

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Docket No. 521

Application from Tarpon Towers III, LLC, and
Cellco Partnership d/b/a Verizon Wireless for a
Certificate of Environmental Compatibility and
Public Need for the construction, maintenance, and
operation of a telecommunications facility and
associated equipment located at 1021-1041 South Main
Street, Cheshire, Connecticut.

Zoom Remote Public Hearing (Teleconference),
on Thursday, June 13, 2024, beginning at 6:30 p.m.

H e l d B e f o r e :

ROBERT SILVESTRI, Member and Presiding Officer

1 **A p p e a r a n c e s :**

2 **Councilmembers:**

3 **ROBERT SILVESTRI, (Hearing Officer)**

4
5 **BRIAN GOLEMBIEWSKI,**

6 **DEEP Designee**

7
8 **CHANCE CARTER**

9
10 **Council Staff:**

11 **MELANIE BACHMAN, ESQ.,**

12 **Executive Director and Staff Attorney**

13
14 **IFEANYI NWANKWO,**

15 **Siting Analyst**

16
17 **LISA FONTAINE,**

18 **Fiscal Administrative Officer**

19

20

21

22

23

24

25

1 A p p e a r a n c e s:(cont'd)

2 For CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS:

3 ROBINSON & COLE

4 280 Trumbull Street

5 Hartford, Connecticut 06103

6 By: KENNETH C. BALDWIN, ESQ.

7 KBaldwin@rc.com

8 860.275.8345

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 (Begin: 6:30 p.m.)

2
3 THE HEARING OFFICER: Good evening, everyone.

4 Is the Court Reporter with us?

5 THE REPORTER: I am, and we are on the record.

6 THE HEARING OFFICER: Thank you very much.

7 This hearing is called to order this
8 Thursday, June 13, 2024, at 6:30pm.

9 My name is Robert Silvestri, member and
10 Presiding Officer of the Connecticut Siting
11 Council. Other members of the Council are Brian
12 Golembiewski, designee for Commissioner Katie
13 Dykes of the Department of Energy and
14 Environmental Protection; and Chance Carter.

15 Members of the staff are Executive Director
16 Melanie Bachman, siting analyst Ifeanyi Nwankwo,
17 and Administrative Support Lisa Fontaine.

18 If you haven't done so already, I'll ask that
19 everyone please mute their computer audio and/or
20 telephone now.

21 This is a continuation of a public hearing
22 that began at 2 p.m. this afternoon. A copy of
23 the prepared agenda is available on the Council's
24 Docket Number 521 webpage, along with the record
25 of this matter, the public hearing notice,

1 instructions for public access to this public
2 hearing, and the Council's Citizens Guide to
3 Siting Council Procedures.

4 This hearing is held pursuant to the
5 provisions of Title 16 of the Connecticut General
6 Statutes and of the Uniform Administrative
7 Procedure Act upon an application from Tarpon
8 Towers III, LLC, and Cellco Partnership doing
9 business as Verizon Wireless for a certificate of
10 environmental compatibility and public need for
11 the construction, maintenance and operations of a
12 telecommunications facility and associated
13 equipment located at 1021 to 1041 South Main
14 Street in Cheshire, Connecticut. This application
15 was received by the Council on March 13, 2024.

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

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

7 The Council's legal notice of the date and
8 time of this public hearing was published in the
9 Cheshire Herald on April 18, 2024. On this
10 Council's request, the Applicant erected signs in
11 the vicinity of the proposed site at the entrance
12 of the 1021 to 1041 South Main Street parking lot
13 on South Main Street and at the rear of the
14 property on King Road so as to inform the public
15 of the name of the applicants, the type of the
16 facility, the public hearing date and contact
17 information for the Council.

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

22 This public comment session is reserved for
23 members of the public who signed up in advance to
24 make brief statements. These limited appearance
25 statements are not subject to questions from the

1 parties or the Council, and members of the public
2 making statements may not ask questions of the
3 parties or the Council. In accordance with the
4 public hearing notice and in fairness to everyone
5 who signed up to speak, these public statements
6 will be limited to three minutes. And please be
7 advised that written comments may be submitted by
8 any person within 30 days of this public hearing.

