

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

IN RE:

	:	
	:	DOCKET NO. 517
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	:	February 22, 2024

**MCM HOLDINGS, LLC
POST-HEARING BRIEF**

MCM Holdings, LLC (the “Applicant” or “MCM”) respectfully submits this Post-Hearing Brief in support of the above-referenced Application.

PRELIMINARY STATEMENT

On August 14, 2023, MCM filed an application (the “Application”) with the Connecticut Siting Council (the “Siting Council”) for a Certificate of Environmental Compatibility and Public Need (“Certificate”) for the construction, maintenance, and operation of a wireless telecommunications facility (“Facility”) on an approximately 174-acre parcel of property zoned as “R-2” (2-Acre Residential) owned by the Connecticut Yankees Council, Inc. (Boy Scouts of America) located at 3 Marchant Road in the Town of Redding (the “Property” or “Camp Hoyt”). The Property is used as a camp by the Boy Scouts of America and includes various camp sites, hiking trails, a training facility, a parking area, and cabins. The Facility is needed by Cellco Partnership d/b/a Verizon Wireless (“Verizon”) to provide reliable wireless services to northwestern Redding, southwestern Bethel, and southern Danbury. The Facility is proposed within an approximately 6,800 square-foot (s.f.) lease area in the center of the Property.

Construction of the Facility will permit Verizon and other FCC licensed wireless carriers to provide reliable wireless services to residents, businesses, schools, municipal facilities, and visitors to northwestern Redding, southwestern Bethel, and southern Danbury. MCM has also offered space on the monopole to the Redding Fire Department, which has yet to confirm their interest in attaching to the Facility. *November 30, 2023 Transcript, Page 62.*

STATEMENT OF FACTS

I. Verizon's Need for the Facility

Verizon, an intervenor in this proceeding, identified significant coverage deficiencies in its existing wireless communications network in this area of Redding and nearby Bethel and Danbury. As demonstrated in the record and in Verizon's post-hearing correspondence, a Facility is required to meet Verizon's coverage and capacity needs in this area of Connecticut and the proposed Facility will provide necessary in-building residential and in-vehicle coverage if Verizon is permitted to locate at a centerline height of 146' above grade level (AGL).

II. Facility Description

The Applicant is proposing to construct a telecommunications facility consisting of a 150'-tall monopole, which will house Verizon's equipment and antennas, situated within a 4,550 s.f. fenced equipment compound within a 6,800 s.f. leased area. Vehicle access to the Facility would be provided from Simpaug Turnpike over the existing paved driveway and gravel parking area. There are no required improvements to the existing parking lot area or to the existing paved driveway which provides access from Simpaug Turnpike to the existing parking area. *November 30, 2023 Transcript, Page 59.* A new 12'-wide, approximately 125'-long gravel access drive would connect the Facility to the existing gravel parking area. Utility connections would be routed underground from an existing utility pole #4884 on site. *Applicant's Ex. 1 Attachment 5 to MCM's Application.*

Verizon would install 9 antennas with 9 remote radio head units (RRHs) at a centerline height of 146' AGL along with an equipment cabinet, a back-up battery cabinet, and a propane-fueled emergency back-up generator on a 10'x20' concrete pad in the northeastern corner of the fenced equipment compound. A 1,000-gallon propane fuel tank will be installed by Verizon on a separate 5'x16' concrete pad on the northwestern portion of the equipment compound.

The Facility also includes space on the monopole for 3 additional carriers to be located below Verizon's equipment and space within the grade-level fenced equipment compound for the equipment of 3 other carriers, including sufficient space for each to maintain a 500-gallon propane fuel tank and emergency back-up generator. *Applicant's Ex. 1 MCM's Application Page 14; Applicant's Ex. 1 Attachment 4 to MCM's Application; Applicant's Ex. 16 MCM Updated Drawing Submission dated January 16, 2024.*

The tower would be painted brown to best reflect the surrounding forested environment. *Applicant's Ex. 3 MCM's Response to Council Interrogatories Set I, Response A13.* The tower and foundation are not currently designed to accommodate any future height increase or extension. *Applicant's Ex. 9 MCM's Response to Fogle Interrogatory Set I, Response A4; November 30, 2023 Transcript, Page 64.*

