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STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Docket No. 538

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 1022 Trumbull Highway, Lebanon,
Connecticut.

Zoom Remote Council Meeting (Teleconference),
Evidentiary Session, on Thursday, September 11, 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

DANIEL P. LYNCH, JR.

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)

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11 CYNTHIA ARONS (pro se)

12
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(Begin: 2:00 p.m.)

THE VICE CHAIR: Good afternoon, ladies and gentlemen.

Can everybody hear me okay?

Very good, thank you.

This public hearing is called to order this Thursday, September 11, 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; Bill Syme; Dr. Scott Williams; and Daniel P. Lynch, Jr.

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. Thank you.

This hearing is held pursuant to the provisions of Title 16 of the Connecticut General Statutes and of the Uniform Administrative

1 Procedure Act upon an application from the Towers,
2 LLC, for a certificate of environmental
3 compatibility and public need for the
4 construction, maintenance, and operation of a
5 telecommunications facility and associated
6 equipment located at 1022 Trumbull Highway in
7 Lebanon, Connecticut.

8 This application was received by the Council
9 on May 2, 2025. The Council's legal notice of the
10 date and time of this public hearing was published
11 in the Norwich Bulletin on June 4, 2025. Upon
12 this Council's request the Applicant erected a
13 sign in the vicinity of the proposed site as to
14 inform the public of the name of the Applicant,
15 the type of facility, the public hearing date, and
16 contact information for the Council, including the
17 website and phone number.

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 The parties and intervenors to the proceeding
23 are as follows. The Applicant, the Towers, LLC,
24 its representatives, Jonathan Schaefer, Esquire;
25 and Kenneth C. Baldwin, Esquire, of Robinson &

1 Cole, LLP.

2 We will proceed in accordance with the
3 prepared agenda, a copy of which is available on
4 the council website, along with the record of this
5 matter, the public hearing notice, instructions
6 for public access to this public hearing, and the
7 Council's citizen's guide to the Siting Council's
8 procedures.

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

18 The 6:30 p.m. public comment session is
19 reserved for members of the public who have signed
20 up to make brief statements into the record. I
21 wish to note that the Applicant, parties and
22 Intervenor, including their representatives,
23 witnesses and members are not allowed to
24 participate in the public comment session.

25 I also wish to note for those who are

1 listening and for the benefit of your friends and
2 neighbors who are unable to join us for the public
3 comment session, that you or they may send written
4 statements to the Council within 30 days of the
5 date hereof, either by mail or by e-mail, and such
6 written statements will be given the same weight
7 as if spoken during the public comment session.

8 A verbatim transcript of this public hearing
9 will be posted on the Council's website and
10 deposited with the Lebanon Town Clerk's office for
11 the convenience of the public.

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

14 We'll now move on to motions. We have four
15 motions to take care of here this afternoon.
16 Motion number one, The Towers, LLC, motion for
17 protective order of the lease agreement financial
18 terms, dated May 27, 2025. Attorney Bachman may
19 wish to comment.

20 Good afternoon, Attorney Bachman.

21 ATTORNEY BACHMAN: Good afternoon, Vice Chair
22 Morissette. Thank you.

23 Pursuant to General Statutes Section 16-50o,
24 the Towers, LLC, submitted a motion for protective
25 order for the lease agreement financial terms,

1 which are exempt from the Freedom of Information
2 Act, and therefore staff recommends the motion be
3 granted.

4 Thank you.

5 THE VICE CHAIR: Thank you, Attorney Bachman.

6 Is there a motion?

7 MR. LYNCH: Mr. Morissette, I move the motion.

8 THE VICE CHAIR: Thank you, Mr. Lynch.

9 Is there a second?

10 MS. HALL: I'll second.

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

12 We have a motion by Mr. Lynch and a second by
13 Ms. Hall to approve the motion for protective
14 order. We'll now move to discussion.

15 Mr. Golembiewski, good afternoon.

16 Any discussion?

17 MR. GOLEMBIEWSKI: Good afternoon, Vice Chair
18 Morissette.

19 I have no discussion. Thank you.

20 THE VICE CHAIR: Thank you.

21 Mr. Nguyen, good afternoon. Any discussion?

22 MR. NGUYEN: Good afternoon. No discussion.

23 THE VICE CHAIR: Thank you.

24 Mr. Carter, good afternoon. Any discussion?

25 MR. CARTER: Good afternoon. I have no discussion.

1 Thank you.

2 THE VICE CHAIR: Thank you.

3 Ms. Hall, good afternoon. Any discussion?

4 MS. HALL: Good afternoon. No discussion. Thank you.

5 THE VICE CHAIR: Thank you.

6 Mr. Syme -- I don't see that he's joined us
7 as of yet.

8 Dr. Williams, good afternoon.

9 Any discussion?

10 DR. WILLIAMS: Good afternoon.

11 No discussion. Thank you.

12 THE VICE CHAIR: Thank you.

13 Mr. Lynch, good afternoon. Any discussion?

14 MR. LYNCH: I have no discussion.

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

16 With that, we'll move to the vote.

17 Mr. Golembiewski, how do you vote?

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

19 THE VICE CHAIR: Thank you.

20 Mr. Nguyen, how do you vote?

21 MR. NGUYEN: I vote to approve.

22 THE VICE CHAIR: Thank you.

23 Mr. Carter?

24 MR. CARTER: I vote to approve. Thank you.

25 THE VICE CHAIR: Thank you.

1 Ms. Hall?

2 MS. HALL: I vote to approve. Thank you.

3 THE VICE CHAIR: Thank you.

4 Dr. Williams?

5 DR. WILLIAMS: I vote to approve.

6 THE VICE CHAIR: Thank you.

7 Mr. Lynch?

8 MR. LYNCH: Vote approval.

9 THE VICE CHAIR: Thank you. And I vote approval. We
10 have seven for approval. The motion for
11 protective order is approved.

12 Moving on to motion number two, Attorney
13 Bachman?

14 ATTORNEY BACHMAN: Thank you, Vice Chair Morissette.

15 Gregory and Natalie Roy request for
16 intervener status dated September 4th, and request
17 for party status dated September 10th.

18 On September 4th, the Roys requested
19 intervener status. Yesterday, the Roys requested
20 party status. The Roys are not abutting property
21 owners to the proposed facility site host parcel.
22 Therefore, staff recommends the September 4th
23 request for intervener status be granted,
24 rendering the September 10th request for party
25 status moot.

1 Thank you.

2 THE VICE CHAIR: Thank you, Attorney Bachman.

3 Is there a motion?

4 MS. HALL: I'll make a motion to grant intervener
5 status to the applicants.

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

7 Is there a second?

8 DR. WILLIAMS: Williams, I'll second.

9 THE VICE CHAIR: I have Dr. Williams for a second.

10 Thank you.

11 We have a motion by Ms. Hall to approve the
12 intervener status request by Gregory and Natalie
13 Roy, and we have a second by Dr. Williams. We'll
14 now move to discussion.

15 Mr. Golembiewski, any discussion?

16 MR. GOLEMBIEWSKI: I have no discussion. Thank you.

17 THE VICE CHAIR: Thank you.

18 Mr. Nguyen?

19 MR. NGUYEN: No discussion. Thank you.

20 THE VICE CHAIR: Thank you.

21 Mr. Carter?

22 MR. CARTER: I have no discussion. Thank you.

23 THE VICE CHAIR: Thank you.

24 Ms. Hall?

25 MS. HALL: No discussion. Thank you.

1 THE VICE CHAIR: Thank you.

2 Dr. Williams?

3 DR. WILLIAMS: No discussion. Thank you.

4 THE VICE CHAIR: Thank you.

5 Mr. Lynch?

6 MR. LYNCH: Just a point of clarification. The second
7 motion is moot. Did I hear you right?

8 THE VICE CHAIR: Yes, that is correct.

9 MR. LYNCH: No other questions.

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

11 We'll now move to the vote.

12 Mr. Golembiewski, how do you vote?

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

14 THE VICE CHAIR: Thank you.

15 Mr. Nguyen?

16 MR. NGUYEN: I vote to approve.

17 THE VICE CHAIR: Thank you.

18 Mr. Carter?

19 MR. CARTER: I vote to approve. Thank you.

20 THE VICE CHAIR: Thank you.

21 Ms. Hall?

22 MS. HALL: I vote to approve. Thank you.

23 THE VICE CHAIR: Thank you.

24 Dr. Williams?

25 DR. WILLIAMS: Vote to approve.

1 THE VICE CHAIR: Thank you.

2 Mr. Lynch?

3 MR. LYNCH: Vote approval.

4 THE VICE CHAIR: Thank you. And I vote to approve.

5 The request for intervener status is approved.

6 Moving on to motion number three, Gregory and
7 Natalie Roy request for postponement of the
8 hearing, dated September 4, 2025. Attorney
9 Bachman may wish to comment.

10 Attorney Bachman?

11 ATTORNEY BACHMAN: Thank you, Vice Chair Morissette.

12 The Roys request a postponement of this
13 hearing for 90 days. The continued evidentiary
14 hearing session has been scheduled for Tuesday,
15 December 16, 2025, which is 96 days from today.

16 Staff recommends the request for the
17 postponement of this hearing be denied on the
18 basis that a continued evidentiary hearing session
19 will be held more than 90 days from today's date.

20 Thank you.

21 THE VICE CHAIR: Thank you, Attorney Bachman.

22 Is there a motion?

23 MS. HALL: I'll make a motion to deny the motion under
24 consideration because of the rescheduling of a
25 continued evidentiary hearing in December.

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

2 Is there a second?

3 MR. CARTER: I'll second.

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

5 We have a motion by Ms. Hall to deny the
6 request for postponement of hearing, dated
7 September 4th, due to the circumstances that a
8 continuation hearing will be held on December 16,
9 2025. And we have a second by Mr. Carter. We'll
10 now move to discussion.

11 Mr. Golembiewski, any discussion?

12 MR. GOLEMBIEWSKI: I have no discussion. Thank you.

13 THE VICE CHAIR: Thank you.

14 Mr. Nguyen?

15 MR. NGUYEN: No discussion.

16 THE VICE CHAIR: Thank you.

17 Mr. Carter?

18 MR. CARTER: No discussion. Thank you.

19 THE VICE CHAIR: Thank you.

20 Ms. Hall?

21 MS. HALL: No discussion. Thank you.

22 THE VICE CHAIR: Thank you.

23 Dr. Williams?

24 DR. WILLIAMS: No discussion. Thank you.

25 THE VICE CHAIR: Thank you.

1 Mr. Lynch?

2 MR. LYNCH: No discussion.

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

4 We'll now move to the vote.

5 Mr. Golembiewski, how do you vote?

6 MR. GOLEMBIEWSKI: I vote to approve the motion.

7 THE VICE CHAIR: Thank you.

8 Mr. Nguyen, how do you vote?

9 MR. NGUYEN: I vote to approve.

10 THE VICE CHAIR: So, we're voting -- Mr. Golembiewski
11 and Mr. Nguyen are voting to approve the motion to
12 deny. Correct?

13 MR. GOLEMBIEWSKI: Correct.

14 THE VICE CHAIR: Mr. Nguyen?

15 MR. NGUYEN: That is correct.

16 THE VICE CHAIR: Very good. Thank you. Just for
17 clarity.

18 MR. NGUYEN: Yes.

19 THE VICE CHAIR: Okay. Mr. Carter?

20 MR. CARTER: I vote to approve the motion to deny.

21 Thank you.

22 THE VICE CHAIR: Very good.

23 Ms. Hall?

24 MS. HALL: I vote to approve the motion to deny.

25 Thank you.

1 THE VICE CHAIR: Thank you.

2 Dr. Williams?

3 DR. WILLIAMS: Voting in favor of denial. Thank you.

4 THE VICE CHAIR: Thank you.

5 Mr. Lynch?

6 MR. LYNCH: I vote in favor of denial also.

7 THE VICE CHAIR: Thank you. And I also vote to approve
8 the motion to deny. We have seven for approval.
9 The motion to postpone, postponement of hearing,
10 dated September 4, 2025, is denied.

11 Moving on to motion number four, Cynthia
12 Arons' request for intervener status and request
13 for party status, dated September 10, 2025.
14 Attorney Bachman may wish to comment.

15 Attorney Bachman?

16 ATTORNEY BACHMAN: Thank you, Vice Chair Morissette.

17 Ms. Arons requests either party or intervener
18 status. She is an abutting property owner to the
19 proposed facility site host parcel. Therefore,
20 staff recommends Ms. Arons be granted status as a
21 party due to her legal rights, duties, and
22 privileges that may be specifically affected by
23 the decision in this matter, and rendering her
24 additional request for intervener status moot.

25 Thank you.

1 THE VICE CHAIR: Thank you, Attorney Bachman.

2 Is there a motion?

3 MR. LYNCH: I approve the motion for party status.

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

5 Is there a second?

6 MS. HALL: I'll second.

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

8 We have a motion by Mr. Lynch to approve
9 Cynthia Arons' request for party status, and we
10 have a second by Ms. Hall. We'll now move to
11 discussion.

