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STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

DOCKET NUMBER 517: Application from MCM Holdings, LLC  
for a Certificate of Environmental Compatibility and  
Public Need for the Construction, Maintenance, and  
Operation of a Telecommunications Facility Located at  
the Boy Scouts of America Camp Hoyt, 288 Simpaug  
Turnpike (Parcel No. 12-29), Redding, Connecticut.

PUBLIC EVIDENTIARY HEARING  
HELD VIA ZOOM VIDEOCONFERENCING  
NOVEMBER 30, 2023  
AT 2:00 PM

**HELD BEFORE:**

John Morissette - Member and Presiding Officer  
Brian Golembiewski - Designee for Commissioner Katie  
Dykes, Department of Energy and Environmental Protection  
Quat Nguyen - Designee for Chairman Marissa Paslick  
Gillett, Public Utilities Regulatory Authority  
Daniel P. Lynch  
Robert Silvestri  
Melanie Bachman, Esq. - Executive Director/Staff  
Attorney  
Robert Mercier - Siting Analyst  
Lisa Fontaine - Fiscal Administrative Officer

**Reporter: Theresa Bergstrand, CSR #406**

A P P E A R A N C E S

APPLICANT, MCM Holdings, LLC:

Lucia Chiocchio, Esq. - Cuddy & Feder, LLP

Daniel Patrick, Esq. - Cuddy & Feder, LLP

Witnesses:

Virginia King, Project Manager, MCM Holdings, Inc.

Jason Mead, P.E., Structural Engineering Department

Manager, All Points Technology

Corporation P.C.

Dean Gustafson, Professional Soil Scientist and Senior

Wetland Scientist, All Points

Technology Corporation P.C.

Matt Gustafson, Environmental Scientist, All Points

Technology Corporation P.C.

Brian Gaudet, Project Manager, All Points Technology

Corporation P.C.

INTERVENOR, Cellco Partnership d/b/a Verizon Wireless:

Kenneth C. Baldwin, Esq. - Robinson & Cole LLP

Emily Deans, Esq. - Robinson & Cole, LLP

Witnesses:

Shiva Gadasu, Radio Frequency Engineer, Verizon Wireless

Elizabeth Glidden, Real Estate/Regulatory Specialist,

Verizon Wireless

GROUPED RESIDENT INTERVENORS:

Dorothy DeLuca

Suzanne Fogle

JoAnn Villamizar

Danielle Caldwell

Meredith Miller

GROUPED BUSINESS INTERVENORS:

Ann Taylor - New Pond Farm Education Center

Dino Trevisani - Marchant Farms, LLC

1 (The hearing commenced at 2:00 PM)

2  
3 MR. MORISSETTE: Good afternoon, ladies and  
4 gentlemen. This Public Hearing is called to order, this  
5 Thursday, November 30th, 2023 at 2:00 PM. My name is  
6 John Morissette, Member and Presiding Officer of the  
7 Connecticut Siting Council.

8 Other members of the Council are Brian  
9 Golembiewski, Designee for Commission Katie Dykes of the  
10 Department of Energy and Environmental Protection. Quat  
11 Nguyen, Designee for Chairman Marissa Paslick Gillett of  
12 the Public Utilities Regulatory Authority; and Daniel P.  
13 Lynch, Junior and Robert Silvestri.

14 Members of the staff are Melanie Bachman, Executive  
15 Director and Staff Attorney; Robert Mercier, Siting  
16 Analyst and Lisa Fontaine, Fiscal Administrator Officer.

17 If you haven't done so, I ask that everyone please  
18 mute your computer audio and/or telephones now.

19 This hearing is held pursuant to the provisions of  
20 Title 16 of the Connecticut General Statutes and of the  
21 Uniform Administrative Procedure Act upon an application  
22 from MCM Holdings, LLC for a Certificate of  
23 Environmental Compatibility and Public Need for the  
24 construction, maintenance and operation of a  
25 telecommunications facility located at the Boy Scouts of

1 America Camp Hoyte, 288 Simpaug Turnpike, parcel number  
2 12-29 in Redding, Connecticut.

3 This application was received by the Council on  
4 August 15th, 2023. The Council's Legal Notice of the  
5 date and time of this public hearing was published in  
6 the Redding Sentinel on September 14th, 2023. Upon this  
7 Council's request, the Applicant erected a sign in the  
8 vicinity of the proposed facility to that, to inform the  
9 public of the name of the applicant, the type of the  
10 facility, the public hearing date and contact  
11 information for the Council, including the website and  
12 phone number.

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

17 The parties and intervenors to this proceeding are  
18 as follows: MCM Holding, LLC, represented by Lucia  
19 Chiocchio, Esquire; Daniel Patrick, Esquire of Cuddy and  
20 Feder, LLP; Intervener Cellco Partnership, doing  
21 business as Verizon Wireless, its representative Kenneth  
22 C. Baldwin, Esquire of Robinson and Cole, LLP; the  
23 grouped intervenors, Grouped Resident Intervenors  
24 Dorothy DeLuca, Suzanne Fogle, JoAnn Villamizar,  
25 Danielle Caldwell and Meredith Miller; the Grouped

1 Business Intervenors, New Pond Farm Education Center and  
2 Merchant Farms, LLC, represented by Anne Taylor and Dino  
3 Trevisani.

4 We will proceed in the accordance with the prepared  
5 agenda, a copy of which is available on the Council's  
6 Docket Number 517 web page, along with a record of this  
7 matter, the Public Hearing Notice, instruction for  
8 public access to this public hearing and the Council's  
9 Citizens Guide to Siting Council's procedures.

10 Interested persons may join any session of the  
11 public hearing to listen, but no public comment will be  
12 received during the 2:00 PM evidentiary session. At the  
13 end of the evidentiary session, we will recess until  
14 6:30 PM for the public comment session. Please be  
15 advised that any person may be removed from the  
16 evidentiary session or the public comment session at the  
17 discretion of the Council.

18 At 6:30 PM Public Comment Session, it is reserved  
19 for members of the public who signed up in advance to  
20 make brief statements into the record. I wish to note  
21 that the Applicant, Parties and Intervenors, including  
22 the representatives, witnesses and members, are not  
23 allowed to participate in the Public Comment Session.

24 I also wish to note that those who are listening,  
25 and for the benefit of your friends and neighbors who

1 are unable to join us for the Public Comment Session,  
2 that you or they may send written statements to the  
3 Council within 30 days of the date hereof, either be  
4 mail or by e-mail, and such written statements will be  
5 given the same weight as if spoken during the Public  
6 Comment Session.

7 A verbatim transcript of this public hearing will  
8 be posted on the Council's Docket Number 517 web page  
9 and deposited with the Redding Town Clerk's Office for  
10 the convenience of the public.

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

14 The Council will take a 10 to 15 minute break at a  
15 convenient juncture at around 3:30 PM.

16 We will now move onto the motions. We have three  
17 motions to take up this afternoon before we begin our  
18 hearing. The first motion is Tim K. Keyes' Request for  
19 Intervener Status dated November 10th, 2023. Attorney  
20 Bachman may wish to comment. Attorney Bachman.

21 MS. BACHMAN: Good afternoon, Mr. Morissette.  
22 Thank you.

23 Staff recommends granting the request, and grouping  
24 Tim K. Keyes under Connecticut General Statute  
25 Section 16-50(n)(c), with the Grouped Resident

1 Intervenor, as they all have similar interests.

2 MR. MORISSETTE: Thank you, Attorney Bachman. Is  
3 there a motion?

4 MR. SILVESTRI: Mr. Morissette, I'll move to  
5 approve the request, as well as the grouping. Thank  
6 you.

7 MR. MORISSETTE: Thank you.

8 MR. LYNCH: Mr. Morissette, I second.

9 MR. MORISSETTE: Thank you Mr. Silvestri, and thank  
10 you Mr. Lynch.

11 We have a motion by Mr. Silvestri to approve the  
12 Request for Intervener Status, and the grouping with the  
13 Grouped Resident Intervenor, and we have a second by  
14 Mr. Lynch. We will now move to discussion.

15 Mr. Silvestri, any discussion?

16 MR. SILVESTRI: No discussion. Thank you, Mr.  
17 Morissette.

18 MR. MORISSETTE: Thank you. Mr. Nguyen, any  
19 discussion?

20 MR. NGUYEN: No discussion. Thank you.

21 MR. MORISSETTE: Thank you. Mr. Golembiewski, any  
22 discussion?

23 MR. GOLEMBIEWSKI: No discussion. Thank you.

24 MR. MORISSETTE: Okay. Mr. Lynch, any discussion?

25 MR. LYNCH: I do not have a discussion.

1 MR. MORISSETTE: Thank you. And I have no  
2 discussion.

3 We will note move to the vote. Mr. Silvestri, how  
4 do you vote?

5 MR. SILVESTRI: I vote to approve. Thank you.

6 MR. MORISSETTE: Thank you. Mr. Nguyen?

7 MR. NGUYEN: Vote to approve. Thank you.

8 MR. MORISSETTE: Thank you. Mr. Golembiewski?

9 MR. GOLEMBIEWSKI: Vote to approve. Thank you.

10 MR. MORISSETTE: Thank you. Mr. Lynch?

11 MR. LYNCH: Vote approval.

12 MR. MORISSETTE: Thank you. And I vote approval.  
13 We have a unanimous decision; Tim Keyes Request for  
14 Intervener Status is approved.

15 Moving on to Motion Number 2, which is Michael  
16 Ungerer Request for Intervener Status, received  
17 November 21st, 2023. Attorney Bachman may wish to  
18 comment. Attorney Bachman?

19 MS. BACHMAN: Thank you, Mr. Morissette. Staff  
20 recommends granting the request, and grouping Michael  
21 Ungerer under Connecticut General Statutes  
22 Section 16-50(n) Subsection C with the Grouped Resident  
23 Intervenors, as they all have similar interests.

24 MR. MORISSETTE: Thank you, Attorney Bachman. Is  
25 there a motion?



1 MR. LYNCH: Mr. Morissette, I vote, I vote that we  
2 approve the motion.

3 MR. MORISSETTE: Thank you, Mr. Lynch. Is there a  
4 second?

5 MR. SILVESTRI: I'll second, Mr. Morissette.

6 MR. MORISSETTE: Thank you, Mr. Silvestri. We have  
7 a motion by Mr. Lynch to approve Mr. Ungerer's Request  
8 for Intervener status, and we have a second by Mr.  
9 Silvestri.

10 We will now move to discussion. Mr. Silvestri, any  
11 discussion?

12 MR. SILVESTRI: No discussion. Thank you.

13 MR. MORISSETTE: Thank you. Mr. Nguyen?

14 MR. NGUYEN: No discussion. Thank you.

15 MR. MORISSETTE: Mr. Golembiewski?

16 MR. GOLEMBIEWSKI: No discussion. Thank you.

17 MR. MORISSETTE: Mr. Lynch?

18 MR. LYNCH: No discussion.

19 MR. MORISSETTE: Thank you. And I have no  
20 discussion.

21 We will now move to the vote. Mr. Silvestri, how  
22 do you vote?

23 MR. SILVESTRI: I vote to the approve. Thank you.

24 MR. MORISSETTE: Mr. Nguyen?

25 MR. NGUYEN: Vote to approve.

1 MR. MORISSETTE: Thank you. Mr. Golembiewski?

2 MR. GOLEMBIEWSKI: Vote to approve. Thank you.

3 MR. MORISSETTE: Thank you. Mr. Lynch?

4 MR. LYNCH: Vote approval.

5 MR. MORISSETTE: Thank you. And I vote approval.

6 We have a unanimous decision, Mr. Ungerer's Request for  
7 Intervener Status is approved.

8 Motion Number 3, CLJ Lancaster Request for  
9 Intervener Status, dated November 22nd, 2023. Attorney  
10 Bachman may wish to comment. Attorney Bachman?

11 MS. BACHMAN: Thank you, Mr. Morissette. Staff  
12 recommends granting the request, and grouping CLJ  
13 Lancaster under Connecticut General Statutes section  
14 16-50(n) Subsection C, with the Grouped Resident  
15 Intervenors, as they all have similar interests.

16 MR. MORISSETTE: Thank you, Attorney Bachman. Is  
17 there a motion?

18 MR. LYNCH: Again, Mr. Morissette, I vote to  
19 approve the motion.

20 MR. MORISSETTE: Thank you, Mr. Lynch. Is there a  
21 second?

22 MR. NGUYEN: Quat Nguyen, second.

23 MR. MORISSETTE: Thank you, Mr. Nguyen. We have a  
24 motion by Mr. Lynch to approve CLJ Lancaster Request for  
25 Intervener status, and we have a second by Mr. Nguyen.

1           We will now move to discussion. Mr. Silvestri, any  
2 discussion?

3           MR. SILVESTRI: No discussion. Thank you.

4           MR. MORISSETTE: Thank you. Mr. Nguyen, any  
5 discussion?

6           MR. NGUYEN: No discussion.

7           MR. MORISSETTE: Thank you. Mr. Golembiewski, any  
8 discussion?

9           MR. GOLEMBIEWSKI: No discussion. Thank you.

10          MR. MORISSETTE: Thank you. Mr. Lynch?

11          MR. LYNCH: I have no discussion.

12          MR. MORISSETTE: Thank you. And I have no  
13 discussion.

14          We will now move to the vote. Mr. Silvestri, how  
15 do you vote?

16          MR. SILVESTRI: I vote to approve. Thank you.

17          MR. MORISSETTE: Thank you. Mr. Nguyen?

18          MR. NGUYEN: Vote to approve.

19          MR. MORISSETTE: Thank you. Mr. Golembiewski?

20          MR. GOLEMBIEWSKI: Vote to approve.

21          MR. MORISSETTE: Mr. Lynch?

22          MR. LYNCH: Vote approval.

23          MR. MORISSETTE: Thank you. And I vote approval.

24          We have a unanimous decision, and the motion to  
25 approve CLJ Lancaster's Request for Intervener Status is

1 approved.

2 Administrative Notice taken by the Council. I wish  
3 to call your attention to the items in the Hearing  
4 Program marked as Roman Numeral 1C, items 1 through 82.  
5 Does any party of intervener have an objection to the  
6 items that the Council has administratively noticed?  
7 Attorney Chiocchio or Patrick.

8 MR. PATRICK: No objection.

9 MR. MORISSETTE: Thank you, Attorney Patrick.  
10 Attorney Baldwin? Attorney Baldwin? I am sorry,  
11 Attorney Baldwin, we can't hear you. We will come back  
12 to Attorney Baldwin.

13 The grouped resident intervenors, Dorothy DeLuca,  
14 Suzanne Fogle, JoAnn Villamizar, Danielle Caldwell,  
15 Meredith Miller, Tim Keyes, Michael Ungerer and CLJ  
16 Lancaster, is there any objections?

17 MS. CALDWELL: No.

18 MS. DELUCA: No.

19 MS. FOGLE: No.

20 MR. MORISSETTE: Thank you. Hearing none, we will  
21 now move onto the Grouped Business Intervenors, Ann  
22 Taylor and Dina Trevisani.

23 MR. TREVISANI: Trevisani, but that's okay. No  
24 objections from us.

25 MR. MORISSETTE: Thank you. I will now go back to

1 Attorney Baldwin. Attorney Baldwin? Attorney Baldwin,  
2 if you could just raise your hand, if there is no  
3 objections whether we continue on?

4 (Attorney Baldwin raised his hand.)

5 MR. MORISSETTE: Thank you. For the record, I note  
6 that Attorney Baldwin raised his hand indicating there  
7 is no objections to the Administrative Notice taken by  
8 the Council.

