

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Docket No. 536

Tarpon Towers III, LLC, and Cellco Partnership
d/b/a Verizon Wireless, 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 78 Goshen East
Street, Norfolk, Connecticut.

Zoom Remote Council Meeting (Teleconference),
on Thursday, August 14, 2025, beginning at 2 p.m.

H e l d B e f o r e:

JOHN MORISSETTE, THE VICE CHAIR

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

Councilmembers:

JOHN MORISSETTE (Vice Chair)

BRIAN GOLEMBIEWSKI,

DEEP Designee

QUAT NGUYEN,

PURA Designee

CHANCE CARTER

KHRISTINE HALL

DR. SCOTT WILLIAMS

Council Staff:

ROBERT MERCIER,

Siting Analyst

MELANIE BACHMAN, ESQ.,

Executive Director and Staff Attorney

LISA FONTAINE

Administrative Support

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

2 **For The Towers, LLC (APP):**

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4 **One State Street**

5 **Hartford, Connecticut 06103**

6 **By: JONATHAN SCHAEFER, ESQ.**

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8 **860.275.8349**

9 **And: KENNETH BALDWIN, ESQ.**

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(Begin: 2:00 p.m.)

THE VICE CHAIR: Good afternoon, ladies and gentlemen.

Can everyone hear me okay? Thank you.

This public hearing is called to order this
Thursday, August 14, 2025, at 2 p.m.

My name is John Morissette, Vice Chair of the
Connecticut Siting Council. Other members of the
Council are Brian Golembiewski, designee for
Commissioner Katie Dykes of the Department of
Energy and Environmental Protection; Quat Nguyen,
designee for Chairman Marissa Paslick Gillett of
the Public Utilities Regulatory Authority; Chance
Carter; Khristine Hall; and we have a new member,
Dr. Scott Williams.

Welcome, Dr. Williams. Thank you for joining
us.

Members of the staff are Executive Director
Melanie Bachman, Siting Analyst Robert Mercier,
and Administrative Support Lisa Fontaine.

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

This hearing is held pursuant to the
provisions of Title 16 of the Connecticut General

1 Statutes and of the Uniform Administrative
2 Procedure Act upon an application from Tarpon
3 Towers III, LLC, and Cellco Partnership d/b/a
4 Verizon Wireless for a certificate of
5 environmental compatibility and public need for
6 the construction, maintenance, and operation of a
7 telecommunications facility and associated
8 equipment located at 78 Goshen East Street in
9 Norfolk, Connecticut.

10 This application was received by the Council
11 on April 17, 2025. The Council's legal notice of
12 the date and time of this public hearing was
13 published in the Republican American on May 19,
14 2025.

15 Upon this Council's request, the Applicants
16 erected signs at the driveway of 78 Goshen East
17 Street and the proposed site access drive on Estey
18 Road so as to inform the public of the name of the
19 Applicant, the type of the facility, the public
20 hearing date, and contact information for the
21 Council, including the website and telephone
22 number.

23 As a reminder to all, off-the-record
24 communication with a member of the Council or a
25 member of the Council's staff upon the merits of

1 this application is prohibited by law.

2 The parties and interveners to the proceeding
3 are as follows. The Applicants, Tarpon Towers
4 III, LLC, and Cellco Partnership d/b/a Verizon
5 Wireless; its representatives Jonathan Schaefer,
6 Esquire; and Kenneth C. Baldwin, Esquire, of
7 Robinson & Cole, LLP.

8 We will proceed in accordance with the
9 prepared agenda, a copy of which is available on
10 the Council's website along with the record of
11 this matter, the public hearing notice,
12 instructions for public access to this public
13 hearing, and the Council's citizens guide to the
14 Siting Council's procedures.

15 Interested persons may join any session of
16 this public session, the public hearing to listen,
17 but no public comments will be received during the
18 2 p.m. evidentiary session. At the end of the
19 evidentiary session, we will recess until 6:30
20 p.m. for the public comment session. Please be
21 advised that any person may be removed from the
22 evidentiary session or the public comment session
23 at the discretion of the Council.

24 The 6:30 p.m. public comment session is
25 reserved for members of the public who have signed

1 up to make brief statements into the record. I
2 wish to note that the Applicants, parties and
3 interveners, including their representatives,
4 witnesses, and members are not allowed to
5 participate in the public comment session.

6 I also wish to note for those who are
7 listening and for the benefits of your friends and
8 neighbors who are unable to join us for this
9 public comment session that you or they may send
10 written statements to the Council within 30 days
11 of the date hereof, either by mail or by e-mail,
12 and such written statements will be given the same
13 weight as if spoken during the public comment
14 session.

15 A verbatim transcript of this public hearing
16 will be posted on the Council's website and
17 deposited with the Norfolk's Town Clerk's office
18 for the convenience of the public.

19 The Council will take a 10 to 15-minute break
20 at a convenient juncture at around 3:30 p.m.

21 We have one motion to take care of this
22 afternoon, Tarpon Towers III, LLC, motion for
23 protective order, lease agreement financial terms
24 dated May 22, 2025. Attorney Bachman may wish to
25 comment.

1 Attorney Bachman, good afternoon.

2 ATTORNEY BACHMAN: Good afternoon, Vice Chair
3 Morissette, and thank you.

4 Pursuant to General Statute Section 16-50o,
5 Tarpon Towers III, LLC, submitted a motion for
6 protective order for the lease agreement financial
7 terms, which are exempt from disclosure under the
8 Freedom of Information Act. And therefore, staff
9 recommends the motion be granted.

10 Thank you.

11 THE VICE CHAIR: Thank you, Attorney Bachman.

12 With that, is there a motion?

13 MR. NGUYEN: Good afternoon.

14 I move that the motion be approved.

15 Thank you.

16 THE VICE CHAIR: Thank you, Mr. Nguyen.

17 Do we have a second?

18 MR. CARTER: I'll second.

19 THE VICE CHAIR: Thank you, Mr. Carter.

20 We have a motion by Mr. Nguyen to approve the
21 motion for protective order, and we have a second
22 by Mr. Carter. We'll now move to discussion.

23 Mr. Golembiewski, any discussion?

24 MR. GOLEMBIEWSKI: No discussion. Thank you.

25 THE VICE CHAIR: Thank you.

1 Mr. Nguyen, any discussion?

2 MR. NGUYEN: No discussion. Thank you.

3 THE VICE CHAIR: Thank you.

4 Mr. Carter, any discussion?

5 MR. CARTER: No discussion. Thank you.

6 THE VICE CHAIR: Thank you. Ms. Hall?

7
8 (No response.)

9
10 THE VICE CHAIR: Okay. I don't see Ms. Hall.

11 Dr. Williams, any discussion?

12 DR. WILLIAMS: Not at this time. No, thank you.

13 THE VICE CHAIR: Thank you. And I have no discussion.

14 We'll now move to the vote.

15 Mr. Golembiewski, how do you vote?

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

17 THE VICE CHAIR: Thank you. Mr. Nguyen?

18 MR. NGUYEN: Vote to approve.

19 THE VICE CHAIR: Thank you. Mr. Carter?

20 MR. CARTER: Vote to approve. Thank you.

21 THE VICE CHAIR: Thank you. Dr. Williams?

22 DR. WILLIAMS: I vote to approve.

23 THE VICE CHAIR: Thank you. And I vote for approval.

24 We have five for approval. The motion passes.

25 The motion for protective order is approved.

1 We'll now move on to administrative notices
2 taken by the Council. I call your attention to
3 those items shown on the hearing program marked as
4 Roman Numerals 1C, items 1 through 90. Does any
5 party or intervener have an objection to the items
6 that the Council has administratively noticed?

7 Attorney Schaefer or Attorney Baldwin, good
8 afternoon.

9 ATTORNEY SCHAEFER: Good afternoon, Vice Chair
10 Morissette. No objection.

11 THE VICE CHAIR: Very good. Thank you.

12 Accordingly, the Council hereby
13 administratively notices these existing documents.
14 We'll now move on to the appearance by the
15 Applicants.

16 Will the Applicants present its witness panel
17 for purposes of taking the oath? And we'll have
18 Attorney Bachman administer the oath.

19 Attorney Schaefer?

20 ATTORNEY SCHAEFER: Yes, thank you. Good afternoon.

21 Again, for the record, John Schaefer and Ken
22 Baldwin with Robinson & Cole on behalf of the
23 Applicant, Tarpon Towers III, LLC, and Cellco
24 Partnership d/b/a Verizon Wireless.

25 Our witness panel today consists of eight

1 representatives from the Applicant. They include
2 Brett Buggeln, President and Chief Operating
3 Officer for Tarpon Towers, LLC; Kenneth Curley,
4 EVP Corporate Development for Tarpon Towers III,
5 LLC; Elizabeth Glidden, real estate regulatory
6 specialist for Verizon Wireless; Shiva Gadasu,
7 radiofrequency engineer for Verizon Wireless; Amy
8 White, project manager for Smartlink.

9 To my left, Jesse Moreno, professional
10 engineer, ProTerra Design Group; to my far right,
11 Dean Gustafson, Director of Environmental
12 Services, Senior Wetland Scientist, professional
13 soil scientist at All-Points Technology
14 Corporation; and next to him, Rick Landino, Senior
15 Design Analyst at All-Points Technology
16 Corporation.