12 Mr. Golembiewski, any discussion?

13 MR. GOLEMBIEWSKI: I have no discussion. Thank you.

14 THE VICE CHAIR: Thank you.

15 Mr. Nguyen?

16 MR. NGUYEN: No discussion.

17 THE VICE CHAIR: Thank you.

18 Mr. Carter?

19 MR. CARTER: No discussion. Thank you.

20 THE VICE CHAIR: Thank you.

21 Ms. Hall?

22 MS. HALL: No discussion. Thank you.

23 THE VICE CHAIR: Thank you.

24 Dr. Williams?

25 DR. WILLIAMS: No discussion.

1 THE VICE CHAIR: Thank you.

2 Mr. Lynch?

3 MR. LYNCH: I have no discussion.

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

5 We'll now move to the vote.

6 Mr. Golembiewski, how do you vote?

7 MR. GOLEMBIEWSKI: I vote to approve party status.

8 Thank you.

9 THE VICE CHAIR: Thank you.

10 Mr. Nguyen?

11 MR. NGUYEN: Vote to approve.

12 THE VICE CHAIR: Thank you.

13 Mr. Carter?

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

15 THE VICE CHAIR: Thank you.

16 Ms. Hall?

17 MS. HALL: Vote to approve party status. Thank you.

18 THE VICE CHAIR: Thank you.

19 Dr. Williams?

20 DR. WILLIAMS: Vote to approve.

21 THE VICE CHAIR: Thank you.

22 Mr. Lynch?

23 MR. LYNCH: Vote to approve party status.

24 THE VICE CHAIR: Thank you. And I also vote to approve
25 for party status. We have seven for approval.

1 The motion passes. The request for Cynthia Arons'
2 request for party status is approved. Moving on
3 to administrative notices taken by the Council.

4 I call your attention to these items on the
5 hearing program marked as Roman numerals 1C, items
6 1 through 92. Does any party or intervener have
7 an objection to the items that the Council has
8 administratively noticed?

9 Good afternoon, Attorney Schaefer or Attorney
10 Baldwin.

11 ATTORNEY BALDWIN: Good afternoon, Vice Chair
12 Morissette. Kenneth Baldwin on behalf of the
13 Applicant, the Towers, LLC.

14 We have no objection.

15 THE VICE CHAIR: Thank you, Attorney Baldwin.

16 Attorney Barall, good afternoon.

17 ATTORNEY BARALL: Good afternoon.

18 With regard to the sign being posted, my
19 understanding is that it was posted on the 3rd of
20 September, and I believe it would have required to
21 be done by the 1st, ten days prior to the hearing.

22 So, I just want to say that.

23 THE VICE CHAIR: Well, your opportunity to
24 cross-examine the Applicant will be later in the
25 hearing today.

1 ATTORNEY BARALL: And with regard to notice to the
2 abutting landowners? Or --

3 THE VICE CHAIR: Yes, the same thing applies. We are
4 specifically talking about the administrative
5 notices listed on the hearing program --

6 ATTORNEY BARALL: Okay.

7 THE VICE CHAIR: -- marked as Roman numeral 1C, items 1
8 through 92.

9 ATTORNEY BARALL: Okay. Thank you.

10 I have nothing further to add.

11 THE VICE CHAIR: No objection?

12 ATTORNEY BARALL: No objection.

13 THE VICE CHAIR: Thank you.

14 Cynthia Arons, do you have any objection?

15 CYNTHIA ARONS: No objections.

16 THE VICE CHAIR: Very good. Thank you.

17 Accordingly, the Council hereby
18 administratively notices these existing documents.

19 Will the Applicant present its witness panel
20 for the purposes of taking the oath? We will have
21 Attorney Bachman administer the oath.

22 Attorney Baldwin?

23 ATTORNEY BALDWIN: (Inaudible.)

24 THE VICE CHAIR: Attorney Baldwin?

25 ATTORNEY BALDWIN: Maybe I should learn how to unmute

1 my phone, Mr. Morissette. I apologize. I'll
2 start over.

3 THE VICE CHAIR: Very good. I'm sure it was good.

4 ATTORNEY BALDWIN: I'm not sure I can repeat it. I'll
5 try. Our witness panel consists of the following
6 members. To my far right is Kip DiVito.

7 Mr. DiVito is a radiofrequency engineer with
8 Verizon Wireless, responsible for this facility.

9 To my immediate right is a change. It's Tim
10 Parks, who you know from other proceedings. He's
11 a senior engineer with the real estate and
12 regulatory division of Verizon Wireless.

13 To my immediate left is Brian Paul with the
14 Towers, LLC, and Vertical Bridge. To Mr. Paul's
15 left is Dean Gustafson, the Director of
16 Environmental Services, a senior wetland scientist
17 and professional soil scientist with All-Points
18 Technology.

19 Next is Rick Landino, the Senior Design
20 Analyst with All-Points Technology. And at the
21 far end of the table is Jason Margelot, a project
22 engineer with Airosmith Development, the project
23 engineers for this project.

24 I offer them to be sworn at this time.

25 THE VICE CHAIR: Thank you, Attorney Baldwin, and good

1 afternoon, panel.

2 Attorney Bachman, please administer the oath.

3 ATTORNEY BALDWIN: Thank you, Vice Chair Morissette.

4 Could the Witnesses please raise your right
5 hand?

6 K I P D I V I T O,

7 T I M P A R K S,

8 B R I A N P A U L,

9 M A T T H E W G U S T A F S O N,

10 R I C K L A N D I N O,

11 J A S O N M A R G E L O T,

12 called as witnesses, being sworn by

13 THE EXECUTIVE DIRECTOR, were examined and

14 testified under oath as follows:

15
16 ATTORNEY BACHMAN: Thank you.

17 THE VICE CHAIR: Thank you, Attorney Bachman.

18 Please begin by verifying all the exhibits by
19 the appropriate sworn witnesses, Attorney Baldwin.

20 ATTORNEY BALDWIN: Thank you, Vice Chair Morissette.

21 We will verify the exhibits as a panel, as we
22 typically do. Those exhibits are listed in the
23 hearing program under Roman two, section B, items
24 one through five, including the application and
25 bulk-file exhibits.

1 The affidavit of publication, which was filed
2 in the Norwich Bulletin on May 9th -- I'm sorry,
3 the affidavit was dated May 9th; the wetland and
4 vernal pool assessment report, which is dated June
5 9th; our responses to the Siting Council's
6 interrogatories, set one, dated August 13, 2025;
7 and the sign posting affidavit that is dated
8 September 4, 2025. And I would ask my Witnesses
9 to respond to the following questions.

10 Did you prepare or assist in the preparation
11 of the exhibits listed in the hearing program
12 under Roman 2B, items one through five?

13 Mr. DiVito?

14 THE WITNESS (DiVito): Yes.

15 ATTORNEY BALDWIN: Mr. Parks?

16 THE WITNESS (Parks): Yes.

17 ATTORNEY BALDWIN: Mr. Paul?

18 THE WITNESS (Paul): Yes.

19 ATTORNEY BALDWIN: Mr. Gustafson?

20 THE WITNESS (Gustafson): Yes.

21 ATTORNEY BALDWIN: Mr. Landino?

22 THE WITNESS (Landino): Yes.

23 ATTORNEY BALDWIN: Mr. Margelot?

24 THE WITNESS (Margelot): Yes.

25 ATTORNEY BALDWIN: Do you have any corrections,

1 modifications, or clarifications to offer to any
2 of the information contained in those exhibits at
3 this time? Mr. DiVito?

4 THE WITNESS (DiVito): Yes, one correction to the
5 interrogatories. Page 14, the response to
6 question number 29, the last sentence there. It
7 reads, Cellco's existing Franklin North facility
8 is located -- it should read, located 3.7 miles
9 northeast of the proposed Lebanon 2 facility.

10 ATTORNEY BALDWIN: Thank you.

11 Mr. Parks?

12 THE WITNESS (Parks): No, I do not.

13 ATTORNEY BALDWIN: Mr. Paul?

14 THE WITNESS (Paul): None.

15 ATTORNEY BALDWIN: Mr. Gustafson?

16 THE WITNESS (Gustafson): No.

17 ATTORNEY BALDWIN: Mr. Landino?

18 THE WITNESS (Landino): No.

19 ATTORNEY BALDWIN: Mr. Margelot?

20 THE WITNESS (Margelot): No.

21 ATTORNEY BALDWIN: And is the information contained in
22 those exhibits, as modified and clarified, true
23 and accurate to the best of your knowledge?

24 Mr. DiVito?

25 THE WITNESS (DiVito): Yes.

1 ATTORNEY BALDWIN: Mr. Parks?

2 THE WITNESS (Parks): Yes.

3 ATTORNEY BALDWIN: Mr. Paul?

4 THE WITNESS (Paul): Yes.

5 ATTORNEY BALDWIN: Mr. Gustafson?

6 THE WITNESS (Gustafson): Yes.

7 ATTORNEY BALDWIN: Mr. Landino?

8 THE WITNESS (Landino): Yes.

9 ATTORNEY BALDWIN: Mr. Margelot?

10 THE WITNESS (Margelot): Yes.

11 ATTORNEY BALDWIN: And do you adopt the information
12 contained in those exhibits as your testimony in
13 this proceeding? Mr. DiVito?

14 THE WITNESS (DiVito): Yes.

15 ATTORNEY BALDWIN: Mr. Parks?

16 THE WITNESS (Parks): Yes.

17 ATTORNEY BALDWIN: Mr. Paul?

18 THE WITNESS (Paul): Yes.

19 ATTORNEY BALDWIN: Mr. Gustafson?

20 THE WITNESS (Gustafson): Yes.

21 ATTORNEY BALDWIN: Mr. Landino?

22 THE WITNESS (Landino): Yes.

23 ATTORNEY BALDWIN: Mr. Margelot?

24 THE WITNESS (Margelot): Yes.

25 ATTORNEY BALDWIN: Vice Chair Morissette, I offer them

1 as full exhibits.

2 THE VICE CHAIR: Thank you, Attorney Baldwin.

3 The exhibits are hereby admitted. We'll now
4 begin with cross-examination of the Applicant by
5 the Council, starting with Mr. Mercier, followed
6 by Mr. Golembiewski.

7 Mr. Mercier, good afternoon.

8 MR. MERCIER: Good afternoon. Thank you.

9 I'm going to begin this afternoon by
10 reviewing the interrogatory responses that were
11 filed by the Council, the questions and the
12 responses.

13 We'll actually proceed right off the bat to
14 interrogatory response number 16, and that had to
15 do with the amount of disturbance at the site,
16 52,902 square feet. Given that --

17 THE VICE CHAIR: Excuse me, Mr. Mercier?

18 MR. MERCIER: -- would the Towers require, or would the
19 Towers have to file for a general permit for
20 stormwater.

21 THE VICE CHAIR: Excuse me, Mr. Mercier. We're having
22 a hard time hearing you.

23 Mr. Mercier?

24 MR. MERCIER: (No response.)

25 THE VICE CHAIR: Mr. Mercier, are you there?

1 MR. MERCIER: (No response.)

2 THE VICE CHAIR: It seems that we've lost Mr. Mercier.
3 Attorney Bachman?

4 THE WITNESS (Margelot): Vice Chair Morissette, I just
5 happen to have a copy of Mr. Mercier's hearing
6 questions right here on my screen. So, I'll just
7 take over until he can get back online.

8 THE VICE CHAIR: Very good, thank you.

9 ATTORNEY BACHMAN: I believe he was referring to the
10 response to interrogatory number 16. Can you
11 please estimate the total area of disturbance
12 required to develop the site, including but not
13 limited to the access utility easements and
14 wetland restoration and enhancement areas?

15 Given that the total limit of disturbance is
16 52,902 square feet, would a DEEP stormwater permit
17 be required to develop the site?

18 THE WITNESS (Margelot): This is Jason Margelot.

19 If it is over an acre, that is correct. I
20 may need to look back, because if you go to
21 question 18, the 2D area square feet for the
22 cut-and-fill report actually has it at 36,000.

23 So, I'm going to reach -- take that as
24 homework and confirm the actual square footage.

25 ATTORNEY BACHMAN: I just want to confirm when we refer

1 to site, that means all access utility easements
2 and the lease area. It's at full square footage
3 of disturbance, as opposed to just the equipment
4 compound or leasing?

5 ATTORNEY BALDWIN: Attorney Bachman, if we could just
6 take that to confirm that the 52,000 square-foot
7 number is correct, we'll clarify that and get back
8 to you on that if we could.

9 ATTORNEY BACHMAN: Thank you, Attorney Baldwin.

10 Moving on, referencing interrogatory response
11 number 31. The centerline height of 145 feet at
12 the proposed tower location is the minimum. Can
13 coverage objectives be met by installing antennas
14 at a lower height, and identify the lowest
15 possible antenna height and how it may affect
16 coverage and/or capacity relief within the service
17 area?

18 THE WITNESS (DiVito): This is Kip DiVito with Verizon
19 Wireless.

20 145 feet is the minimum that we can install
21 our antennas to meet our coverage needs. If we go
22 lower than 145 feet, we will lose coverage to the
23 west. We'll be diminishing coverage we're trying
24 to get to Route 207 to the west of our proposed
25 site, specifically at the, you know, intersection

1 of 207 and Route 32.