9 Accordingly the Council hereby administratively  
10 notices these documents.

11 We will now move to the agenda with appearances by  
12 the Applicant. Will the Applicant present its witness  
13 panel for the purposes of taking the oath, and we will  
14 have Attorney Bachman administer the oath. Attorney  
15 Patrick?

16 MR. PATRICK: Yes. Good afternoon, Mr. Morissette,  
17 and Members of the Council. For the record, Daniel  
18 Patrick from Cuddy and Feder. I am also joined by Lucia  
19 Chiocchio here in the room. The Applicant's witnesses  
20 are following; there is Virginia King, Project Manager  
21 at MCM Holdings, LLC; Brian Gaudet, Project Manager, All  
22 Points Technology, Corporation; Matthew Gustafson  
23 Environmental Scientist, All Points Technology,  
24 Corporation; Jason Mead, Structural Engineering  
25 Department Manager, All Points Technology, Corporation.

1 Mr. Morissette, I present the witness panel to the  
2 Council.

3 MR. MORISSETTE: Thank you. Attorney Bachman,  
4 please swear in the witnesses.

5  
6 (Whereupon the MCM Witness Panel was duly sworn  
7 in by Attorney Bachman.)

8  
9 MR. MORISSETTE: Attorney Patrick, please verify  
10 the exhibits by the appropriate sworn witnesses.

11 MR. PATRICK: Thank you very much. The Applicant's  
12 exhibits are identified in the hearing program as Roman  
13 Number 2, Subsection B1-11. For verifications I'll ask  
14 a series of yes or no questions to the witnesses and ask  
15 them to each respond.

16 First, did you prepare or assist in the preparation  
17 of the exhibits identified? Virginia King?

18 MS. KING: Yes.

19 MR. PATRICK: Brain Gaudet?

20 MR. GAUDET: Yes.

21 MR. PATRICK: Matt Gustafson?

22 MR. GUSTAFSON: Yes.

23 MR. PATRICK: Jason Mead?

24 MR. MEAD: Yes.

25 MR. PATRICK: Second; do you have any update or

1 corrections to the identified exhibits, Virginia King?

2 MS. KING: No.

3 MR. PATRICK: Brian Gaudet?

4 MR. GAUDET: Yes. One correction. It is to  
5 Exhibit 1, Attachment 5, which is the Visibility  
6 Analysis. On page 7, the sentence that reads, the  
7 Children's Academy Child Care Center is located  
8 approximately 1.83 miles southwest of the site at 890  
9 Ethan Allen Highway in Ridgefield, should read, the  
10 Westbrook Nature Preschool is located approximately  
11 .39-mile northeast of the site, at 7 Long Ridge Road in  
12 Redding.

13 MR. PATRICK: Thanks, Brian. Matt Gustafson?

14 MR. GUSTAFSON: No.

15 MR. PATRICK: Jason Mead?

16 MR. MEAD: No.

17 MR. PATRICK: Third; is the information contained  
18 in the identified exhibits true and accurate to the best  
19 of your belief? Virginia King?

20 MS. KING: Yes.

21 MR. PATRICK: Brian Gaudet?

22 MR. GAUDET: Yes.

23 MR. PATRICK: Matt Gustafson?

24 MR. GUSTAFSON: Yes.

25 MR. PATRICK: Jason Mead?

1 MR. MEAD: Yes.

2 MR. PATRICK: Fourth; do you adopt these exhibits  
3 as your testimony? Virginia King?

4 MS. KING: Yes.

5 MR. PATRICK: Brain Gaudet?

6 MR. GAUDET: Yes.

7 MR. PATRICK: Matt Gustafson?

8 MR. GUSTAFSON: Yes.

9 MR. PATRICK: Jason Mead?

10 MR. MEAD: Yes.

11 MR. PATRICK: Thank you very much. And Mr.  
12 Morissette, we offer the exhibits and the witnesses into  
13 evidence. Thank you.

14 MR. MORISSETTE: Thank you. Does any party or  
15 intervener object to the admission of the Applicant's  
16 exhibits? Attorney Baldwin?

17 (Attorney Baldwin waves hand)

18 MR. MORISSETTE: No objection by the wave of your  
19 hand. Please note for the record that Attorney Baldwin  
20 waved his hand of no objection.

21 Group Resident Intervenors? Any objection?

22 MS. DELUCA: Are we supposed to be able to see  
23 something?

24 MR. MORISSETTE: The exhibits are listed in the  
25 prehearing program, Exhibits 1 through 11 as listed on



1 the Hearing Program. Are there any objections to their  
2 admission?

3 MS. DELUCA: I am sorry, we are not sure what we  
4 are supposed to be answering to.

5 MR. MORISSETTE: Do you object or not object to any  
6 of the Applicants --

7 MS. DELUCA: Object that they are presenting their  
8 evidence?

9 MR. MORISSETTE: Do you object?

10 MS. DELUCA: I asked what the question is.

11 MR. MORISSETTE: They have submitted prefiled  
12 information associated with the application having to do  
13 with the affidavits, responses to the Council's  
14 interrogatories, the lease agreement, the sign posting,  
15 the list of witnesses resume, which is all listed in the  
16 prehearing agenda as items 1 through 11, and it is part  
17 of the information --

18 MS. DELUCA: And were these e-mailed to us?

19 MR. MORISSETTE: They are part of the record. And  
20 the question on the table is, do you object or do you  
21 agree to these exhibits?

22 MS. DELUCA: Are we going to see them visually  
23 today?

24 MR. MORISSETTE: They are posted on our website and  
25 they are available for viewing.

1 MS. DELUCA: We were notified in an e-mail that  
2 these were for viewing prior to this hearing?

3 MR. MORISSETTE: The information in the Prehearing  
4 Conference Memo was provided listing all the information  
5 that is associated with this docket.

6 MS. DELUCA: And what was the date of that?

7 MR. MORISSETTE: Attorney Bachman, do you have the  
8 date of the prehearing memo?

9 MS. BACHMAN: Why yes, Mr. Morissette. It was  
10 October 12th and Ms. DeLuca was present. Thank you.

11 MR. MORISSETTE: Thank you. All right. I'll ask  
12 again; do you object or do you agree with the, with the  
13 Exhibits admitted by the Applicant?

14 MS. FOGLE: I have no objection.

15 MR. MORISSETTE: Thank you.

16 MS. CALDWELL: No objection.

17 MR. MORISSETTE: Thank you. Hearing no other  
18 objections, we will move on.

19 Does the Grouped Business Intervener have any  
20 objections to the exhibits listed by the Applicant?

21 MR. TREVISANI: No, we have no objection.

22 MR. MORISSETTE: Thank you very much. The Exhibits  
23 are hereby admitted, and are now part of the record.

24 We will now begin with Cross-Examination of the  
25 Applicant by the Council, starting by Mr. Mercier,

1 followed by Mr. Silvestri. Mr. Mercier.

2 MR. MERCIER: Thank you. Most of my questions were  
3 already answered through the prehearing interrogatory  
4 responses. However, I do have some questions on the  
5 interrogatories. So I am going refer to the Applicant's  
6 responses to the Council Interrogatories, dated November  
7 1st. This is number 3 on the Applicant's Exhibits on  
8 the program.

9 MR. MORISSETTE: Very good. Please begin.

10 MR. MERCIER: Referring to Interrogatory 13. This  
11 is the responses to the Council interrogatories, again.  
12 It states the tower will be painted brown. Did the Town  
13 or any abutters, or any other entity for that matter,  
14 request that it be painted brown?

15 MR. GAUDET: This is Brian Gaudet with All Points.  
16 I'll pass that to Virginia King who can answer whether  
17 that was part of the lease or --

18 MS. KING: I am sorry, could you repeat the  
19 question? Virginia King. Dan, can you please repeat  
20 the question?

21 MR. MERCIER: Yes. I understand the tower is going  
22 to be painted brown, it is noted on the site plans and  
23 also on the interrogatory 13. I just wanted to know if  
24 the Town or any of the abutters or any other entity  
25 requested that it be painted brown?

1 MS. KING: The Boy Scouts did. It is in our  
2 contract with the Boy Scouts.

3 MR. MERCIER: Okay. Does MCM operate any other  
4 facilities in Connecticut that are painted brown or any  
5 other color, for that matter?

6 MS. KING: No, not at this time.

7 MR. MERCIER: Okay. Do you know how the paint is  
8 applied, would it be applied at the monopole  
9 manufacturing facility or is it, you know, a pole  
10 brought to the site and it is painted in the field?

11 MS. KING: No, I believe it would be painted at the  
12 manufacturer.

13 MR. MERCIER: Okay. And I believe I saw a note  
14 that the associated antennas with the carriers that  
15 would go on the tower, and the mounting equipment, would  
16 also be painted brown, is that correct?

17 MS. KING: That is correct, yes.

18 MR. MERCIER: How would that, how would those items  
19 be painted before they are attached to the tower? Are  
20 they pointed also at the vendor where they obtain the  
21 equipment, or is it painted in the field?

22 MS. KING: I would have to defer to Verizon on  
23 that. We would supply them with the paint color from  
24 the manufacturer to be matched.

25 MR. MERCIER: Okay.

1 MR. MORISSETTE: Excuse me, Mr. Mercier, if I may  
2 interrupt for a moment. So for the benefit of all the  
3 intervenors that are participating this afternoon, to  
4 follow along and to get the information that you, is  
5 readily available on the website, please go to the  
6 Connecticut Siting Council's website, it's the CSC, and  
7 you go into the pending matters under Docket 517, and  
8 all the documents that we are referring to this  
9 afternoon will be available for viewing.

10 So, for example, Mr. Mercier referenced the  
11 interrogatories responses filed by MCM, that information  
12 can be viewed on the website, and that will help you  
13 follow along.

14 Mr. Mercier, sorry for interrupting, but I thought  
15 that was important to ensure that --

16 MR. TREVISANI: Sorry, it is Dino. Can you repeat,  
17 it's CSC --

18 MR. MORISSETTE: CSC, Connecticut Siting Council.

19 MR. TREVISANI: Dot org?

20 MR. MORISSETTE: Yes, I believe it is dot org. And  
21 that will bring you to the home page. And then you go  
22 into pending matters.

23 MR. TREVISANI: That is not it. It's, CSC.org is  
24 the Children's Searchable Center.

25 MR. SILVESTRI: Mr. Morissette?

1 MR. MORISSETTE: Yes.

2 MR. SILVESTRI: Dot gov.

3 MR. MORISSETTE: Do gov. Thank you. Thank you,  
4 Mr. Silvestri.

5 MR. TREVISANI: Thank you.

6 MR. MORISSETTE: Thank you. Sorry to interrupt,  
7 again, Mr. Mercier, but please continue.

8 MR. MERCIER: Yes, thank you. Yeah, all the  
9 documents I am referring to are on our website, as the  
10 Chairman said.

11 Assuming the tower was approved and the, it was  
12 constructed and it was painted brown, are there periodic  
13 inspections by MCM to determine if the paint is chipping  
14 or flaking or anything of that nature?

15 MS. KING: Yes, there would be. Biannually, I  
16 believe.

17 MR. MERCIER: And if some damage occurred to the  
18 paint, for whatever reason, would there be some type of  
19 a maintenance protocol where it is repainted?

20 MS. KING: Yes.

21 MR. MERCIER: Thank you. Moving onto Response  
22 Number 16. Again, this is the Council's responses --  
23 excuse me -- the responses to Council interrogatories,  
24 dated November 1st. The various site security and  
25 safety measures were listed there. Regarding the tower

1     itself, at what tower height would the tower climbing  
2     pegs begin?  Would you have that type of information?

3             MS. KING:  Okay.  Yeah, we don't have that  
4     information currently.  It is determined by the  
5     manufacturer.

6             MR. MERCIER:  In the event, and I understand that  
7     the tower compound is secured, it's locked, what have  
8     you, and there is also other security measures; is it  
9     possible to install removable pegs on the, we will just  
10    say, the lower 8 to 10 feet of the tower, if there were  
11    pegs at that height, just to keep anybody from climbing  
12    --

13            MS. KING:  I believe so.

14            MR. MERCIER:  Okay.  Yes?

15            MS. KING:  Yes, I believe so.  And we would request  
16    that from the manufacturer.

17            MR. MERCIER:  Thank you.  Regarding the compound  
18    itself, would it have any type of night lighting that  
19    is, you know, on all the time?

20            MR. GAUDET:  This is Brian Gaudet with All Points.  
21    Typically the cabinets for Verizon would be installed  
22    with a motion sensor light, so they would go on in the  
23    event that, say, a tech needed to be onsite at night for  
24    an emergency, a failure, something like that.  The light  
25    would switch on, obviously, when they are in proximity

1 of their cabinets and would then turn off after they  
2 departed.

3 MR. MERCIER: Thank you. Is there any other type  
4 of lighting, you know, like any type of spotlight or  
5 anything on any of the tower, excuse me, the tower  
6 itself or maybe the corners of the compound; or is it  
7 just for the cabinets?

8 MR. GAUDET: Yeah, just the equipment cabinets.

9 MR. MERCIER: Okay. I am going to move down,  
10 scroll through the document down to site plans. I think  
11 that is, on the website it is PDF page 40. So midway  
12 through the document the site plans begin that were  
13 submitted with the Council's interrogatories. The site  
14 plan SP-2, shows the distances to the wetlands from the  
15 compound area. And what type of storm water controls  
16 would the development have, if any, to prevent any type  
17 of sediment or anything rushing into the wetlands?

18 MR. MEAD: This is Jason Mead, All Points  
19 Technology. The answer to that question is that the  
20 site will include filter socks along the western side of  
21 the proposed access drive during the course of the  
22 driveway and upon installation.

23 MR. MERCIER: Yes, I see the filter socks. How  
24 about after, after construction, once it is completed,  
25 are there any necessary storm water controls.



1 MR. MEAD: No storm water controls are required due  
2 to the design velocity flow of the site.

3 MR. MERCIER: I am sorry, can you repeat that?

4 MR. MEAD: Yes. No storm water controls are  
5 required beyond the ones shown on the drawings due to  
6 the velocity flow of the site. We get less than three  
7 feet per second.

8 MR. MERCIER: So the gravel would soak up storm  
9 water, I think is what you are saying?

10 MR. MEAD: That is correct, yes.

11 MR. MERCIER: Okay. And I am looking at the site  
12 plan, SP-2 again, and the access road kind of bends, we  
13 will just say, upward on this diagram, and it goes  
14 through a stone wall and then continues, you know, the  
15 sites being develop there. I see the filter sock you  
16 were talking about, it is marked as FS around the  
17 compound location. Some of it actually is on the stone  
18 wall or through it. Do you plan on, does the  
19 development of the site require the removal of  
20 substantial portion of stone walls, and if so how many  
21 linear feet?

22 MR. MEAD: The access road is typically 12 feet  
23 wide. So I would envision probably 12 feet, plus about  
24 3 feet either side, for a total of 18 feet.

25 MR. MERCIER: Okay. As I move to the right of this

1 diagram I, again I see the filter sock going through the  
2 stone wall, so is that just a, and it also, as it  
3 proceeds north along the landscaping it kind of goes  
4 through the stone wall or on it; so you don't intend or  
5 removing those stone walls?

6 MR. MEAD: To the left of the entrance, yes, there  
7 will be a portion of that stone wall removed. That  
8 certainly can be reinstated after construction.

9 MR. MERCIER: What type of, what would happen to  
10 the stone wall remnants, is it going to be disposed of  
11 offsite or piled somewhere or --

12 MR. MEAD: Probably it could either, one of two  
13 things, it could be utilized onsite if determined, if  
14 required, by the Boy Scouts, or it could be removed as  
15 part of the remaining, the other material that would be  
16 removed from the site as part of the excavation.

17 MR. MERCIER: Okay. For the -- okay. So there is  
18 also yes, in the little box down in the right-hand side  
19 it talks about cuts and fill. So any type of excess  
20 cuts, will that be trucked offsite?