17 I would offer them at this time to be sworn.

18 **THE VICE CHAIR:** Thank you, Attorney Schaefer.

19 Attorney Bachman, please administer the oath.

20 **ATTORNEY BACHMAN:** Thank you, Vice Chair Morissette.

21 Could the Witnesses please raise their right
22 hand?

1 B R E T T B U G G E L N,
2 K E N N E T H C U R L E Y,
3 E L I Z A B E T H G L I D D E N,
4 S H I V A G A D A S U,
5 A M Y W H I T E,
6 J E S S E M O R E N O,
7 D E A N G U S T A F S O N,
8 R I C K L A N D I N O,

9 called as witnesses, being sworn by
10 THE EXECUTIVE DIRECTOR, were examined and
11 testified under oath as follows:
12

13 ATTORNEY BACHMAN: Thank you.

14 THE VICE CHAIR: Thank you, Attorney Bachman.

15 Attorney Schaefer, please begin by verifying
16 all the exhibits by the appropriate sworn
17 witnesses.

18 ATTORNEY SCHAEFER: Thank you. Today we have four
19 exhibits listed in the hearing program. Those
20 exhibits are listed under Roman Numerical 2, under
21 the appearance of Applicants, subsection B. They
22 include the application for certificate of
23 environmental compatibility and public need filed
24 on April 17, 2025, along with the bulk exhibits.

25 Item two is the Applicant's affidavit of

1 publication filed with the Council on April 22,
2 2025. Number three is the Applicant's signposting
3 affidavit filed with the Council on July 31, 2025,
4 and then the Applicant's responses to Council
5 interrogatories filed on July 23, 2025.

6 We will offer these for identification
7 purposes at this time subject to verification by
8 the Witnesses which, unless there's objection from
9 the Council, we would verify the Witnesses as a
10 panel.

11 THE VICE CHAIR: Please do. Thank you.

12 ATTORNEY SCHAEFER: May I ask the witness panel -- I
13 will go one by one. Did you prepare or assist in
14 the preparation of the exhibits listed in the
15 hearing program under Roman Numerical two,
16 subsection B, items one through four?

17 Mr. Buggeln?

18 THE WITNESS (Buggeln): Yes.

19 ATTORNEY SCHAEFER: Mr. Curley?

20 THE WITNESS (Curley): Yes.

21 ATTORNEY SCHAEFER: Mrs. Glidden?

22 THE WITNESS (Glidden): Yes.

23 ATTORNEY SCHAEFER: Mr. Gadasu?

24 THE WITNESS (Gadasu): Yes.

25 ATTORNEY SCHAEFER: Mrs. White?

1 THE WITNESS (White): Yes.

2 ATTORNEY SCHAEFER: Mr. Moreno?

3 THE WITNESS (Moreno): Yes.

4 ATTORNEY SCHAEFER: Mr. Gustafson?

5 THE WITNESS (Gustafson): Yes.

6 ATTORNEY SCHAEFER: And Mr. Landino?

7 THE WITNESS (Landino): Yes.

8 ATTORNEY SCHAEFER: Thank you. Do you have any
9 amendments or modifications to offer to any of
10 these exhibits at this time? Mr. Buggeln?

11 THE WITNESS (Buggeln): No.

12 ATTORNEY SCHAEFER: Mr. Curley?

13 THE WITNESS (Curley): No.

14 ATTORNEY SCHAEFER: Mrs. Glidden?

15 THE WITNESS (Glidden): No.

16 ATTORNEY SCHAEFER: Mr. Gadasu?

17 THE WITNESS (Gadasu): Yes, I do have a few corrections
18 to make. The first one is coming to the narrative
19 on page 9, under cellular system equipment,
20 paragraph 2, the antenna model is misspelled. It
21 is NHH-65C. There is no "S" in the model name.

22 And coming to the interrogators, question 17,
23 the response under question 17 it says, allow
24 portions of route 272 and 63. It must be Route
25 272 and Route 263. It is misspelled.

1 And the last correction is interrogatory
2 question 18. There in the response they said,
3 both ineffective attempts -- I mean, ineffective
4 attempts is under .5, and lost calls is .6. But
5 the correction is both ineffective attempts and
6 lost calls are .6 percent.

7 Thank you.

8 ATTORNEY SCHAEFER: Thank you. Mrs. White?

9 THE WITNESS (White): No.

10 ATTORNEY SCHAEFER: Mr. Moreno?

11 THE WITNESS (Moreno): Yes, I have four to correct.

12 Under the application executive summary, the last
13 line should read, overhead utilities to the power
14 site along the access driveway extension.

15 Likewise, in the application attachment one, page
16 1, the last sentence should read, utility service
17 would extend from existing overhead service along
18 Estey Road to a new pole on the property and
19 continuing overhead to the cell site along the
20 access driveway.

21 In the application attachment one, it's shown
22 on A2, D1 and D3. The chain link and fence is
23 intended to be eight feet tall. Six is shown, so
24 that will be eight feet. And then question 13 of
25 the interrogatories, the second sentence of the

1 response was inadvertently left out. I just want
2 to correct that the tower with the antennas and
3 antenna mounts we designed for a basic wind speed
4 of 115 miles per hour.

5 ATTORNEY SCHAEFER: Thank you. Mr. Gustafson?

6 THE WITNESS (Gustafson): No.

7 ATTORNEY SCHAEFER: Mr. Landino?

8 THE WITNESS (Landino): Yes. I have one correction to
9 make to response to interrogatory question number
10 four. In the first paragraph we state, the second
11 balloon float occurred on April 15, 2025. That
12 should read, April 18.

13 ATTORNEY SCHAEFER: Thank you.

14 Is the information contained in these
15 exhibits true and accurate to the best of your
16 knowledge? Mr. Buggeln?

17 THE WITNESS (Buggeln): Yes.

18 ATTORNEY SCHAEFER: Mr. Curley?

19 THE WITNESS (Curley): Yes.

20 ATTORNEY SCHAEFER: Mrs. Glidden?

21 THE WITNESS (Glidden): Yes.

22 ATTORNEY SCHAEFER: Mr. Gadasu?

23 THE WITNESS (Gadasu): Yes.

24 ATTORNEY SCHAEFER: Mrs. White?

25 THE WITNESS (White): Yes.

1 ATTORNEY SCHAEFER: Mr. Moreno?

2 THE WITNESS (Moreno): Yes.

3 ATTORNEY SCHAEFER: Mr. Gustafson?

4 THE WITNESS (Gustafson): Yes.

5 ATTORNEY SCHAEFER: And Mr. Landino?

6 THE WITNESS (Landino): Yes.

7 ATTORNEY SCHAEFER: And do you adopt the information
8 contained in those exhibits as your testimony in
9 this proceeding? Mr. Buggeln?

10 THE WITNESS (Buggeln): Yes.

11 ATTORNEY SCHAEFER: Mr. Curley?

12 THE WITNESS (Curley): Yes.

13 ATTORNEY SCHAEFER: Mrs. Glidden?

14 THE WITNESS (Glidden): Yes.

15 ATTORNEY SCHAEFER: Mr. Gadasu?

16 THE WITNESS (Gadasu): Yes.

17 ATTORNEY SCHAEFER: Mrs. White?

18 THE WITNESS (White): Yes.

19 ATTORNEY SCHAEFER: Mr. Moreno?

20 THE WITNESS (Moreno): Yes.

21 ATTORNEY SCHAEFER: Mr. Gustafson?

22 THE WITNESS (Gustafson): Yes.

23 ATTORNEY SCHAEFER: And Mr. Landino?

24 THE WITNESS (Landino): Yes.

25 ATTORNEY SCHAEFER: Thank you.

1 Vice Chairman Morissette, I offer them as
2 full exhibits.

3 THE VICE CHAIR: Thank you, Attorney Schaefer, and
4 thank you, panel. The exhibits are hereby
5 admitted.

6 We will now begin with cross-examination of
7 the Applicant by the Council, starting with
8 Mr. Mercier, followed by Mr. Golembiewski.

9 Mr. Mercier, good afternoon.

10 MR. MERCIER: Good afternoon. Thank you.

11 Can everyone hear me?

12 ATTORNEY SCHAEFER: Yes.

13 MR. MERCIER: Thank you.

14 I'm going to start with the application site
15 plans, and you can refer to the site plans on our
16 website under attachment one near the top of the
17 webpage. And I'm going to actually start at with
18 site plan A-2, which is about PDF page 15 of that
19 site plan document. And the site plan A-2 is the
20 compound plan and elevation plan. It shows the
21 tower and the compound.

22 So, my first question right off is, what was
23 the reason a lattice tower was selected in this
24 location over a monopole?

25 THE WITNESS (Buggeln): Council members, this is Brett

1 Buggeln at Tarpon Towers.

2 We selected a self-support tower here instead
3 of a monopole in part, or in most -- mostly due to
4 the fact that the access road has at least one
5 sharp turn off of Estey Road. And then as you
6 wind down to the tower site, there's another sharp
7 turn.

8 Monopole sections are typically manufactured
9 in lengths stretching from 40 feet to 53 feet.
10 And those, those types of lengths of monopole are
11 not easily turned without -- without the turning
12 radius that we would need, which isn't available
13 on Estey Road coming off onto the access road.