2 ATTORNEY BACHMAN: Just following up on that, you know,
3 north of the area of green coverage on the edge of
4 the footprint, would you need a new site in the
5 north direction whether the antennas were located
6 at 135 or 145 feet?

7 THE WITNESS (DiVito): This is Kip DiVito with Verizon
8 Wireless.

9 To fill that north area, I guess, on Route 87
10 you would need another site.

11 ATTORNEY BACHMAN: Thank you.

12 And on interrogatory response number 28 the
13 700 megahertz frequency has the largest coverage
14 footprint. How important are the other
15 frequencies for this particular site? Is it
16 anticipated they would carry a lot of customer
17 traffic? And would lowering the tower height by
18 10 feet adversely impact their performance?

19 THE WITNESS (DiVito): This is Kip DiVito with Verizon
20 Wireless.

21 So, 700 megahertz does have the largest
22 footprint. The other licenses that we have are
23 for capacity relief. They have inherent
24 characteristics that are driven by customer
25 demand. So, the higher the frequency passes data

1 more reliably, more reliably than 700 megahertz.
2 And so, therefore the performance is better on the
3 higher frequencies.

4 However, due to the characteristics of the
5 shorter wavelength, the -- the signal tends to
6 attenuate more than 700 megahertz does. So, it
7 would definitely adversely affect the performance
8 of those frequencies if we were to lower the
9 centerline.

10 ATTORNEY BACHMAN: Thank you.

11 I believe Mr. Mercier may be back with audio,
12 but in the meantime we're going to refer to
13 interrogatory response number 34.

14 Mr. Mercier, are you there?

15 MR. MERCIER: Yes. I apologize. Can everyone hear me?

16 THE VICE CHAIR: Yes, we can hear you well. Thank you.

17 MR. MERCIER: Yes, for response number 34, this is the
18 table of coverage from the site.

19 Do the quantities in the table only represent
20 new coverage provided by the tower? Or does it
21 include areas that have overlapping coverage from
22 adjacent sites?

23 THE WITNESS (DiVito): This is Kip DiVito with Verizon
24 Wireless.

25 This is the proposed site only. I read the

1 question as proposed facilities and corresponding
2 proposed services along these routes.

3 MR. MERCIER: Okay. Just to clarify, so that would
4 include some areas that overlap with other sites
5 just due to topography, or the way the signal
6 carries. Correct?

7 THE WITNESS (DiVito): This is Kip DiVito again.

8 Yes, that would be correct. This was I -- I
9 made a coverage map of the proposed site alone,
10 not taking into consideration the -- the other
11 site, existing sites. So this, these numbers are
12 proposed site alone.

13 It might be overlapping with other sites'
14 existing coverage.

15 MR. MERCIER: Correct, and that that's necessary for,
16 you know, proper handoff and capacities.

17 Is that correct?

18 THE WITNESS (DiVito): This is Kip DiVito again.

19 Yes, it is.

20 MR. MERCIER: Moving to interrogatory 36, down in the
21 second paragraph it mentions the Haddam South
22 facility, a proposed Haddam South facility. I
23 assume this is a typo.

24 Should it be the Lebanon 2 facility?

25 THE WITNESS (DiVito): This is Kip DiVito with Verizon

1 Wireless.

2 Yes. Yeah, that's correct. It's a typo.

3 MR. MERCIER: Thank you. Moving down to interrogatory
4 response number 53, this was a remote field review
5 of the condition as part of that question. And I
6 am just going to go through a few photos and ask a
7 few questions about these.

8 And I guess I'll begin with photo two, which
9 carries over to photo three, and then photo four,
10 and it shows the stone lines. You know, it
11 appears to be an old road of some sort. And just
12 to clarify, for the stone walls in this picture,
13 in these two -- three pictures, the wall to the
14 left, which is the north side of the farm lane,
15 I'll call it, that entire wall will be removed.

16 Is that correct?

17 THE WITNESS (Margelot): This is Jason Margelot.

18 You would need to remove the first 400 feet,
19 remove or relocate the first 400 feet.

20 MR. MERCIER: Is it possible to use the existing lane
21 as it is now for the access to the tower? Or do
22 you need to remove the stone wall?

23 I'm not sure about the width of this
24 particular farm lane, but if you could please
25 expand on that?

1 THE WITNESS (Margelot): So, this is Jason Margelot.

2 As you first enter the stone wall, it's
3 approximately 17 feet wide, and it tapers down to
4 approximately 13 feet as you go down with a
5 12-foot-wide access road, and the need in some
6 locations for swales and such.

7 So, it probably wouldn't all need to be
8 removed and to just portion it off. You probably
9 wouldn't need to remove it in the very, very
10 beginning, but to portion it off would just be
11 tricky. So, it would make sense to -- to remove
12 or adjust.

13 MR. MERCIER: Looking at the photo log that was
14 previous to these three questions, you know,
15 there's -- the designation is one, two, three,
16 four, five, et cetera.

17 In what areas does it narrow down to about
18 13? Is that photo five or six?

19 THE WITNESS (Margelot): I'd say it's -- it
20 continuously narrows as it goes. I mean, within
21 your first hundred feet it kind of dives in
22 probably two feet, and then it just kind of
23 continuously narrows.

24 I mean, it's -- it's an old farm wall, so
25 it's -- it's not straight in. It's random.

1 MR. MERCIER: Okay. Thank you.

2 Going back to photos three and four, with the
3 trees lining in the right side of the lane, you
4 know, there's a stone wall beyond there. Would
5 the trees on the right side before the stone wall
6 have to be removed for the access road?

7 THE WITNESS (Margelot): Yes. So, there would be 70
8 trees that needed to be removed in that portion of
9 the access road.

10 MR. MERCIER: I'm sorry. Can you repeat that quantity?

11 THE WITNESS (Margelot): Seventy.

12 CYNTHIA ARONS: Seventy?

13 THE WITNESS (Margelot): Correct.

14 MR. MERCIER: Thank you.

15 THE VICE CHAIR: Please don't interrupt while the
16 Applicant is being cross-examined.

17 MR. MERCIER: Has the host parcel owner requested that
18 the demolished wall be removed from the property
19 or reconstructed, or disposed of elsewhere on the
20 property?

21 THE WITNESS (Margelot): This is Jason Margelot.

22 I don't believe the landlord has been --

23 ATTORNEY BALDWIN: Your voice up, please?

24 THE WITNESS (Margelot): I don't believe the landlord
25 has been -- has discussed as of yet.

1 MR. MERCIER: Okay. Thank you.

2 I'm going to move on to photo number seven,
3 and this photo, according to the photo log at the
4 top corner of the photograph, that shows it in the
5 wetland area, the road going through the wetland
6 area, the existing road.

7 Is this in the area where there's an existing
8 15-inch corrugated metal pipe under the existing
9 road?

10 THE WITNESS (Gustafson): Dean Gustafson from
11 All-Points.

12 Yes, they're just about -- probably about 10
13 to 15 feet to the east of that low photo location
14 is where the existing culvert is -- is positioned.

15 MR. MERCIER: Was there any analysis of the pipe
16 regarding its condition, you know, its age? Was
17 there any, you know, rust/corrosion, things of
18 that nature?

19 THE WITNESS (Gustafson): Again, Dean Gustafson.

20 So, from -- certainly, I'm not a civil or
21 structural engineer, but we did survey that
22 location of the culvert. It seems to be in decent
23 condition. It's conveying flows from the south
24 side of the wetland crossing to the north side,
25 and seems to be functioning properly.

1 During construction and improvements of the
2 access road, the culvert will remain in place and
3 be protected.

4 MR. MERCIER: For protection, how is that accomplished?

5 THE WITNESS (Gustafson): There will be an on-site
6 analysis by the civil construction contractor.

7 So, one potential method for protecting the
8 culvert, if there is a need to, is to cover it
9 with either a steel plate or some type of swamp
10 mat, construction mat.

11 MR. MERCIER: Okay. So, those techniques, would that
12 be sufficient to support a crane that might be
13 used to construct the tower if it was approved?

14 THE WITNESS (Gustafson): Yeah, a steel plate would
15 certainly protect the culvert.

16 MR. MERCIER: Now, looking at photo seven again, how
17 much expansion do you need on either side of the
18 existing road? Is it a few feet, or you have to
19 add another 10 feet? How would construction occur
20 through this particular spot?

21 THE WITNESS (Gustafson): Dean Gustafson from
22 All-Points. I can begin the response.

23 So, the existing travelway farm road crossing
24 is -- is about ten to upwards of twelve feet wide,
25 with very minimal shoulders on either side.

1 So, the existing kind of matrix of that
2 crossing will be enhanced with additional gravel
3 material to provide a structurally sound
4 travelway, and appropriate erosion sedimentation
5 controls will be installed on either side through
6 that area before any earthwork begins to protect
7 the adjacent wetland areas.

8 MR. MERCIER: And what would the width of the road here
9 be with -- including the, you know, side slopes?

10 Is that 12 feet or 15?

11 THE WITNESS (Margelot): This is Jason Margelot.

12 It would be twelve feet.

13 MR. MERCIER: Can you repeat that please?

14 THE WITNESS (Margelot): It would be twelve feet.

15 MR. MERCIER: Thank you.

16 I'm going to move to photograph 12b, and this
17 shows the area of tower development. It looks
18 like a treed area.

19 For this particular location was there any
20 geotechnical work performed in this general area
21 to determine, you know, there the depth of
22 bedrock, whether there's chipping involved, or
23 blasting, or anything of that nature? Or is that
24 going to be performed at a later date?

25 THE WITNESS (Paul): This is Brian Paul with The

1 Towers.

2 We'll perform that work upon the Council's
3 approval of the site.

4 MR. MERCIER: If -- if the tower is approved, when
5 would that be performed? Prior to the development
6 management plan?

7 THE WITNESS (Paul): Yes, typically -- sorry, Brian
8 Paul again.

9 Yes, typically we would do that in the first
10 45 to 60 days after the approval.

11 MR. MERCIER: And what kind of equipment would be
12 necessary out there?

13 THE WITNESS (Paul): Brian Paul again.

14 This is a small-track rig that operates, you
15 know, by one, basically by one person, no -- no
16 larger than the size of a pickup truck.

17 MR. MERCIER: Would tree removal be required just to do
18 the geotechnical work?

19 THE WITNESS (Paul): Again, Brian Paul.

20 We do not plan on removing any trees to do
21 the geotechnical work. We typically run into
22 situations, and depending on the season that the
23 work is done, where we have to cut back brush or
24 trim back brush to be able to get the access where
25 we need it.

1 MR. MERCIER: Given the general area of the site in
2 this area of Lebanon, do you anticipate shallow
3 bedrock? Or are these going to be more like deep
4 soils? Or do you have no idea?

5 THE WITNESS (Gustafson): Dean Gustafson from
6 All-Points.

7 Based on our wetland investigation and
8 investigation of site soils, the site consists of
9 glacial till deposits. In this part of Lebanon,
10 there can be areas of shallow till, which would be
11 less than eight feet deep, and we would anticipate
12 probably a matrix of shallow to deep till across
13 this site, and potentially encumbering the
14 proposed tower facility location.

15 MR. MERCIER: Okay. Thank you.

16 I'm going to stay with their field review and
17 actually go back to the photo log up in the
18 beginning of the doc, field review document. It
19 shows, you know, photos one through eleven. It
20 actually shows the site.

21 Now, looking at the host parcel itself, it
22 shows, let's call it the northern field up near
23 the top of the picture. Then you have the middle
24 field and then you have the southern field, and
25 the tower is going to be located, you know, in the

1 treeline by the -- between the middle field and
2 southern field.

3 Is it possible to relocate this tower up into
4 the treeline near the northern field and middle
5 field? Basically, it's like 250 feet or so north.

6 THE WITNESS (DiVito): This is Kip DiVito with Verizon
7 Wireless.

8 From an RF perspective, 250 feet north would
9 most likely not have a significant impact on
10 customer performance and coverage impact in the
11 area that we're trying to accomplish there.

12 THE WITNESS (Paul): This is Brian Paul from The
13 Towers.

14 Moving the tower to a different location
15 approximately 250 feet from its proposed current
16 location is something we would have to address
17 with the landowner.

18 In addition, my understanding is that the
19 elevation in that area, you would lose about 20
20 feet of ground elevation, therefore making the
21 tower height necessary to be increased up to
22 approximately 170 feet.

23 MR. MERCIER: Was the elevation in that area surveyed?

24 THE WITNESS (Margelot): This is Jason Margelot with
25 Airosmith.

1 No, that portion was not surveyed because it
2 wasn't part of the -- the scope of work.

3 ATTORNEY BALDWIN: What are you looking at?

4 THE WITNESS (Landino): (Unintelligible.)

5 ATTORNEY BALDWIN: Speak to it.

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

7 I pulled the elevation off of a Google Earth
8 aerial. They have LiDAR data with their contours.
9 I can see it from my cursor.

10 MR. MERCIER: But it is still possible maybe even to
11 move it slightly to the west to maintain that
12 contour line. It doesn't necessarily have to go
13 down the slope, but along the flat area of the
14 field.