9 And I wish to note that parties and
10 interveners, including their representatives,
11 witnesses and members are not allowed to
12 participate in the public comment session. I also
13 wish to note for those who are listening and for
14 the benefit of your friends and neighbors who are
15 unable to join us for the public comment session,
16 that you or they may send written statements to
17 the Council within 30 days of the date hereof by
18 mail or by e-mail. And please be advised that any
19 person may be removed from the public comment
20 session at the discretion of the Council.

21 We ask each person making a limited
22 appearance statement in this proceeding to confine
23 his or her statements to the subject matter before
24 the Council, and to avoid unreasonable repetition
25 so that we may hear all your concerns that you and

1 your neighbors may have. And please be advised
2 that the Council cannot answer questions from the
3 public about the proposal.

4 A verbatim transcript will be made of this
5 hearing and will be deposited at the Cheshire Town
6 Clerk's office for the convenience of the public.

7 Now at this time I request the Applicants to
8 make a very brief presentation to the public
9 describing the proposed facility.

10 And I believe Mr. Burns, that will be you?

11 MR. BALDWIN: Mr. Silvestri, we've asked -- good
12 evening. We've asked Mr. Gaudet, the Project
13 Manager to do the presentation this evening, a
14 slight change from the hearing program.

15 THE HEARING OFFICER: No, that's fine, Attorney
16 Baldwin. Thank you.

17 MR. BALDWIN: Thank you.

18 THE HEARING OFFICER: And Mr. Gaudet, whenever you're
19 ready to proceed, please do so.

20 BRIAN GAUDET: Thank you very much.

21 For the record, my name is Brian Gaudet. I'm
22 a project manager with All-Points Technology
23 Corporation, representing the Applicants for this
24 proposed 94-foot tall monopole for Tarpon Towers
25 III, LLC, and Cellco Partnership doing business as

1 Verizon wireless.

2 As Mr. Silvestri mentioned, the site is
3 located at 1021 South Main Street in Cheshire, and
4 it's an approximately 6.7 acre parcel developed
5 currently by retail and commercial establishments.

6 The new compound will be located on the west
7 side of parcel in the rear of the existing grocery
8 store. Vehicle access to the site will be along
9 the existing paved driveway off of South Main
10 Street to the east, and traverse generally
11 westward, and then south to the proposed compound.

12 If we go to the next sheet, please?

13 The compound is roughly 20 feet by 86-foot
14 rectangular gravel based surrounded by an
15 eight-foot high chain-link fence. It will be
16 accessed by 12-foot wide gate on the northwestern
17 fence line.

18 Electric and phone utilities will run
19 underground from an existing utility pole that's
20 situated north of the proposed facility to a
21 utility backboard, which will be located off the
22 northwest corner of the compound.

23 The compound has been sized for three
24 carriers, currently Verizon and then two future
25 carriers. Verizon will install its ground

1 equipment including equipment cabinets and a 50 kW
2 diesel fuel generator on a 10-foot by 20-foot
3 concrete pad in the southern portion of the
4 compound.

5 The new 94-foot tall monopole will be located
6 in the center of this compound. Verizon plans to
7 install its antennas and equipment at a center
8 line of 90 feet above grade.

9 Thank you.

10 THE HEARING OFFICER: Thank you, Mr. Gaudet.

11 We will now call upon James Peters to make a
12 public statement. Good evening, Mr. Peters.

13 JAMES PETERS: Hello. Can you hear me?

14 THE HEARING OFFICER: I can hear you. Thank you.

15 JAMES PETERS: Good. My name is James Peters. I live
16 at 190 Brentwood Drive, Cheshire, Connecticut, and
17 I'm speaking in opposition to the construction of
18 this tower.