14 Self-support towers are delivered in pieces
15 and then they're put together much like an erector
16 set at the site location itself. And we can
17 use -- we don't have to use tractor-trailer trucks
18 to get the pieces down there. We can use straight
19 trucks that have a turning radius that is more
20 acceptable to the site and getting it off of Estey
21 Road.

22 MR. MERCIER: Okay. So, the monopole requires tractor
23 trailers, which you don't believe is suitable for
24 Estey Road. Correct?

25 THE WITNESS (Buggeln): That's correct. This is Brett

1 Buggeln, Tarpon Towers. That's correct.

2 MR. MERCIER: Okay. The other question I have, would
3 there be a crane used to construct the tower at
4 this site if it was a self-supporting lattice?

5 THE WITNESS (Buggeln): Yes, there would be.

6 MR. MERCIER: Would it be different than a crane
7 required for a monopole? I'm just wondering what
8 the length is there, and whether that crane can
9 actually make the turn radius you're concerned
10 about.

11 THE WITNESS (Buggeln): Mr. Mercier, this is Brett
12 Buggeln at Tarpon Towers.

13 When you spec a crane for a monopole, the
14 pieces of the -- those pieces I referenced of
15 40-foot and 53-foot from a range for those
16 sections are a lot heavier than even sections that
17 are put together for a self-support tower.

18 So, in terms of the overall capacity of the
19 crane, and thus its size is going to be
20 significantly reduced in using this type of tower
21 at the location. And thus, its access
22 requirements from a turning radius and the like
23 are equally diminished.

24 I don't have exact numbers for you.

25 MR. MERCIER: Was the width and turn radius of the

1 Estey Road and access road, is that the only
2 factor? Or are there other factors here where you
3 decided that a self-supporting lattice tower is
4 better than a monopole?

5 THE WITNESS (Buggeln): This is Brett Buggeln at Tarpon
6 Towers.

7 Those were the main factors since in our
8 community meeting there was concern raised about
9 making sure that our construction was done at a
10 time, and whether that would -- wouldn't present
11 damage to Estey Road that obviously we would be
12 responsible to fix, but it wouldn't occur in the
13 first place. So, responding to those types of
14 comments from the public were our number one
15 priority, which we did in terms of this type of
16 structure.

17 There weren't any other specific reasons
18 except for emergency services. It's easier to
19 accommodate their typical omni-type antennas
20 attaching to a self-support tower than in some
21 cases a monopole.

22 MR. MERCIER: You just mentioned some concerns
23 regarding -- expressed at a public meeting
24 regarding the road, the potential road damage, you
25 know, from use of larger vehicles. Is that to the

1 road surface? Was it to drainage culverts or tree
2 clearing, or removal of electric lines?

3 Was there a specific concern they had about
4 the road that would be damaged?

5 THE WITNESS (Curley): This is Ken Curley of Tarpon
6 Towers.

7 The concern is that the road has already been
8 eroded from previously -- previous storms and
9 water damage. It was repaired; the concern that
10 the road does not get much traffic because it's a
11 dead-end road, and the equipment that is typically
12 used to construct a cell site is larger equipment.

13 So, the concern was the impact of the traffic
14 along that, along that Estey road to the site.

15 MR. MERCIER: Okay. Thank you.

16 Now, for the lattice tower what type of
17 foundation would be required as opposed to a
18 monopole? Is there more excavation? Less
19 construction? How would that tower be supported?

20 THE WITNESS (Buggeln): Mr. Mercer, this is Brett
21 Buggeln at Tarpon Towers.

22 A lattice tower can be erected or the
23 foundation can be built either using a caisson for
24 each of the three legs, or it can be built with a
25 pad-and-pier foundation.

1 In -- in this case, depending on how what we
2 found -- would find with the geotech analysis
3 would dictate which foundation type would be most
4 suitable for that soil, the soil types at the
5 site. But in -- it's usual that we would use a
6 pad-and-pier foundation, which is one square or
7 rectangle pad of concrete that is dug out and then
8 poured in one place instead of using three caisson
9 foundations.

10 MR. MERCIER: Have you done any geotechnical work out
11 at that site?

12 THE WITNESS (Buggeln): This is Brett Buggeln at Tarpon
13 Towers.

14 No, typically our protocol for undertaking
15 that type of investigation, we -- obviously, if
16 this project was to be something the Council
17 approved, then we would go ahead with those steps
18 to engage in -- in that type of investigation
19 after we made sure that there was no
20 archaeological artifacts or otherwise in that
21 soil, which we would have a professional
22 investigation done before we would start doing any
23 type of sample drilling.

24 MR. MERCIER: Okay. So yeah, that sample drilling and
25 geotech, that would determine what's the

1 constructability of, like you said, the foundation
2 or other aspects.

3 That's prior to the D and M plan. Correct?

4 **THE WITNESS (Buggeln):** This is Brett Buggeln at Tarpon
5 Towers.

6 That's correct, sir. We don't -- we would
7 depend on the recommendations of the geotechnical,
8 professional geotechnical engineers who -- who
9 analyze that type of soil, soil as a profession.

10 **MR. MERCIER:** If there's shallow bedrock at the site,
11 would you anticipate any kind of a blasting to
12 install the piers? Or is that just going to be
13 through regular chipping or fracking of the rock
14 somehow?

15 **THE WITNESS (Buggeln):** This is Brett Buggeln at Tarpon
16 Towers.

17 In the case of shallow bedrock, then
18 obviously we would be more inclined to install a
19 pad-and-pier foundation, which in most cases is
20 only going to involve a depth of eight to ten feet
21 of excavation.

22 If there was bedrock encountered within that
23 depth, then we would -- blasting would be our last
24 choice in terms of digging to the -- the required
25 engineered depth for that foundation.

1 MR. MERCIER: Okay. Thank you.

2 Looking at the compound plan over by the
3 driveway entrance up on the upper left of this
4 site plan A-2, you know, I can see the utility
5 pole, overhead utility pole placement. And then
6 as you go on through sheets further down, it would
7 be the B-1 and P-2. It shows additional overhead
8 lines.

9 What is the reason for an overhead line down
10 the access driveway instead of installing it
11 within the road or next to the road?

12 THE WITNESS (Moreno): This is Jesse Moreno.

13 The reason overhead is done here is because
14 it's consistent with the utilities to the site in
15 the region. It also -- in this particular case,
16 you had mentioned shallow to bedrock, and it's
17 probably a better choice here. It would provide
18 less impacts, less excavation, less ledge removal
19 to install those poles.

20 In this case with this access road on the
21 side, you're looking at five to six poles, which
22 Tarpon felt was a better fit for this site.

23 MR. MERCIER: You know, given the amount of trees on
24 the adjacent parcels because your access drive is,
25 you know, as the site plan shows, up a very narrow

1 corridor before it widens out into the larger
2 portion of the parcel, are you concerned about
3 trees?

4 I mean, do you think Norfolk is an icy, windy
5 area prone to tree fall, as opposed to some other
6 areas? And if so, why not just, kind of, grade
7 the road so you can install it within the base of
8 the road?

9 THE WITNESS (Moreno): This is Jesse Moreno again.

10 I didn't -- during the visit, I didn't think
11 it was any more susceptible than the roads and
12 streets around it. Like I said, all of the area
13 consistently is overhead.

14 As far as the width, it is a 30-foot width.
15 We did a tree survey there and that corridor had
16 been cleared in the past. Not clear cut, but a
17 lot of trees have been removed. So, there was
18 actually more limited removal of trees in those
19 areas, significant ones, anyway. So, we weren't
20 anticipating an issue to put overhead in on that
21 site through the corridor.

22 MR. MERCIER: Okay. Thank you.

23 I'm going to move to site plan P-2, and I'm
24 basically just going to follow the drainage
25 features as they go downhill from the hammerhead

1 turnaround. And you know, I see the first one
2 that kind of discharges, I believe, right along
3 the property line.

4 And what's the control device there? Is that
5 just some type of riprap outlet?

6 THE WITNESS (Moreno): Jesse Moreno.

7 So, the first thing I'd point to is the
8 compound itself is graded to match existing
9 drainage paths. So, at the top there, the
10 compound and that turnaround heads to the
11 northeast. And what you were pointing out on the
12 hill coming up there, the driveway has a drainage
13 swale that's rock lined, and at the base of that
14 there's a level spreader.

15 So, the idea on that relatively short section
16 of driveway, a couple hundred feet or so, that
17 that stone-lined swale would convey runoff down to
18 what's called a level spreader. The idea there is
19 that this settles and allows the -- any runoff
20 to -- to level spread and go into the natural
21 drainage path without being erosive.

22 MR. MERCIER: Is this better designed sufficiently to
23 avoid any kind of channelization onto the abutting
24 property?

25 THE WITNESS (Moreno): Yeah, the level spreader is

1 sized such that the width at the outlet is such
2 that it takes the amount of runoff that you would
3 expect from a design storm, say 25 or 50-year, and
4 spread it so that, you know, only about, you know,
5 an inch or less of runoff is discharging at any
6 one time. And that allows it to sort of mitigate
7 any erosive flows that you would have if you -- if
8 you had no such level spreader and just have,
9 like, a pipe outlet, for example.

10 MR. MERCIER: Okay. Thank you.

11 How about the next section as it goes
12 downhill, you know, that the level spreader
13 everybody is talking about was, you know, marked
14 in pink. So, how about the next section all the
15 way down to where it says, match line? How is the
16 water controlled there, the stormwater off the
17 road?

