. Furthermore, once isolation barriers (perimeter silt fence) have been installed prior to commencement of construction activities, amphibian sweeps will be conducted prior to the start of daily construction activities by an environmental monitor experienced in locating and identifying amphibians. Any amphibians caught within work areas will be moved to safer locations outside of the isolation barriers. Therefore, the very low potential for incidental spotted salamander mortality, which would only be short-term during construction, would not result in a significant adverse impact to the breeding population of spotted salamanders that utilize Vernal Pool 1.*

- Q6. As habitat degradation plays a significant role in wood frog decline and the fact that the frogs also may travel more than ½ mile to their breeding grounds (as stated in Intervenor Villamizar Exhibit IV-5), please explain how the clearing and erecting of monopole and related equipment within such close proximity to the vernal pool and Wetland 1 will not result in habitat degradation?
- A6. *Please refer to MCM's Responses to Council Interrogatories, Set One, dated 11/01/23, Attachment 6 – Wetland & Vernal Pool Impact Analysis for a detailed analysis of impacts to the vernal pool resource identified interior to Wetland 2. No vernal pool habitat was identified within Wetland 1 and the proposed Facility is ±430 feet from Vernal Pool 1. The CTH surrounding Vernal Pool 1 will remain largely unchanged by development of the proposed Facility, which would only increase development in the CTH by ±0.2%, a de minimis change to the current 89% non-development condition. Possible migratory corridors that may intersect with the proposed facility will remain intact. Based on these factors, the proposed development will not result in long-term adverse impact to the terrestrial habitat that these amphibians rely on.*
- Q7. MCM states that moving the compound further from Wetland 1 would result in more tree clearing and grading but the photographs submitted showing the woodland surrounding the proposed site do not show a significant change in the tree density. Thus, please explain why more trees and grading would be needed for a 50-foot change in location to better protect Wetland 1 and its inhabitants?
- A7. *Please see the testimony provided at the November 30, 2023 evidentiary hearing by Mr. Gustafson (11/30/23 Transcript pgs. 53-54 and 68-70).*
- Q8. Does the existing infrastructure, trails and usage by the comp prohibit movement of the proposed site 50 feet further from Wetland 1?
- A8. *Yes.*
- Q9. Would MCM be willing to do an additional balloon float at this time in order for the intervenors to take photographs from various locations for the benefit of the Siting Council to better understand the aesthetic impact of the erection of a monopole on the ridgeline?
- A9. *As described in the Application, after the June 8th public information meeting and at the request of the Town, MCM conducted a publicly noticed balloon float on July 24, 2023, at which time members of the public could view the balloon.*
- Q10. Has MCM approached any other cellular providers relative to sharing of the monopole should the application be granted? If yes, was there any interest?
- A10. *Yes. MCM contacted all active wireless providers regarding their proposal. To date, none have expressed interest in collocation.*
- Q11. Did MCM inform Verizon of the lease agreement with the Boy Scout Camp on or before QI of 2016?
- A11. *Verizon submitted an application to MCM to collocate on the proposed facility in October of 2016.*

- Q12. As the proposed monopole is on a ridgeline as shown in Exhibit IV-6, why were no views from the ridgeline to the southwest, west and northwest not provided?
- A12. *Representative views from the southwest, west, and northwest of the proposed Facility location can be seen in Photographs 1, 2, 5, 6, 7, 8, 9, and 27 of the Visibility Analysis & Photosimulations included as Attachment 5 to the August 14, 2023 Application for a Certificate of Environmental Compatibility and Public Need.*
- Q13. MCM's testimony is that there would not be any year round visibility of the tower but as Exhibit IV-6 is from outside the residence at 235 Simpaug, does MCM believe that the 65 feet of monopole extending about the ridgeline would not be visible from 235 Simpaug?
- A13. *MCM does not believe that the proposed monopole would be visible above the treeline, or year-round, from 235 Simpaug Turnpike. As stated in the evidentiary hearing (Hearing Transcript, pg. 36), MCM does anticipate seasonal views from the 235 Simpaug Turnpike parcel but did not access private property to evaluate potential visibility from the residence itself.*
- Q14. Does MCM believe that the 65 feet of monopole extending above the ridgeline would not be visible from residences that are to the southwest, west and northwest which are located on the ridgeline in those directions?
- A14. *MCM anticipates that there would be some seasonal visibility to the southwest of the proposed Facility (see Photo 8 of the Visibility Analysis & Photosimulations included as Attachment 5 to the August 14, 2023 Application for a Certificate of Environmental Compatibility and Public Need) and some seasonal and year-round visibility to the northwest. The area of potential visibility to the northwest is located along the eastern side of a ridgeline just west of the Saugatuck River approximately 0.45-mile away. No visibility is anticipated from residences in that area, which are located beyond the ridgeline.*

CERTIFICATE OF SERVICE

I hereby certify that on this day, one original and fifteen (15) hard copies of the foregoing was sent via overnight Federal Express and electronically to the Connecticut Siting Council and to the parties on the service list as noted below.

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