21 MR. MEAD: That is absolutely correct, yes.

22 MR. MERCIER: Was there any type of geotechnical  
23 investigation conducted at the site to this date?

24 MR. MEAD: Not at this time.

25 MR. MERCIER: At what time would that be conducted

1 if the tower was approved?

2 MR. MEAD: During the D&M phase.

3 MR. MERCIER: So would that be before the D&M plans  
4 are submitted to the Council?

5 MR. MEAD: That is correct.

6 MR. MERCIER: Okay. What type of equipment would  
7 be necessary for the geotechnical investigation?

8 MR. MEAD: Typically a drill rig, usually on a  
9 track device.

10 MR. MERCIER: Okay. Would there be any type of  
11 free clearing associated with the initial geotech?

12 MR. MEAD: More than likely, yes, via the proposed  
13 access road. We typically drop a geotechnical boring at  
14 the proposed tower location.

15 MR. MERCIER: So there might be several trees  
16 removed, but you are not going to do extensive clearing  
17 as shown on SP-2?

18 MR. MEAD: No the typical drill rigs require about  
19 an eight-foot wide clearance to navigate.

20 MR. MERCIER: Okay. Thank you. I know you haven't  
21 done the geotechnical investigation yet, but was there  
22 any type of preliminary look conducted using soil  
23 mapping or other type of literature to determine if  
24 there was bedrock nearby?

25 MR. MEAD: Not to my knowledge, no.

1 MR. MERCIER: Can you repeat that, please?

2 MR. MEAD: No to my knowledge, no.

3 MR. MERCIER: If bedrock was encountered, you know,  
4 during the geotechnical investigation, is it anticipated  
5 blasting would be required?

6 MR. MEAD: Blasting is a last resort. Chipping is  
7 preferred. If blasting is required, the contract would  
8 adhere to all local and state regulations.

9 MR. MERCIER: Staying with site plan, SP-2  
10 here, you know, where the new access road, where the  
11 access road begins, it looks like it is at the edge of a  
12 parking lot is where the access road begins, I believe.  
13 Was there any, was there any consideration of installing  
14 the tower at the edge of the existing parking lot,  
15 rather than up in the woods?

16 MR. GAUDET: This is Brian Gaudet with All Points.  
17 I know from being onsite with the representatives from  
18 the camp, that the parking lot is utilized to its full  
19 capacity throughout the year, particularly in  
20 summertime. I believe they said they have some fairly  
21 large events. So the boy scouts are not able to  
22 accommodate any facility located in the parking area  
23 itself.

24 MR. MERCIER: Okay. Thank you. Just had a few  
25 questions regarding the application itself. This has to

1 do with application page 20. And it basically stated  
2 there, I'll just read to it you in case you don't have  
3 it. It says vacant residential open space wooded  
4 properties are located north, south and east of the  
5 subject site. But when it said, vacant residential,  
6 there was no common between the two words. Is there a  
7 missing comma there, or was the intent to say, there is  
8 no residential property to the north -- I am sorry, to  
9 the west?

10 MR. GAUDET: Yeah, I believe the intent there is  
11 that they are zoned residential, but currently no  
12 structures, there's no residential structures on those  
13 properties, is my understanding.

14 MR. MERCIER: Okay.

15 MS. VILLAMIZAR: Excuse me. I live on the west. I  
16 live on the house across the street.

17 MR. MORISSETTE: Okay. Please don't interrupt the  
18 cross-examination of the witness.

19 MS. VILLAMIZAR: Oh, I am sorry. Sorry.

20 MR. MORISSETTE: Thank you.

21 MR. MERCIER: Yes. Thank you. I was going to ask  
22 that, there seems to be a property across the street  
23 from the entrance of the Hoyt Camp at 235, this is  
24 according to the map SP-1, just before the one we were  
25 talking about, SP-2. I guess that is really northwest

1 of the site, but just for clarification purposes, is  
2 there a residential property to the northwest of the  
3 site?

4 MR. GAUDET: Yes.

5 MR. MERCIER: And further down, looks like there is  
6 two residences to the west --

7 MR. GAUDET: Yes, on the south side of Simpaug  
8 Turnpike there?

9 MR. MERCIER: Right. And again it says, vacant  
10 residential to the north. So I assume that there's two,  
11 also two additional residences, I think it is 260 and  
12 250 and 248 Simpaug, is that correct? Yes, 248 and 260  
13 are also located to the north.

14 MR. GAUDET: Correct.

15 MR. MERCIER: I just wanted to clarify that  
16 statement in the text of the document, even though this,  
17 this diagram here kind of clarifies it. So essentially  
18 there are residential properties to the north?

19 MR. GAUDET: That is correct.

20 MR. MERCIER: Thank you. Regarding the site  
21 search, when did MCM initially begin a search for a site  
22 in this particular area of Redding?

23 MS. KING: Virginia King with MCM. I do not know  
24 exactly when the site search began. I wasn't part of  
25 that group. However the lease was signed in 2016, so my

1 guess would be 2014/2015.

2 MR. MERCIER: Okay. When MCM, you know, does  
3 initial searches in areas, what is the criteria, is it  
4 an area they focus on that does not have any towers in  
5 anticipation that there might be a carrier need in the  
6 future, or is it more of a, you are with a carrier at  
7 the time that you do the search?

8 MS. KING: I believe they use both. Again, that is  
9 not something that I normally do. But it is my  
10 understanding that they would use both of those areas.

11 MR. MERCIER: Now for the methodology where they,  
12 I'll just call it a speculation site, I guess, where  
13 there is no towers around, do they do their own type of  
14 propagation, does MCM do their own type of propagation  
15 in house, or do they just kind of look at existing tower  
16 builds in a general area? If you know.

17 MS. KING: Both. We do have software in house that  
18 we use, as well as input from carriers.

19 MR. MERCIER: Okay. For this particular site,  
20 would you know if you had a carrier initially  
21 interested, was it Verizon, or maybe another carrier  
22 before them?

23 MS. KING: I believe it was Verizon at the time,  
24 but I can't be 100 percent sure.

25 MR. MERCIER: Okay. Thank you. Referring to

1 application page 17. Talks a little bit about the  
2 Connecticut NDDB system, that is the Natural Diversity  
3 Database Determination System. And it mentioned that a  
4 preliminary site assessment was filed with the  
5 Connecticut DEEP through the NDDB System. I just want  
6 to know why you used the term preliminary? Is the  
7 terminology DEEP uses, or is that just like an internal  
8 terminology?

9 MR. GUSTAFSON: Matthew Gustafson with All Points.  
10 NDDB uses the preliminary assessment tool, which is an  
11 online tool to identify potential species occurrences,  
12 as stated in the record. APT did follow-up with a  
13 formal submittal, NDDB, which identified species.

14 MR. MERCIER: Okay. So it is the name of their  
15 actual tool, and then after you file it, there's further  
16 correspondence, if necessary, correct?

17 MR. GUSTAFSON: Correct.

18 MR. MERCIER: I am going to switch little bit and  
19 go to the visibility analysis. This was in the  
20 Application Attachment 5, on the Council's web page, up  
21 near the top. And towards the end of the analysis,  
22 second to last page, really, is the mapping that was  
23 generated from the Bloom Fly and photograph that were  
24 taken as part of the analysis.

25 MR. GAUDET: Are you looking at the photo log or



1 the View Shed Maps? Mr. Mercier, I just want to make  
2 sure I am looking at right sheet, are you looking at,  
3 are you referring to the photo log prior to the photos  
4 sims, or the View Shed Mapping after the photo  
5 simulations?

6 MR. MORISSETTE: I believe he was referring to the  
7 View Shed Analysis Mapping. It appears that we have  
8 lost Mr. Mercier for a moment, but bear with us.

9 MR. MERCIER: Yes. Thank you. I was having  
10 trouble loading the page. It is the View Shed Map,  
11 excuse me, View Shed Analysis Map. It is the second to  
12 the last on the PDF version on the website, yes. It is  
13 an areal image. And there is a photo number seven. It  
14 has an orange dot. And according to the key, it is an  
15 area of potential seasonable visibility.

16 MR. GAUDET: Yes. I believe that one is, actually  
17 should be referencing Photo 8. But yes, I am there.

18 MR. MERCIER: Okay. Photo 8, yes. Yes. Now  
19 looking at the areal imagery that appears at that  
20 location, there's an open field, kind of, just north of  
21 it, if you really zoom in, and there's a residence  
22 there. And, you know, comparing that with the  
23 associated topographic map, it looks like that is a  
24 north, northeast, or northwest facing hill, for that  
25 matter, basically trends northeast and directly towards

1 the tower. Why wouldn't there be visibility predicted  
2 from that field area around the home?

3 MR. GAUDET: You are saying to the north? The  
4 field in the north there?

5 MR. MERCIER: Yes. Where it says 7 and 8 there is  
6 a field right above it.

7 MR. GAUDET: Yes. So if you look at Photo 8, which  
8 is where the, the photo, you can see the field that you  
9 are referencing. So part of that perspective, as you  
10 get closer to the balloon, you would have, the  
11 appearance of the tree line would gradually increase.  
12 So as you move closer to the tree line in that field,  
13 towards the balloon, you would start to lose visibility  
14 incrementally as you get closer.

15 MR. MERCIER: Okay. Yes. Looking at, I guess, it  
16 looks a little flatter than the topo shows. But, so you  
17 are predicting visibility just generally from the road  
18 and not from the field area.

19 MR. GAUDET: Yeah. It's tough to see. If you look  
20 at the half mile radius inset map, I think it is a  
21 little clearer that, I think it is important to note  
22 that the, that the photo location points on these maps  
23 really are meant to predict, you know, within a couple  
24 hundred feet of that location. So if you look at the  
25 half mile radius inset map, you can see just outside

1 that half mile radius, to the southwest of the site, we  
2 have got the seasonable visibility call out there. And  
3 it extends, you know, partially on the road, it extends  
4 to the property to the south side of the road on  
5 Marchant Road, there. And I believe it's kind of  
6 covered a little bit by, by the name of Marchant Road  
7 there on the map, but it would extend slightly into the  
8 field and onto the north.

9 MR. MERCIER: Thank you. Based on your analysis,  
10 would any, any residents on abutting properties have  
11 year-round views of the tower, or year-round view above  
12 the trees?

13 MR. GAUDET: The year-round visibility here is  
14 extremely minimal, and we are not anticipating any from  
15 residences in the vicinity. The overall --

16 MR. MERCIER: But that --

17 MR. GAUDET: -- visibility in the whole 8,042 acre  
18 study area, accounts for only two acres, which is  
19 approximately 0.06 percent of the area.

20 MR. MERCIER: I just -- okay. I just want to  
21 ensure that -- how about any seasonable visibility from  
22 any abutting residences.

23 MR. GAUDET: Yes. I think there would be some  
24 seasonal -- are you asking specifically for the  
25 residence structure itself, or just the properties

1 themselves?

2 MR. MERCIER: I would say the structure area.

3 MR. GAUDET: Again, it is tough to tell on the  
4 scale of these maps, but I think for the, if there will  
5 be any, it would be to those residences -- cross  
6 reference the map here one second -- possibly at 235  
7 Simpaug. I don't think it would extend that far. There  
8 is a pretty significant wood buffer there. And I think  
9 there is a possibility from the residence, I'll call it  
10 due west from the tower, I actually don't -- that is  
11 listed as 208 Simpaug Turnpike.

12 MR. MERCIER: Okay. Thank you.

13 MR. GAUDET: Those would be the only two that I  
14 believe may possibly have a very seasonable view from  
15 the resident itself.

16 MR. MERCIER: Staying with that inset image you  
17 were just talking about, this is on the View Shed  
18 Analysis Map, is, I guess it's a topographic one. This  
19 is one, there is the inset image, the half mile radius  
20 we just talked about --

21 MR. GAUDET: Yeah.

22 MR. MERCIER: It appears that the southeast lobe of  
23 the area with seasonable visibility, you know, the blob  
24 area, extends onto the abutting New Pond Farm parcel.

25 MR. GAUDET: Yes.

1 MR. MERCIER: Was there any type of actual field  
2 recognizance from that parcel? I wasn't sure if you  
3 were invited on the parcel, or went on the parcel, on  
4 the trail or anything.

5 MR. GAUDET: At the time of our field work back in,  
6 I want to say it was January or February of last year,  
7 we did not. Yeah. So February 1st of this year was  
8 when we did the field work, we were not on the property  
9 at that point. We subsequently held a public, publicly  
10 noticed balloon float this summer, and we did walk the  
11 site with a representative from the New Pond Farm folks.  
12 I personally did not walk over to their property, they  
13 did, but I can't confirm just from, from seeing, seeing  
14 them, you know, 280/290 feet away from me where I was  
15 standing relative to the compound, they will have some  
16 seasonal views, certainly, in that portion of the  
17 property.

18 MR. MERCIER: Do you know, just based on what you  
19 saw, was that an actual marked trail, or was that just,  
20 you know, in the middle of the woods?

21 MR. GAUDET: It's, you know, let me take a look  
22 here. It's a trail that they have. I don't know how  
23 well marked it is, but there is a stone wall, I believe,  
24 that sort of runs along the border of their property.  
25 The under story there in these woods is pretty open, so

1 they will have some seasonal views, certainly, of the  
2 tower itself. And depending on where you are standing,  
3 they could have some direct line of sight to the  
4 compound, and certainly the lower portion of the tower.

5 MR. MERCIER: Would that view be similar to view 25  
6 in your photo log? Let me see, let me scan up to where  
7 it was. This says 1,000 feet. So you said potentially  
8 300 feet they were away. Okay.

9 MR. GAUDET: Yes. This is, this is, the, I would  
10 say, much further away. Their, I think their trail is  
11 probably about 300 feet from the compound.

12 MR. MERCIER: Okay. Thank you.

13 MR. GAUDET: You're welcome. I have a question  
14 regarding the redacted lease agreement. This was, this  
15 was identified on the hearing program as Applicant  
16 Exhibit Number 4. Within the lease agreement, are there  
17 provisions related to insurance?

18 MS. KING: Virginia King with MCM. Yes, I do  
19 believe there is language in the agreement that requires  
20 us to carry insurance, the property owner to carry  
21 insurance, and any contractors to carry insurance.

22 MR. MERCIER: Okay. Thank you. Referencing the  
23 Applicant's response to Ms. DeLuca's Question 7, MCM  
24 stated the lease was recorded on the Town of Redding  
25 Land Records. Is that a reference in regards to a

1 notice of the lease or to the full unredacted lease?

2 MS. KING: The Notice of Lease.

3 MR. MERCIER: Okay. Thank you. I have no other  
4 questions at this time. Thank you.

5 MR. MORISSETTE: Thank you Mr. Mercier. We will  
6 now continue with cross-examination of the applicant by  
7 Mr. Silvestri, followed by Mr. Nguyen. Mr. Silvestri,  
8 good afternoon.

9 MR. SILVESTRI: Good afternoon, Mr. Morissette.  
10 Thank you. And good afternoon to everyone. Mr. Gaudet,  
11 I would like to start with you because I heard what you  
12 said about the correction to page 7 and on tab 5, but I  
13 didn't understand it. Could you review that again?

14 MR. GAUDET: Yes. So the paragraph there is  
15 listing the proximity of the facility to the nearest  
16 school or commercial child care facility. We  
17 inadvertently had listed a pre school that was some  
18 distance away. And the update, the correction to that  
19 record was that the Westbrook Nature Preschool, or  
20 Westbrook Nature School is located just under half a  
21 mile away to the northeast. I want to make sure the  
22 point there, too, is that it does not change the  
23 statement following, at the end of the paragraph, where  
24 it states, no visibility is associated with either of  
25 these locations.