18 THE WITNESS (Moreno): So, there -- Jesse Moreno.

19 So, that section of the driveway is much less
20 under 5 percent. So, we thought in that area we
21 wouldn't have to put that sort of work on a swale
22 in that location.

23 We also -- I point out there's a mattress
24 drain there, and this was developed in -- in
25 concert with the wetland scientists who indicated

1 that was a corridor where some overland flow might
2 occur. Additionally, at the bottom -- and that's
3 sort of off the page, but you'll see on P-1, at
4 the bottom there's a head wall and a culvert, and
5 that area has allowed any drainage that's on the
6 south side to pass safely under the road without
7 overtopping or eroding the road.

8 MR. MERCIER: Okay. That was one of my questions. So,
9 that one is -- that natural drainage south of that
10 pipe to the head wall, that that's a natural
11 drainage for which you're trying to take care of.

12 Correct?

13 THE WITNESS (Moreno): Yeah. So, if -- if you were to
14 look at the -- the driveway profile from Estey, it
15 comes up from Estey about a hundred feet, and then
16 that's like a relative high point. Then it drops
17 down again to where that low point in the culvert
18 is, and then it heads up again up the hill. So,
19 the idea is to keep the natural drainage paths
20 intact.

21 So, only just the end of the -- the driveway
22 would head out to the right-of-way, Estey. The
23 remaining -- most of the road would head northerly
24 in that vegetated area, and only the top where the
25 compound is would head sort of northeast.

1 MR. MERCIER: For that little drainage feature we were
2 just talking about, is there some type of inside
3 or, you know, some type of defined channel, like
4 in terms of the wet -- stream course or anything
5 of that nature?

6 Or is it just a low area that you want to
7 make sure there's no captured water?

8 THE WITNESS (Moreno): Jesse Moreno, again.

9 I'll just answer by, when I was out there I
10 did not see a defined channel there, but that
11 might be best answered by one of the other panel
12 members.

13 THE WITNESS (Gustafson): Good afternoon. Dean
14 Gustafson.

15 So during our wetland investigation of the
16 property, we did take a look at the topographic
17 low point in the access road, and the topography
18 upslope over there does kind of focus some flows
19 to the north, which the proposed access road would
20 intercept.

21 However, there was no defined bank or
22 channel, or eroded feature within there. It's
23 just a broad topographic swale that concentrates,
24 concentrates flows. So, we felt working with the
25 engineer it's best to include some accommodations

1 to avoid washing out the road and creating
2 long-term maintenance issues. So, this will
3 appropriately address those drainage concerns.

4 MR. MERCIER: Thank you.

5 I'm going to scroll up a couple of site plans
6 to existing condition site plan C-2. Now in this
7 site plan I can see the tower at the 1500-foot
8 above the sea-level location kind of along a flat
9 part of that north-south ridge.

10 What was the reason that location was chosen,
11 as opposed to some other location on that
12 north-south ridge?

13 THE WITNESS (White): Amy White.

14 This location was provided by the property
15 owner as the location for the tower on the
16 property. We did evaluate other locations on the
17 property in spite of that. Any other location
18 moving the tower inward on the parcel would have
19 resulted in the tower being located on a lower
20 elevation, and would therefore increase the height
21 of the tower.

22 Additionally, it would require a longer
23 access road resulting in a greater environmental
24 impact.

25 MR. MERCIER: I understand there's some neighbors,

1 abutting properties to the west there from the
2 location of the tower. I mean, was there any
3 thought of kind of moving the tower location a
4 little bit northeast, maybe in that grove of
5 hemlocks to kind of tuck it up below that, along
6 the east side of the hill rather than on the
7 ridge?

8 THE WITNESS (Buggeln): Mr. Mercier, this is Brent
9 Buggeln at Tarpon Towers.

10 I think that the prior answer covers what
11 you're asking about already in terms of, if you
12 look at the topography there it does indicate not
13 significant but some sustained dropoff, which
14 would lead to issues about in terms of the -- the
15 tower height needed for the coverage.

16 So, that's why this location was chosen on --
17 on the parent parcel because it does slope down in
18 elevation from there from the point that was
19 chosen. So, I think that that's the primary
20 driver in terms of the location of respecting the
21 other -- the homes that are to the west that are
22 well over almost 700 feet away from the tower
23 location as it is now.

24 MR. MERCIER: Yeah, I understand it slopes off
25 dramatically. I'm just talking maybe, you know,

1 at the 1493-foot level, you know, something like
2 50 feet over to the northeast, but -- all right.
3 Thank you.

4 I'm going to move on to the interrogatory
5 responses. In response four, part one, this had
6 to do with the balloon fly discussed earlier that
7 occurred on April 18th. What were the weather
8 conditions during that balloon fly?

9 THE WITNESS (Landino): This is Rick Landino.

10 The second balloon float that we did on April
11 18th, it had calm winds the beginning of the day
12 around eight o'clock when they first put it up.
13 And then around 11, 11:30, winds started to pick
14 up. And then by, I believe, 12:45, they had --
15 they were forced to take it down because the winds
16 picked up significantly.

17 MR. MERCIER: Did anybody from Tarpon drive around just
18 to see if the balloon reached its intended height
19 so that the residents that were notified, you
20 know, could observe it and hopefully at the
21 correct height?

22 THE WITNESS (Landino): Sure. Rick Landino. Rick
23 Landino again of All-Points Tech.

24 Yes, our field technician did drive around
25 and he observed it at the appropriate height for,

1 you know, at least two, three hours before the
2 winds picked up.

3 MR. MERCIER: Okay. Typical with the balloon fly, did
4 you have to replace any balloons? You know, did
5 they get -- did they get blown into trees at some
6 point and had to do a new one? Or if they failed
7 and, you know.

8 THE WITNESS (Landino): It is --

9 MR. MERCIER: Or they broke?

10 THE WITNESS (Landino): It is typical when we are
11 forced to fly balloons on -- on days where, you
12 know, there the winds do pick up. Also, I, you
13 know, it did get tangled I believe in the tree
14 towards the end of the day due to the wind.

15 I also want to note, though, that the
16 simulations are not based on the balloon test that
17 we're talking about. I want to make that clear,
18 too, that the simulations are based on calm --
19 calm winds.

20 But yes, on the second balloon float it did
21 get tangled up in a tree probably around -- I
22 can't say. I wasn't there, but I'm guessing
23 probably around twelve, around noon.

24 MR. MERCIER: Okay. Thank you.

25 For part three of response four I believe the

1 Town said something regarding the significant
2 emergency service communication problems in the
3 area. Is the Town intending to locate antennas on
4 this tower? Or were they just speaking as a lack
5 of overall cell service for people in the area?

6 THE WITNESS (Curley): This is Ken Curley with Tarpon
7 Towers.

8 Selectman Matthew Riiska spoke about the
9 significant lack of emergency service
10 communication during emergency service requests,
11 or during the winter season where they're
12 performing snow removal, or they're trying to
13 communicate with the Town's members.

14 We have provided space for that on the tower
15 for the Town if they choose to install at, at no
16 cost. We've also sent certified letters to the
17 Connecticut State Police and the Litchfield County
18 Dispatch offering space on the tower as -- as
19 needed.

20 MR. MERCIER: Okay, thank you.

21 I'm going to move over to response 21. This
22 had to do with the Great Mountain Forest, which is
23 west of the host parcel. Do you know if that area
24 is open to public use?

25 THE WITNESS (White): Amy White.

1 Yes, that area is open for public use.

2 MR. MERCIER: Okay. Thank you.

3 For response number 22, you know, I
4 understand the initial application coverage plots
5 used a negative 105 dBm signal strength new level.
6 What did that -- what does this service level
7 represent for Cellco? What is the negative 105?
8 Is that outdoor service, or some other threshold?

9 THE WITNESS (Gadasu): This is Shiva Gadasu.

10 It's a general outdoor service, the neg 105
11 dBm parts of the level.

12 MR. MERCIER: Okay. Thank you. That would include
13 emergency calls, obviously. Correct?

14 THE WITNESS (Gadasu): This is Shiva Gadasu. Yes.

15 MR. MERCIER: I did see a statement in the application
16 page 8, and it had to do with capacity relief, the
17 limited capacity relief at adjacent sites. So,
18 can you elaborate on what you mean by limited?

19 I mean, it looks like there's total lack of
20 service here.

21 THE WITNESS (Gadasu): This is Shiva Gadasu.

22 The limited capacity relief was mentioned
23 because so the -- the current sites which are --
24 which are being -- which are serving this area are
25 being overextended, you know, to -- to fill in the

1 service gaps. So hence, you know, once this site
2 is -- is up, it will help with for that, with the
3 user offload on the neighboring sites.

4 MR. MERCIER: Thank you.

5 Now, I understand Cellco is going to be
6 locating at the 180-foot level of this tower. Is
7 there a specific area? You know, I understand
8 there's a lack of coverage in its entirety in this
9 area based on the maps, but is there a specific
10 location somewhere where you need the actual 180
11 as opposed to a lower height?

12 THE WITNESS (Gadasu): This is Shiva Gadasu again.

13 Our main areas of concern are the -- are the
14 streets, the Route 270 -- 272 and 263.

15 MR. MERCIER: Okay. So, areas to the west of this
16 tower, you know, that Great Mountain Forest we
17 talked about is not really a priority because
18 there's no residential development over there, or
19 actually public roads. It's more to the east and,
20 you know, northeast and southeast.