If requested or required by the Siting Council, the Applicant indicated that a hinge-point could be designed at the 90' AGL level of the tower, which is 60' from the top of the tower, so that any catastrophic failure of the tower would avoid the Blue Trail and Garfield Camp Site, where the closest point to the tower is 90' away. *November 30, 2023 Transcript, Pages 54-55.*

III. Site Selection Process.

Verizon currently does not provide reliable services in areas of northwestern Redding. To address this need, Verizon and MCM have been engaged in site searches in northwestern Redding and the surrounding area over the last few years. This particular site search area in Redding is predominated by hilly terrain and forested areas. No suitable tall structures are located at the

higher elevations in this area of the Town of Redding. The area consists principally of low story residential structures on large parcels with some farms surrounded by dense wooded areas.

A number of different parcels of land within Redding were investigated. As provided in the Application materials, including the Property, 4 sites were investigated as well as 2 existing towers. Aside from the Camp Hoyt parcel, the other alternatives were deemed either unavailable or inappropriate for the siting of a tower facility or technically inadequate to satisfy Verizon's coverage requirements for this area of need. As testified during the January 23, 2024 continued hearing, the property at 101 Marchant Road was rejected due to the potential environmental impacts that would result from the necessary clearing that would be needed to prepare that parcel for construction of a tower in a suitable location to achieve Verizon's service objectives as well as the increased visibility that would result from the taller tower that would be needed. *January 23, 2024 Transcript, Pages 13-14.*

Verizon's witnesses also provided testimony during the January 23, 2024 continued hearing which confirmed that any existing towers in the nearby vicinity were not technically feasible to satisfy their service demands in the area, largely due to the existing topography and thick vegetation in the surrounding area, including the Redding Fire Department property and the properties at 4 Ditmar Road and 66 Sugar Hollow Road. *January 23, 2024 Transcript, Pages 9 and 18-23.* The proposed site at Camp Hoyt was also chosen due to its elevation and proximity in relation to the surrounding area to be served, which allows better coverage while minimizing the proposed tower height. *January 23, 2024 Transcript, Pages 10, 36 and 39.*

MCM and Verizon also examined alternative locations on the Camp Hoyt site for the proposed location of the Facility. Specifically, MCM considered locating the Facility within the existing parking lot on site but determined that to not be a feasible alternative due to the Boy Scout's need for parking capacity, especially during summer events, and their inability to lose needed parking spaces. *November 30, 2023 Transcript, Page 28.* As further explained herein and in the record, alternative locations were also considered to move the facility further from Wetland

1. However, those alternatives were determined likely to create greater environmental impact on more ecologically sensitive resources, including Wetland 2 which contains the vernal pool, and would also require additional tree clearing. *November 30, 2023 Transcript, Pages 53-54 and 68-70*. Thus, the proposed location or site is the best feasible option to provide the needed benefits.

IV. Consultation with Town of Redding Officials

Connecticut General Statutes § 16-50l generally requires an applicant to consult with the municipality in which a new tower facility may be located for a period of ninety days prior to filing any application with the Siting Council. With respect to the Facility as proposed in this Application, a Technical Report was filed with the Town of Redding on April 18, 2023. On June 8, 2023, a duly noticed (in-person) public information meeting was held at the Town of Redding Town Hall including a presentation by MCM and Verizon during which comments and questions were received from the public in attendance. After the public information meeting, at the request of the Town, MCM conducted a duly noticed balloon float on July 24, 2023. The Town of Redding neither requested party or intervenor status in this Docket nor did the Town of Redding provide any location preferences to MCM, Verizon, or the Siting Council pursuant to Connecticut General Statutes § 16-50gg. *Applicant's Ex. 1 MCM's Application Page 21; November 30, 2023 Transcript, Page 61; Applicant's Ex. 10 MCM Response to DeLuca Interrogatories Set I, Response A3.*

V. Certificate Application, Parties & Intervenors & Pre-Hearing Filings

MCM filed the Application with the Siting Council on August 14, 2023, proposing to construct a 150'-tall monopole tower with Verizon equipment and antennas. Notice of the Applicant's intent to file the Application was mailed to all abutting property owners on August 8, 2023, and the legal notice was published in the Danbury News Times on August 10, 2023 and August 11, 2023. *Applicant's Ex. 1 Attachments 9 and 10 to MCM's Application; Applicant's Ex. 3 MCM's Responses to Council Interrogatories Set I, Response A1.* On August 15, 2023, Verizon submitted its Petition to Intervene, which was thereafter approved by the Siting Council at its August 31, 2023 meeting. On August 31, 2023, the Siting Council issued its completeness review

determination indicating that the application conforms to the Siting Council's Application Guide for Community Antenna Television and Telecommunications Facilities.