15 THE WITNESS (Paul): Again, Brian Paul --

16 MR. MERCIER: To maintain the contour. Right? Is that
17 correct? Yeah?

18 THE WITNESS (Paul): Again, Brian Paul.

19 It's something we would have to discuss with
20 the landlord. It's certainly not -- not out of
21 the question if -- if the terrain allows it.

22 MR. MERCIER: Were any other locations on this parcel
23 considered before the final location was
24 determined by The Towers and the landlord?

25 THE WITNESS (Gustafson): Dean Gustafson from

1 All-Points.

2 One area that was considered early on was on
3 the west side of that middle field that you were
4 referencing earlier. That area was determined not
5 to be a suitable location for a couple of
6 different reasons; number one, it placed it closer
7 to the wetland and vernal pool system to the west;
8 but also, it resulted in a higher visibility from
9 the Lebanon Historic District to the northwest.

10 So, that's what drove the currently proposed
11 location.

12 MR. MERCIER: Wouldn't the tower still be over a mile
13 away from the historic district even if it was in
14 that particular location?

15 THE WITNESS (Gustafson): Dean Gustafson from
16 All-Points.

17 Yes, that that's -- that's correct. It just
18 has a better view line towards the district. So,
19 as part of our analysis, if we wanted to make sure
20 to try to minimize to the greatest degree possible
21 any type of visibility from the historic terrain.

22 MR. MERCIER: Okay. Thank you.

23 I'm going to refer to the application
24 visibility assessment that was attachment nine,
25 and I'm going to go to photograph number ten.

1 On photograph ten, I'm looking at the
2 photograph with the balloon. There's two photos
3 included for that location with the arrow. Was
4 this particular picture taken in front of 1012
5 Trumbull Highway?

6 THE WITNESS (Landino): Rick Landino. Just give me one
7 second.

8 Rick Landino, All-Points Tech.

9 Yes, it was taken in front of that property.

10 MR. MERCIER: And over to the far right of this
11 photograph, beyond there's a little log pile and
12 you see some such -- evergreens in the distance.

13 Is that actually the host parcel over on the
14 far right?

15 THE WITNESS (Landino): Yes, I believe it is.

16 MR. MERCIER: And for this picture to the left, off the
17 photograph, but is there a residence?

18 THE WITNESS (Landino): Yes. (Unintelligible) --

19 MR. MERCIER: Okay. Looking at the photo -- oh, go
20 ahead.

21 THE WITNESS (Landino): I would say yes -- or go ahead,
22 continue.

23 MR. MERCIER: Looking at the photo key up in the
24 upper-left corner where it says ten, you know, we
25 have the vantage point over basically towards the

1 host property owner.

2 THE WITNESS (Landino): Yeah?

3 MR. MERCIER: There's a swath of yellow that shows
4 year-round visibility just north of number ten.

5 THE WITNESS (Landino): Sure.

6 MR. MERCIER: Now, is the residence included in that
7 visibility area? That's year-round visibility I'm
8 talking about.

9 THE WITNESS (Landino): Yes, I can see. I can see what
10 you're talking about. It's the residence of 1012
11 Trumbull Highway is not included in that area of
12 yellow. That is further northwest. That big
13 visibility that you're talking about is a little
14 bit further northwest of that.

15 In that area year-round visibility does not
16 extend onto the road. It's all --

17 MR. MERCIER: Right. I'm just trying to determine if
18 the residence right to the left of this photograph
19 is -- right where it says number ten, would have
20 visibility.

21 Or is it the rear field in the back there?

22 THE WITNESS (Landino): It's the rear field, correct.
23 It's the rear field in the back behind that
24 residence that's -- that will experience most of
25 it, according to our analysis.

1 MR. MERCIER: And based on this photo fly, would that
2 area of visibility in the back field there, would
3 that be potentially a similar view? Or would it
4 extend higher or lower based on your --

5 THE WITNESS (Landino): I think as you move closer to
6 that treeline that you see, just the way the kind
7 of geometry works, the tower will get lower to the
8 treeline because you're -- because the treeline is
9 getting closer to you so that its foreshortening
10 will kind of kick in.

11 And the trees will -- the trees will eat up
12 some of that space so that it will get lower to
13 the treeline the closer you get to it.

14 MR. MERCIER: Okay. Looking at that small inset
15 photograph there with the yellow and orange, it
16 appears, again for number ten, that the yellow
17 kind of bends southward towards the road almost.

18 Is there a residence right there? And if so,
19 is that Number 1006 Trumbull Highway.

20 THE WITNESS (Landino): Are you talking that's going
21 further, like northwest up the road?

22 MR. MERCIER: No, right where it says number ten, it
23 shows a swath of yellow right above it.

24 THE WITNESS (Landino): Uh-huh?

25 MR. MERCIER: And if you follow it, it kind of curves a

1 little bit.

2 THE WITNESS (Landino): Yeah.

3 MR. MERCIER: And then it almost hits the road.

4 Is there another residence abutting this one
5 we were just talking about?

6 THE WITNESS (Landino): There is. There --

7 MR. MERCIER: 1006? Okay.

8 THE WITNESS (Landino): Yes, there's another residence.

9 Similar -- it will experience similar visibility.

10 MR. MERCIER: Would that residence be in the yellow
11 zone?

12 THE WITNESS (Landino): Portions of it potentially
13 could be, but similar to 1012 Trumbull Highway,
14 most of the visibility will be in the back.

15 MR. MERCIER: Would it be a similar view to this
16 particular photograph number ten? Or does the
17 terrain get higher in that direction, or lower?

18 I'm just trying to get a sense of how visible
19 above the treeline it would be for that particular
20 property.

21 THE WITNESS (Landino): You know, that as you move
22 further northwest, the -- the elevation drops
23 slightly. I think that it's safe to say it's
24 going to be comparable view to view ten.

25 MR. MERCIER: Okay. Thank you.

1 I'm going to move up to the photo log aerial
2 image at the beginning of this photo series. So,
3 you know, before question -- oh, excuse me.
4 Before photo one there's a photo log that has a
5 wide view of visibility from the area.

6 All right. We just talked about number ten
7 there. We just talked about that small area of
8 yellow visibility by those two residences. Now to
9 the area to the right of photo ten, I guess that's
10 kind of southeast. Can you describe the
11 visibility of the tower from the abutting property
12 to the south at 1038 Trumbull Highway?

13 You know, both near the residence, which
14 appears to be near the road, there's a couple of
15 streaks of year-round, and also to the back
16 there's a field to the south of the site; just
17 kind of characterize that.

18 THE WITNESS (Landino): Yeah. I think it, again it's
19 going to be similar to that view ten over there.
20 You can see we have a photo from in front of,
21 right in front of -- oh, I'm sorry. No, we don't.

22 Yeah, it's going to be similar to -- to that
23 view ten; some spotty year-round visibility,
24 mostly -- mostly seasonal.

25 MR. MERCIER: And how about the field to the rear of

1 that property? That's, you know, it's a large
2 yellow swath south of where it's says site.

3 THE WITNESS (Landino): Sure, you'll have -- you'll
4 have a mix of year-round and seasonal visibility.
5 And it's -- you can see it on the photo log map
6 what's happening back there. The trees back there
7 are, you know, 50 to -- 50, 60 feet along that,
8 that line. So, that will eat up some of the --
9 some of the depth.

10 I believe you have about 150 feet of mature
11 tree treeline, like, depth between the tower and
12 that property. That's the minimum.

13 MR. MERCIER: So, are you saying that the visibility
14 will be confined to the upper 30 feet? 20 feet?
15 10 feet? Or you don't have that information?

16 THE WITNESS (Landino): I actually do have that
17 information from that parcel.

18 Bear with me.

19 I'd say from -- from back there, I think
20 you're probably, like, 30 feet.

21 MR. MERCIER: And that would vary depending on how
22 close you were?

23 THE WITNESS (Landino): Yeah.

24 MR. MERCIER: You know, you could be near the northern
25 treeline, and then the southern it might vary

1 between. Is that correct?

2 THE WITNESS (Landino): It's as you get further --
3 that's the maximum as you get, like, further away
4 from, further away from the tower against the back
5 treeline. If you have year-round views, you're
6 probably looking at the top 30, maybe 40 feet of
7 that tower.

8 MR. MERCIER: Thank you. And how can you determine
9 that? Is that through the visibility tool, the
10 LiDAR application?

11 THE WITNESS (Landino): I --

12 MR. MERCIER: Can you pinpoint certain locations, or is
13 it more some other type of tool you're using?

14 THE WITNESS (Landino): It's a little bit more. I've
15 asked -- I asked some of our GIS team to do an
16 analysis of that area, so I had a feel for the
17 tree heights in that area ahead of time.

18 And so, based on the ground contours, the
19 tree heights and ground, you know, elevation of
20 tower, tower height, that's how you kind of come
21 up with a line of sight over.

22 MR. MERCIER: Okay. Thank you.

23 THE WITNESS (Landino): Sure.

24 MR. MERCIER: That was the abutting property at 1038 we
25 were just talking about. So, now I want to talk

1 about the next parcel, if we can. And you'll
2 see -- and we just talked about the field on that
3 1038.

4 And then there's, now the next parcel over is
5 1044 Trumbull Highway. It has a narrow strip of
6 visibility, you know, in the north and the east
7 and west of that visibility. It looks like a
8 shrubby kind of forest.

9 But right -- it appears that the visibility
10 is right on a residential structure.

11 Is that correct?

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

13 And this is -- we're talking about 1044?

14 MR. MERCIER: Yes, it's a narrow band of visibility.

15 THE WITNESS (Landino): Correct. Yeah, you're --

16 you're right on the money. I looked at that ahead
17 of time. What's happening over there, the reason
18 it looks like that is there's a pretty -- there's,
19 you know, good tree cover between this property
20 and the tower. At its -- it's a minimum of, like,
21 350 feet of -- of mature trees.

22 In that spot where -- and actually, the
23 average height of those trees I think are around
24 62 feet with your highest being 83, maybe your
25 lowest, like, 46. In that area where there's that

1 yellow, there's a dip in the height of the trees.
2 It goes down, I think, probably to about 46. And
3 that's why just in that one location you'll get
4 views through that little opening.

5 MR. MERCIER: Is that where the residence is?

6 THE WITNESS (Landino): Correct.

7 MR. MERCIER: Now, earlier we talked about potentially,
8 you know, moving the tower. I brought the, you
9 know, asked the question if you can move it 250
10 feet north or so. Would that reduce visibility in
11 that location?

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

13 It is certainly possible it would reduce
14 visibility in that location. It's also worth
15 noting, though, you're going to create, you know,
16 it's a whack-a-mole. You know? It's like you
17 could create visibility somewhere else, too. So,
18 it's hard to -- hard to say.

19 But yeah, for that isolated spot I think it
20 would certainly change as long as we're not, you
21 know, going up in elevation or anything like that.
22 I can't see why it wouldn't change.

23 MR. MERCIER: Did you do any type of in-depth analysis
24 like you did at the previous parcel? I think the
25 previous property parcel you said maybe 40 feet or

1 30 feet may be visible depending on where you
2 were. How about this particular location we're
3 talking about at one --

4 THE WITNESS (Landino): (Unintelligible) --

5 MR. MERCIER: Go ahead. Yeah?

6 THE WITNESS (Landino): Yes, I -- Rick Landino with
7 All-Points Tech.

8 Yes, we did do the same thing and that's how
9 I was able to tell you that's going to -- there's
10 like a 40 -- there's that gap right there, because
11 I looked at it, too.

12 MR. MERCIER: I apologize. Did you have the height?

13 THE WITNESS (Landino): What? I'm sorry. What was --
14 maybe I missed it. The?

15 MR. MERCIER: I was wondering if in that particular
16 location at 1044 where the little narrow
17 visibility is on the residence, do you have any
18 idea how much above the treeline it would be
19 visible?

20 THE WITNESS (Landino): Oh, I'm sorry. I missed that.

21 Yes. Yes, I do. Only possibly, like, just
22 the antennas will be visible, the top ten feet or
23 so.

24 MR. MERCIER: Okay. Thank you.

25 I'm going to move on to a a different topic

1 that has to do with the other compound area. It's
2 just a general question here. In the event there
3 was, you know, some type of malfunction at one of
4 the equipment cabinets or a wiring problem that
5 led to an emergency, you know, a small electrical
6 fire, how could power be turned off to de-energize
7 the facility?

8 THE WITNESS (Paul): This is Brian Paul with The
9 Towers.

10 There's a main disconnect of all the
11 electricity outside the compound by a manual
12 disconnect switch.

13 MR. MERCIER: Now, is that a locked thing? Or if fire
14 personnel showed up, would they know where it is?

15 THE WITNESS (Paul): Yes, every main disconnect
16 designed in this fashion has the same manual
17 shutoff.

18 MR. MERCIER: Okay. Is that the main fire safety and
19 management system for the site? Or are there
20 other types of safety features?

21 THE WITNESS (Paul): Brian Paul again.

22 Within the Verizon equipment there are alarms
23 for overheating. There are alarms for abnormal
24 equipment operation within the -- the cabinets
25 notifying Verizon of their malfunction there.