21 Is that correct?

22 THE WITNESS (Gadasu): This is Shiva Gadasu.

23 I -- I wouldn't say it's not a priority.
24 It's just a low priority compared to, you know,
25 that, the roads.

1 MR. MERCIER: Did you do any analysis at 170 feet to
2 determine if those two roads and the adjacent area
3 to those roads would be covered?

4 THE WITNESS (Gadasu): This is Shiva Gadasu.

5 Yes, we -- we did analyze with different
6 heights, and 180 is the minimum we need to, to
7 fill in those gaps on the service we mentioned.

8 MR. MERCIER: If you went at 170 feet, is there a
9 specific spot on one of those roads where there is
10 a coverage gap which you would not have at 180
11 feet?

12 THE WITNESS (Gadasu): This is Shiva Gadasu again.

13 So as we go north along Route 272, going
14 towards -- go -- going north, there will be a gap
15 in service once -- once we go anything lower than
16 180 feet.

17 MR. MERCIER: Now when you say, gap in service, would
18 that be for in building or in vehicle?

19 THE WITNESS (Gadasu): At -- at neg 95 dBm RSRP, which
20 is vehicle, in vehicle.

21 MR. MERCIER: Do you have an approximate size of the
22 gap that would open up, or an existing gap that
23 would be enlarged if it was 170 feet?

24 THE WITNESS (Gadasu): This is Shiva Gadasu again.

25 I do not have the numbers at the moment, but

1 there they're significant.

2 MR. MERCIER: Okay. I'm going to move on to response
3 number 37. This has to do with some visibility
4 issues.

5 Now, would any of the abutting properties to
6 the west, you know, looking at the aerial
7 photographs, most of the areas on those properties
8 are forested, but then there's some open areas
9 near the homes.

10 Would any of those locations be able to view
11 the tower compound either seasonally or year
12 round?

13 THE WITNESS (Landino): Rick Landino, All-Points Tech.

14 No, there are no properties on the west that
15 would be able to view the tower. That would
16 screen, and it's back off the road almost 800
17 feet.

18 MR. MERCIER: Okay, I'm going to move on to attachment
19 number nine of the application. That's the
20 visibility analysis. I'm going to go to photo
21 number three, and that's in front of 177 Estey
22 Road.

23 Looking at this photo, you have -- there's
24 two photos; there's a photo simulation on the
25 second one. What height can you estimate of that,

1 this view that's proposed above the treeline --
2 seasonal? Is that about a hundred feet above the
3 treeline?

4 THE WITNESS (Landino): It's -- it's a hundred feet
5 above the treeline at -- at the location of the
6 tower. Yeah, it's a hundred feet above -- above
7 the main treeline. You can see in the foreground,
8 there are some -- some trees that are -- that are
9 higher than that. It's hard to say how far above
10 that it is, but average canopy around the tower
11 is, I believe, about in -- around 70.

12 The average tree height is 72 feet around
13 that tower. So, that's your -- your main canopy
14 that you see there. See above that, it's about a
15 hundred feet, about a little over a hundred feet.

16 MR. MERCIER: When moving the tower to the left, which
17 would be north in this picture, would that reduce
18 visibility at all?

19 THE WITNESS (Landino): Rick Landino, All-Points Tech.

20 It's about --

21 MR. MERCIER: We'll say about 50 feet?

22 THE WITNESS (Landino): From -- from this isolated
23 location, from where I'm standing here, yes. But
24 globally, across the whole thing, I can't say.
25 You know, it may. It may increase visibility in

1 some areas.

2 MR. MERCIER: Now looking at the property on the
3 visible -- excuse me. Let me check that right
4 there.

5 There's a photo log attached to this
6 visibility analysis, a couple pages before the
7 photos start, before the photos and it shows a
8 closeup of visibility in the area. And in this
9 particular property, it shows some year-round
10 visibility right where this driveway is.

11 However, there's open areas in the picture,
12 basically beyond the truck in photo three to the
13 right. Why wouldn't that also be included as
14 year-round visibility? It's shown as seasonal on
15 that map I was talking about.

16 THE WITNESS (Landino): I'm sorry. Could you -- could
17 you repeat the question?

18 I'm not sure I understand.

19 MR. MERCIER: Yeah. Sorry I rambled on there.

20 THE WITNESS (Landino): It's okay.

21 MR. MERCIER: For photo three on the photo log detail,
22 that's just before where the photos start under
23 your visibility analysis, the photo log detail?

24 THE WITNESS (Landino): Yes.

25 MR. MERCIER: Okay. And it says number three.

1 THE WITNESS (Landino): Yeah?

2 MR. MERCIER: And it shows a yellow dot and a small
3 year-round area of yellow.

4 THE WITNESS (Landino): Sure.

5 MR. MERCIER: And that looks -- it appears to be the
6 driveway. Well, if you look closely, there's also
7 open areas all around that driveway near those
8 structures.

9 And I guess my question is, why wouldn't that
10 also have year-round visibility?

11 THE WITNESS (Landino): I think it's just the scale of
12 the map that might be misleading, because as you
13 get closer to that site, the -- the trees are
14 going to -- the trees that are in your foreground
15 are going to screen the tower.

16 So, we're estimating, you know, at the edge
17 of that driveway for -- for that area, you'll
18 experience year-round views. But once -- once you
19 get closer to the tower and off to the sides,
20 there's a lot of trees in that area that should
21 provide screening.

22 MR. MERCIER: Looking at that photo log detail map we
23 were discussing, just to the east of number one,
24 there's a residence. I forgot the address, but it
25 does not show any seasonal visibility there.

1 However, you know, going to the north of the site,
2 there's an extensive area of seasonal visibility.

3 Why wouldn't there be any seasonal visibility
4 at that particular residence to the right of
5 number one?

6 THE WITNESS (Landino): Sure. Rick Landino, All-Points
7 Tech.

8 Yeah, that's due to a combination of the
9 topography and the existing -- the existing tree
10 cover. It's -- it's not going to continue on
11 forever. Eventually that topography and the
12 combination of topography and tree cover will, you
13 know, will bracket that visibility, and that
14 appears to be where our model is predicting it's
15 going to end.

16 MR. MERCIER: Okay. Thank you.

17 I'm going to move on to photo number seven,
18 and that was taken at 126 Estey Road. There's a
19 structure in this photo. I can't determine if
20 it's an outbuilding, or is that a residence.

21 Would you know? Would you have any
22 information on that?

23 THE WITNESS (Landino): I cannot -- I cannot say for
24 certain if it is an outbuilding or a residence.

25 MR. MERCIER: Thank you.

1 I have a general question on the state and
2 natural -- excuse me, National Historic District
3 mapping, and that was, I believe, in attachment
4 twelve. And in there you had state and national
5 listed and it showed an Amos Baldwin House, and
6 there's no visibility there according to your
7 mapping.

8 My question is, is there also a resource part
9 you can use that shows local designated historic
10 sites? Or is it -- or do you just focus on state
11 and national registered sites?

12 THE WITNESS (Gustafson): Yeah, dean Gustafson from
13 All-Points.

14 We only assess recognized state and local
15 historic structures.

16 A VOICE: State and federal.

17 THE WITNESS (Gustafson): State and federal, thank you.

18 MR. MERCIER: Okay. So, exclude any local designated
19 sites. And why would that be?

20 THE WITNESS (Gustafson): So, typically for
21 locally-designated historic resources, they would
22 also request eligibility through the State
23 Historic Preservation Office as well. So, if they
24 go through that vetted process and they become,
25 you know, officially designated by the State, then

1 they -- then we would recognize them as -- as an
2 historic resource.

3 MR. MERCIER: Could it be possible that, you know, some
4 localities don't go through the state registry
5 process, but you know, designate their own
6 districts and historic sites?

7 THE WITNESS (Gustafson): Dean Gustafson, All-Points.

8 That that's certainly possible, but most
9 local historic commissions do coordinate closely
10 with the State Historic Preservation Office. So,
11 if they do feel that they have eligible
12 properties, they will vet them through the State's
13 process and then potentially the federal process.

14 MR. MERCIER: Okay. Thank you.

15 I have no other questions. Thank you.

16 THE VICE CHAIR: Thank you, Mr. Mercier.

17 We'll now continue cross-examination of the
18 Applicant by Mr. Golembiewski followed by
19 Mr. Nguyen.

20 Good afternoon, Mr. Golembiewski.

21 MR. GOLEMBIEWSKI: Good afternoon. I have no
22 questions. Mr. Mercier did a great job.

23 Thank you.

24 THE VICE CHAIR: Thank you, Mr. Golembiewski.

25 We'll now continue cross examination by

1 Mr. Nguyen followed by Mr. Carter.

2 Mr. Nguyen, good afternoon.

3 MR. NGUYEN: Good afternoon, Mr. Vice Chair and good
4 afternoon, panel.

5 Let me start with a few followups. Now, with
6 respect to the monopole versus lattice tower --
7 and I know the panel talked about the challenges
8 with the monopole, but the bottom line is, is
9 monopole impossible to be deployed at this site?

