



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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Hearing Program

Docket No. 535

Thursday, July 31, 2025

2:00 p.m./6:30 p.m.

I. Opening by Council

A. Statement read by Vice Chair

B. Motions

1. The Towers LLC Motion for Protective Order – Lease Agreement Financial Terms, dated April 21, 2025
2. Paska Nayden Request for Intervenor Status, dated July 31, 2025

C. Administrative Notice taken by Council

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1. Federal Communications Commission, Office of Engineering and Technology, *Questions and Answers About Biological Effects and Potential Hazards of Radiofrequency Electromagnetic Fields*, OET Bulletin No. 56, August 1999, available at https://transition.fcc.gov/Bureaus/Engineering_Technology/Documents/bulletins/oet56/oet56e4.pdf
2. Federal Communications Commission, Office of Engineering and Technology, *Evaluating Compliance with FCC-Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields*, OET Bulletin No. 65, August 1997, available at https://transition.fcc.gov/Bureaus/Engineering_Technology/Documents/bulletins/oet65/oet65.pdf
3. Federal Communications Commission, *Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation Report and Order*, August 1, 1996, available at https://transition.fcc.gov/Bureaus/Engineering_Technology/Orders/1996/fcc96326.pdf
4. Telecommunications Act of 1996, as amended, Pub. L. No. 104-104, 110 Stat. 56 (codified as amended in scattered sections of 47 U.S.C.), available at <https://transition.fcc.gov/Reports/tcom1996.pdf>
5. Federal Communications Commission, *Warning, Alert and Response Network Act*, Pub. L. No. 109-437, 120 Stat. 1936 (2006), (codified at 47 U.S.C. §332(d)(1)) (2006), available at <https://transition.fcc.gov/pshs/docs/emergency-information/emas-warn-act.pdf>
6. Wireless Communications and Public Safety Act of 1999, as amended, 47 U.S.C. §§ 615-615b, as amended, available at <https://www.congress.gov/bill/106th-congress/house-bill/438/text/ih>.

7. Enhance 911 Act of 2004, as amended, 47 U.S.C. § 942, as amended, *available at* <https://www.gpo.gov/fdsys/pkg/PLAW-108publ494/pdf/PLAW-108publ494.pdf>
8. Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, §6409 Wireless Facilities Deployment 2012, *available at* <https://www.gpo.gov/fdsys/pkg/PLAW-112publ96/pdf/PLAW-112publ96.pdf>
9. Actions That May Have a Significant Environmental Effect, for Which Environmental Assessments (EAs) Must be Prepared, 47 C.F.R. § 1.1307, as amended, *available at* <https://www.gpo.gov/fdsys/pkg/CFR-2013-title47-vol1/pdf/CFR-2013-title47-vol1-sec1-1307.pdf>
10. Radiofrequency Radiation Exposure Limits, 47 C.F.R. § 1.1310, as amended, *available at* <https://www.gpo.gov/fdsys/pkg/CFR-2002-title47-vol1/pdf/CFR-2002-title47-vol1-sec1-1310.pdf>
11. Presidential Proclamation No. 8460, 74 Fed. Reg. 234 (December 8, 2009), *available at* <http://www.presidency.ucsb.edu/ws/index.php?pid=86954>
12. Presidential Order No. 13616, Accelerating Broadband Infrastructure Development, 77 Fed. Reg. 119 (June 14, 2012), *available at* <http://www.gpo.gov/fdsys/pkg/FR-2012-06-20/pdf/2012-15183.pdf>
13. Presidential Policy Directive No. 21, Critical Infrastructure Security and Resilience, February 12, 2013, *available at* <https://obamawhitehouse.archives.gov/the-press-office/2013/02/12/presidential-policy-directive-critical-infrastructure-security-and-resil>
14. Division of Migratory Bird Management, United States Fish & Wildlife Service, United States Department of the Interior, *Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance and Decommissioning*, last updated March 2021, *available at* <https://www.fws.gov/sites/default/files/documents/usfws-communication-tower-guidance.pdf>
15. National Park Service, United States Department of the Interior, *National Register of Historic Places*, *available at* <https://www.nps.gov/subjects/nationalregister/index.htm>
16. Federal Aviation Administration, *Obstruction Marking and Lighting, Advisory Circular AC No. 70/7460-1M*, November 16, 2020, *available at* https://www.faa.gov/documentLibrary/media/Advisory_Circular/Advisory_Circular_70_7460_1M.pdf
17. Federal Aviation Administration, *Specification for Obstruction Lighting Equipment, Advisory Circular AC No. 150/5345-43J*, March 11, 2019, *available at* https://www.faa.gov/documentLibrary/media/Advisory_Circular/150-5345-43J.pdf
18. Federal Aviation Administration, *Obstruction Evaluation Version 2023-Sep.3*, Notice Criteria Tool *available at* <https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>

19. Federal Communications Commission, *Tower Owners: Save Birds, Save Money*, updated August 2, 2021, available at <https://www.fcc.gov/guides/towers-and-birds>
20. Stephen J. Blumberg, et al, *Wireless Substitution: Early Release of Estimates from the National Health Interview Survey, July – December 2021*, Division of Health Interview Statistics, National Center for Health Statistics, U.S. Center of Disease Control, May 2022, available at <https://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless202205.pdf>
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23. Federal Communications Commission, *Text-to-911: Quick Facts & FAQs*, last updated January 6, 2020, available at <http://www.fcc.gov/guides/text-911-quick-facts-faqs>.
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26. Federal Communications Commission, *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, Fourth Report and Order and Declaratory Ruling*, FCC 23-109, January 12, 2024, available at <https://www.federalregister.gov/documents/2024/01/12/2024-00416/accelerating-wireline-broadband-deployment-by-removing-barriers-to-infrastructure-investment>
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28. Federal Communications Commission, *Implementation of State and Local Governments' Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012, Declaratory Ruling and Notice of Proposed Rulemaking*, FCC 20-75, June 10, 2020, available at <https://docs.fcc.gov/public/attachments/FCC-20-75A1.pdf>