1 MR. SILVESTRI: So your connection would be in  
2 addition to what is existing there?

3 MR. GAUDET: It would be removing the sentence  
4 where it is the -- if you give me one second to pull it  
5 up. So the sentence that starts, on the bottom of  
6 page 7, that reads, the Children's Academy Childcare  
7 Center is located, and that is at page 8, approximately  
8 1.83 miles southwest of the site at 890 Ethan Allen  
9 Highway in Ridgefield. That would be removed and  
10 replaced with the Westbrook Nature Preschool is located  
11 approximately 0.39 miles northeast of the site, at 7  
12 Long Ridge Road in Redding.

13 MR. SILVESTRI: Very good. Thank you for that  
14 clarification. I couldn't follow you when you initially  
15 said that. Thank you.

16 MR. GAUDET: You're welcome.

17 MR. SILVESTRI: Probably while I still have you  
18 there, Mr. Mercier did cover the brown paint of the  
19 appurtenances; but the related question I have, were any  
20 other structures considered besides a monopole?  
21 Specifically what I am looking at, you are in the woods,  
22 you are at a Boy Scout area, any consideration to a  
23 watchtower?

24 MR. GAUDET: Watchtowers, typically, I think,  
25 while, you know, if we were looking maybe at a national



1 park or a wildlife preserve, somewhere up where there is  
2 fire watches might make sense. I think in this  
3 situation the visibility is so minimal throughout the  
4 study area and year-round visibility is even that much  
5 more limited. Painting the tower brown, we got some  
6 pretty tall trees here, average height in the area is  
7 about 85 feet, so a good portion of the tower,  
8 especially being, I think, up in elevation, compared to  
9 some of the surrounding area, really does well to block  
10 out and screen and minimize the visibility of this as  
11 proposed. You know, we certainly looked at possibly  
12 modifying, at 150 you're 70 feet above the tree  
13 line, and there is no other coniferous, you know, there  
14 is no signature conifers in that area, so it wouldn't  
15 blend in.

16 MR. SILVESTRI: Yeah, I didn't see how a conifer  
17 would, especially in that area. But I did have to ask  
18 the question about a watchtower. Thank you.

19 MR. GAUDET: You are welcome.

20 MR. SILVESTRI: Then going back to tab 2, and it is  
21 probably not yours, Mr. Gaudet, it's the Site Search  
22 Summary. When you look at the first page under Tab 2  
23 for that Site Search Summary, item number three has the  
24 address at 101 Marchant Road, it has proposed tower and  
25 environmental education center/working farm, but there

1 is no reason why that site was rejected. Could somebody  
2 clue me in?

3 MS. KING: Virginia King with MCM. I have to defer  
4 to Verizon to answer that question, I do not know why  
5 they did not consider it.

6 MR. SILVESTRI: Okay. I'll hold that for later.  
7 Thank you.

8 Now I would like to shift gears and go into the  
9 coverage maps, which, would that be MCM, or would I hold  
10 that for Verizon, as well?

11 MR. GAUDET: That would be for Verizon, as well,  
12 Mr. Silvestri.

13 MR. SILVESTRI: Okay. I'll hold that, as well.  
14 Thank you. All right. Let me go then to drawing CP-1.  
15 And a question that I have on that; there is a proposed  
16 stepdown transformer for the compound, would that  
17 transformer be sufficient for all proposed carriers?

18 MR. MEAD: Good afternoon, Mr. Silvestri.

19 MR. SILVESTRI: Good afternoon.

20 MR. MEAD: Yes, that stepdown transformer would be  
21 sized to accommodate all carriers on the structure.

22 MR. SILVESTRI: Any indication how much oil would  
23 be contained within the transformer?

24 MR. MEAD: No, I do not, but I could provide that  
25 under a separate cover.

1 MR. SILVESTRI: And with that, do you know the  
2 distance from the proposed location of that transformer  
3 to wetland number one?

4 MR. MEAD: We do not currently have that marked,  
5 but the corner of the compound is, I believe, shows  
6 48 feet to the wetlands. So I, at this time, I would  
7 say it is probably around 45 feet or so.

8 MR. SILVESTRI: Okay. And with the transformer  
9 installation, it is supposed to be on a concrete pad,  
10 would there be any type of spill prevention measures so  
11 if the transformer did leak, it would go some place  
12 else, rather than towards the wetland?

13 MR. MEAD: Could I provide an answer to that under  
14 a separate cover, please? I do not have an answer to  
15 that at time, so --

16 MR. SILVESTRI: Okay. So you are going to get back  
17 to me with a couple things at this point?

18 MR. MEAD: Yes, thank you.

19 MR. SILVESTRI: Okay. That is fine. We will hold  
20 that. And, you know, if you could do it maybe after the  
21 break, that would be ideal for me.

22 MR. MEAD: Certainly.

23 MR. SILVESTRI: Thank you. Mr. Gustafson, I think  
24 you are up next. Good afternoon.

25 MR. GUSTAFSON: Good afternoon, Mr. Silvestri.

1 MR. SILVESTRI: If my understanding is correct, you  
2 did the vernal pool inspection for Wetland Number 2 in  
3 the spring of 2023, and did find some evidence that it  
4 is an, indeed a vernal pool. And there was no vernal  
5 pool indications for Wetland Number 1, correct so far?

6 MR. GUSTAFSON: That is accurate.

7 MR. SILVESTRI: Okay. Then if I look at Tab 6 of  
8 the responses to the interrogatories, you have, within  
9 the Vernal Pool Analysis Map, we have 100 foot vernal  
10 pool envelope, and it is defined along with the 100 to  
11 750 critical terrestrial habitat area, that is all on  
12 that drawing. So the critical area encompasses Wetland  
13 Number 1. What are your thoughts about potential  
14 migration from the vernal pool and Wetland Number 2,  
15 over to Wetland Number 1?

16 MR. GUSTAFSON: Due to the substantial separated  
17 distance between Wetland 1 and Wetland 2, and the fact  
18 that there is an abundance of suitable terrestrial  
19 upland habitat, both to the east and west of vernal pool  
20 one, interior to Wetland 2, it is likely that a majority  
21 of amphibians utilizing vernal pool one as breeding  
22 habitat, used those directly adjacent upland areas to  
23 the west and east of vernal pool one for a majority of  
24 their life cycle. It's less likely that any amphibians  
25 using the area of the Wetland 1, would traverse the

1 substantial distance, you know, over 750 feet across  
2 Wetland 1 to get to vernal pool one.

3 MR. SILVESTRI: Thank you. And if I understand  
4 correctly, the preventative protective measures that are  
5 listed would actually still be for both wetlands?

6 MR. GUSTAFSON: Correct.

7 MR. SILVESTRI: Yeah. Okay.

8 MR. GUSTAFSON: So on the off occurrence that there  
9 are amphibians that, you know, to your point, which I  
10 believe, if I interpret you correctly, if there are  
11 amphibians that are either utilizing the areas within  
12 the facility LOD, or in proximity that would migrate  
13 across, we do have protection measures in place to  
14 mitigate for any impact to those amphibians.

15 MR. SILVESTRI: And depending on, first of all, if  
16 the project is approved, depending on when construction  
17 would start, if you are looking at the access road what  
18 type of preventative measures would you have during  
19 that, that part of it to make sure that everybody is  
20 protected if the road indeed is going to be put in or  
21 you got traffic going back and forth on the road?

22 MR. GUSTAFSON: So we have several protection  
23 measures. The first is, and probably the most  
24 important, is contractor training, that will educate the  
25 contractor and all personnel as to the sensitivity of

1 the project and proximity to wetlands a vernal pools.  
2 Including in that training would will be identification  
3 of any amphibians that may occur within these areas. As  
4 part of their daily activities, the contractor will be  
5 required to have a spotter onsite, especially during  
6 construction of the access road and/or transport of  
7 materials to the actual compound itself, therefore  
8 minimizing potential impact any amphibians that may get  
9 into the work areas. To prohibit or prevent amphibians  
10 from getting into the work areas, we are proposing  
11 restrictive barriers, in the form of silt fence to  
12 segregate out the work areas from the surrounding  
13 habitats.

14 MR. SILVESTRI: Understood. Thank you. And just  
15 to be clear, there is no storm water basin proposed for  
16 this project, so you wouldn't have the potential for a,  
17 say, a fake vernal pool or fake area that organisms  
18 would migrate to, correct?

19 MR. GUSTAFSON: That is accurate. And as part of  
20 our protection measures we do have required compliance  
21 monitoring inspections if, for the unlikely chance that  
22 a depression was created even temporarily and it was  
23 identified that it was holding storm water, that would  
24 be something that the monitor would identify and request  
25 the contractor to immediate fill in.

1 MR. SILVESTRI: Very good. Thank you. I want to  
2 change gears, and I think this set of questions still  
3 geared toward you. The topic I have is the black  
4 cohask, would that still be you?

5 MR. GUSTAFSON: Yes, sir.

6 MR. SILVESTRI: Could you describe how the survey  
7 for that was conducted back on July 13th?

8 MR. GUSTAFSON: Certainly. So black cohask happens  
9 to be one of the few plants that is fairly easily  
10 identifiable during its flowering season. And if you  
11 just bear with me a moment, I would like to pull up the  
12 information. But generally how the survey occurred, was  
13 a botanist reviewed all the habitat areas in proximity  
14 to the facility to determine if any suitable habitat was  
15 present, as well as identifying, identifying any  
16 complimentary species in the area. During the  
17 inspection several species were identified, but no black  
18 cohask was found. And black cohask, as I said, happens  
19 to be one of those species that is readily identifiable.  
20 The flowering body on the, on the plant is, and I want  
21 to get this right, because I was also surprised, is 6 to  
22 23 inches in length. I believe that -- my apologies --  
23 be 8 inches in length. So the flower is, when it is in  
24 bloom, which is, we did the inspection during the period  
25 where it would be in bloom, is readily identifiable.

1 MR. SILVESTRI: Thank you. I am also under the  
2 impression that the height of the actual black cohosh is  
3 something like 30 to 98 inches tall, so I think that, I  
4 think that would be quite visible, for one. So I didn't  
5 know if you're actually looking at the height, if you  
6 are looking at the leaves or you are looking at the  
7 flowers. The only consideration I had with the flowers,  
8 I think it blooms kind of late spring into early summer,  
9 so I wasn't quite sure the timing with the July 13th  
10 part of it.

11 MR. GUSTAFSON: The timing of the inspection did  
12 occur during the period where the plant is expected to  
13 flower. And again, the flower is easily the most  
14 distinguishable feature on this particular species. It  
15 is certainly the easiest way to identify it in the  
16 field. But like I said, it is not an inconspicuous  
17 species.

18 MR. SILVESTRI: Yeah, as well as the height. No,  
19 thank you.

20 And I don't know if this one is going to be geared  
21 to you or not. But I am looking, first of all, at sheet  
22 number N-1, and also, it is tab number six that talks,  
23 first of all, about herbicide and pesticide restrictions  
24 and also salt restrictions. So I'll fire my question  
25 away, if it is not you, then we can get the right



1 person. But I do have concerns with the, first of all,  
2 with the petroleum material storage and spill prevention  
3 section that is on sheet N-1. And the first thing I  
4 have is, should the project be approved, would the  
5 section be modified to include things such as contact  
6 numbers, spill response contractors, incident report  
7 forms, et cetera?

8 MR. GUSTAFSON: So if you refer to, again, that  
9 sheet, N-1 on the environmental notes, Resource  
10 Protection Measures, Section 3, Subsection B, Sub 4, the  
11 reporting, as part of that, as you are eluding to, if an  
12 incident were to occur resulting in a spill, an incident  
13 report would be required to be filed, and that would be  
14 required to be filed with all local state and federal  
15 agencies, as well as the Aquarion Water Company and  
16 Siting Council.

17 MR. SILVESTRI: Understood. What I am looking at  
18 is, as I read through that procedure, or if I look at  
19 sheet N-1, I have no idea who to call. I have no idea  
20 what type of form to fill out. Hence my question, would  
21 it be modified to include that information to make it  
22 much more efficient should something happen?

23 MR. GUSTAFSON: Can section 10 be revised to  
24 include particular references to the forms, that would  
25 be filed if an incident were to occur, yes.

1 MR. SILVESTRI: Thank you. Second, it stated  
2 elsewhere that construction activities would occur  
3 roughly plus or minus 48 feet from Wetland 1, from the  
4 compound. And as far as the gravel access, you would  
5 have plus or minus, I think it was 19 feet. But the  
6 sheet comments on, if refuelling within 100 feet from  
7 wetlands is required, it shall take place on an  
8 impervious pad with secondary containment design to  
9 contain fuels. So that prompts a couple of questions,  
10 and the first one is; would fuel be stored on the  
11 property during construction, should the project be  
12 approved?

13 MR. GAUDET: This is Brian Gaudet with All Points.  
14 Typically fuel is not stored on site. But should that  
15 be condition, should the site be approved, I am sure the  
16 contractor could adhere to that.

17 MR. SILVESTRI: All right. So if it is not going  
18 to be stored on site, which, if approved, I would think  
19 that would be the way to go, how would fuel get to the  
20 construction site if things do have to be refuelled?

21 MR. GAUDET: Typically the equipment that needs  
22 fueling are your big construction pieces of equipment,  
23 graders, excavators, things like that. Those typically  
24 are fuelled off site.

25 MR. SILVESTRI: So if you do have to refuel on

1 site, could refuelling be conducted 100 feet or so away  
2 from the wetlands with all the precautions that were  
3 noted elsewhere on sheet N-1?

4 MR. GAUDET: Give me one second, I just want to  
5 look at one thing.

6 MR. SILVESTRI: What I am trying to get away from  
7 is doing any refuelling within 100 feet of the wetlands,  
8 regardless if you have secondary containment or  
9 whatever, I am looking to move it back.

10 MR. GAUDET: Give me one second just to get this  
11 measurement here.

12 MR. SILVESTRI: Sure.

13 MR. GAUDET: Yes, there's enough space in other  
14 portions of the parking area and certainly in the  
15 vicinity of the access drive that would be more than  
16 100 feet from the nearest wetland.

17 MR. SILVESTRI: Very good. Thank you. Now I want  
18 to stay with Tab 6, where I mentioned the herbicide and  
19 pesticide aspect of it. And it has, the use of  
20 herbicide and pesticides at the facility shall be  
21 minimized. I don't know what that means, so I would ask  
22 why would you use pesticides or herbicides and when  
23 might these be used, and are there alternatives that you  
24 don't have to use pesticides or herbicides?

25 MR. GUSTAFSON: Is that a question that we can

1 reconvene on?

2 MR. SILVESTRI: Sure. That will make it --

3 MR. GUSTAFSON: Via supplemental filing?

4 MR. SILVESTRI: Yeah, I think that is either number  
5 three or number four that you have to get back to me,  
6 but yes that's fine.

7 And I want to stay in that section also, because it  
8 mentions maintenance of the facility during winter  
9 months shall, quote unquote, minimize the application of  
10 the chloride-based deicer salt with the use of more  
11 environmentally friendly alternatives. First of all, I  
12 don't know what minimize means; and secondly, I don't  
13 know what you are meaning by friendly alternatives, if  
14 you could explain those to me.

15 MR. GUSTAFSON: I think we would like to group  
16 those up in the, same with the herbicides, we will get  
17 back to you on both of those, if we may.

18 MR. SILVESTRI: Okay.

19 MR. MORISSETTE: If we could obtain answers, I have  
20 got three, now four questions, if we could obtain  
21 answers after the break, versus filing late files, that  
22 would be preferable. Thank you.

23 MR. GUSTAFSON: We will have answers to those  
24 questions after break, at least these, the two most  
25 recent regarding the herbicide and deicer.