10 THE WITNESS (Buggeln): Commissioner, this is Brett
11 Buggeln of Tarpon Towers.

12 Of course it's not impossible. It would
13 present its -- its challenges that we believe
14 differentiate it substantially from a lattice
15 tower solution. And specifically, with the
16 discussion that we've had with the Town and it's
17 been answered in -- in the response to the
18 interrogatory that, obviously, Estey Road is worth
19 being considered of in terms of construction
20 vehicles and the construction methodology, as well
21 as the access road.

22 And the turn to the site will be challenging
23 as well, and incidental damage to ecology and
24 environment can easily be avoided by implementing
25 this type of tower at the particular location.

1 MR. NGUYEN: We'll talk about the core forest and at
2 the end of the day, we have 0.87 acres of core
3 forest will be disturbed. Now you mentioned
4 earlier that there's a lot of trees that have been
5 cut in that area. Is that right?

6 THE WITNESS (Buggeln): Commissioner, this is Brett
7 Buggeln at Tarpon Towers.

8 During my site visits to the location and in
9 conversations with the owner, he in the past has
10 harvested trees in and around the -- the intended
11 access road for some plans he had related to
12 building other structures or -- or residences on
13 his parent parcel and accessing those. So, there
14 has been some of that type of activity there, but
15 it's easy to tell that it's -- it's been years
16 past now that that occurred.

17 So, there are some trees remaining in the
18 area where we intend to develop the site,
19 including the access road, but they have been -- I
20 think Mr. Gustafson could possibly concur with me,
21 or not, about the fact that they've been thinned
22 out a little bit.

23 THE WITNESS (Gustafson): Sure. Dean Gustafson from
24 All-Points.

25 So, we did evaluate the habitat within the

1 proposed project area and do agree that the -- the
2 proposed access route has been previously cleared
3 of any, you know, mature tree growth for a large
4 portion of the access road, except as you turn up
5 the hill towards the proposed facility location.

6 It's -- once you get into the interior of
7 that site where the proposed facility is located,
8 it's an uneven aged forest. There isn't a high
9 density stand, but you know, so there isn't a
10 significant number of trees. Although the area of
11 clearing is what you had stated, you're not
12 looking at a significant amount of mature trees
13 that will be removed as part of the project.

14 MR. NGUYEN: Now the 0.87 acres of core forest will be
15 disturbed. How much percent of that is associated
16 with the driveway access?

17 THE WITNESS (Gustafson): Dean Gustafson from
18 All-Points.

19 I would -- I would estimate that. So, the
20 area of clearing, it encompasses the proposed
21 access road that has been mainly previously
22 cleared of mature trees. So, we're not -- the
23 area of clearing encompasses the entire --
24 everything as far as from a vegetative state
25 standpoint, from saplings all the way to mature

1 trees.

2 S,o, of that, the access road probably
3 represents approximately a little bit more than
4 half, maybe two thirds of the total clearing area.

5 MR. NGUYEN: So, it's a 30-foot-wide access road there
6 going through the core forest. Is that right?

7 THE WITNESS (Gustafson): That's -- that's correct.

8 And as we had addressed in our response to
9 interrogatory -- I think it was 39 --

10 MR. NGUYEN: Yeah.

11 THE WITNESS (Gustafson): We did provide an evaluation
12 with respect to impacts to the core forest.

13 So, the majority of the access road is
14 located within an area that is classified as edge
15 forest. It's still part of the core forest, but
16 it's already been affected by clearing activities
17 from the adjacent residents.

18 MR. NGUYEN: And then how long is the proposed access
19 road from Estey Road to the compound?

20 THE WITNESS (Gustafson): Jesse Moreno --

21 MR. NGUYEN: (Unintelligible) --

22 THE WITNESS (Gustafson): I'm sorry. Jesse Moreno.

23 It's approximately 915 feet, and then to the
24 end of the turnaround it's approximately 940.

25 MR. NGUYEN: I'm sorry, 915 --

1 THE WITNESS (Moreno): 915 is to the, like, the edge
2 and then at the back of the turnaround, there's a
3 turnaround for vehicles. The back of that would
4 be 940 feet.

5 I would add, too, as far as the clearing, if
6 I could? On the plans, particularly on the
7 survey, you'll notice that they've picked up
8 trees. And just doing some quick math here, it
9 looks like only approximately 20 to 25 of those
10 total trees to be removed are in that corridor.

11 So, as Dean was saying, although that area
12 constitutes maybe 50 percent, it's only about
13 maybe 20 percent or 25 percent of the total trees
14 to be removed, or less. So, I think that bears
15 out that we're trying to utilize an area that was
16 previously cleared at some point and does not have
17 as many mature trees as other parts of the site
18 may have.

19 MR. NGUYEN: One of the interrogatories asked about the
20 possibility of having an access road from Goshen
21 East Street, and I think the answer indicated that
22 there's going to be more disturbance.

23 Would you recall that?

24 THE WITNESS (White): Amy White.

25 Yes, moving the access road off of East

1 Goshen Street would require a longer access road,
2 result in more environmental disturbance, and more
3 tree cutting.

4 MR. NGUYEN: And when you talk about disturbance, are
5 we talking about going through the core forest?

6 THE WITNESS (White): Correct.

7 MR. NGUYEN: And it's about 2,000 linear feet. Is that
8 right?

9 THE WITNESS (Moreno): Jesse Moreno.

10 So, if you came in from the other way, you're
11 about 1500 feet from the residence, but you're
12 correct, the access road would be more like 2,000
13 feet. So, I believe it would be at least twice as
14 much clearing.

15 And in those areas that hadn't been cleared
16 or thinned previously, you'll likely get more than
17 twice the amount of significant trees removed
18 because of that.

19 MR. NGUYEN: I'm just trying to understand for the
20 record that assuming the access road going from
21 Goshen Street, and the compound, it being moved
22 from the west closer to Goshen East Street, is
23 that possible? And whether or not the -- what
24 impact would that contemplate in this scenario?

25 THE WITNESS (Moreno): If you could repeat the

1 question?

2 MR. NGUYEN: Yes, sure. Assuming that the access drive
3 is going from Goshen Street. Now, because of the
4 compound, where it is proposed now, it's further
5 away to the west. Assuming the compound moved
6 further down, closer to Goshen Street, the
7 question becomes what environmental impact would
8 that be if the compound moved to the west, further
9 to be moved?

10 THE WITNESS (Moreno): Jesse Moreno.

11 I can say from an engineering standpoint, as
12 far as topography is concerned, if you look at
13 where we're coming in off of Estey Street now,
14 that elevation down there is approximately 1470.
15 And the tower compound itself is at 1500.

16 So, you'll see that there's a climb of about,
17 you know, 25 to 30 feet in that area. If you came
18 in from the east, as you had suggested, the area
19 there is over 120 feet lower than that.

20 So, in my estimation, there would be
21 significantly more impact for grading, because now
22 you -- even if you moved, were successful moving
23 the tower east, you're still climbing another 120
24 feet over that same distance. And that would
25 require you to probably switch back the road, and

1 that would also require additional clearing and
2 grading, which would, I believe, have a negative
3 impact as far as, you know, tree clearing and
4 overall disturbance.

5 **THE WITNESS (Gustafson):** If I can add to that? Dean
6 Gustafson, from All-Points.

7 So, when you -- you look at this particular
8 core forest, having an access road coming all the
9 way from the east side, and it will essentially
10 bifurcate the heart of that core forest habitat.

11 The other thing to consider is that, as you
12 saw in the other materials of the application, we
13 did perform a rare plant survey focusing on the
14 proposed development footprint. We didn't find
15 any rare plant species, but that entire area
16 including areas to the east on the subject
17 property are also within an NDDB buffer area, and
18 we would need to survey those areas. There may
19 potentially be better habitat for those rare
20 plants within that part of the core forest.

21 So, there are potentially secondary impacts
22 of considering an alternate access road through
23 that core forest heart.

24 **MR. NGUYEN:** So, elevation would be a challenge in a
25 scenario where you come down and move to the east.

1 Is that right?

2 THE WITNESS (Moreno): Jesse Moreno.

3 Yes, by my estimation, moving it east, it's
4 obviously not as -- as tall, or the elevation
5 isn't as great as where we are now. It's
6 potentially steeper in those areas, so it will
7 require more grading and more clearing, in my
8 estimation.

9 MR. NGUYEN: Now, just going back to the monopole, and
10 again, just trying to understand for the record
11 here if a monopole were installed in this
12 particular area or particular site, would that
13 still be a 180-foot monopole, or could it be
14 taller?

15 THE WITNESS (Gadasu): This is Shiva Gadasu.

16 So, the height -- so, from an RF standpoint,
17 the height doesn't vary from a monopole to a
18 lattice tower. It's still that 180 feet.

19 MR. NGUYEN: My apologies. So what would it be? Could
20 you please repeat the answer?

21 THE WITNESS (Gadasu): This is Shiva Gadasu again.

22 So, from an RF standpoint, the height of the
23 tower doesn't vary going from a monopole to a
24 lattice tower. It doesn't matter what kind of
25 tower we -- that gets built. We still need 180

1 feet to do -- to get the coverage objective we
2 need.

3 MR. NGUYEN: Now, with respect to the core forest, and
4 CAQ recommends that the Applicant -- this is
5 referencing the CAQ comment letter dated May 28th.
6 They recommend that the Applicant assess the
7 potential impacts to core forests and implement
8 appropriate measures to prevent or reduce the
9 disturbances to the core floors.