The Siting Council received requests from and granted intervenor status to several members of the residential and business community on September 5, 2023 (Dorothy DeLuca), September 15, 2023 (Suzanne Fogle; JoAnn Villamizar; Danielle Caldwell; Meredith Miller; New Pond Farm Education Center; Marchant Farm), and December 1, 2023 (Tim K. Keyes; Michael Ungerer; CLJ Lancaster). Jason Jaffee also submitted a request for intervenor status on November 12, 2023, but subsequently withdrew that request on November 18, 2023. A Pre-Hearing Conference was held by the Siting Council staff on October 18, 2023 which was attended by representatives of MCM, Verizon, and the various intervenors.

The various resident and business intervenors submitted sets of interrogatories, which MCM and Verizon responded to as appropriate, and pre-filed testimony.

On November 14, 2023, the Applicant posted a Public Notice Sign at the Site providing notice to the public of the application and hearing date and location.

On November 30, 2023, the Council conducted a remote evidentiary hearing and an evening public hearing via Zoom on the Application (the "Hearing"). The Hearing was continued until January 23, 2024. The evidentiary record was closed on January 23, 2024 after cross-examination by the Siting Council and parties. Public comments were accepted until February 22, 2024. All parties were given a full and fair opportunity to present evidence and cross-examine witnesses.

Pursuant to Council direction and Section 16-50j-31 of the Regulations of the Connecticut State Agencies, the Applicant files this post-hearing brief analyzing the criteria set forth in Connecticut General Statutes § 16-50p(a)(3) and addressing issues raised during this proceeding.

POINT I

A PUBLIC NEED CLEARLY EXISTS

FOR A NEW TOWER FACILITY IN REDDING

Pursuant to C.G.S. Section 16-50p, the Siting Council is required to find and determine as part of any Certificate application, “a public need for the proposed facility and the basis for that need.” C.G.S. §16-50p(a)(1). Verizon intervened in this Docket and provided coverage analyses, data and expert testimony that clearly demonstrate the need for a new tower facility to provide reliable wireless services in this area of Redding. Verizon’s post-hearing correspondence expands on the establishment of the coverage gap and how the proposed Facility remedies the demonstrated gap.

POINT II

**THERE ARE NO EXISTING STRUCTURES OR OTHER VIABLE ALTERNATIVE
SITES FOR SITING THE PROPOSED WIRELESS FACILITY**

The Docket contains written evidence and testimony demonstrating that the Camp Hoyt property is the best site to meet the carrier’s needs, and the only available site to be leased.

Verizon conducted a search for tower sites, which included an investigation of 6 different sites in the Town of Redding. *Applicant’s Ex. 1 Attachment 2 to MCM’s Application*. MCM and Verizon determined that of the 6 sites within their search area, only the Property was feasible because the other sites investigated were not viable for RF reasons or because property owners were not willing to make their properties available for telecommunications development. *Applicant’s Ex. 1 Attachment 2 to MCM’s Application; January 23, 2024 Hearing Transcript, Pages 17-36*. Existing wireless sites do not provide sufficient coverage to portions of the Town of Redding or nearby Town of Bethel and City of Danbury, mainly due to the distances between existing sites, terrain characteristics, intervening topography, and the volume of user traffic in the area.

The record in this proceeding contains uncontroverted evidence in the form of expert analyses, data and testimony, that the proposed Site at Camp Hoyt is the only viable option to meet the carrier's wireless coverage and service needs in this area.