1 MR. MORISSETTE: Very good. Thank you.

2 MR. SILVESTRI: Thank you, Mr. Morisette.

3 I just want to check to see if I have anything else  
4 right now. I know I got a couple for Verizon.

5 Mr. Morisette, that is all I have at this time for  
6 MCM. Again, I still have a couple of questions for  
7 Verizon, and I am still going to wait for a couple of  
8 answers to come back after the break. Thank you. And  
9 thank you, panel.

10 MR. MORISSETTE: Very good. Thank you, Mr.  
11 Silvestri. We will now continue with cross-examination  
12 of the applicant by Mr. Nguyen, followed by Mr.  
13 Golembiewski. Mr. Nguyen.

14 MR. NGUYEN: Thank you, Mr. Morisette. Good  
15 afternoon to everyone. Let me start with a follow-up  
16 regarding the wetland. The Council on Environmental  
17 Quality, CEQ, in a letter dated August 23rd, in the  
18 letter it recommended that the Applicant consider  
19 relocating the proposed facility compound and access  
20 road to maintain a 100-foot buffer, and this is related  
21 to the 48 feet, has the Company considered or look into  
22 that recommendation?

23 MR. GUSTAFSON: Yes, the Applicant did consider  
24 moving the compound. However moving it further to the  
25 east would reduce the separation distance to Wetland 2,

1 which contains vernal pool one, a much higher quality  
2 wetland system. Furthermore, the more you move it  
3 interior to the east and/or south, the more grading and  
4 tree clearing would be required, as well as the  
5 subsequent impacts associated with extending deeper into  
6 that interior forested habitat. So the location where  
7 it is now in closer proximity to the existing  
8 infrastructure, the parking areas, et cetera, minimizes,  
9 to the extent feasible, the amount of environmental  
10 impacts associated with the project.

11 MR. NGUYEN: Referencing MCM responses to  
12 interrogatory from the intervener, responding to Ms.  
13 JoAnn Villamizar -- I apologize if I didn't pronounce it  
14 correctly -- related to Question 3 and Question 4. With  
15 respect to answer to Question Number 3, the response  
16 indicated that the hinge point is not needed. First of  
17 all, could you explain for the record what is a hinge  
18 point.

19 MR. GAUDET: I will take a stab at it, and I will  
20 punt it to Mr. Mead if I misspeak. But a hinge point is  
21 basically an engineered feature on these towers that you  
22 essentially over design the lower portion of the tower  
23 so that the, in the event of a catastrophic failure, the  
24 tower would essentially collapse upon itself at whatever  
25 that hinge point would be.

1 MR. NGUYEN: And with respect to Question Number 4,  
2 which is the following question, it's referencing Blue  
3 Trail, it is referencing Garfield Camp site. These two  
4 locations are within 150 feet, is the hinge point needed  
5 for those sites?

6 MR. GAUDET: Yeah, so we discussed that. So the  
7 idea would be here that should a hinge point be  
8 requested or required, it would be designed at  
9 approximately 60 feet from the top so that way that it  
10 would avoid the closest of those three elements of the  
11 Blue Trail to the tower is 90 feet away. So 60 feet  
12 would prevent it from collapsing onto the Blue Trail  
13 itself.

14 MR. NGUYEN: Thank you.

15 MR. GAUDET: You are welcome.

16 MR. NGUYEN: With respect to the construction  
17 schedule, the application indicated that it would take  
18 about eight weeks or so to begin and complete the  
19 construction, am I right? It is in the application.

20 MR. GAUDET: I'll pass that to Virginia King.

21 MS. KING: Virginia King.

22 MR. NGUYEN: Good afternoon.

23 MS. KING: Good afternoon. Could you repeat the  
24 question?

25 MR. NGUYEN: Yeah. Sure. The application

1 indicated that the total overall schedule would take  
2 about eight weeks to begin and complete the  
3 construction.

4 MS. KING: Yes, I believe that is correct.

5 MR. NGUYEN: And to the extent that doing the  
6 construction, is there specific business hours?  
7 Everyday, or what is the typical construction hours.

8 MS. KING: They would, yes, we would work everyday,  
9 weather permitting, and based on materials delivery.

10 MR. NGUYEN: They work everyday, do they work on  
11 Saturday and Sunday?

12 MS. KING: I am sorry, say that again.

13 MR. NGUYEN: Do they work on Saturday or Sunday?

14 MS. KING: No, not usually.

15 MR. NGUYEN: So it is not everyday, it is Monday  
16 through Friday?

17 MS. KING: Right. Monday through Friday. We have  
18 also spoken to the Scouts and agreed to work around any  
19 camping or training schedule, because it is a training  
20 center up there. So that would depend on what their  
21 schedule was, too. But if we could work, start to  
22 finish, nonstop, it should be approximately eight weeks.

23 MR. NGUYEN: And the hours is typical from 8:00 AM  
24 to 5:00 PM, somewhere around there or -- I am sorry, you  
25 are on mute. I am sorry, I could not hear you.



1 MS. KING: Oh, is said you were muted.

2 MR. NGUYEN: You are okay now.

3 MS. KING: Oh, okay.

4 MR. NGUYEN: Is that right?

5 MS. KING: They typically start earlier, 7:00, 8:00  
6 at the latest, and I would say go to 5:00 or 6:00,  
7 depending on the day.

8 MR. NGUYEN: Okay. Thank you very much.

9 MS. KING: You're welcome.

10 MR. NGUYEN: And that is all I have, Mr.  
11 Morissette.

12 MR. MORISSETTE: Thank you, Mr. Nguyen. We are  
13 going to take a 13-minute break and reconvene, reconvene  
14 at 3:35. And we will continue with cross-examination by  
15 Mr. Golembiewski, followed by Mr. Lynch.

16 So thank you everyone, we will see you at 3:35.

17  
18 (Whereupon a short recess was taken.)  
19

20 MR. MORISSETTE: Thank you, everyone. So we are  
21 back on the record, and we continue with  
22 cross-examination of the Applicant by Mr. Golembiewski,  
23 followed by Mr. Lynch.

24 Mr. Golembiewski, good afternoon.

25 MR. GOLEMBIEWSKI: Good afternoon, Mr. Morissette,

1 and good afternoon everyone. I have a few questions for  
2 the panel, but it shouldn't be too long.

3 MR. GAUDET: Mr. Golembiewski, if I could just  
4 interrupt. Before we had some homework assignments for  
5 the break that we have answers for, so I don't know if  
6 we want to address those now, or we can wait until after  
7 your questions?

8 MR. MORISSETTE: Why don't we address those now,  
9 since they are fresh and off the press, if we could.

10 MS. BACHMAN: Yes.

11 MR. MORISSETTE: Please continue.

12 MR. GAUDET: So in regards to the question  
13 regarding the herbicide and, I believe it was salt use,  
14 MCM can commit to not utilizing any chemical-based  
15 removal of snow, ice or any -- they would use mechanical  
16 means for any vegetation clearing.

17 I believe the other question was regarding  
18 transformers, so I will give that to Jason Mead to  
19 address.

20 MR. MEAD: Thank you, Brian. So regard to the  
21 question on the transformer, the typical cell sites, we  
22 submitted a worst case scenario, the size of the  
23 transformer, approximately 167 kva. That transformer  
24 volume is about approximately 925 gallons of oil, and  
25 the oil that is contained within those transformers is

1 mineral based. We can certainly design a secondary  
2 containment measure, if so required.

3 MR. MORISSETTE: Thank you, Mr. Mead. Mr.  
4 Silvestri, does that satisfy your questions, or any  
5 follow-up?

6 MR. SILVESTRI: I am satisfied with both. Thank  
7 you Mr. Gaudet, thank you Mr. Mead. And thank you, Mr.  
8 Morissette.

9 MR. MORISSETTE: Thank you. Okay. Sorry to  
10 interrupt, Mr. Golembiewski. Please continue.

11 MR. GOLEMBIEWSKI: That is okay. Probably more  
12 interesting than I'll be. So I had a few questions, I  
13 guess, regarding the site development. And I guess one  
14 question I had is, there is an existing steep paved road  
15 that leads up from Simpaug Turnpike, and then there is  
16 sort of this millings parking lot area. So my question  
17 is, are there any proposed or any necessary improvements  
18 to those needed for construction.

19 MR. GAUDET: This is Brian Gaudet with All Points.  
20 No, there would be no required improvements,  
21 alterations, anything to that existing paved driveway,  
22 which transitions into an existing, fairly well-packed  
23 gravel parking area. The only improvements would be the  
24 125 foot extension, gravel drive extension off the  
25 parking lot to the compound.

1 MR. GOLEMBIEWSKI: Okay. Thank you. I guess I am  
2 asking the same question, because I, I am, I find the  
3 original answer a little unsatisfying. So we have an  
4 entire gravel compound, leading to a gravel road, all  
5 draining in the same direction, but we don't, there is  
6 no need for any type of storm water measure, not a  
7 swale, not a level spreader nothing? I just find that  
8 hard to believe. So I guess I would like a better  
9 explanation.

10 MR. MEAD: Good afternoon, Jason mead.

11 MR. GOLEMBIEWSKI: Good afternoon.

12 MR. MEAD: The gravel area immediately before the  
13 proposed 125-foot driveway extension, the approximate  
14 grade in that area is about 3 percent, so that would not  
15 necessitate any additional drainage facilities.

16 MR. GOLEMBIEWSKI: So when you say that, you mean  
17 that the runoff generated wouldn't reach a velocity that  
18 would cause erosion of the, I guess, ground surface --  
19 so we are assuming that it is going to be sheet runoff  
20 off the entire compound, and then off the access road  
21 would be somehow crowned or something like that?

22 MR. MEAD: The stone surface that currently exists  
23 would be able to mitigate the runoff because of the  
24 current grade.

25 MR. GOLEMBIEWSKI: You men the existing parking

1 area?

2 MR. MEAD: Correct.

3 MR. GOLEMBIEWSKI: Oh, okay. So it will, so what  
4 you are saying is there could be some runoff that comes  
5 down off the compound, but it will, before it becomes  
6 erosive, it will hit, sort of, the milling gravel lot  
7 and there will dissipate because of the size of that  
8 lot?

9 MR. MEAD: That is correct, yes.

10 MR. GOLEMBIEWSKI: Okay. All right. That is  
11 better. Thank you.

12 MR. MEAD: Thank you.

13 MR. GOLEMBIEWSKI: And then my next questions, I  
14 guess, are related to any, some interactions, or lack of  
15 interactions, with the Town. Did the Town ever offer  
16 any alternative sites or make any preference at all for  
17 sites in this proceeding.

18 MS. KING: Good afternoon, Virginia King with MCM.

19 MR. GOLEMBIEWSKI: Good afternoon.

20 MS. KING: No, to the best of my knowledge, the  
21 Town did not.

22 MR. GOLEMBIEWSKI: Okay. They didn't offer up any  
23 Town properties as alternatives?

24 MS. KING: Not that I am aware of.

25 MR. GOLEMBIEWSKI: Okay.

1 MS. KING: I wasn't involved in the actual original  
2 site search, but to the best of my knowledge the Town  
3 never proposed anything additional.

4 MR. GOLEMBIEWSKI: Okay. And then did they ever  
5 state that they would utilize this tower for any type of  
6 emergency services or anything like that?

7 MS. KING: The Town did not. The fire department,  
8 I believe it's number two, we had a conversation with  
9 them, offered the tower to them for emergency services  
10 should they have a need. So they are aware that we are  
11 putting up the tower and that it was available to them.

12 MR. GOLEMBIEWSKI: Okay. And so, so the ball is in  
13 their court, essentially?

14 MS. KING: Correct.

15 MR. GOLEMBIEWSKI: Okay. Thank you. That is all I  
16 have, Mr. Morissette. Everyone else is asking my  
17 wetland questions.

18 MR. MORISSETTE: Thank you. Thank you, Mr.  
19 Golembiewski.

20 We will continue cross-examination of the Applicant  
21 my Mr. Lynch, followed by myself. Mr. Lynch, good  
22 afternoon.

23 MR. LYNCH: Good afternoon, Mr. Morissette. As you  
24 can tell I am having trouble with my speech. So I --  
25 most of my questions would probably go to the telecom

1 Verizon people, but I do have a couple other things I  
2 can talk to MCM about. Trying to read my own notes  
3 here. The, on CP-1 I am trying to, if I am, see this  
4 correctly, the electrical, are you, is being piggybacked  
5 off of the Boy Scout Camp?

6 MR. GAUDET: Good afternoon, Mr. Lynch, this is  
7 Brian Gaudet. I believe you asked if the electric was  
8 being piggybacked off the Boy Scout Camp, is that  
9 correct?

10 MR. LYNCH: That's correct, yes.

11 MR. GAUDET: Yes, so there is an existing  
12 distribution line that runs from Simpaug up the  
13 driveway, and then parallel with the parking lot. It  
14 terminates currently at a utility pole, I'll call it,  
15 for the driveway, there's a structure there, a cabin  
16 that the camp uses, so it terminates there. So the plan  
17 would be to tap off of that pole and run the lines  
18 underground from there.

19 MR. LYNCH: Thank you. I just wanted to, I thought  
20 that was probably, and just wanted to clarification.

21 And another, I think the total cost of the project,  
22 I think, is \$750,000 when you compare both yourself and  
23 Verizon. My question pertains to every project that  
24 ever, construction project that I am aware of, always  
25 has cost overruns. If there are cost overruns, who

1 picks them up, yourself or Verizon, or is it split?

2 MS. KING: Virginia King with MCM. If the cost  
3 overruns are associated with the development of the  
4 compound and the tower, MCM would be picking that up.

5 MR. LYNCH: All right. Now I think I, earlier I  
6 was heard the, I think I heard earlier that, and I know  
7 in the application you said the tower will not be, could  
8 not be made taller. But then I thought I heard earlier  
9 in one of the, I forget who was questioning, might have  
10 been Mr. Mercier, that the tower could be made taller.  
11 Now isn't it possible that under the federal law a  
12 tower, if another carrier comes on and wants to go  
13 taller than the tower, they can go up to, I think a  
14 certain percentage of the tower in height, is that  
15 correct?

16 MS. KING: Yes.

17 MR. LYNCH: And if that was, if someone wants to go  
18 higher on the tower, would you be able to accommodate  
19 that?

20 MS. KING: Well initially we are not designing the  
21 foundation to support that.

22 MR. LYNCH: That is what -- excuse me, that is what  
23 I thought I read in the application, yes.

24 MS. KING: Yes, we are not designing the foundation  
25 or ordering a tower that can be extended. I guess



1 anything is possible if a carrier wanted to come in and  
2 dig up the foundation and put up a different tower in  
3 its place, but that is not our intention.

4 MR. LYNCH: And, excuse me, if another carrier  
5 wanted to go taller, I think after what you just said,  
6 they would have to come up with all the additional cost.

7 MS. KING: Absolutely.

8 MR. LYNCH: Just wanted to make that clear. And I  
9 think you are off the hook. Most of my questions now  
10 are for Verizon.

11 MS. KING: Okay.

12 MR. MORISSETTE: Very good. Thank you, Mr. Lynch.

13 I have got a few questions. Quite a few of them  
14 have been asked already, and I hope I don't repeat  
15 things, but we will see.

16 I would like to go to the partial site plan, SP-2  
17 and use that as a guide for my questions. My first  
18 question is relating to the questions that Mr. Lynch  
19 just asked relating to the four carriers. I note that  
20 the site plan only calls out three propane tanks, and  
21 not four. Is it, is there room for a fourth propane  
22 tank, if necessary, for the fourth carrier?