10 So, the question is what -- has the company
11 put any thought on that? And what action plans do
12 you folks plan to address that concern?

13 THE WITNESS (Gustafson): Sure, I can answer that.
14 Dean Gustafson from All-Points.

15 So, first off, we did provide an assessment
16 of the project's impacts to core forest in
17 response to interrogatory number 39 and concluded
18 that the project would impact less than 1 percent
19 of the total core forest area. The majority of
20 that impact would include existing edge forest
21 habitat that's been compromised by existing
22 residential development.

23 So, we feel the project will have a de
24 minimis habitat reduction to the core forest's
25 value. That being said, there we did, as I had

1 indicated earlier, we did evaluate kind of the
2 habitat quality of the project area. This forest
3 habitat is, you know, other than some of the, you
4 know, existing and previous timber harvest
5 activities, is -- is a somewhat undisturbed forest
6 habitat and that's more indicative of there's a
7 lack of invasive plants in -- particularly in the
8 understory of this forested area.

9 So, one possible concern with respect to
10 impact to core forest habitat with development is
11 you're creating soil disturbance. You're
12 providing a potential vector for invasive plant
13 species to come in and devalue some of the value
14 of the core forest habitat.

15 So, what we would propose, and this is
16 something that we have worked with on other
17 dockets, and I can reference Docket 499, a project
18 in Sherman where we had proposed or recommended
19 implementation of an invasive plant control plan
20 and provided those details to ensure that the
21 contractor, you know, is pre-washing their
22 equipment and materials in bringing them into the
23 site to minimize the introduction of invasive
24 species and taking various other controls during
25 construction of the property to ensure that those

1 habitat values are not diminished within the core
2 forest.

3 So, I think the Applicant would be willing to
4 implement that as part of the construction
5 protection plan.

6 MR. NGUYEN: Moving on to question number 13,
7 interrogatory number 13. Now the question asks
8 the maximum wind speed tolerance for the tower,
9 and the answer you reference is standard.

10 So, the question is, do you know what the
11 standard requires for the maximum wind speed
12 tolerance?

13 THE WITNESS (Moreno): Yeah, this is Jesse Moreno.

14 So, the 115 miles an hour is the minimum
15 design wind speed that is listed in appendix P of
16 the Connecticut State Building Code. That is for
17 a risk category two structure. So, that is the
18 minimum level to meet the -- the code.

19 MR. NGUYEN: Then what is -- your design would meet?

20 THE WITNESS (Moreno): That design would meet that 115
21 miles an hour, and that's under the current
22 Connecticut Building Code, which is also reflected
23 in TIA rev H.

24 MR. NGUYEN: Okay. Now, I looked at the record in
25 terms of the backup generator and I don't know if

1 it's a question of Tarpon or Cellco, that if
2 propane gas is proposed as a fuel source for the
3 generator. Now, we have seen that Tarpon Towers
4 or Cellco have utilized diesel, diesel fuel in
5 some dockets.

6 The question is, what dictates the use of a
7 particular fuel for a particular project?

8 THE WITNESS (Glidden): This is Liz Glidden with
9 Verizon Wireless.

10 It depends on environmental factors and if
11 the site is diesel-restricted. And it depends on
12 the availability of natural gas, which that is not
13 available here at the site. And the site is
14 proposed to use propane.

15 MR. NGUYEN: And why is that?

16 THE WITNESS (White): Amy White.

17 This site would be considered
18 diesel-restricted by Verizon Wireless standards.

19 MR. NGUYEN: What I'm trying to get at is under what
20 circumstances that a particular project --
21 obviously we're looking for natural gas, but we
22 have to choose between diesel fuel and propane
23 gas. I have seen Verizon propose diesel fuel in
24 some area, and in this case propane gas.

25 I'm trying to understand what dictates the

1 use of the particular fuel for a particular
2 project.

3 THE WITNESS (Gustafson): I can -- I think I can
4 address your question. Dean Gustafson from
5 All-Points.

6 So, with respect to Verizon's environmental
7 compliance standards for restricting -- having a
8 diesel restriction on this particular property,
9 it's because wetlands are located within 300 feet
10 of the proposed facility.

11 We do have an isolated wetland that's located
12 a little over a hundred feet, but it's certainly
13 within 300 feet. So, I believe that's the
14 rationale why this is a diesel-restricted
15 facility.

16 MR. NGUYEN: Uh-huh. Okay. And that's all we have.
17 Thank you, panel.

18 And that's all we have, Mr. Vice Chair.

19 Thank you.

20 THE VICE CHAIR: Thank you, Mr. Nguyen. We'll now
21 continue cross-examination by Mr. Carter followed
22 by Ms. Hall.

23 Mr. Carter, good afternoon.

24 MR. CARTER: Good afternoon, Mr. Vice Chair. I would
25 like to thank my predecessors for their questions,

1 because I don't have any.

2 And I would like to also welcome Dr. Williams
3 before I give back my time. So, thank you.

4 THE VICE CHAIR: Thank you, Mr. Carter.

5 We'll now continue with cross-examination by
6 Ms. Hall followed by Dr. Williams.

7 Ms. Hall, good afternoon.

8
9 (No response.)

10
11 THE VICE CHAIR: Okay. Well, we'll move on. We'll now
12 move on to Dr. Williams.

13 Good afternoon, Dr. Williams.

14 DR. WILLIAMS: Good afternoon. Thank you for having
15 me. I'm taking it all in right now, so I don't
16 have any questions at this time, but thank you.

17 THE VICE CHAIR: Thank you, and welcome.

18 I have a few follow-up questions and it's all
19 associated with the monopole versus the lattice
20 tower structure. Now, we got a response,
21 Mr. Nguyen's response from an RF perspective that
22 the 180-foot lattice versus 180-foot monopole
23 wouldn't make a difference from an RF perspective,
24 but how about it from an engineering perspective?

25 How tall -- what's the tallest that a

1 monopole can go?

2 THE WITNESS (Moreno): This is Jesse Moreno.

3 That's a great question. Generally, what
4 I've seen is you're probably topped out on a
5 monopole at about 190 feet or so. After that,
6 height in most regions it just becomes too large
7 and bulky, and normally you go to a
8 self-support-style structure that's a little more
9 efficient to handle the loads.

10 THE VICE CHAIR: Okay.

11 THE WITNESS (Moreno): You're right at about that
12 tipping point.

13 THE VICE CHAIR: Right about there.

14 THE WITNESS (Moreno): Yeah.

15 THE VICE CHAIR: Okay. All right. So, emergency
16 services are going to be installed on the top.

17 Did I understand that correctly?

18 THE WITNESS (Buggeln): Commissioner, this is Brett
19 Buggeln at Tarpon Towers.

20 We've reached out to them to make them aware
21 of this project and our hearing with the Council,
22 but we haven't received any response back to the
23 affirmative that they would be interested in
24 moving forward with that type of location at this
25 point, but they would be able to locate at the top

1 or any other unused space on the -- on the tower.

2 THE VICE CHAIR: Okay. I'm a little confused. The
3 application says that emergency services would be
4 installed at no cost.

5 So is that true, first of all?

6 THE WITNESS (Buggeln): Commissioner, this is Brett
7 Buggeln at Tarpon Towers.

8 We -- we honor a zero-dollar lease with them.
9 And if they have their equipment present at the
10 time that we stack the tower, if it was to be
11 approved, then we would install that equipment for
12 them at no charge.

13 THE VICE CHAIR: Okay. So, they would buy the
14 equipment and you would install it --

15 THE WITNESS (Buggeln): Commissioner --

16 THE VICE CHAIR: -- and the lease would be approved.

17 THE WITNESS (Buggeln): This is Brett Buggeln.

18 Yes -- sorry to interrupt you. Yes, that's
19 correct. We do not purchase equipment for them.
20 We make the space available. And as I mentioned,
21 if the equipment is available at the time we stack
22 the tower, then we include that service to them
23 for no charge.

24 THE VICE CHAIR: Okay. So, if the lease is at no
25 charge and the installation is at no charge, but

1 there is a cost associated with it, how are those
2 costs recovered?

3 **THE WITNESS (Buggeln):** Commissioner, this is Brett
4 Buggeln at Tarpon Towers.

5 If you're referring to the cost of putting
6 their equipment up, should it be available, Tarpon
7 Towers doesn't look to cover -- to recover that
8 cost. We believe that is part of providing
9 emergency services or facilitating that, that
10 we -- we do that as a pro bono, pro bono for them.

11 **THE VICE CHAIR:** Okay. And the same with the lease?

12 **THE WITNESS (Buggeln):** That's correct, yes.

13 This is Brett Buggeln. Yes, sir.

14 **THE VICE CHAIR:** Great. Thank you for that
15 clarification.

16 So, I know we've talked about this a couple
17 of times about the monopole, but I didn't quite
18 catch what length of the sections of a monopole
19 would be in the shipping process. What are the
20 lengths that are shipped?

21 **THE WITNESS (Buggeln):** Excuse me, Commissioner. This
22 is Brett Buggeln at Tarpon Towers.

23 Typically for a monopole contemplated to be
24 this height, which is 185 feet, we would see
25 sections of anywhere from 40 to 53 feet in length,

1 and those would then be slipped over each other in
2 terms of making up the overall tower height. So,
3 that would be the range that we would -- we'd see
4 on trucks.