POINT III

THE PROPOSED TOWER FACILITY PRESENTS NO SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECTS

Pursuant to C.G.S. Section 16-50p, the Siting Council is required to find and determine as part of a Certificate application any probable environmental impacts of a facility on the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forests and parks, air and water purity, fish and wildlife, distance to schools and commercial child daycare centers¹ and facility design. The Applicant respectfully submits that while some impacts are associated with the proposed Facility, such impacts will have no significant environmental effects on the resources listed in C.G.S. Section 16-50p and clearly do not outweigh the public need for the Facility as proposed in this Docket.

1. The Facility Will Not Result in a Significant Adverse Visual Impact nor have a Substantial Effect on the Scenic Quality of the Surrounding Area.

MCM's visibility analyses and expert testimony demonstrate that the visibility of the proposed Facility will neither result in a significant adverse visual impact nor have a substantial adverse effect on the aesthetics or scenic quality of the area surrounding the proposed Facility.

As presented in the Visual Assessment and Photo-Simulations prepared by All-Points Technology Corp., areas from where the Facility would be visible when leaves are off the trees comprise 44+/- acres of the 8,042-acre study area and are generally limited to locations within 0.5 miles of the Property. Year-round visibility is anticipated to occur over open fields and water,

¹ Distance to schools and commercial day care facilities are evaluated in the context of significant visual impacts.

comprising an additional $2 \pm$ acres. Together, this represents less than one percent of the 8,042-acre study area ($\pm 0.06\%$) with more than half of the predicted visibility occurring over the Camp Hoyt parcel. *Applicant's Ex. 1 Attachment 5 to MCM's Application*. Also, the Applicant submits that the tower and attached carrier equipment will be painted brown in order to best reflect the surrounding forested areas. *Applicant's Ex. 3 MCM Response to Council Interrogatories Set I, Response A13*.

Other alternatives evaluated include a possible watchtower, which was determined not appropriate given the overall lack of visibility of the proposed monopole and the lack of need for firewatches in this immediate vicinity. Also, the existing tree canopy heights and the lack of surrounding conifer trees would cause a monopine tower to stand out, rather than blend in, making it not a feasible option to reduce potential visibility. *November 30, 2023 Transcript, Pages 41, 71 and 75*.

No schools or commercial child-care centers are located within 250' of the Property. John Read Middle School is located approximately 2.07 miles southeast of the Property and the Westbrook Nature Preschool is located approximately 0.39 miles northeast of the Property. No visibility from these locations is anticipated. *Applicant's Ex. 1 Attachment 5 to MCM's Application; November 30, 2023 Transcript, Pages 15 and 39-40*.

The Applicant's testimony and expert analysis establish that the proposed Facility will not significantly affect the scenic quality of the surrounding area or have a significant adverse environmental impact.

2. The Facility Will Not Significantly Affect Public Health and Safety.

In August of 1996, the FCC adopted a standard for Maximum Permissible Exposure (MPE) for RF emissions from telecommunications facilities like the one proposed in this Application. The tower site will fully comply with federal and state MPE standards. The cumulative worst-case

calculation of power density from Verizon's operations would be 9.0% of the MPE standard. A Far Field RF exposure analysis is included in *Applicant's Ex. 1 Attachment 7 to MCM's Application*.

Moreover, the proposed Facility will be monitored and secure. An 8' security fence with a locked gate will secure the equipment housed within the compound area. *Applicant's Ex. 3 MCM's Responses to Council Interrogatories Set I, Response A16*. The equipment located at the Facility will be monitored 24 hours a day, 7 days a week from a remote location. *Applicant's Ex. 3 MCM's Responses to Council Interrogatories Set I, Response A16*. If climbing pegs are to be installed on the tower, to further eliminate risk of injury due to unsanctioned climbing of the tower, MCM will request from the tower manufacturer that removable pegs be installed on the lower 8-10 feet of the tower which will be removed when maintenance or repairs are not being done to the tower or equipment. *November 30, 2023 Transcript, Page 22*. These security measures unequivocally satisfy the public health and safety considerations established by Connecticut General Statutes § 16-50p(a)(3).