29. Federal Communications Commission, Implementation of State and Local Governments' Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012, *Report and Order*, FCC 20-153, November 3, 2020, available at <https://docs.fcc.gov/public/attachments/FCC-20-153A1.pdf>
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35. Connecticut Siting Council, Docket No. 432 – Feasibility study of back-up power requirements for telecommunications towers and antennas pursuant to Public Act 12-148, available at https://portal.ct.gov/CSC/1_Applications-and-Other-Pending-Matters/Applications/3_DocketNos400s/Docket-No-432
36. Connecticut Siting Council, Docket No. 369 - Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located off Sherman Road, Woodstock, Connecticut. Record and Final Decision, available at https://portal.ct.gov/csc/1_applications-and-other-pending-matters/applications/2_docketnos200-399/docket-369--woodstock
37. Connecticut Siting Council, Docket No. 397 - Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public need for the construction, maintenance and operation of a telecommunications facility at 445 Prospect Street, Woodstock, Connecticut. Record and Final Decision, available at https://portal.ct.gov/csc/1_applications-and-other-pending-matters/applications/2_docketnos200-399/docket-no-397--woodstock

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40. Connecticut Siting Council, Docket No. 512 - Infra Towers, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 60 Vale Road, Brookfield, Connecticut. Record and Final Decision, *available at* https://portal.ct.gov/csc/1_applications-and-other-pending-matters/applications/4_docketnos500s/docket-no-512
41. Connecticut Siting Council, Docket No. 534 - The Towers, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility and associated equipment located at 90 Woodstock Avenue West (Route 171), Woodstock, Connecticut. Record. *available at* https://portal.ct.gov/csc/1_applications-and-other-pending-matters/applications/4_docketnos500s/docket-no-534
42. Connecticut Siting Council, Petition No. 1119 - Cellco Partnership d/b/a Verizon Wireless Declaratory Ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of three pole-mounted small cell telecommunications facilities on the Woodstock Fairgrounds property located at 281 Route 169, Woodstock, Connecticut *available at* https://portal.ct.gov/csc/2_facility/facility/facility-list---woodstock
43. Connecticut Siting Council, Petition No. 1449 New Cingular Wireless PCS, LLC (AT&T) Declaratory Ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the installation of a small cell wireless telecommunications facility on a new approximately 34-foot privately-owned wood pole to be located at the Woodstock Fair Grounds, 39 North Gate Road, Woodstock, Connecticut. *available at* https://portal.ct.gov/csc/3_petitions/petition-nos-1441-1450/petition-no-1449-att_woodstock
44. Connecticut Siting Council, Petition No. 1589, petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the construction, maintenance and operation of a 3.0-megawatt AC solar photovoltaic electric generating facility located at 360 Somers Road, Ellington, Connecticut, and associated electrical interconnection, July 30, 2021 State Historic Preservation Office correspondence related to Area of Potential Effect, *available at* https://portal.ct.gov/-/media/CSC/3_Petitions-medialibrary/Petitions_MediaLibrary/MediaPetitionNos1501-1600/PE1589/PetitionerSubmissions/Appendix-B---Environmental-Assessment.pdf

45. Bill of Lading shipped from Paska Nayden to Connecticut Siting Council and attachments, received April 4, 2025.
46. Freedom of Information Act Request from Paska Nayden to Connecticut Siting Council, dated February 21, 2023 and Council Response with attachments.
47. Freedom of Information Act Request from Paska Nayden to Connecticut Siting Council, dated June 15, 2023 and Council Response with attachments.
48. Freedom of Information Act Request from Paska Nayden to Connecticut Siting Council, dated September 26, 2023 and Council Response.

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D. State Agency comments

1. Connecticut Airport Authority, dated May 7, 2025

II. Appearance by Applicant

Applicant:	The Towers, LLC (APP)
Representatives:	Kenneth C. Baldwin, Esq. Jonathan Schaefer, Esq. Robinson & Cole, LLP

A. Administrative Notice.

- 1.

B. Exhibits for Identification.

1. Application for a Certificate of Environmental Compatibility and Public Need filed by The Towers, LLC and attachments, received April 7, 2025, and bulk file exhibits as follows:
 - a. Technical Report
 - b. Town of Woodstock Zoning Regulations
 - c. Town of Woodstock Inland Wetlands and Watercourses Regulations
 - d. Town of Woodstock Plan of Conservation and Development
2. Affidavit of Publication in *The Bulletin*, dated April 15, 2025
3. Sign-Posting Affidavit, dated July 14, 2025
4. Responses to Council Interrogatories, dated July 14, 2025
5. Signed Protective Order – Lease Agreement Financial Terms, dated July 31, 2025

C. Swear Witnesses

1. Brian Paul, Project Manager, Vertical Bridge REIT, LLC
2. Kip DiVito, Radio Frequency Engineer, Verizon Wireless
3. Elizabeth Glidden, Real Estate Regulatory Specialist, Verizon Wireless
4. Jason Margelot, Project Manager, Engineering Implementation, Airosmith Development, Inc.
5. Matthew Gustafson, Soil Scientist & Forester, All-Points Technology Corporation
6. Rick Landino, Senior Designer/Analyst, All-Points Technology Corporation

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council

III. Continuation by Connecticut Siting Council.