1 As far as anything on the tower itself, there
2 are not.

3 MR. MERCIER: Thank you.

4 Just going back to the discussion we had as I
5 had brought up maybe relocating the site
6 northward, would any type of relocation, would
7 that reduce or increase the disturbance to
8 farmland soil?

9 I'm not sure what the extent of farmland soil
10 is on the entire parcel, but that area over the --
11 between the middle field and the northern field,
12 is that considered prime farmland also?

13 THE WITNESS (Gustafson): Dean Gustafson from
14 All-Points.

15 So, moving the tower facility to that
16 location, as you discussed, would slightly
17 increase disturbance to prime farmland soils. It
18 wouldn't be a significant increase over what's
19 currently estimated, about a half acre. So, maybe
20 it would add a tenth or two-tenths of an acre to
21 that disturbance.

22 MR. MERCIER: Thank you.

23 Would that impede their haying operation?
24 I'm not sure if they're still using the parcel for
25 hayng, but would there be any kind of a

1 disruption to that --

2 THE WITNESS (Gustafson): Again, Dean Gustafson --

3 MR. MERCIER: -- agricultural activity.

4 THE WITNESS (Gustafson): Yeah. Again, Dean Gustafson
5 from All-Points.

6 So, what I would envision for the access to
7 an alternate location in that position is it would
8 fall along the north side of that middle hayfield.
9 So, it would not significantly disrupt haying
10 operations on all three of those fields.

11 MR. MERCIER: Okay. Thank you.

12 Gustafson, while you're here I have a couple
13 questions on the wetland and vernal pool
14 assessment. And -- let's see. I guess, the
15 second page -- excuse me, the second paragraph of
16 the document mentions, you know, different types
17 of vegetation, red maple, red oak, eastern white
18 pine, multiflora rose, wineberry.

19 Are some of those considered invasive
20 species? And if so, how prevalent are they?

21 THE WITNESS (Gustafson): Dean Gustafson from
22 All-Points.

23 Some of those species are invasive in that
24 list, particularly multiflora which is an invasive
25 shrub species, and Asiatic bittersweet which is an

1 invasive vine species. Within the upland habitats
2 of -- of the site, particularly along the field
3 margins, they are fairly prevalent and dominate
4 the understory of those areas.

5 MR. MERCIER: Thank you.

6 Just to clarify, I'm referring to the wetland
7 and vernal pool assessment report that was
8 submitted to the Council on June 9th that's on our
9 website.

10 On page 2 it stated that at the top, a
11 continuation of page 1, it lists the wood frog and
12 spotted salamander as occurring within the vernal
13 pool. Are either of these species on the Natural
14 Diversity Data Base?

15 THE WITNESS (Gustafson): Dean Gustafson from
16 All-Points.

17 No, those are not state-listed species.
18 Those are relatively common species to vernal pool
19 habitats and are pervasive throughout Connecticut
20 and Lebanon for vernal pool breeding habitats.

21 MR. MERCIER: At the bottom of page 2 there's a table
22 there that quantifies the amount of disturbance to
23 the wetlands from the project, and it says
24 permanent 940 square feet wetland impact.

25 Does that figure actually include the

1 existing access road, the farm road through the
2 wetland? Or is this an additional 940 square feet
3 in addition to resurfacing the existing road?

4 THE WITNESS (Gustafson): Dean Gustafson from
5 All-Points.

6 Those calculations do not include the
7 existing farm road which is not a regulated
8 wetland resource area. It's -- it contains
9 sufficient historic fill material for the farm
10 road crossing, as it therefore does not meet the
11 definition or classification as a wetland
12 resource.

13 So, that calculation is -- is in addition to
14 whatever historic wetland impacts occurred as part
15 of the farm road development.

16 MR. MERCIER: Okay. Thank you.

17 Does the existing farm road, the one there
18 now, does that act as a barrier to wood frog or
19 spotted salamander dispersal?

20 THE WITNESS (Gustafson): Dean Gustafson.

21 No, it's, you know, it's a fairly narrow
22 crossing and even with the proposed improvements
23 it wouldn't result in any existing or proposed
24 future impediments to crossing by spotted wood --
25 well, spotted salamander or wood frog.

1 MR. MERCIER: Are the slides -- the side slopes of the
2 proposed access road, does that have -- lined with
3 riprap, or is that just kind of like a soil slope?

4 THE WITNESS (Gustafson): Dean Gustafson.

5 Those would be loamed and seeded with a
6 native conservation seed mix.

7 MR. MERCIER: Now given there's the existing 15-inch
8 pipe under the road, the existing road that is, do
9 amphibians, or for this matter, the spotted
10 salamander or wood frog, would they use that?

11 Or do they just kind of cross over the road
12 most likely?

13 THE WITNESS (Gustafson): Dean Gustafson from
14 All-Points.

15 So, any -- any migratory herpetofauna
16 including spotted salamander and wood frog
17 would -- would most likely, you know, travel over
18 the existing road surface. That, you know, it
19 doesn't preclude them from going -- entering the
20 culvert, but typically, you know, we wouldn't
21 expect to see a lot of amphibia moving through a
22 culvert of that size.

23 MR. MERCIER: Thank you.

24 I just had a question regarding the US Fish
25 and Wildlife Service, the determination, and I

1 believe that was attachment ten. I just had a
2 general question given that there was a
3 tri-colored bat that could potentially occur in
4 the area of the site.

5 Could post-construction bat conservation
6 measures be implemented such as, you know,
7 installation of a post-mounted or tower-mounted
8 bat box, or something of that nature to enhance
9 habitat at the site? Is that considered?

10 THE WITNESS (Gustafson): Dean Gustafson --

11 MR. MERCIER: You know, a bat box?

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

14 So, we have not considered any conservation
15 measures for -- for bats. Typically, in sites
16 that we do or where areas of extensive forested
17 habitat are being removed that could potentially
18 support rare bat species habitat, and in context
19 with that if we were -- received a consultation
20 from NDDB through a review request that identified
21 any state-listed bat species of concern, those
22 conditions are where we would consider
23 conservation measures.

24 But there is going to be -- the proposed
25 facility results in a fairly minor amount of tree

1 removal activities, and there's a significant
2 remaining upland forested habitat that is
3 pervasive throughout good portions of the site,
4 the central portion of the site and the kind of
5 far eastern end of the site.

6 So, we don't feel that there will be any
7 significant adverse effect to habitat used by bat
8 species, and therefore conservation measures
9 weren't considered.

10 MR. MERCIER: Okay. Thank you.

11 I had a question regarding application
12 attachment 14 that was the far-field RF emissions.
13 There's a chart on the first page and there's a
14 dark green banner at the bottom that states
15 something and has a value with it, but it's not
16 legible. So, if someone could please clarify as
17 to what value is presented there?

18 THE WITNESS (DiVito): This is Kip DiVito with Verizon
19 Wireless.

20 The value there is 5.2 percent of the total
21 max permissible percentage.

22 MR. MERCIER: Thank you.

23 And for a tower of this nature when it's
24 constructed and finalized, you know, are signs put
25 up like warning signs and contact signs on the

1 fence?

2 THE WITNESS (Paul): This is Brian Paul.

3 Yes, signs are posted at every tower location
4 with our national operations center phone number
5 there so folks can notify us of anything that they
6 want to notify us.

7 MR. MERCIER: Thank you.

8 I have no other questions. Thank you.

9 THE VICE CHAIR: Thank you Mr. Mercier.

10 We will now continue with cross-examination
11 of the Applicant by Mr. Golembiewski followed by
12 Mr. Nguyen.

13 Mr. Golembiewski?

14 MR. GOLEMBIEWSKI: Thank you Vice Chair Morissette.

15 My first question is in regards to, I guess,
16 coordination or contact with the Town of Lebanon.
17 Could you detail what you did? How you tried, you
18 know, what your attempts to contact them were,
19 whether it was in writing, phone calls, e-mails?

20 And then could you tell me what their
21 response, if any, was?

22 THE WITNESS (Paul): This is Brian Paul.

23 This application was sent to the Town prior
24 to submittal to the Siting Council, so they were
25 notified at that time as well. Other than that,

1 we're not aware of any specific back and forth
2 with the Town regarding this, the site.

3 ATTORNEY BALDWIN: Mr. Golembiewski, just for the
4 record purposes, the technical report that
5 Mr. Paul is referring to is the bulk-file exhibit.
6 It's dated January 24, 2025, when the initial
7 submission was made to the Town of Lebanon.

8 MR. GOLEMBIEWSKI: Okay. Thank you.

9 So, after that submittal there was no effort
10 or no interaction at all with the first selectman
11 or any commissions in town?

12 THE WITNESS (Paul): No -- sorry. This is Brian again.

13 I'm not aware of any interaction with the
14 Town other than a request to review other sites in
15 the area, but those went un-responded to.

16 MR. GOLEMBIEWSKI: Okay. Is that common to just do the
17 bulk filing, and I guess you just respond if the
18 Town makes an inquiry or responds?

19 THE WITNESS (Paul): Brian Paul again.

20 Yes, that's true. That's correct.

21 MR. GOLEMBIEWSKI: Okay. So, you got no direction at
22 all from the Town in regards to town-owned
23 parcels? There was no interest, no information
24 sent to you at all?

25 THE WITNESS (Paul): That's correct.

1 This is Brian Paul with Vertical Bridge.

2 That's correct. There's nothing from the
3 Town indicating town property should be
4 considered.

5 MR. GOLEMBIEWSKI: Okay. All right. So, now I'm going
6 to go to, I guess, the followup to Mr. Mercier's,
7 some of his questions on the wetlands in the
8 vernal pool.

9 Based on my reading of the interrogatories,
10 the proposed wetland mitigation areas, those would
11 be included in the, I guess, lease agreement, or
12 at least in the agreement that you would have
13 control over them for the purposes of conducting
14 the mitigation as depicted in the application?

15 THE WITNESS (Paul): This is Brian Paul again.

16 Yes, anything within the easement boundary
17 would be controlled by The Towers.

18 MR. GOLEMBIEWSKI: Okay. So currently, as I see it,
19 these areas are not in the easement, but if this
20 application were approved they would be added, or
21 the easement area would be expanded to include
22 these?

23 THE WITNESS (Paul): Brian Paul again.

24 I don't believe we're going to consider
25 those. We did?

1 ATTORNEY BALDWIN: Yeah, we did. We did.

2 THE WITNESS (Paul): Yeah, I apologize. Yeah, we did
3 include the additional areas noted with
4 interrogatory question number six in that, what
5 we're considering part of the site.

6 MR. GOLEMBIEWSKI: Okay. So, those would be under your
7 control upon -- let's just say as a condition of
8 this authorization, those would ultimately be
9 included in the -- so, let's say, the project site
10 so that you could do the work and that it could be
11 monitored appropriately to make sure it was
12 successful?

13 THE WITNESS (Paul): Brian Paul again.

14 Yes, you're correct.

15 MR. GOLEMBIEWSKI: Okay. Great. I had a question --
16 also based on what I can tell, the utilities will
17 be coming from the main road along the, I guess if
18 you want to call it the east or the -- to the
19 right of the access road as it's shown.

20 Is that correct?

21 THE WITNESS (Margelot): This is Jason Margelot.

22 It's actually going to be Pole 3012, which
23 would be to the north of the access road entrance.

24 MR. GOLEMBIEWSKI: Okay. So, it's going to be -- so,
25 it's above ground, so it's coming from a pole on

1 Route 87. And then as it enters the site, are you
2 picking it up from the residential area?

3 THE WITNESS (Margelot): No, typically with these
4 designs we'll do -- we'll go underground directly
5 from the pole.

6 MR. GOLEMBIEWSKI: Okay. So, you're going underground.
7 And so, I guess if I look at the plans Z-4, it
8 looks like there's just a compound plan. It looks
9 like I see underground utilities coming up on
10 the -- I guess it's the southeast side of it.

11 So, it's going to come up from the road
12 underground all the way up the access road.

13 THE WITNESS (Margelot): This is Jason Margelot.

14 Correct. When these designs were originally
15 made, we have not yet discussed anything with the
16 utility company. So, this depiction is -- is an
17 assumption based off of the closest utility pole.

18 MR. GOLEMBIEWSKI: Okay. Is that added into your
19 impact area? Because, you know, my understanding
20 looking at cross sections, which I don't see one
21 in here that includes utilities, usually it's an
22 additional, like, ten-foot-wide area.

23 So, through that wetland area and with the
24 stone wall there it -- I guess my question is,
25 does the impacts that you're showing include the

1 utility width, or added utility width?

2 THE WITNESS (Margelot): This is Jason Margelot.

3 Yes, within assumptions of -- of not having
4 the full design.

5 MR. GOLEMBIEWSKI: Okay.

6 Would it reduce the impacts at all if the
7 utilities were under the access road?

8 THE WITNESS (Paul): This is Brian Paul.

9 No, the utilities could go under the access
10 road. It does create a little bit of a
11 maintenance issue for us down the road when snow
12 plowing and such, but not something we can't
13 overcome.