3. The Facility Will Not Significantly Affect the Natural Environment in the Area.

The Applicant has offered extensive evidence demonstrating that the proposed Facility will not significantly affect the natural environment factors described in Connecticut General Statutes § 16-50p(a)(3).

a. Historic Properties, Structures, and Buildings

Various consultations and analyses for potential environmental impacts are summarized and included in *Applicant's Ex. 1 Attachments 6 and 8 to MCM's Application*. Representatives of the Applicant submitted requests for review from federal and state entities including the Connecticut Department of Economic and Community Development State Historic Preservation Office (SHPO). MCM conducted an evaluation of the proposed Facility's potential effects on historic resources and concluded that the proposed Facility will have no effect on historic properties listed or eligible for listing on the National Register of Historic Places. SHPO's concurred with MCM's evaluation. *Applicant's Ex. 1 Attachment 6 to MCM's Application*.

b. Habitat Assessment and Wildlife

Based on an Avian Resources Evaluation report, no adverse impacts to migratory bird species are anticipated. The proposed Facility is not proximate to an Important Bird Area and would comply with the United States Fish and Wildlife Services (“USFWS”) recommended best practices. *Applicant’s Ex. 1 Attachment 6 to MCM’s Application.*

According to the most recent Connecticut Department of Energy & Environmental Protection DEEP Natural Diversity Data Base (“NDDB”) maps, the proposed Facility is located within a shaded NDDB buffer area. A NDDB Determination letter indicates that only one state-listed Endangered species, Appalachian blue butterfly may be influenced by the proposed Facility. A survey for black cohosh was conducted on July 13, 2023 and no plants were found. *Applicant’s Ex. 1 Attachment 6 to MCM’s Application; Applicant’s Ex. 3 Attachment 5 to MCM’s Responses to Council Interrogatories Set I.*

MCM’s experts testified during the hearing in Docket 517 regarding the black cohosh survey conducted on July 13, 2023. That testimony explained the methodology for the survey, which included a botanist reviewing all the habitat areas in proximity to the facility to determine if any suitable habitat was present and to identify any complimentary species in the area. While that survey identified several species, no black cohosh was found. *November 30, 2023 Transcript, Pages 47-48.*

Two federally listed species under the Endangered Species Act are known to occur in the vicinity of the Property: the northern long-eared bat (“NLEB”; Endangered; *Myotis septentrionalis*) and bog turtle (Threatened; *Clemmys muhlenbergii*). A review of the DEEP NDDB NLEB habitat map revealed that the proposed Facility is not within 150’ of a known occupied NLEB maternity roost tree and is not within 0.25 mile of a known NLEB hibernaculum. The nearest NLEB habitat resource to the proposed Facility is located ±16.8 miles to the northeast in Bridgewater. On November 30, 2022, the USFWS reclassified the NLEB as Endangered under the Endangered Species Act. Using the new NLEB Determination Key developed by the USFWS

for NLEB, a determination that the proposed Facility would likely not affect the NLEB was submitted. Since no response was received within 15 days of this determination submission, no further action is required. *Applicant's Ex. 1 Attachment 6 to MCM's Application.*

The Project Site and adjacent areas also do not support bog turtle habitat. The Facility would be located within a forested upland area adjacent to a gravel parking area and boy scout camp facility and would not impact nearby wetlands. The nearest potential bog turtle habitat is possibly associated with the wetland habitat contained within the Saugatuck River valley located over 1,500' northwest of the Project Site. Therefore, no likely adverse effect to bog turtle, a wetland dependent species, would be anticipated from the proposed project. A Preliminary Site Assessment was filed through the CTDEEP eNDDDB system to determine which listed species may be present on or within the vicinity of the Project Site. A species list was generated through the eNDDDB system on February 18, 2023 revealing that no records of bog turtle exist on or in the vicinity of the Project Site. Even though the proposed Facility is not expected to impact bog turtle or its habitat, a Bog Turtle Protection Plan was developed and will be implemented. *Applicant's Ex. 1 Attachment 6 to MCM's Application.*

Additionally, as noted in MCM's expert testimony at the November 30th evidentiary hearing (*November 30, 2024 Transcript, Page 44*), the majority of amphibians utilizing Vernal Pool 1 embedded within Wetland 2, located $\pm 430'$ 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. For additional details, please refer to a detailed Wetland & Vernal Pool Impact Analysis Report of the vernal pool habitat and potential impacts by the proposed Facility submitted by MCM. *Applicant's Ex. 3 Attachment 6 to MCM's Responses to Council Interrogatories Set I.* As noted in the referenced report and as contained in MCM's expert 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. *Applicant's Ex. 14 MCM's Response to Villamizar Interrogatories Set II, Response A4.*