19 I responded -- just find out about this a
20 week ago, and I responded in writing to the
21 Council last week with a short objection to this
22 installation. I will put more time into this,
23 into it this weekend and provide a comprehensive
24 objection listing the things that I can't do in
25 three minutes, or I'm not allowed to do in three

1 minutes.

2 I'd like to focus my comments in the
3 remaining time on two of the obvious factors, and
4 that one is the line of sight at the public -- I
5 was on the public hearing call at two o'clock. My
6 characterization of the line of sight differs from
7 what was presented at two o'clock.

8 The Applicants own visual aids in the visual
9 resource assessment that they included with their
10 application has 63 photos; one or two of them are
11 from Brentwood Drive, which is my street. And
12 from the cul-de-sac in the photos provided by the
13 Applicant you can clearly see the mockup of the
14 tower that they provided in those photos.

15 So I can clearly see the -- will be able to
16 clearly see the tower when it is constructed. The
17 lessors of the property who are located in
18 Cincinnati will not be able to see the tower from
19 Cincinnati.

20 The second most obvious factor is a noise
21 factor. We, on Brentwood Drive and King Road,
22 have tolerated for years the noise generated by
23 the Big Y, formerly everybody's supermarket. Very
24 early every morning we hear the trucks unloading
25 and the refuse being taken away. We don't need

1 any more additional noise caused by the addition
2 of this tower and a backup generator.

3 I plan to meet with the town manager from the
4 Town of Cheshire very soon; we're in touch, and I
5 intend to enlist his aid. Most of my neighbors
6 have just recently found out about this. You will
7 be getting a list of names that -- of people
8 objecting to this, approximately 70, and we will
9 be generating some interest in this.

10 You should get -- be getting written comment,
11 more written comments in the next 30 days in
12 addition to my own. And I will stop there.

13 **THE HEARING OFFICER:** Very good. Thank you, Mr.

14 Peters, for your comments and for joining us
15 tonight.

16 **JAMES PETERS:** Thank you.

17 **THE HEARING OFFICER:** Before closing this hearing, the
18 Connecticut Siting Council announces that briefs
19 and proposed findings of fact may be filed with
20 the Council by any party or intervener no later
21 than July 13, 2024. The submission of briefs or
22 proposed findings of fact are not required by the
23 Council. Rather, we leave it to the choice of the
24 parties and the interveners.

25 Anyone who has not become a party or

1 intervener, but who desires to make his or her
2 views known to the Council may file written
3 statements with the Council within 30 days of the
4 date hereof.

5 The Council will issue draft findings of
6 fact, and thereafter parties and interveners may
7 identify errors or inconsistencies between the
8 Council's draft findings of fact and the record,
9 however no new information, no new evidence, no
10 argument, and no reply briefs without our
11 permission will be considered by the Council.

12 Copies of the transcript of this hearing will
13 be filed at the Cheshire Town Clerk's office.

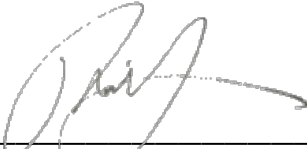
14 And I hereby declare this hearing adjourned.
15 I thank you all for your participation and I wish
16 you a good evening.

17 Thank you.

18
19 (End: 6:41 p.m.)
20
21
22
23
24
25

CERTIFICATE

I hereby certify that the foregoing 13 pages are a complete and accurate computer-aided transcription of my original verbatim notes taken of the remote public hearing of THE CONNECTICUT SITING COUNCIL PUBLIC HEARING in Re: DOCKET NO. 521, APPLICATION FROM TARPON TOWERS III, LLC, AND CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF A TELECOMMUNICATIONS FACILITY AND ASSOCIATED EQUIPMENT LOCATED AT 1021-1041 SOUTH MAIN STREET, CHESHIRE, CONNECTICUT, which was held before JOHN MORISSETTE, Member and Presiding Officer, on June 13, 2024.



Robert G. Dixon, CVR-M 857
Notary Public
My Commission Expires: 6/30/2025