23 MR. MEAD: Good afternoon, Jason Mead.

24 MR. MORISSETTE: Good afternoon.

25 MR. MEAD: Good afternoon. The current design does

1 not envision the need for another propane tank. The  
2 spots that were laid out in this current design maximize  
3 and optimize the space available in the compound.

4 MR. MORISSETTE: So you would be maxed out at three  
5 propane tanks, then?

6 MR. MEAD: That is correct.

7 MR. MORISSETTE: So if a fourth carrier came along  
8 and he wanted to put a generator in, what would you do?

9 MR. MEAD: We, at the time we are laying this  
10 particular plan out, we envisioned the typical carrier  
11 was currently foreseeing, the fourth one being Dish  
12 Wireless, potentially. Dish, at this time, does not  
13 have plans to install, install generators.

14 MR. MORISSETTE: Okay. That is in the short term,  
15 but you don't know what is going to happen in the long  
16 term, and considering the support that the State has  
17 provided in requiring, when we have required generators  
18 for outages and so forth, that is a little shortsighted,  
19 in my opinion.

20 Okay. Concerning the compound itself, there's, why  
21 isn't it, isn't it square, and why is that back north,  
22 northeast corner cutoff and not a full square.

23 MS. KING: Virginia King, again, with MCM.

24 MR. MORISSETTE: Good afternoon.

25 MS. KING: I believe back when this design was

1 originated and discussed with the Boy Scouts, the reason  
2 that this is kitty-cornered, if you will, is there is a  
3 trail that runs along that side that if we did do a  
4 90-degree corner, would overlap that trail.

5 MR. MORISSETTE: I see.

6 MS. KING: That is my recollection from the  
7 original design in 2016, I think it was.

8 MR. MORISSETTE: Okay. Staying with Partial Site  
9 Plan-2, to the north of the facility there is an  
10 existing building, and you actually can see it on  
11 Photo 15. What is that building and is it, is it  
12 occupied, and what is it used for?

13 MR. GAUDET: This is Brian Gaudet. That building  
14 is, it has got a small kitchenette in it, a bathroom.  
15 It is used as a meeting space. It is a large open room,  
16 primarily. There is no, nobody resides in there. It is  
17 not occupied full time.

18 MR. MORISSETTE: Okay. Thank you. Okay. I am  
19 going to talk a little bit about the site location. We  
20 talked earlier about the distance to Wetland 2 of  
21 443 feet, and a distance to Wetland 1 of 19 feet from  
22 the limits of disturbance to the wetland on the access  
23 drive, and 48 feet to the compound. My question is, and  
24 it was somewhat answered, given that there is 443 feet  
25 to the northwest, why can't the compound be moved to

1 create a big, a greater distance from Wetland 1, and  
2 moving the access drive to the north away from wetland  
3 one.

4 MR. GUSTAFSON: Good afternoon, Matthew Gustafson.  
5 I believe some of this was previously answered, but I'll  
6 kind of go over it in a little bit greater detail.

7 MR. MORISSETTE: Thank you.

8 MR. GUSTAFSON: There is nothing physically  
9 restricting from moving the compound or access further  
10 to the east or south, which would create a larger  
11 separating distance to Wetland 1. However moving them,  
12 moving the configuration in either direction would  
13 result in what the Applicant feels a greater  
14 environmental impact. The more tree clearing and  
15 grading, as well as reducing the separating distance to  
16 Wetland 2, which contains vernal pool one, it is the  
17 Applicant's opinion that Wetland 2 is a higher quality  
18 wetland which would substantiate the need for a larger  
19 buffer to it. In comparison, Wetland 1, portions of it  
20 has experienced varying degrees of historical  
21 alteration, and certainly, as you can see from the areal  
22 images, the existing infrastructure, including the  
23 milled gravel parking area and access occur in close  
24 proximity. As such, I do not feel that providing a  
25 greater separating distance to Wetland 1, which would

1 compromise the more substantial separating distance to  
2 Wetland 2, or a greater intrusion in the interior  
3 forested habitat to the south and east was warranted.

4 Furthermore, certain existing infrastructure,  
5 trails and usage by the camp prohibit some of the  
6 movement of the compound into other areas of site, which  
7 would provide a greater separating distance to Wetland  
8 1. So hopefully that is a more thorough answer to that  
9 question.

10 MR. MORISSETTE: It does help, thank you very much.  
11 But, well considering that there is 443 feet to Wetland  
12 2, I would think that you could move it, know, maybe  
13 another 25 to possibly 50 feet, and you would still have  
14 a pretty good distance to Wetland 2. And also  
15 understanding, correct me if I am wrong, is that Wetland  
16 1, I believe I read that it was a fresh water wetland  
17 that feeds into an intermittent stream, so it seems to  
18 be, you know, a wetland that has value in itself that  
19 you would want to protect. So where am I, what am I not  
20 seeing here?

21 MR. GUSTAFSON: So you are correct, Wetland 1 is a  
22 fresh water seep system. Certainly in proximity to  
23 where the compound is there is some limited bordering  
24 wetlands, seep wetlands, that feed an interior  
25 intermittent water course that becomes confined as you

1 approach the milled gravel parking lot. At that  
2 transition point, this is where some of the historic  
3 alterations have occurred to this wetland resulting in  
4 that restriction of the wetland to being purely an  
5 intermittent water course with very seasonal flows.  
6 Again, as such, while all wetlands deserve levels of  
7 protection and afforded buffers, we felt that the  
8 buffers being provided provide adequate distances to the  
9 wetland to protect them, with the understanding that  
10 moving it with greater distances, again, results in  
11 greater levels of impact to grading, forest clearing and  
12 reducing that buffer to Wetland 2.

13 MR. MORISSETTE: Would, does the culvert that is  
14 near the intermittent stream have any impact on the, on  
15 the flows to the previously disturbed area?

16 MR. GUSTAFSON: I am unclear on the question, can  
17 you restate it?

18 MR. MORISSETTE: Certainly. In the wetlands report  
19 there's a, I don't have the map open here, but there's  
20 a, there's a culvert identified at the end of the  
21 wetland, and I believe it's at the beginning of the  
22 intermittent stream.

23 MR. GUSTAFSON: So the, that -- you are correct.  
24 That culvert does exist at Wetland Flag 1-01. Should be  
25 noted that is not, you know, the determinants of the

1 wetland, it is the determinants of the delineation that  
2 was performed. The intermittent water course actually  
3 does extend farther to the south within Wetland 1. So  
4 the intermittent water course does not start at that  
5 culvert. Certainly at that culvert it becomes a point  
6 discharge from there as it drains to the north.

7 MR. MORISSETTE: Okay. Thank you. Has there been  
8 any thought of erecting a monopine in this location? I  
9 guess this is for Mr. Gaudet.

10 MR. GAUDET: Hi, Mr. Morissette.

11 MR. MORISSETTE: Good afternoon.

12 MR. GAUDET: No, it doesn't really, this location  
13 doesn't really suit itself for a monopine. Primarily  
14 due to the fact that there's not much coniferous  
15 woodland around this area. Again, the visibility is  
16 very limited here, it's primarily seasonal, and I think  
17 where you could see the tower above the trees, again,  
18 it's more at a distance, not up close, a monopine would  
19 stick out like a sore thumb.

20 MR. MORISSETTE: Okay. Thank you. I am not sure  
21 if this question is for you or not, it is concerning  
22 landscaping.

23 MR. GAUDET: I can take a stab at it and if I am  
24 not the right guy, we can pass it off.

25 MR. MORISSETTE: Okay. It appears that three out

1 of the four sides are landscaped, but front isn't not,  
2 is there a reason for that? Except for the entrance  
3 gate, I presume, but --

4 MR. GAUDET: There's, the constraints there, you  
5 have the stone wall. If we are looking at SP-2 it would  
6 be, well, I guess the -- yes, the western side where the  
7 gate is, where the entrance is, you have that stone wall  
8 that the access drive goes past. You will notice there,  
9 in trying to keep this compound and access area as  
10 confined as possible, you do have the vehicle turnaround  
11 there, so with that and the associated meter bank, there  
12 is not a lot of room to plant anything there.

13 I think the other reason has more to do with the  
14 uses of the area to the northeast and south where you  
15 have activities, you have, there's a campsite to the, to  
16 the east, you have a trail, you have the existing  
17 building to the north, the trails continue south. So I  
18 think that the intent there is to really screen the  
19 compound more from the areas that will be used, as  
20 opposed to, to the west where the parking area is.

21 MR. MORISSETTE: Okay. But you could put, you  
22 could, and I understand what you are saying, that it's  
23 the, the visibility is more so from the north, that you  
24 could put it on the other, other side of the wall, if,  
25 and that would provide some shielding, I would suppose.



1 MR. GAUDET: Yes. Just give me one second to look  
2 at a couple of photos here from the field review, but --  
3 yes, so I think if we can look at the response to  
4 interrogatory 26 attachment, which is the Remote Field  
5 Review. I think to Photo 11 is looking towards this  
6 direction, you certainly could. I will say that the  
7 understory here, there is a bit more low-level brush in  
8 this area, as opposed to, say, back where the compound  
9 and the trails are. So that does provide a little bit  
10 of additional screening as compared to what you have as  
11 you step further into the woods off the buffer from the  
12 driveway, or, sorry, from the parking area into the  
13 woods. It is a little bit thicker there. So I guess  
14 you could potentially add some additional screening  
15 there. I don't know if it would necessarily be  
16 beneficial or helpful, but it could be looked into.

17 MR. MORISSETTE: Yes. Thank you for that. I  
18 agree. I think you could, I am not sure what benefit it  
19 would have, given that it is pretty thick in there  
20 anyway's.

21 Okay. One last question that I have is, we talked  
22 a little bit about construction. Now if this was to be  
23 approved with the, a discussed about construction time  
24 being worked out with the Boy Scouts and having it done  
25 when they are not having activities, was there any

1 discussion, or is it in the lease, about, you know,  
2 possibly doing it off season, say, you know, the early  
3 winter or the late winter when the Boy Scouts are not  
4 active, at all -- well, maybe they are -- anything  
5 relating to that?

6 MR. GAUDET: Yeah, I think I can take a stab at  
7 this one, and then Virginia King can follow-up as  
8 needed. I know in conversations that I was in  
9 attendance for at the camp, it is not a summer camp, as  
10 a lot of, I think, Scout camps are often thought to be.  
11 They primarily do retreat-based events, weekend things.  
12 My understanding is that any Scout Leader can go on and  
13 receive a camping location for the weekend or a week or  
14 whatever. I do recall they have a large event, but I  
15 want to say it might be more in the winter, but it  
16 doesn't sound like they have a significant amount of  
17 traffic in the summertime, but certainly MCM, I am sure,  
18 would be willing and open to work around any, any  
19 scheduling issues that might occur with the camp.

20 MR. MORISSETTE: Very good. Thank you. Okay.  
21 That concludes my cross-examination.

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

23 MR. MORISSETTE: Yes, Mr. Lynch?

24 MR. LYNCH: I have two follow-up questions I  
25 neglected to ask, if I could do that now?

1 MR. MORISSETTE: Certainly. Go right ahead.

2 MR. LYNCH: In regards really, the first question  
3 Mr. Silvestri asked, he and I have been doing this for  
4 too long, about a watchtower or a fire tower. It would  
5 seem to me that if you are going to put a, if you  
6 looking at a cell tower, this would be an ideal chance  
7 to put something like that together and not really be,  
8 you know, that conspicuous.

9 MR. GAUDET: I think this site -- I think I  
10 understand your point, and certainly Mr. Silvestri's, I  
11 think what he was trying to get at, is that, you know,  
12 here's a camp in a heavily wooded area, and a watchtower  
13 might make sense. I think, unfortunately, this location  
14 does have some site constraints and a watchtower does  
15 require a much larger compound foundation, et cetera.  
16 So your level of disturbance would be much, much more  
17 significant than a monopole at this location.

18 MR. LYNCH: Now would it also be a much higher  
19 cost, too?

20 MR. GAUDET: I am, have never been involved in the  
21 development of a watchtower, but I would, 99 percent  
22 certainly say that it would be significantly more  
23 expensive than a monopole.

24 MR. LYNCH: And my last question was, is, if you  
25 have a tower at a Boy Scout Camp, even though it is

1 surrounded by a fence, it still is an attractive  
2 nuisance, and boys being boys, they may want to get into  
3 the compound. Who would have the liability, yourself,  
4 or would that go to Verizon?

5 MR. GAUDET: That is a legal question that I am not  
6 sure I could answer. I do know that the in the  
7 administrative notice from MCM there are a few other  
8 camps that, Scout Camps specifically, that have towers  
9 on them. I live down in Stamford, I am aware of one on  
10 a camping in Greenwich, one in Stamford, and I am not  
11 aware of any incidents of mischievous Boy Scouts seeking  
12 to climb the monopoles.

13 MR. LYNCH: If it is possible and, you could speak  
14 to your attorney get more of a, you know, a legal answer  
15 for that for us, I would appreciate it. Thank you.  
16 That is all, Mr. Morissette.

17 MR. MORISSETTE: Thank you, Mr. Lynch.

18 We will now continue with cross-examination of the  
19 Applicant by Verizon Wireless. Attorney Baldwin, good  
20 afternoon. Attorney Baldwin?

21 MR. BALDWIN: Can you hear me, now?

22 MR. MORISSETTE: I can. Thank you very much.

23 MR. BALDWIN: I apologize for the technical  
24 difficulties we've experienced. Just very quickly, what  
25 I tried to say earlier was that my colleague, Emily

1 Deans, with Robinson and Cole is also joining me here  
2 today with my witness panel. All to the end, we have no  
3 questions for the Applicant, thank you.

4 MR. MORISSETTE: Thank you, Attorney Baldwin.

5 We will now call upon the Grouped Resident  
6 Intervenors to cross-examine the Applicant. And has the  
7 Grouped Resident Intervenors identified their  
8 representative this afternoon?

9 MS. FOGLE: Yes, that is me, Suzanne Fogle.

10 MR. MORISSETTE: Good afternoon, Suzanne Fogle.

11 MS. FOGLE: Hi.

12 MR. MORISSETTE: You may continue to cross-examine  
13 the Applicant.

14 MS. FOGLE: Okay.

15 MR. MORISSETTE: We are getting some feedback.

16 MS. FOGLE: Oh. Can you hear me now?

17 MR. MORISSETTE: Yes, much better.

18 MS. FOGLE: Okay. Good. So I wanted to start with  
19 one of my original Intervener questions that I asked,  
20 and I didn't feel like the response was sufficient. So  
21 the question that I asked was, would the greatest number  
22 of people benefitting from the installment of the cell  
23 tower at Hoyt be residents of Redding, or would the  
24 greatest number of people be in Bethel and/or Danbury?  
25 And the response was the greatest coverage would be in

1 Redding, but that's not really what I am asking. I am  
2 asking, basically, what is the number of people who will  
3 benefit in Redding, and the other towns, Danbury and  
4 Bethel.

5 MR. MORISSETTE: Thank you, Ms. Fogle. Could you  
6 identify the question number for us?

7 MS. FOGLE: Oh, question number --

8 MR. GAUDET: I believe it's 6.

9 MR. MORISSETTE: I am sorry.

10 MS. FOGLE: It's 6.

11 MR. GAUDET: Good afternoon, Ms. Fogle. This is  
12 Brian Gaudet with All Points. I think that question is  
13 best answered by Verizon, as it's related to their RF.

14 MS. FOGLE: How do we get these answers from  
15 Verizon, when does that happen?

16 MR. MORISSETTE: Verizon will be on the witness  
17 stand later in the proceedings, and you will have an  
18 opportunity to cross-examine them, as well.