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 $\pm 0.2\%$ 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. *Applicant's Ex. 14 MCM's Response to Villamizar Interrogatories Set II, Response A5.*

Therefore, the proposed Facility or the construction activity relating to same are not anticipated to have any significant detriment to protected wildlife habitat or wildlife. Further, as described in more detail herein, the location of the proposed Facility has been thoroughly reviewed and chosen so as to present the least possible detriment to the natural environment.

c. Protected Land and Designated Environments

Since the proposed Facility will be unmanned, there will be no substantial impacts from traffic on area roadways, sanitary waste, or any material impact on air emissions. Consultation with the State Historic Preservation Office ("SHPO") confirmed that no historic resources will be impacted by the development of the proposed Facility. *Applicant's Ex. 1 Attachment 6 to MCM's Application.* In addition, there are no prime farmland soils on the proposed Facility property. *Applicant's Ex. 3 MCM's Response to Council Interrogatory Set I, Response A5 and Attachment 3.*

d. Wetlands

A wetland delineation was conducted at the Property and identified two nearby freshwater wetlands, one approximately 48' west of the proposed facility ("Wetland 1") and another approximately 443' east of the proposed facility ("Wetland 2"). No permanent, direct impacts to wetlands, or species habitat, are anticipated to result from the proposed Facility. Proposed sedimentation and erosion controls will be designed, installed, and maintained during construction activities in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control which will minimize any temporary impacts. Overall, the construction and operation of the proposed Facility will not impact any wetlands or inland waterways. The Wetlands Inspection is included in *Applicant's Ex. 1 Attachment 8 to MCM's Application.*

The Siting Council on Environmental Quality (CEQ) issued a letter dated August 23, 2023 recommending that the Applicant consider relocating the proposed facility compound and access road to maintain a 100' buffer. The Applicant considered moving the compound, but determined that moving it further to the east would reduce the separation distance to Wetland 2. Since Wetland 2 contains the vernal pool, it is determined to be a much higher quality wetland system than Wetland 1, requiring further protection which is provided in the current layout. Furthermore, the more the Facility is moved interior to the east and/or south, the more grading and tree clearing would be required resulting in subsequent impacts by extending deeper into the interior forested habitat. The location of the Facility as proposed, which is in closer proximity to the existing infrastructure and paved/gravel parking areas, minimizes the potential environmental impacts of the project to the greatest extent possible. *November 30, 2023 Transcript, Pages 53-54 and 68-70.*

APT performed a vernal pool survey in April 2023 that confirmed field data previously collected during the spring of 2017 that Wetland 2 supports breeding habitat for obligate vernal pool species: the wood frog and spotted salamander. The findings of these surveys and an analysis of the proposed facility's potential impact to the vernal pool contained within Wetland 2 in accordance with the Army Corps of Engineers vernal pool Best Management Practices is provided in the submitted Wetland & Vernal Pool Impact Analysis prepared by APT dated June 6, 2023. *Applicant's Ex. 3 MCM Response to Council Interrogatories Set I, Response A20 and Attachment 6.*

The proposed Facility would be unmanned, requiring monthly maintenance visits approximately one hour long. Carriers that maintain antennas and equipment at an approved Facility monitor their facility 24 hours a day, seven days a week from a remote location. The proposed Facility does not require a water supply or wastewater utilities. No outdoor storage or solid waste receptacles will be needed. Furthermore, the proposed Facility will neither create nor emit any smoke, gas, dust, other air contaminants, noise, odors, nor vibrations other than those

created by any heating and ventilation equipment or generators installed by the carriers. During power outages and weekly equipment cycling an emergency generator would be utilized with air emissions in compliance with State of Connecticut requirements.

Additionally, the construction equipment needed to develop the Facility will typically be refueled off premises. If any refueling is to be done on-site, there is available space to do so in portions of the parking lot that will be greater than 100' from the existing wetlands. MCM has also committed to not using any chemical-based snow/ice removal components and would use only mechanical means of vegetation clearing. *November 30, 2023 Transcript, Pages 50-51 and 58.*

e. Absence of Noise Impacts.