14 MR. GOLEMBIEWSKI: What about the culvert? Does that
15 complicate it, that the utilities would have to go
16 under the culvert or over the culvert? Or?

17 THE WITNESS (Gustafson): Dean Gustafson.

18 Based on our experience working on similar
19 projects, you know, this is a fairly small culvert
20 and they could certainly open up pits to either
21 side to construct it and install it within the
22 center of the proposed access road, and then jack
23 it underneath the culvert without disturbing it.

24 MR. GOLEMBIEWSKI: Okay. And then, Mr. Gustafson, you
25 already mentioned that the final road profile

1 would not adversely impact any type of migration
2 from south to north across the road. Because if I
3 look at the profile, there might be an added two
4 feet. Is that approximately -- is that about
5 correct?

6 THE WITNESS (Gustafson): That is correct. We wouldn't
7 expect any adverse impact to migratory
8 herpetofauna across the new proposed access road.
9 That's in combination with the ongoing operation
10 of the facility which requires, you know, very
11 infrequent travel, maybe once a month, once every
12 six weeks.

13 So, when you combine those factors, we don't
14 see this as an impediment to any type of
15 herpetofauna migration.

16 MR. GOLEMBIEWSKI: Okay. And as far as, like,
17 stormwater, there are no swales proposed on either
18 side of the road through the wetland crossing?

19 THE WITNESS (Margelot): This is Jason Margelot.

20 No, there's not.

21 MR. GOLEMBIEWSKI: Okay. All right. Great. Thank
22 you. Thank you, panel.

23 Thank you, Vice Chair. I'm all set.

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

25 We'll now continue with cross-examination by

1 Mr. Carter, followed by Ms. Hall.

2 Mr. Carter?

3 MR. CARTER: Good afternoon, Mr. Vice Chair.

4 I'd like to appreciate staff and my fellow
5 Councilmembers for their robust questioning. I
6 don't have any further questions. Thank you.

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

8 We'll now continue cross-examination by Ms.
9 Hall, followed by Dr. Williams.

10 Ms. Hall?

11 MS. HALL: Just a point of clarification.

12 There was a reference to 70 trees needing to
13 be cleared. Is that only along the side of the
14 proposed road, or does that include the space
15 where the facility will be built? And if it's
16 moved, does that change that number?

17 THE WITNESS (Margelot): So, it would be 86 total
18 trees. It would be 70 along that access road.

19 MS. HALL: Okay. So, that's --

20 THE WITNESS (Margelot): And then that would really --
21 oh, my apologies. It would really be dependent on
22 the proposed location, because you would need to
23 potentially remove trees to get to the other --
24 look at that other field.

25 So, there may be a reduction, but it wouldn't

1 be a large reduction.

2 MS. HALL: And these trees, they look to be pretty
3 fairly mature. Do you have an estimation of age?

4 THE WITNESS (Margelot): They were typically, I mean,
5 there was two maples that were approximately 30
6 inches in diameter, but the bulk of the trees down
7 the access road were between 12 to 16 inches in
8 diameter.

9 MS. HALL: And so -- I'm not a scientist. Twelve to 16
10 inches might be how old?

11 THE WITNESS (Gustafson): Dean Gustafson from
12 All-Points.

13 So, there are -- there are a number of
14 factors that come into play on average tree growth
15 rates; environmental conditions, soil conditions,
16 weather, hydrology conditions. So, it becomes
17 challenging to estimate, but a general range of
18 tree age for that, the trees that are to be
19 removed could be anywhere from 40 to 80-plus
20 years.

21 MS. HALL: Okay. Thank you.

22 THE WITNESS (Gustafson): You're welcome.

23 MS. HALL: Thank you. I have no further questions.

24 Thank you.

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

1 I think it's a good time to take a break. I
2 think we will recess until 3:35, and then we will
3 continue with cross-examination by Dr. Williams
4 and then Mr. Lynch, and then myself.

5 So, thank you, everyone. We'll see you at
6 3:35.

7
8 (Pause: 3:23 p.m. to 3:35 p.m.)
9

10 THE VICE CHAIR: Thank you, everyone.

11 Is the Court Reporter back with us?

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

13 THE VICE CHAIR: Very good. Thank you.

14 We'll now continue with cross-examination by
15 Dr. Williams followed by Mr. Lynch.

16 Dr. Williams?

17 DR. WILLIAMS: Hello. Thank you.

18 I guess my question is probably for
19 Mr. Gustafson. If you could describe the wetland
20 system that's off property to the southeast of
21 where the access road goes through the wetlands?

22 I can see it's an open-water system, it looks
23 like. I was just wondering if you could describe
24 that system.

25 THE WITNESS (Gustafson): (Inaudible.)

1 THE VICE CHAIR: Mr. Gustafson?

2 DR. WILLIAMS: Oh, I think he must be muted.

3 There you go.

4 ATTORNEY BALDWIN: My apologies.

5 THE WITNESS (Gustafson): All right. Dean Gustafson
6 from All-Points.

7 So, we weren't -- we didn't have physical
8 access to the adjacent parcel, but we were able to
9 view it from the property, the southern property
10 line. And that wetland system does extend onto
11 the adjacent parcel to the south and connects to
12 what appears to be a farm pond open-water feature.

13 DR. WILLIAMS: So, it's more of a farm pond, not
14 necessarily a vernal pool?

15 THE WITNESS (Gustafson): That's correct. We -- I
16 mean, obviously we didn't -- we weren't able to
17 physically investigate it.

18 DR. WILLIAMS: Right.

19 THE WITNESS (Gustafson): But based on the open-water
20 characteristics, it wouldn't probably meet the
21 definition of a vernal pool feature.

22 DR. WILLIAMS: Okay. Despite that, it's still a
23 wetland system. So, could you just briefly
24 describe any -- I mean, I see silt fence on both
25 sides. Is that -- during construction will that

1 afford protection of that farm pond from
2 construction activities and once construction is
3 over?

4 THE WITNESS (Gustafson): So, the -- sure. Dean
5 Gustafson from All-Points.

6 That wetland system off property to the south
7 does drain to the north. So it, you know, what
8 we're proposing for improving the access road
9 would have no effect on that off-site wetland
10 system.

11 DR. WILLIAMS: Curious it drains to the north. Okay.
12 Appreciate that. Thank you.

13 THE WITNESS (Gustafson): You're welcome.

14 DR. WILLIAMS: And that's all I have.

15 THE VICE CHAIR: Very good. Thank you, Dr. Williams.

16 We'll now continue cross-examination by
17 Mr. Lynch followed by myself.

18 Mr. Lynch?

19 MR. LYNCH: Excuse me, Mr. Morissette. I'm losing my
20 voice here.

21 Can I go back to Brian G's cross-examination
22 about the utilities? I'm looking at your
23 diagrams, Z-3 -- '2 or '3, and I can't figure out
24 where the utilities are. Above ground? Below
25 ground? Could you guide me through this?

1 THE WITNESS (Margelot): This is Jason Margelot with
2 Airosmith.

3 If you go to Z-2?

4 MR. LYNCH: Hold on just a second. I've got to get
5 there.

6 THE WITNESS (Margelot): No worries.

7 MR. LYNCH: All right. I'm here. Z-2?

8 THE WITNESS (Margelot): Correct. And do you see where
9 the Trumbull Highway callout is? There is an
10 existing utility pole called out.

11 MR. LYNCH: Yeah, that's where I'm confused.

12 Okay. Go ahead.

13 THE WITNESS (Margelot): That would be the -- the pole
14 for Eversource that we would be utilizing.

15 MR. LYNCH: Okay. And then?

16 THE WITNESS (Margelot): And then it would go
17 underground, follow the right-of-way along the
18 road, and then into the access utility easement.

19 MR. LYNCH: All right. And where does it enter the
20 leased area? That, I'm confused too.

21 I think one of your other sites has it coming
22 in from the side.

23 ATTORNEY BALDWIN: So, Mr. Lynch, could I just get some
24 clarification? When you say, the leased area, are
25 you talking about the facility compound itself?

1 MR. LYNCH: Oh, yes. Yes.

2 ATTORNEY BALDWIN: Thank you.

3 THE WITNESS (Margelot): So, it would stay in the
4 right-of-way along the road until you hit the
5 utility easement. Then it would travel down the
6 utility easement into the compound.

7 MR. LYNCH: Yeah. Okay. I think I have it now. Z-2
8 is what confused me a little bit. Thank you for
9 that.

10 As far as the stone wall is concerned, you
11 said you would go back to the owner and see what
12 his request would be. Wouldn't you think he'd
13 want the stone wall replaced?

14 THE WITNESS (Paul): This is Brian Paul.

15 We'll have to determine that with him. I --
16 I don't know what his wishes are on that.

17 MR. LYNCH: You haven't asked him about the stone wall?

18 Out in this area, I know stone walls are very
19 important to the landowner. So, I would think
20 he'd want it replaced.

21 THE WITNESS (Paul): Again, Brian Paul.

22 We -- we can confirm that and certainly cover
23 that as part of the D and M.

24 MR. LYNCH: All right. Thank you.

25 Now, this is for Verizon. Your network is

1 primarily now voice or data delivery?

2 THE WITNESS (DiVito): This is Kip DiVito with Verizon
3 Wireless.

4 It's both.

5 MR. LYNCH: Which would be the higher percentage? I'm
6 assuming out here in the countryside here that
7 voice would be very popular or very important, but
8 in the cities and stuff I know data is just as
9 important.

10 THE WITNESS (DiVito): This is Kip DiVito again.

11 You know, I would say that that's a fair
12 assumption. And since this site, since we are
13 proposing it as a coverage site, the voice here
14 is -- is more important.

15 MR. LYNCH: All right. Now, I listened to the Chairman
16 of the FCC and he says that they're going to have
17 more auctions coming up.

18 My first question is, one, would Verizon
19 participate in these auctions? And two, would the
20 auctions be for higher or lower frequencies?

21 THE WITNESS (DiVito): This is Kip DiVito with Verizon
22 Wireless.

23 I mean, I -- I don't -- I don't know. I
24 don't -- I'm not -- I don't get to hear those kind
25 of decisions at my level, so.

1 MR. LYNCH: Okay. That's fair to say.

2 Mr. Morissette, I'm all set for questions.

3 THE VICE CHAIR: Thank you, Mr. Lynch.

4 A couple quick questions that I'd like to get
5 on the record concerning the emergency generator,
6 the diesel emergency generator. The fuel tank, is
7 that going to be double-walled for the secondary
8 containment?

9 THE WITNESS (Paul): Tim Parks from Verizon.

10 Yes, it will be.

11 THE VICE CHAIR: Thank you.

12 Is there also -- somebody testified about
13 alarms. Is there also a low-level fuel alarm
14 associated with it?

15 THE WITNESS (Paul): Yes, there is.

16 Tim Parks from Verizon. My apologies.

17 THE VICE CHAIR: Great, thank you.

18 Okay. I'd like to go to overall site plan
19 Z-2, and also from the interrogatory number 53,
20 the photo log. And my question is relating to the
21 nearest resident of 778 feet. There seems to be a
22 discrepancy between the two.

23 So Z-2 has it almost in line with the
24 proposed compound, where the photo log has it more
25 towards the southwest. So, I take it the photo

1 log is more accurate than the drawing?

2 ATTORNEY BALDWIN: Mr. Morissette, just for
3 clarification, the photo log you're speaking of is
4 in the --

5 A VOICE: Field review.

6 ATTORNEY BALDWIN: -- response to the last
7 interrogatory --

8 THE VICE CHAIR: Yes.

9 ATTORNEY BALDWIN: -- field review?

10 THE VICE CHAIR: Yeah.

11 ATTORNEY BALDWIN: And you're comparing that to sheet
12 Z-2?

13 THE VICE CHAIR: Correct.

14 THE WITNESS (Landino): I'll -- I'll speak to that.

15 This is Rick Landino, All-Points Tech.

16 I suspect the -- the Z -- was it Z-2?

17 A VOICE: Z, dash, two. Correct.

18 THE WITNESS (Landino): The Z-2 drawing is more
19 accurate.

20 Sometimes when you overlay CAD files on an
21 aerial, there might be a little bit of a shift
22 that occurs. That's my guess. So, I'm -- I'm
23 guessing that the CAD stuff is a little tighter.

24 THE VICE CHAIR: Oh, I was thinking it would be the
25 reverse. Well, that's okay.

1 All right. So, the resident, 778 feet is in
2 direct line with the site?

3 ATTORNEY BALDWIN: We've got a little time to confirm
4 that, Mr. Morissette. So, why don't we take that
5 as a homework assignment before the next hearing
6 and just make sure we can coordinate that, those
7 two drawings and the proximity to that residence.

8 THE VICE CHAIR: Very good. That sounds like a great
9 idea.

10 Okay. Now I'm going to go to the 12B in the
11 photo log -- I think it's the photo log. Yeah,
12 12B. Now I take it that you are going into the
13 wood edge to help with the visibility at the
14 lower, lower levels of the site. Is that correct?