5 **THE VICE CHAIR:** Okay. All right. Part of the
6 testimony we heard today was that it would be
7 difficult to get a flatbed around some of the
8 corners, and I just want to make sure I understand
9 this.

10 So, the main access to the site would be
11 through Route 272, and you would take a left onto
12 Estey. That corner doesn't seem to be a challenge
13 going from 272 to Estey?

14 **THE WITNESS (Buggeln):** Commissioner, this is Brett
15 Buggeln.

16 Where we were mainly focused on the -- the
17 entrance to the access road from Estey Road.

18 **THE VICE CHAIR:** Okay.

19 **THE WITNESS (Buggeln):** It's where the sharpest turn
20 would have to be made. And in terms of the turn
21 that you mentioned, you know, obviously that would
22 not be as of the biggest concern as -- as right at
23 the site.

24 **THE VICE CHAIR:** Okay. So, it's primarily the site
25 entrance. And going south where I could see that

1 that turn would be a challenge for a flatbed, but
2 it's possible that you could bring a flatbed to
3 the entrance and have a crane lift the sections
4 and put it on another flatbed to go up the
5 driveway. I don't think that would be overly cost
6 burdensome.

7 **THE WITNESS (Buggeln):** Commissioner, this is Brett
8 Buggeln at Tarpon Towers.

9 I don't -- we would still need a large enough
10 crane to lift those sections if we were to
11 transload them onto a flatbed already positioned
12 on the access road.

13 **THE VICE CHAIR:** Yeah.

14 **THE WITNESS (Buggeln):** Except that we have to position
15 that flatbed on the access road. And regardless
16 of whether that flatbed is loaded or not, it still
17 has to make that, that turn off of Estey Road.

18 The issue is, central to that, is that Estey
19 Road is -- is a well-established dirt road, but
20 obviously going off into the shoulders with those
21 types of vehicles is going to cause damage to it
22 that, while we can repair it, we'd like to -- to
23 avoid having that type of disruption to that
24 established way, of that way on Estey Road.

25 **THE VICE CHAIR:** Okay. I didn't realize that Estey

1 Road is a dirt road. It's not paved at all. So,
2 I take it it's a thin road. It's a two-way
3 two-lane with no shoulders?

4 THE WITNESS (Buggeln): This is Brett Buggeln at Tarpon
5 Towers.

6 Yes, that's correct. And the, quote,
7 shoulders are generally where the drainage and
8 drainage -- drainages are, drainage culverts and
9 the like are.

10 THE VICE CHAIR: Okay. And I take it that is -- is it
11 a well-traveled road? Do people use it as a
12 shortcut and things? Or --

13 THE WITNESS (Moreno): This is Jesse Moreno.

14 This particular part, Estey Road, the
15 beginning of Estey Road further north, I would say
16 probably 400 feet away is paved in some sections,
17 and then it turns to gravel. And then right past
18 the site it's actually a dead end at -- at some
19 kind of a forest there.

20 So, in the area that -- that Brett is talking
21 about, this part of Estey Road is the narrowest in
22 this location and it is gravel with limited
23 shoulders.

24 THE VICE CHAIR: Okay. And it certainly sounds like a
25 challenge. As you can tell from the questioning,

1 the lattice structure seems to be troubling. And
2 a monopole would -- I think it would be nice if we
3 could get a monopole up there, but I can see the
4 challenges that you're running into.

5 Okay. Well, let's talk about visibility
6 then. The visibility in the conclusion on page 6
7 of the visibility report, it indicates that the
8 year-round visibility is 60 acres. Leaf-off is
9 109 acres, for a total of 2 percent of the 8,042
10 acre study area.

11 Now, if a monopole was installed, how would
12 that impact the 2 percent?

13 THE WITNESS (Landino): Rick Landino, All-Points Tech.

14 I just wanted to clarify. You're asking
15 if -- right now it's a lattice tower and it's 2
16 percent of the study area, and you're asking if a
17 change from a lattice tower to a monopole, same
18 height?

19 THE VICE CHAIR: Yeah.

20 THE WITNESS (Landino): Change -- back that up?

21 THE VICE CHAIR: Yeah.

22 THE WITNESS (Landino): No, it's based on the -- on the
23 height.

24 THE VICE CHAIR: So, the 2 percent would be the same?

25 THE WITNESS (Landino): Two percent visibility up there

1 wouldn't change the viewshed.

2 THE VICE CHAIR: Hmm. I find that a little odd,
3 because you've got a wider --

4 THE WITNESS (Landino): Sure.

5 THE VICE CHAIR: -- a wider base and you would have --
6 in my opinion, it's got more impact on your
7 viewshed.

8 THE WITNESS (Landino): Here your viewshed is -- the
9 way the viewshed is developed, it's -- it's a
10 point in the sky. It's a single point. So yeah,
11 it will be a little narrower.

12 THE VICE CHAIR: Uh-huh.

13 THE WITNESS (Landino): It will be a little narrower,
14 but the height above the treeline does not change,
15 you know.

16 THE VICE CHAIR: Okay. All right. Now --

17 THE WITNESS (Landino): I don't think it would have any
18 substantial -- I don't think you would ever see
19 any substantial change in the viewshed map by
20 changing the width of the tower.

21 THE VICE CHAIR: Okay. I didn't realize that, but
22 thank you.

23 So, how does the 2 percent stack up with
24 regards to viewshed analysis of other facilities?
25 It seems -- well, I'll let you answer the question

1 before I provide my input.

2 THE WITNESS (Landino): Could you repeat the question?

3 I'm sorry.

4 THE VICE CHAIR: How does the 2 percent stack up in the
5 terms of visibility versus other sites or other
6 projects? Is it low? Is it high? Is it medium?

7 THE WITNESS (Landino): I'd have to say it's on the low
8 side, 2 percent. Not that bad, but every site is
9 different. You know?

10 THE VICE CHAIR: Uh-huh.

11 THE WITNESS (Landino): I don't have the numbers in
12 front of me to give you a concrete answer, but
13 it's -- it does not have -- I would say it does
14 not have a great visual impact, you know, on the
15 study area compared to most sites that I've --
16 I've worked on.

17 THE VICE CHAIR: Okay. Thank you. Thank you for that.

18 THE WITNESS (Landino): Sure.

19 THE VICE CHAIR: Let's see.

20 Yeah, I think we covered this, but obviously
21 it's not clear to me. Is it possible to go lower
22 than 180 feet?

23 THE WITNESS (Gadasu): This is Shiva Gadasu.

24 180 feet is the minimum we need to make the
25 coverage objective in the area.

1 THE VICE CHAIR: Okay. And one, one final question. I
2 want to make sure I'm clear on this. The minimum
3 wind speed in which this is designed, I believe it
4 was said 115. Is that correct?

5 THE WITNESS (Moreno): Yes.

6 THE VICE CHAIR: Okay.

7 THE WITNESS (Moreno): Jesse Moreno, yes.

8 THE VICE CHAIR: Thank you. I was hearing 150. I
9 didn't think I was right. Okay. Thank you.
10 Thank you for that clarification.

11 Okay. That concludes my questioning for this
12 afternoon. We're going to take a 10-minute break.
13 We'll come back at 3:40.

14 I do see Ms. Hall is online. Ms. Hall, are
15 you with us?

16 MS. HALL: I am, finally.

17 THE VICE CHAIR: Okay. Great. Thank you.

18 Okay. We will come back at 3:40 and you'll
19 have your opportunity to cross-examine the
20 Applicant.

21 MS. HALL: Thank you.

22 THE VICE CHAIR: Very good. Thank you, everyone.

23 We'll see you in 10 minutes.

24
25 (Pause: 3:30 p.m. to 3:40 p.m.)

1 THE VICE CHAIR: Okay. Thank you, everyone.

2 Is the Court Reporter back with us?

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

4 THE VICE CHAIR: Thank you.

5 Okay. We'll continue with cross-examination
6 by Ms. Hall. Good afternoon, Ms. Hall.

7 MS. HALL: Good afternoon, finally. I'll make this
8 very fast. I have no further questions.

9 Thank you.

10 THE VICE CHAIR: Thank you, Ms. Hall.

11 Okay. That concludes our hearing for this
12 afternoon. The Council will recess until 6:30
13 p.m., at which time we will commence with the
14 public comment session of this public hearing.

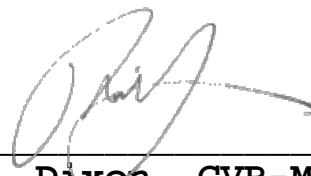
15 Thank you, everyone. We'll see you after
16 dinner at 6:30 p.m.

17 Thank you.

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19 (End: 3:41 p.m.)
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CERTIFICATE

I hereby certify that the foregoing 71 pages are a complete and accurate computer-aided transcription of my original verbatim notes taken of the remote teleconference meeting of The Connecticut Siting Council hearing in Re: DOCKET NO. 536, TARPON TOWERS III, LLC, AND CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS, 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 78 GOSHEN EAST STREET, NORFOLK, CONNECTICUT, which was held before JOHN MORISSETTE, THE VICE CHAIR, on August 14, 2025.



Robert G. Dixon, CVR-M 857
Notary Public
My Commission Expires: 6/30/2030

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