19 MS. FOGLE: All right. That's great. So this has  
20 already been brought up, this Council on Environmental  
21 Quality looked at the Applicant's map and said that even  
22 though it says that the wetlands are approximately  
23 48 feet away, that's Wetland Number -- I don't know  
24 which one -- anyway, it is actually less than that. And  
25 when, I think it was Joseph who asked someone, whoever

1 it was, asked him, you know, why can't you move to be  
2 further away, or whatever, there was a reason given why  
3 it can't be changed. So it seems to me if you are less  
4 than 48 feet away and the Council on Environmental  
5 Quality thinks that you should remedy that, that signals  
6 that this could create an environmental quality problem,  
7 right? They are suggesting a 100 vegetative buffer  
8 between the facility compound, the access road and  
9 nearby wetlands, Wetland 1. So I didn't see any  
10 response from anyone, and I guess it was directed to  
11 MCM, or All Points whatever, All Points Technology, I  
12 didn't see any response to that, to the Council. And I  
13 am wondering, why didn't they respond, why didn't they  
14 give their reasons; and what does it mean, ultimately,  
15 that they are, they are creating something that the  
16 Council guidelines disagree with?

17 MR. MORISSETTE: Well first of all, if I may, Ms.  
18 Fogle, the Council of Environmental Quality Letter was  
19 to the Siting Council themselves. It was to us, for  
20 their input as to what their thoughts are. The end of  
21 the day the Siting Council, this body, has exclusive  
22 jurisdiction over the siting of the cell tower. So you  
23 would not get a response from the Applicant, because it  
24 wasn't addressed to them. Hopefully that is helpful.

25 MS. FOGLE: Well it's, it still begs the question

1 of why this Council would make that recommendation and  
2 it's, no one seems to mind that the recommendation is  
3 ignored.

4 MR. MORISSETTE: You can ask the Applicant what  
5 they think about the recommendation and see what their  
6 response is.

7 MS. FOGLE: Okay. Do I do that now?

8 MR. MORISSETTE: Certainly. Go right ahead.

9 MS. FOGLE: Okay. Applicant, MCM --

10 MR. MORISSETTE: You have Mr. Gustafson read and  
11 available to answer your question.

12 MS. FOGLE: Okay. Great. So if the Council makes  
13 this recommendation stating that, first of all, your map  
14 is inaccurate, it is actually less than 48 feet away  
15 from the Wetland 1 -- that's the first thing. But the  
16 second thing is, they recommend that you make these  
17 other remediations and that you get further away, but  
18 that looks like it not going to happen, and that is  
19 okay. I mean, is there any sort of quality control here  
20 for something like that? I mean, is there any recourse  
21 to get that paid attention to, why would the Council say  
22 it, if it didn't matter.

23 MR. GUSTAFSON: So I'll answer in two parts. The  
24 first is, I believe we have clarified on record the  
25 minimum distances from the wetland to the facility a



1 couple of times, if it bears repeating, I certainly can.  
2 On the second part, regarding to adherence to, or  
3 advisement of the environmental, the Council of  
4 Environmental Quality, they, the second part of their  
5 recommendation states, the Council's comment about,  
6 directed to only certain elements of the material  
7 provided by the Applicant at the time of the filing.  
8 Additional information can become evident through  
9 comments offered by other parties and during the Siting  
10 Council's Administrative Hearing Process, vis-à-vis some  
11 of the questions that have been currently already asked  
12 by the Connecticut Siting Council, and as we have, I  
13 believe, answered fully, addressed that particular  
14 topic, in that the Council on Environmental Quality only  
15 ha access to the information at the time of their  
16 response. Via this process, we have provided some  
17 additional clarification on why the Applicant feels that  
18 the minimum buffers that are currently proposed are  
19 adequate. Hopefully that kind of gets at, that we  
20 aren't ignoring the Council on Environmental Quality, we  
21 certainly take that under advisement, and that is why we  
22 are answered the questions today in the manner that we  
23 have.

24 MS. FOGLE: Okay. And lastly, for me, according to  
25 All Points Technology, any environmental analysis of the

1 effects of construction at the site would specify  
2 significant adverse effect, whether alone or  
3 cumulatively with other effects on natural environment,  
4 et cetera. So this idea of cumulative impact on the  
5 environmentally sensitive features of this site, I just  
6 sort of made a list here of these sensitive things, the  
7 vernal pool and the wetlands, the resulting -- and  
8 actually, which, in one of APT's reports said, supported  
9 the wood frog and the spotted salamander, both of those  
10 are undergoing a decline and are a concerned, in the  
11 concerned category of species in Connecticut. So that's  
12 one thing. This is a very sensitive wetland site that  
13 we are talking about that is so close to this  
14 construction. And the construction is one of the main  
15 reasons these amphibians are having so much trouble,  
16 because it fragments their ecology where they live, and  
17 that has such a detrimental affect on them. So you got  
18 these guys, you have got the Hoyt site is on a public  
19 water supply watershed, that is another thing. Safety  
20 concerns have been brought up about this attractive  
21 nuisance, that it's something that attracts kids to  
22 challenge themselves on Tik Tok, and all that stuff, it  
23 has already happened.

24 MR. MORISSETTE: Excuse me, Ms. Fogle?

25 MS. FOGLE: Yeah.

1 MR. MORISSETTE: But unfortunately you,  
2 unfortunately you have, this is your opportunity --

3 MS. FOGLE: What is happening? He's freezing.

4 MR. MORISSETTE: This is your opportunity to ask  
5 questions of the Applicant, and you were testifying at  
6 the time --

7 MS. FOGLE: I am getting to my question, I promise.  
8 It is almost there.

9 MR. MORISSETTE: Very good. Please continue.

10 MS. FOGLE: Thank you. Two historic sites close  
11 by, hiking trails within 90 feet of the tower, these  
12 nine, that's about nine potential threats from this  
13 construction, that would, is what I would call a  
14 cumulative effect. And given all of that, why is this  
15 the prime site of choice? It looks like a really bad  
16 fit on the map, that is why you can't move anywhere.  
17 And, and it just, there is too many things going on  
18 there. That cumulative effect, if it doesn't, this  
19 doesn't apply here, where does it apply? And let me  
20 know if you disagree with my cumulative effect idea.

21 MR. GAUDET: Yeah, Ms. Fogle, this is Brian Gaudet  
22 with All Points. So sites are selected first based on a  
23 need, right, which I am sure Verizon will attest to,  
24 they have a need in this area for more reliable service,  
25 more better coverage. At that point it's companies like

1 MCM, they go out and they look for a site that is  
2 suitable. Throughout that process, as you mentioned,  
3 there are a lot of things that are reviewed. One of the  
4 main things that All Points has done for MCM, has gone  
5 through the entire National Environmental Protection  
6 Act, the NEPA process, which evaluates things like  
7 watersheds, flood hazards, endangered species, the list  
8 goes on, historic resources, Indian religious sites.  
9 That NEPA report was completed, so we consult in various  
10 ways with numerous agencies throughout the country,  
11 throughout the Government, and we received no effect  
12 determinations based on, again, after going through  
13 development process, putting mitigation measures in  
14 effect, again, all the things that I think we have  
15 spoken to and that are on the record. And with the  
16 design of this site, as proposed, it has minimized the  
17 impact that a development here would have.

18 It could be no different at any other location, the  
19 process is one that is pretty cumbersome to determine  
20 whether there is a cumulative effect, and here we, from  
21 the regulatory bodies that be, as we are in front of the  
22 Council, the Council will make a determination whether  
23 the need is outweighed by the potential environmental  
24 impacts.

25 MS. FOGLE: Thank you.

1 MR. GAUDET: You are welcome.

2 MS. FOGLE: Okay.

3 MR. MORISSETTE: Well excuse, we, Ms. Fogle, you  
4 were identified as the representative of your group. So  
5 does that conclude your questions for this afternoon?

6 MS. FOGLE: That concludes my questions. No we  
7 never said for the group. We have got two other  
8 individuals here.

9 MR. MORISSETTE: Well that was, that was outlined  
10 in the preconference hearing that --

11 MS. FOGLE: Okay. I have more questions.

12 MR. MORISSETTE: So if you have questions from the  
13 group, please continue.

14 MS. FOGLE: Okay.

15 MR. MORISSETTE: Thank you.

16 MS. FOGLE: So according to the U.S. Fish and  
17 Wildlife Service, each year nearly 7 million birds die  
18 due to nighttime collisions with communication towers,  
19 and most of them are night migrating birds, song birds,  
20 on their journey to warmer climates. How do you respond  
21 to this data? I think something that they had said it  
22 was of no, you know, was no attraction or something like  
23 that, I don't know, sort of making, sort of playing down  
24 the potential for this cell tower to create, to cause  
25 these collisions. And this is a migration site, you got

1 winter birds migrating through, you have got all year  
2 round something going on, so is that considered  
3 important?

4 MR. GAUDET: Yes, this is Brian Gaudet. I just  
5 want to refer you to the right Exhibit in the  
6 application. But yes, that is, that is evaluated. We  
7 have provided an avian resources evaluation, which  
8 addresses any potential impacts. So essentially the,  
9 the way that U.S. Fish and Wildlife Service looks at it,  
10 there is a, what, I believe the term is a gold standard,  
11 in terms of tower development to minimize impacts to  
12 avian resources, and that is typically towers less than  
13 200 feet that are not lit and not guide towers. So this  
14 tower here is 150 feet above ground level. It does not  
15 require lighting. And it does not require guide wires.  
16 And this is Attachment 6 of Exhibit 1 in the application  
17 for your references.

18 MS. FOGLE: Thank you. Was any, is any  
19 consideration ever given to other wildlife, besides  
20 endangered and threatened, any care for, like, is that a  
21 priority ever with tree, you know, clearing what you  
22 have to do to set up something like this?

23 MR. GUSTAFSON: Matthew Gustafson. And the simple  
24 answer is, yes. Some of the answers I think we have  
25 gone through today illustrates that very point. One of

1 the reasons why we are in close proximity to Wetland 1  
2 is to minimize the amount of tree clearing required,  
3 maximize the distance to the vernal pool which contains  
4 species, I believe, you already brought up, wood frog  
5 and spotted salamander, neither of those species are  
6 listed as a special concerned, threatened or endangered  
7 species at the State level or a threatened or endangered  
8 species at a Federal level. And so yes, we do take that  
9 into consideration.

10 MS. FOGLE: Can we ask why the lease was redacted  
11 and put under protective order? Why did that happen?

12 MS. CHIOCCHIO: The portions of the -- this is  
13 Lucia Chiocchio, Counsel for MCM -- the portions of the  
14 lease that where redacted are considered proprietary  
15 information and the Council granted our motion to keep  
16 that information confidential.

17 MS. FOGLE: What -- can you give anymore  
18 information on why they wanted it to be confidential or  
19 --

20 MS. CHIOCCHIO: It is confidential, it is  
21 proprietary information to MCM, so it is not part of the  
22 public record.

23 MS. FOGLE: Okay. Thank you. Okay. So has MCM  
24 chosen this site, as Verizon didn't start looking for  
25 the site until 2016 -- is that right? That is not

1 right. Sorry.

2 Verizon didn't start looking, doing a site search,  
3 apparently, until after the lease was signed, is that  
4 correct?

5 MR. GUSTAFSON: I think that would be a question we  
6 would defer to Verizon.

7 MS. FOGLE: Okay. Okay. We were actually told  
8 that we could come on as individuals.

9 MR. MORISSETTE: I believe you were told that you  
10 could come on as individuals, but you were to appoint a  
11 representative.

12 MS. FOGLE: So --

13 MS. DELUCA: So why can't we individually speak?

14 MR. MORISSETTE: We talked about this already. You  
15 were appointed a representative and the representative  
16 is to ask the questions.

17 MS. FOGLE: That is a misunderstanding.

18 The coverage maps --

19 MS. DELUCA: For the application are dated 2014 --

20 MS. FOGLE: No, they are actually -- that's the  
21 copyright date.

22 MS. CALDWELL: That's a Verizon question.

23 MS. DELUCA: Yeah, that is the copyright date on  
24 the coverage map.

25 MS. CALDWELL: Do you have another question?



1 MS. DELUCA: Yeah, but it's a Verizon question.

2 MS. FOGLE: Okay. So we just have Verizon  
3 questions coming up.

4 MS. CALDWELL: Do you have anything else for MCM,  
5 Dottie?

6 MS. DELUCA: I have questions in general of why,  
7 what does RF rejected mean? That is probably a Verizon  
8 question. RF rejected.

9 MS. FOGLE: What does RF rejected mean?

10 MR. MORISSETTE: That is, I think Verizon would be  
11 better off responding to that. And you will have your  
12 opportunity to cross-examine Verizon, as well?

13 MS. FOGLE: That's it?

14 MS. CALDWELL: JoAnn is saying, please ask also --  
15 here, please ask also to clarify --

16 MS. FOGLE: Can you clarify whether the Town  
17 offered a site, as one is listed in the application?

18 MS. CALDWELL: And she gave it here. That's the  
19 one.

20 MS. FOGLE: You mean the 491 Redding Road?

21 MS. CALDWELL: I guess.

22 MS. FOGLE: Yeah, 491 Redding Road, undeveloped  
23 land -- it says outside search area.

24 MR. MORISSETTE: I believe that question has  
25 already been asked, but if the witness panel could

1 respond again as to whether the Town identified any  
2 sites, I think that is the question?

3 MR. GUSTAFSON: That's my understanding. Yes, so,  
4 to reiterate what Virginia had already stated, I  
5 believe, she is not aware of any site offered by the  
6 Town, however that probably is suited for Verizon, as  
7 well, as that is their search ring.

8 MR. MORISSETTE: Very good. Thank you, Mr.  
9 Gustafson.

10 MS. CALDWELL: JoAnn wants us to ask what was the  
11 basis for MCM choosing this site.

12 MS. FOGLE: No, I think we all -- all right. Thank  
13 you. Sorry. We are all, we are all working women here,  
14 we --

15 MR. MORISSETTE: Understood. You guys did a great  
16 job. Thank you very much for your patience, and we will  
17 continue on.

18 MS. FOGLE: Am I done?

19 MR. MORISSETTE: I think -- we are ready to move  
20 on.

21 MS. FOGLE: I am right with you there.

22 MS. DELUCA: -- responses to our interrogatories  
23 stated as, see --

24 MS. CALDWELL: No, you can't ask that.

25 MS. DELUCA: I can't ask that?

1 MS. FOGLE: Yeah, I can't.

2 MR. MORISSETTE: Okay. Thank you very much.

3 We will continue with cross-examination of the  
4 Applicant by the Grouped Business Intervenors. And I  
5 believe Dino Trevisani is going to represent the Grouped  
6 Business Intervenors.

7 MR. TREVISANI: Yes. We submitted a number of, I  
8 submitted a number of questions. But I just want  
9 clarification on a few.

10 MR. MORISSETTE: Certainly. Go right ahead.

11 MR. TREVISANI: Okay. So the, the question of the  
12 light being installed on the top, you know, the answer  
13 that I received here was, you know, doesn't currently  
14 require a light, it is not expected, the tower isn't  
15 going to be any taller. And I want to understand  
16 whether that has been tested, considering we have an  
17 airport nearby, whether there is going to be a follow-up  
18 requirement, or has it been investigated enough to  
19 assure that the light wouldn't be required to be  
20 installed on the top of that tower.

21 MR. GAUDET: Yes, so MCM has completed their FAA  
22 evaluation, and determined that the tower does not need  
23 to be lit or painted for airport markings.

24 MR. TREVISANI: Okay. And then, you went on to say  
25 that because of the height it is not required. But, but

1 the tower in its design, in its platform would have to  
2 be redesigned and reconstructed in order to put a taller  
3 tower, is that confirmed that you couldn't put a taller  
4 tower on the existing platform? You, are you saying  
5 that the existing platform would have to be removed and  
6 a new platform put in if they determined later on they  
7 want to put up a larger tower?