15 So, in other words, help with the natural
16 screening?

17 THE WITNESS (Landino): This is Rick Landino,
18 All-Points Tech.

19 You're referring to the fact that the
20 compound is kind of, like, in the field review you
21 can see it's -- it's in the woods --

22 THE VICE CHAIR: Yeah.

23 THE WITNESS (Landino): -- rather than in the field?

24 THE VICE CHAIR: Exactly.

25 THE WITNESS (Landino): This, the woods around the

1 compound will screen more or less the bottom
2 portion of the facility.

3 THE VICE CHAIR: Okay. Is that partially why you chose
4 that, chose the site location?

5 THE WITNESS (Landino): Yes. Yes, it is.

6 THE VICE CHAIR: Okay. All right. Now I'd like to go
7 to question 42 where you talk about -- was it 42,
8 or 47? You talk about the monopine.

9 And earlier today I heard that -- and maybe I
10 misunderstood, is that the top of the whole, the
11 facility will be viewed -- will be 30 to 40 feet
12 above the treeline, and in this response you're
13 indicating 60 to 90 feet.

14 So, maybe I misunderstood your response
15 earlier.

16 THE WITNESS (Landino): Sure.

17 THE VICE CHAIR: If you could clarify that I would
18 appreciate it.

19 THE WITNESS (Landino): I see that. This is Rick
20 Landino with All-Points Tech.

21 Probably what is being referred to is the
22 tree heights around the facility itself are
23 probably around whatever we -- let me look and see
24 what we said in there.

25 ATTORNEY BALDWIN: Sixty to 90.

1 THE WITNESS (Landino): Thank you.

2 Yeah, 60 to 90 feet at the facility. So,
3 above here, your trees surrounding the area, you
4 would be looking at an additional 60 feet or -- 60
5 feet more of facility, if that makes sense.

6 Here we're talking about the trees at the --
7 at the facility. Is that --

8 THE VICE CHAIR: Okay. And the 30 to 40 feet you
9 referred to earlier was if you were stepping back
10 away from the facility and looking at it from a
11 distance?

12 THE WITNESS (Landino): Sometimes in different areas
13 you get the benefit of screening that's closer to
14 your viewing point. So, you could imagine I'm --
15 I'm here looking at you with my laptop in front of
16 me. If this laptop was further that way I would
17 see -- I would see more above as I move it, as I
18 move it back. It's that kind of thing.

19 So, as you move it closer, you know, you --
20 it gets -- it appears to be taller.

21 THE VICE CHAIR: Okay. So, given that the views are
22 lessened further back, could you talk a little bit
23 more about in reference to the monopole?

24 THE WITNESS (Landino): Sure. Sure, if you look in
25 the --

1 THE VICE CHAIR: Monopine, excuse me, not monopine.

2 THE WITNESS (Landino): Sure, yeah.

3 THE VICE CHAIR: Monopine.

4 THE WITNESS (Landino): If you look through the
5 visibility analysis, there's views with varying
6 degrees of height above your buffer. Some views
7 might be 50 or 60 feet of tower above your initial
8 buffer. Some might be less, so much so, even if
9 it's made -- it may not be -- in some cases we may
10 not be talking about the trees right at the site.
11 We may be talking about the buffer from wherever
12 you happen to be viewing it from.

13 In a lot of these views, there is 50 feet or
14 more of tower above, but what is also happening is
15 that you're in an area where it's a lot of
16 deciduous trees and you're going to have a
17 monopine, I think at the end of the day you're
18 drawing more attention to the facility with a
19 monopine than you are with, you know, a standard
20 pole.

21 THE VICE CHAIR: So, you don't think it will work here?

22 THE WITNESS (Landino): I do not. I -- I think it's
23 going to draw more -- it would draw more attention
24 to the facility, personally.

25 THE VICE CHAIR: Well, the surrounding area is pretty,

1 pretty flat as well. So, I imagine the viewshed
2 is quite large. Is that correct?

3 THE WITNESS (Landino): The viewshed is two miles.

4 Yeah, it's -- there are varying degrees of, you
5 know, topography happening, but you could -- you
6 could see through the views where it -- where it's
7 visible and where it's not. And some of -- some
8 of the views are quite a ways above the treeline.

9 THE VICE CHAIR: Okay. All right. Well, thank you for
10 that. I appreciate your responses. That helps.

11 That concludes my questioning for this
12 afternoon. We will now continue with
13 cross-examination of the Applicant by the
14 Intervenors, Gregory and Natalie Roy.

15 Attorney Barall? Attorney Beh-rell
16 [phonetic], am I pronouncing your name correctly,
17 by the way?

18 ATTORNEY BARALL: It's Bah-rall [phonetic].

19 THE VICE CHAIR: Barall, thank you. Attorney Barall?

20 ATTORNEY BARALL: I do have some cross-examination for
21 the witness panel.

22 THE VICE CHAIR: Thank you. Please proceed.

23 ATTORNEY BARALL: One question I have is, prior to this
24 site location on that, on the host property, had
25 there been another site that had been identified?

1 THE WITNESS (Paul): Yeah, this is Brian Paul.

2 With on -- within the existing property,
3 there were other locations discussed with the
4 landlord, yes.

5 ATTORNEY BARALL: Okay. Do you know -- if you look to
6 the exhibit, the attachment to the application,
7 the redacted option and lease agreement, Exhibit
8 2, which is the description of the premises being
9 leased, it has -- it depicts the site location,
10 which doesn't seem to match the description on the
11 overall site plan, which is why I asked that
12 question.

13 THE WITNESS (Paul): Again, Brian Paul with Vertical
14 Bridge.

15 Yeah, at the time the lease is done, at the
16 time that that agreement was signed it was early
17 on in the process, I believe. What took place
18 after that in preparation for, not only this
19 hearing, but ensuring that the site was in the
20 best location to suit, not only the needs of
21 Verizon, but as well as the desires of the
22 landlord, the site was -- was moved after that
23 agreement was signed.

24 So, it could be amended -- should be amended,
25 quite frankly, to show the exact location and is

1 again depicted in every other document, I believe,
2 that we've submitted as the proper location. So,
3 the document that you're referring to, the lease
4 exhibit there does contain what was decided on by
5 the property owner well in advance of any work we
6 did to determine the exact site location.

7 I think the other thing -- Brian Paul again.
8 I think the other thing that's important to note
9 is, it was mentioned earlier about moving the
10 location of the tower, you know, up to 250 feet to
11 the northwest, I guess we'll call it. And we're
12 certainly open to exploring some of those areas as
13 well.

14 We -- we don't have any objection to moving
15 the -- the location to accommodate, I guess we'll
16 call it a better tree buffer.

17 ATTORNEY BARALL: And do you think that will have an
18 impact on the visibility for the Roys at 1044
19 Trumbull Highway?

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

21 I do think it would change that, the
22 visibility for the Roys, and it would be less if
23 you move it further away.

24 THE WITNESS (Paul): Brian Paul again.

25 We talked earlier about the fact that the

1 Roys would probably only see the top 10 feet of
2 the tower due to the lack of maturity of a certain
3 row of trees, keeping in mind that those trees
4 over time will continue to grow -- right? And
5 that that view will be less and less over time.

6 ATTORNEY BARALL: You agree it would take years? I
7 mean, those trees have probably been there for 20,
8 30 years already -- 20 or 30 years already, and
9 they're at this, you know, the height they are.

10 So, we're talking it could be another 20
11 years before it would, you know, have a
12 considerable impact, I guess, on their visibility.
13 Would you agree?

14 THE WITNESS (Paul): Yeah. Brian Paul here.

15 Yes, I certainly agree with that statement,
16 yeah.

17 ATTORNEY BARALL: The question I have is, on the visual
18 assessment, which is attachment 9, on page 1, the
19 last sentence in the last line of the middle
20 paragraph, it says, the nearest residential
21 structure to the site is located on the host
22 property approximately 925 feet to the south. But
23 when you look at the overall site plan, obviously
24 it's the Roy's property, which is, like, 778 feet
25 away from the site.

1 Do you know where that information came from,
2 the 925 feet?

3 THE WITNESS (Landino): Rick Landino.

4 Yeah, it does appear to be the case that that
5 is a mistake.

6 ATTORNEY BARALL: That's why I asked the question of
7 whether there had been another site originally and
8 I thought maybe -- first, I thought maybe the
9 photos that were taken with the balloon might have
10 been from that other site, but if I go through all
11 the photos (unintelligible) --

12 THE WITNESS (Landino): Well --

13 ATTORNEY BARALL: -- height, but --

14 THE WITNESS (Landino): I can tell you that the -- the
15 photos in the -- in the visual analysis are of the
16 tower in that, in that location.

17 ATTORNEY BARALL: Yes, I came to that conclusion.

18 Also, there's a letter that All-Points wrote
19 to -- it is attachment twelve. It's written to
20 The Towers, the Applicant, and it discusses the
21 need that you have to send in all your information
22 to the State Historic Preservation Office. And my
23 understanding -- I've contacted them -- is that
24 they've never received anything.

25 Did you submit the required information?

1 THE WITNESS (Gustafson): Dean Gustafson from
2 All-Points.

3 No, we -- that, that letter or that memo that
4 you're referencing, which is Applicant Exhibit 1,
5 attachment twelve, was an internal memorandum
6 describing what the typical area of potential
7 effect of a half mile is for evaluation of
8 historic properties and impacts the proposed tower
9 may have on those in accordance with the FCC's
10 policy.

11 And so, there has not been formal
12 consultation with the SHPO office.

13 ATTORNEY BARALL: And do you intend to do that?

14 THE WITNESS (Gustafson): Yes. Yeah, the Applicant
15 will proceed with formal consultation with SHPO.
16 Typically, that does not occur until after they
17 receive authorization and approval from the Siting
18 Council.

19 ATTORNEY BARALL: Removing the stone wall, would that
20 be something that they would be interested in or
21 investigate as part of their duty if it's a
22 historic resource?

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

25 So, if -- if there is some particular

1 historic significance to the stone wall that's
2 being removed, then certainly the SHPO office
3 would have some interest in those potential
4 effects.

5 ATTORNEY BARALL: And so, will you be -- will they be
6 contacted prior to you taking, you know, any
7 excavation or starting to build this tower?

8 THE WITNESS (Gustafson): Dean Gustafson from
9 All-Points.

10 Yes, there there will be no earthwork until
11 formal consultation is completed with the State
12 Historic Preservation Office.

13 ATTORNEY BARALL: Thank you.

14 As part of your investigation you did look at
15 other locations, as I take it, but did you ever
16 consider Prides Corner where there currently is a
17 facility?

18 Let me clarify. My understanding is, it's a
19 much smaller pole or, you know, it's not as tall,
20 but from what I can see, that's a huge piece of
21 property, 500 or a thousand acres, I believe. I
22 believe it's about the same elevation.

23 Did you ever consider possibly building off
24 that one?

25 THE WITNESS (DiVito): (Unintelligible.)

1 ATTORNEY BALDWIN: Yeah, to the extent you can.

2 THE WITNESS (DiVito): This is Kip DiVito with Verizon
3 Wireless.

4 To my knowledge, we would not turn -- we
5 would not tear down that small cell to build a
6 tower. And to the best of my knowledge, I don't
7 know if it was ever discussed with the landlord to
8 do such a thing either.

9 ATTORNEY BARALL: So, it's not your policy to do that,
10 to take one down and put up a bigger one?

11 That's not it?

12 THE WITNESS (DiVito): Kip DiVito, Verizon Wireless.
13 Correct.

14 ATTORNEY BARALL: So, on your interrogatory question
15 number 22 the question is, would the tower and
16 foundation be designed to accommodate an increase
17 in tower height? And the answer was that
18 typically you do design them so they can be
19 expanded to accommodate additional uses, if any
20 demonstrated.

21 THE WITNESS (DiVito): (Unintelligible) question. I'm
22 sorry. Was there a question?

23 ATTORNEY BARALL: Well, doesn't that contradict what
24 was just stated?

25 THE WITNESS (DiVito): This is Kip DiVito with Verizon

1 Wireless.

2 That's -- you're comparing a small cell with
3 a tower. Like, the small cells are typically
4 developed on utility poles. You're discussing
5 the -- the construction of a monopole tower there.
6 There you're apples and oranges.

7 And also, may I add? Since we're asking
8 about Prides Corner there, you could see how much
9 further it is to the, you know, I guess southwest.
10 So, if you're trying to cover roads like 207, it
11 makes it harder to move west-southwest.

12 ATTORNEY BARALL: Well, what is the coverage for the
13 Lebanon 2 facility?

14 THE WITNESS (DiVito): This is Kip DiVito with Verizon
15 Wireless.

16 So, if you refer to attachment six, the
17 coverage maps --

18 ATTORNEY BARALL: Uh-huh?

19 THE WITNESS (DiVito): -- you'll see that on page 1 and
20 page 2, just talking about the 700 megahertz
21 coverage footprint, you could see where we have
22 unreliable indoor and in-vehicle service.

23 And then if you flip to the -- the second
24 page, which is the proposed 700 megahertz, you'll
25 see how much more coverage we add to the main

1 routes there along Route 207, the intersection
2 of -- intersection of Route 207 and 32, and more
3 robust coverage to Route 87, which is where a lot
4 of our dropped calls come from.