Besides the backup power sources, which are exempt from the Department of Energy and Environmental Protection noise standards, no facility equipment generating noise is expected aside from the door-mounted air conditioning cooling fans on Verizon's radio equipment cabinet which generate less than 60 dBA (equivalent to the sound level of a conversation) at a distance of 5' from the cabinets. *Applicant's Ex. 3 MCM Response to Council Interrogatories Set I, Response A18.* Therefore, no impacts are expected due to noise from the facility, especially in comparison to the noise currently generated on the site by the use of the Boy Scout's firearms. *January 23, 2024 Transcript, Page 48.*

4. The Benefits of the Proposed Facility Far Exceed Any Potential Impact, Thereby Warranting Application Approval.

Pursuant to Connecticut General Statutes § 16-50p(a)(3), the evidence in the Docket clearly establishes that any probable environmental impacts resulting from the proposed Facility are insufficient to deny the Application. Any limited impacts associated with the Application are outweighed by its substantial public benefits, thereby warranting Siting Council approval.

The evidence and testimony submitted by MCM and Verizon demonstrates that there are no alternatives to the proposed Facility at Camp Hoyt to remedy long-standing gaps in wireless coverage and to provide reliable wireless services to the public. Accordingly, the benefits of the

proposed Facility far exceed any potential aesthetic impact, thereby justifying the issuance of a Certificate.

VI. Conclusion

Based on the overwhelming uncontroverted evidence in the record, MCM and Verizon have established that there is a demonstrated need for the Facility and that the limited environmental impacts associated with the Facility are outweighed by the public need and benefits. The Applicant therefore respectfully requests that a Certificate issue for the proposed Facility.

RESPECTFULLY SUBMITTED,

MCM Holdings, LLC

By: Lucia Chiochio
Lucia Chiochio, Esq.
Daniel Patrick, Esq.
Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, NY 10601
Tel. No. (914) 761-1300
E-Mail: lchiochio@cuddyfeder.com
E-Mail: dpatrick@cuddyfeder.com
Attorneys for the Applicant

CERTIFICATION OF SERVICE

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

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597
Phone: (860) 275-8200
kbaldwin@rc.com

Virginia King
MCM Holdings, LLC
40 Woodland Street
Hartford, CT 06105
vking@mcmgmt.com

Emily C. Deans, Esq.
Robinson & Cole LLP
1055 Washington Boulevard
Stamford, CT 06901
Phone: (860) 275-8302
edeans@rc.com

Dorothy DeLuca
4 Long Ridge Road
Redding CT 06896
Phone: (203) 664-1673
info@fleurdelisct.com

Suzanne Fogle
44 Granite Ridge Road
Redding, CT 06896
Phone: (203) 919-2703
sfged444@gmail.com

JoAnn Villamizar
235 Simpaug Turnpike
Redding, CT 06896
jlvilla56@aol.com

Danielle Caldwell
10 Fire Hill Lane
Redding, CT 06896
Phone: (201) 725-6494
dcaldwell29@gmail.com

Meredith Miller
256 Umpawaug Road
Redding, CT 06896
Phone: (203) 293-5228
meredithfordmiller@aol.com

Tim K. Keyes
16 Topledge Road
Redding, CT 06896
Phone: (203) 938-4756
tajkeyes@optonline.net

Michael Ungerer
130 Topstone Road
Redding, CT 06896
Phone: (203) 731-4902
SayNoToHoytCellTower@gmail.com

CLJ Lancaster
132 Topstone Road
Redding, CT 06896
Phone: (203) 919-8494
clj@lancaster.org

Ann Taylor
Executive Director
New Pond Farm Education Center
101 Marchant Road
West Redding, CT 06896
Phone: (203) 938-2117
ann@newpondfarm.org

Dino Trevisani
Marchant Farm, LLC
12 Marchant Road
Redding, CT 06896
Phone: (917) 376-2008
marchantfarm@gmail.com

February 22, 2024



Lucia Chiochio, Esq.
Daniel Patrick, Esq.
Cuddy & Feder LLP
445 Hamilton Ave, 14th Floor
White Plains, NY 10601
(914)-761-1300
Attorneys for the Applicant