8 MR. GAUDET: Yes. So let's say hypothetically  
9 somebody wanted to come in and increase the tower  
10 height, I believe the number is 10 percent or 20 feet  
11 that they can increase, based on the original approval.  
12 That would, that would be under the assumption that the  
13 tower and foundation, if approved, would be designed  
14 from the tower manufacturer and from a structural  
15 standpoint, to accommodate additional heights and  
16 loading. At this point, there is, the tower will not be  
17 designed to be taller than 150 feet. So in the event  
18 that somebody came in and wanted to, let's say for  
19 argument sake, 265 feet, they would need to design a new  
20 tower. They would have to go through all of the  
21 regulatory processes that MCM has gone through and is  
22 continuing to go through. They would have to come back  
23 in front of the Siting Council to get the approval to do  
24 so. At that point it would be, in all likelihood, a  
25 complete tear down and rebuild likely with a temporary

1 structure to be installed somewhere in proximate  
2 location to the existing pole. It would be quote the  
3 undertaking for somebody to try and extend the tower.

4 MR. TREVISANI: Just to clarify, I think you  
5 answered this, but just to clarify; are you saying that  
6 the existing tower foundation allows for 10 to  
7 15 percent increase in height without --

8 MR. GAUDET: No.

9 MR. TREVISANI: Or you are saying if they did --  
10 okay.

11 MR. GAUDET: Yeah, as proposed there will be no  
12 capacity built into the design of this 150 foot proposed  
13 tower.

14 MR. TREVISANI: My concern, and New Pond Farms  
15 concern is, you know, once it is approved, you know, do  
16 we have then a number of changes that don't have to go  
17 through this type of process that could result in the  
18 tower being larger, taller.

19 MR. GAUDET: No. Any, there are some allowances at  
20 the Federal level in terms of needing to go through,  
21 say, an old, new NEPA for a tower extension. Again,  
22 that would be for a tower extension solely, not a pull  
23 down and rebuild. Regardless of whether it is an  
24 extension or rebuild, at the end of the day it would  
25 still come through the Siting Council for review and

1 approval, through a process very similar to this.

2 MR. TREVISANI: Okay. Okay. Very good. Thank  
3 you.

4 And the question, question I posed regarding the  
5 tree coverage when there are no leaves on the trees,  
6 and, you know, I did look at all the photographs, and,  
7 am I to assume that the only time it is visible in a  
8 photograph is when you put that red arrow? Because  
9 there are a lot of photographs without any markings on  
10 them.

11 MR. GAUDET: Yes. The red arrow is to help guide  
12 your eye to a balloon that can be very difficult to see,  
13 whether it at this (inaudible) or through obstructing  
14 intervening vegetation, things like that. But if you  
15 look at, there's a table in the report that will, that  
16 will list each photo, and each --

17 MR. TREVISANI: Yeah, I saw that.

18 MR. GAUDET: -- so if it says seasonal or  
19 year-round, those would be the ones where the balloon is  
20 visible. Anything that is not visible is the balloon  
21 cannot be seen in that location.

22 And then subsequently on the logs, on the photo log  
23 and the View Shed Mapping, orange will depict your  
24 seasonal views and yellow your year-round.

25 MR. TREVISANI: Okay. The question of insurance

1 came up from the Siting Council, and I don't know if I  
2 really got the answer that I was looking for. My  
3 concern mostly is, as all things, you know, years down  
4 the road it is determined that there is an adverse  
5 effect associated with this, which I suspect there won't  
6 be, but if there is some adverse effect, and what kind  
7 of protection does MCM or Verizon have in, in regards to  
8 insurance coverage? And I want to include in that, you  
9 know, I live right next door to the Boy Scout Camp, I  
10 know this because I hear them shooting all the time.  
11 Their firing weapons up there. I hope the tower can  
12 handle a couple of gunshots, because I don't suspect  
13 they are, they're just shooting at targets. The, what  
14 kind of, what kind of insurance, you know, assuming, and  
15 God forbid a Boy Scout climbs the tower, you know, and I  
16 like the idea of taking the ladder pegs out, and, or it  
17 does affect environmental in the area, and I am not  
18 suggesting that my honey bees would be something that  
19 would cause any financial gravity to Verizon or MCM, but  
20 assuming that there is, there is a class action lawsuit  
21 down the road because of some adverse affects, how are  
22 you protected and how are we ensured that this isn't  
23 going to land on the Town for approving it, the  
24 community, the Council, et cetera, as codefendants in a  
25 potential lawsuit?

1 MR. PATRICK: Thank you very much, Mr. Trevisani.  
2 This is Daniel Patrick, the attorney for MCM. I will  
3 defer to Verizon as it relates to any health effects  
4 related to the RF emissions. I will say that insurance  
5 coverage and a parties ability to recompense or the  
6 coverage that is carried by the Applicant or the  
7 carriers is not within the criteria listed by the Siting  
8 Council or in the State regulations for consideration by  
9 this Council in this hearing, so we will not, not  
10 provide any additional information on the insurance  
11 coverage that is held by the MCM.

12 MR. TREVISANI: Okay. But you did say that as, as  
13 directed by, insurance coverage as directed by the  
14 Siting Council, is that what you said?

15 MR. PATRICK: Can you restate that question?

16 MR. TREVISANI: Did you say that the coverage that  
17 you have is as directed by the Siting Council?

18 MR. PATRICK: No.

19 MR. TREVISANI: So who determines what coverage you  
20 need?

21 MR. PATRICK: That is not within the purview of  
22 this hearing. I don't have an answer for that.

23 MR. TREVISANI: Well --

24 MR. MORISSETTE: Just for clarification, if I may  
25 add --



1 MR. TREVISANI: It is in my backyard, so if you are  
2 going to do that in my backyard, I want to know you have  
3 insurance for something that is controversial and not  
4 determined --

5 MR. MORISSETTE: If I may --

6 MR. TREVISANI: -- long term studies of its impact.

7 MR. MORISSETTE: If I may, the Siting Council in  
8 this hearing and the, our jurisdiction, is related to  
9 the public need and the environmental compatibility of  
10 the facility. It is not here to dictate as to what type  
11 of business and insurance requirements are necessary for  
12 MCM and/or Verizon to conduct their business. That is a  
13 purely business private matter that needs to be handled  
14 through contractual arrangements. So we do not have the  
15 jurisdiction over indicating or requiring insurance.

16 MR. TREVISANI: Okay. You do have the jurisdiction  
17 of approving it. So if there is an issue then, then the  
18 approval process has culpability in the sense of its  
19 decision to go forward and without conclusive  
20 information related to, you know, the potential hazards  
21 to the Boy Scouts -- and referring to other Boy Scout  
22 camps is not adequate -- or to its environmental,  
23 potential environmental impacts, I'll just leave it at,  
24 okay, for the record.

25 MR. MORISSETTE: Thank you. Please continue.

1 MR. TREVISANI: Okay. And then I would like to  
2 understand, I would like to understand the question that  
3 was tried, that was posed by the, by my colleagues in  
4 the other group. How was the contract -- was the  
5 contract in fact signed with the Boy Scout Camp and MCM  
6 in 2014 and, if that is the case, how did the Siting  
7 Council come up with a location years later? How does  
8 that work? Or did we put the, you know, the cart before  
9 the horse here? Did MCM pick a site and then the Siting  
10 Council backed into that site?

11 MS. KING: Hi, Mr. Trevisani, Virginia King with  
12 MCM. We signed a contract with the Boy Scouts in 2016.  
13 Within the past couple of years Verizon showed an  
14 interest, we negotiated a contact with them and together  
15 we filed the application to the Siting Council.

16 MR. TREVISANI: Okay. So I think I understand,  
17 because what MCM does is finds sites, signs deals and  
18 then tries to market it to the carriers, is that what  
19 you are saying?

20 MS. KING: Correct.

21 MR. TREVISANI: That is why the timing worked that  
22 way?

23 MS. KING: More or less, yes.

24 MR. TREVISANI: Okay. And how is the Siting  
25 Council in that process when you, when you pick sites to

1 sign contracts over?

2 MS. KING: They are not. They are not in any of  
3 the process until we file an application.

4 MR. TREVISANI: So it is only speculation when you  
5 sign the agreements?

6 MS. KING: Well, which agreements? For the State  
7 or the carrier?

8 MR. TREVISANI: When you signed the agreement with  
9 the Boy Scout Camp in 2016 without the Siting Council  
10 saying it is an approved site; are you just speculating  
11 when you do that, or do you have some assurances that it  
12 is going to be an approved site or an opportune site.

13 MS. KING: No, you don't, you don't know that the  
14 Siting Council is definitely going to approve or  
15 disapprove a tower.

16 MR. TREVISANI: Okay. Okay. This is what I meant  
17 by speculation. I mean, you are hoping it will. Okay.

18 MS. KING: Okay.

19 MR. TREVISANI: But you don't necessarily have  
20 their approval.

21 Okay. I don't have any other questions, and that  
22 is it. Thank you very much.

23 MR. MORISSETTE: Thank you.

24 MR. LYNCH: Mr. Morissette?

25 MR. MORISSETTE: Yes, Mr. Lynch.

1 MR. LYNCH: Could I ask one quick follow-up  
2 question of the Applicant.

3 MR. MORISSETTE: Certainly. Please go ahead.

4 MR. LYNCH: With regards to increasing the height  
5 of the tower, instead of rebuilding the foundation,  
6 would a guide tower be able to support additional  
7 height?

8 MR. MEAD: Jason Mead. I think I would like to  
9 answer that question. Typically monopole towers are not  
10 guide, there are instances where a tower has been guide  
11 for structural capacity due to increase loading,  
12 horizontal loading, but not necessarily for height.  
13 Introducing guide wires would present issues in that we  
14 would obviously have to clear additional woodlands to  
15 situate the guide wires and the anchor blocks required  
16 to support that structure. Again, it is something that  
17 is not typically done.

18 MR. MORISSETTE: Very good. Thank you.

19 MR. LYNCH: So guide wires could be used. Is there  
20 enough leased area for the, within the, for the  
21 application to support guides wire.

22 MR. MEAD: No, there is not.

23 MR. LYNCH: Thank you.

24 MR. MORISSETTE: Thank you, Mr. Lynch.

25 MR. MEAD: Thank you.

1 MR. MORISSETTE: So what we are going to do now, is  
2 we are going to start with the appearance of Cellco  
3 Partnership, d/b/a Verizon Wireless. And we are going  
4 to have Attorney Patrick or Attorney Chiocchio, we will  
5 have their exhibits sworn into the record, and then we  
6 will end for the evening.

7 So with that, will the party present its witness  
8 panel for the purposes of taking the oath, and then we  
9 will have Attorney Bachman who will administer the oath.  
10 Attorney Patrick or Attorney Chiocchio?

11 MR. BALDWIN: I think that is probably more  
12 appropriate for us to take that with the Verizon  
13 Wireless witnesses.

14 MR. MORISSETTE: Oh, that's true, too. Thank you,  
15 Mr. Baldwin.

16 MR. BALDWIN: I'll ask Attorney Deans to take care  
17 of introducing the witnesses and verifying our exhibits.

18 MS. DEANS: Thank you, Attorney Baldwin. So Cellco  
19 has two witnesses as part of its witness panel. They  
20 are Shiva Gadasu, a radiofrequency engineer; and  
21 Elizabeth Glidden, a Real Estate and Regulatory  
22 Specialist, both with Verizon Wireless. And we offer  
23 these witnesses to be sworn at this time. Thank you.

24 MR. MORISSETTE: Thank you. Attorney Bachman,  
25 please swear in the witnesses.

1 MS. BACHMAN: Thank you, Mr. Morissette. Could the  
2 witnesses please raise their right hands?

3  
4 (Whereupon the Verizon Wireless witness panel was  
5 duly sworn in by Attorney Bachman.)  
6

7 MS. BACHMAN: Thank you.

8 MR. MORISSETTE: Thank you Attorney Bachman.  
9 Please begin by verifying all the exhibits by the  
10 appropriate sworn witnesses.

11 MS. DEANS: Our exhibits are identified are items 1  
12 through 6 in Section 3B of the Hearing Program. I am  
13 going ask our witnesses a series of questions to verify  
14 the exhibits.

15 Did you prepare or assist in the preparation of, or  
16 are you familiar with the information in the exhibits  
17 identified.

18 MR. GADASU: Shiva Gadasu, yes.

19 MS. GLIDDEN: Liz Glidden, yes.

20 MS. DEANS: Do you have any updates or corrections  
21 to the identified exhibits?

22 MR. GADASU: Shiva Gadasu, no.

23 MS. GLIDDEN: Liz Glidden, no.

24 MS. DEANS: Is the information contained in the  
25 identified exhibits true and accurate to the best of

1 your belief?

2 MR. GADASU: Shiva Gadasu, yes.

3 MS. GLIDDEN: Lis Glidden, yes.

4 MS. DEANS: And do you adopt these exhibits as your  
5 testimony?

6 MR. GADASU: Yes.

7 MS. GLIDDEN: Liz Glidden, yes.

8 MR. MORISSETTE: Thank you. Does any party or  
9 intervener object to the admission of Verizon Wireless  
10 exhibits? Attorney Patrick or Chiocchio?

11 MR. PATRICK: No objection.

12 MR. MORISSETTE: Thank you. The Grouped Resident  
13 Intervenors?

14 MS. FOGLE: No.

15 MR. MORISSETTE: Thank you. The Grouped Business  
16 Intervenors?

17 MR. TREVISANI: No. No objection.

18 MR. MORISSETTE: Thank you. The exhibits are  
19 hereby admitted.

20 So at our next hearing, we will commence with  
21 cross-examination of Verizon Wireless by the Council.  
22 Then we will continue with cross-examination by the  
23 Applicant, and then we will continue with the Grouped  
24 Resident Intervenors, and then the Grouped Business  
25 Intervenors. So Verizon Wireless will be on the stand

1 to answer questions.

2 So with that, we will close the hearing for this  
3 afternoon, and we will, this evening we will commence  
4 with the public comment session. Just one moment,  
5 please.

6 So therefore, before closing this hearing, the  
7 Council, the Connecticut Siting Council announces --  
8 excuse me -- announces that the evidentiary session for  
9 this public hearing on January 23rd, 2024, at 2:00 PM  
10 via Zoom remote conferencing. A copy of the agenda for  
11 the continued evidentiary hearing session will be  
12 available on the Council's Docket Number 517 web page,  
13 along with a record of this matter, the public hearing  
14 notice, instructions for the public access to the  
15 evidentiary hearing session and the Council's Citizens  
16 Guide to Siting Council Procedures.

17 Please note that anyone who has not become a party  
18 or intervener but who desires to make his or her views  
19 known to the Council may file written statements to the  
20 Council until public comment record closes. Copies of  
21 the transcript of this hearing will be filed at the  
22 Redding Town Clerk's Office.

23 I hereby declare this hearing adjourned, and we do  
24 have a public comment session at 6:30. Thank you for  
25 your participation, and have a good evening.



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(Whereupon the hearing concluded at 4:53 PM)

STATE OF CONNECTICUT

I, THERESA BERGSTRAND, a Professional Reporter/Commissioner within and for the State of Connecticut, do hereby certify that I took the above hearing testimony on NOVEMBER 30, 2023, In Re, Connecticut Siting Council Docket Number 517 Public Evidentiary Hearing.

I further certify that the within testimony was taken by me stenographically and reduced to typewritten form under my direction by means of computer assisted transcription; and I further certify that said deposition is a true record of the testimony given by said witness.

I further certify that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.

WITNESS my hand and seal the 18th day of December, 2023.

*Theresa Bergstrand*

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Theresa Bergstrand, CSR.  
My commission expires 3/31/2026