5 ATTORNEY BARALL: Which direction on 207 and 32 were
6 you -- are you attempting to improve?

7 THE WITNESS (DiVito): So, if you follow -- so, if
8 you're looking at, I guess, let me say the
9 intersection of Route 87 -- so, again, I'm looking
10 at page 1 of the coverage map. So, if you're
11 looking at the intersection of Route 87 and 207
12 and then start traveling northeast, you'll see how
13 it goes from, you know, green and blue to no
14 color.

15 And then if you, you know, the road, 207
16 starts to bend down southeast towards the
17 intersection there with Route 32, that that loop
18 there is really poor coverage and we get a lot of
19 dropped calls along 207 down towards the
20 intersection there with Route 32. So that, that
21 whole area is mainly unserved with reliable
22 in-vehicle or in-building coverage.

23 ATTORNEY BARALL: Isn't -- that area, isn't it
24 currently served by the Franklin Tower?

25 THE WITNESS (DiVito): So, this is Kip DiVito with

1 Verizon Wireless.

2 You could look at, again, attachment six,
3 page 1, you'll see that it's not. There is a
4 short section there of 207 where Franklin, most
5 likely Franklin North, gets coverage in there.
6 But for the main part of that road you'll see that
7 it's unserved with reliable service.

8 ATTORNEY BARALL: Is that -- I mean, I assume it's
9 because does the road dip down? Does the
10 elevation drop significantly through that section?

11 THE WITNESS (DiVito): This is Kip DiVito with Verizon
12 Wireless.

13 So, there there's many factors. It's due to
14 terrain and just distance. We don't have a site
15 in there to take over as the serving sector. So,
16 just distance and terrain combined, the serving
17 cells cannot get there.

18 ATTORNEY BARALL: So, is it your testimony that with
19 this tower, that it will cover that area?

20 THE WITNESS (DiVito): This is Kip DiVito with Verizon
21 Wireless.

22 Yes, you can see on attachment six, page 2,
23 the 700 megahertz gets more reliable in-vehicle
24 and indoor service to our proposed area.

25 ATTORNEY BARALL: So, it's not a hundred percent

1 guaranteed. It's just, it might get better,
2 better reception is what you're saying, but you
3 can't guarantee?

4 **THE WITNESS (DiVito):** This is Kip DiVito with Verizon
5 Wireless.

6 What I'm -- that the coverage you see on page
7 2 is the coverage that will be delivered to those
8 areas.

9 **THE WITNESS (Paul):** This is Brian Paul with Vertical
10 Bridge again.

11 I just want to clarify the question number 22
12 in the interrogatories about the design of the
13 tower being extendable. That's -- that's speaking
14 strictly to this tower for future carrier use, not
15 specifically that the tower would be torn down and
16 a new one would be built. That's just a 20-foot
17 extension for other carriers to -- or
18 municipalities, in that case, to install
19 equipment.

20 **ATTORNEY BARALL:** Thank you.

21 I just have a question on 26. I just wanted
22 you to hopefully answer the question. Explain
23 what do you mean by Prides Corner facilities would
24 have capacity relief from operation of the
25 proposed site? And then I believe in your

1 response it says it's primarily a coverage site
2 actually for relief during the summer months to
3 Prides Corner. What does that mean?

4 THE WITNESS (DiVito): This is Kip DiVito with Verizon
5 Wireless.

6 The site that we're proposing, Lebanon 2, is
7 primarily a coverage proposed site. That's what
8 the coverage maps are for. During the summer
9 months we've seen an increase in traffic and in --
10 on that small cell there. So, it's just during
11 the summer months.

12 Obviously, people are going to the nursery
13 more often than they are in other months. So, it
14 was just I was trying to say that, you know,
15 during those months that small cell there will see
16 a relief in usage in some of the areas, but it's
17 not -- the Lebanon, the proposed site is not meant
18 to be a capacity site to mainly offload other
19 sites. It's meant to be a coverage site, however
20 there are some added benefits that other sites
21 will have for the proposed site.

22 ATTORNEY BARALL: Thank you.

23 And if you could just clarify what towers
24 will this facility overlap with other ones? What
25 other ones will overlap with this one?

1 THE WITNESS (DiVito): This is Kip DiVito with Verizon
2 Wireless.

3 So, there there's going to be -- so, you can
4 see Lebanon Center there that's southwest of our
5 proposed location. That gets a lot of dropped
6 calls in the area. It's extending too far.
7 Customers are, you know, driving on the road.
8 They're on sites that are further away. So, their
9 coverage is very weak. There's some sites that
10 even get in there from even further away.

11 So, mainly it's Lebanon Center, the Franklin,
12 Franklin North sites, the surrounding sites that
13 we depict in our, I would say, first-tier
14 neighbors will receive the most amount of benefit,
15 and that's just what happens when -- when you have
16 an area of poor coverage. You add in a site for a
17 wireless facility and you -- you would -- you
18 would tune or balance the sites around it to make
19 sure that the customers in that area are now
20 receiving service from the more reliable proposed
21 site here.

22 ATTORNEY BARALL: Thank you.

23 Is it typical that Verizon, or the tower is
24 the one who reaches out and initiates potential
25 leases on properties?

1 THE WITNESS (Paul): Yeah, this is Brian Paul.

2 Typically what would happen is Verizon
3 identifies the need for coverage or capacity in an
4 area; identifies what's called a search ring,
5 generally a half mile radius or so. They contact
6 any number of tower developers like ourselves to
7 determine whether or not a new site could be built
8 in that area.

9 And it's then our job to find a willing
10 landlord in the area where we could meet their
11 coverage or capacity objective.

12 ATTORNEY BARALL: Do you ever have anybody contact you,
13 like a homeowner or landowner?

14 THE WITNESS (Paul): Brian Paul again.

15 We do have -- occasionally folks will reach
16 out thinking that they have a great parcel for a
17 tower. It happens, yes.

18 ATTORNEY BARALL: Is it your first choice, though? Did
19 you go to the Town first to inquire of the Town
20 whether there's any possible sites?

21 THE WITNESS (Paul): Again, Brian Paul.

22 It depends on the -- the search ring area and
23 what the objective is, and what's in, what's
24 within that ring. Again, it should fall within
25 that half-mile radius. If there's no town

1 property there then we certainly can't reach out
2 to the Town, but oftentimes we do make the Town
3 our first order of priority as far as reaching out
4 if there is town property within that proposed
5 ring.

6 ATTORNEY BARALL: I believe there was two properties
7 listed on your, the list that you identified all
8 the properties for Lebanon. Is it unusual not to
9 hear back from the Town?

10 THE WITNESS (Paul): Again, Brian Paul.

11 It's -- it's not unusual to not hear back
12 from most folks, to be quite honest. I mean,
13 sending out a certified letter is a little bit --
14 I've described it like cold calling. Some people
15 answer. Some people simply hang up on you. Some
16 people do get back to you. It's -- it's a hit or
17 miss. Right?

18 We don't -- we don't know what we're going to
19 get back, which is why we sent -- in this case I
20 believe we sent over 30 certified letters. So, we
21 don't always know who's going to respond.

22 ATTORNEY BARALL: Right. And that's the only way
23 you've make contact is through a certified letter.
24 You don't make calls or go see town officials, or?

25 THE WITNESS (Paul): Again, Brian Paul.

1 It -- it depends on the -- the area. There
2 are times we do field visits. We'll go and canvas
3 the area, talk to folks and see what's available.
4 Sure, we'll get out in the field and put boots on
5 the ground.

6 ATTORNEY BARALL: And that was not done here -- right?

7 I assume since you sent all the letters.

8 THE WITNESS (Paul): I apologize. I missed the first
9 part of your question.

10 ATTORNEY BARALL: So, that -- you didn't have to do
11 that here. You just sent letters or you didn't do
12 it in this instance. You just sent letters?

13 THE WITNESS (Paul): Again, Brian Paul.

14 Here I -- I can't speak to exactly how many
15 folks were visited here, but my assumption based
16 on history and prior knowledge is that someone did
17 actually go in the field and potentially knock on
18 doors or drive around and visit properties.

19 ATTORNEY BARALL: In regards to the visual assessment,
20 I'm just curious why would you not have taken
21 photos of the abutting landowners to see what the
22 visibility would be from the site?

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

24 Are you -- you asked -- could you repeat that
25 question? I'm sorry.

1 ATTORNEY BARALL: I'm just wondering why, as part of
2 your all your pictures, you didn't include -- or
3 photos, you didn't include views from with the
4 balloon for all the abutting landowners?

5 THE WITNESS (Landino): So, when we survey we survey
6 from publicly accessible areas. That that's
7 the -- that's the nature of the -- the recon that
8 we do. We're not allowed to access private
9 property.

10 ATTORNEY BARALL: Right, but you're photographing from
11 the balloon. Correct? Down?

12 THE WITNESS (Landino): Oh, no. No, we were
13 photographing from the street.

14 ATTORNEY BARALL: In front of the property and --
15 right? So, a lot of these photos that were
16 included were from the roadway possibly in front
17 of the properties. Right?

18 THE WITNESS (Landino): Correct.

19 ATTORNEY BARALL: So, you could have done that with the
20 abutting landowners as well. Right?

21 THE WITNESS (Landino): I'm sorry. I don't follow.

22 ATTORNEY BARALL: Well, you seem to -- your answer
23 seemed to say that you didn't because you couldn't
24 go on those properties because it's private
25 property. But --

1 THE WITNESS (Landino): Okay.

2 ATTORNEY BARALL: But the photos you did take, you
3 stood on public roads in front of these
4 properties. Right? I mean, that's --

5 THE WITNESS (Landino): Yeah. I guess --

6 ATTORNEY BARALL: But you could have done that with the
7 abutting landowners as well. Right?

8 THE WITNESS (Landino): If there was an opportunity
9 to -- to coordinate with an abutting landowner
10 that wanted me to take pictures, I certainly would
11 do so.

12 But, you know, like I said, we just
13 photographed from -- from what we -- the way we
14 handle it, I guess, is we photograph from publicly
15 accessible roads. What we cannot cover with our
16 boots on the ground we try to do our best to cover
17 with the data that's provided to us in the form of
18 the viewshed analysis. That kind of gives us a
19 feel for where things are going to be visible and
20 where they're not going to be visible.

21 Where we cannot access with boots on the
22 ground we try to cover it that way. It's kind of
23 the best we could do.

24 ATTORNEY BARALL: And then there was a question asked
25 with regard to the photos that were attached to

1 the visual assessment with regard to the ones
2 taken from the town green area. And I just want
3 to make sure I understood that there will be
4 visibility from the green all year. Correct?

5 Even if sometimes it might be from different
6 areas from just some -- some spots you might not
7 be able to see it, but there is always going to be
8 at least one spot where you will always be able to
9 see the tower. Correct?

10 THE WITNESS (Landino): From the -- from the green?

11 ATTORNEY BARALL: Yes.

12 THE WITNESS (Landino): I'm sorry. This is Rick
13 Landino, All-Points Tech.

14 The green has some spotty visibility on it
15 that -- the green, you could see that it's
16 represented in photos two through -- oh, I'm
17 sorry. Two -- two through six. Two through four
18 are kind of your spot shots from the green with
19 views being, like, a mile and a half to a mile and
20 a quarter.

21 Similarly, there is an existing tower
22 southwest of the site about a mile and a half
23 away. It's Lebanon Center --

24 ATTORNEY BARALL: Uh-huh?

25 THE WITNESS (Landino): -- at Lyman Memorial High

1 School. That, that is similar. It has similar
2 views from the green. That one actually is -- has
3 more -- you can see it from more locations on the
4 green than this proposed tower.

5 ATTORNEY BARALL: Do you know if that is the same
6 height as this site, or is it a shorter view?

7 THE WITNESS (Landino): I -- I do not -- I'm not a
8 hundred percent on the height, but
9 (unintelligible) --

10 ATTORNEY BARALL: Are there any other 150-foot towers
11 that you put in, in Lebanon?

12 ATTORNEY BALDWIN: We can go back to that docket and
13 find out what height that Lebanon's center tower
14 was pretty quickly. If you just give us a second
15 we can do that for you.

16
17 (Pause.)

18
19 THE WITNESS (Paul): The -- this is Brian Paul.

20 The tower, the tower that's being referenced
21 is 150 feet. It also has an additional -- it
22 looks like municipal antennas at the top that
23 protrude another 20 feet or so, about 170 overall
24 feet.

25 ATTORNEY BARALL: And that's what? At the high school?

1 THE WITNESS (Paul): Yes, that's correct.

2 ATTORNEY BARALL: But if I'm reading this correctly,
3 photo two and photo three does confirm that there
4 will be visibility year-round from those, from
5 that site?

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

8 Yeah, photo two and photo three are from the
9 green area.

10 ATTORNEY BARALL: I just wanted to know what other
11 sites would be seen if they're trying anyone with
12 access to Route 32 (unintelligible) 207.

13 So, were any of the properties that were
14 identified along route 207?

15 ATTORNEY BALDWIN: Attorney Barall, can you clarify
16 which? Are you talking about alternative sites
17 that were considered in the site search summary?

18 ATTORNEY BARALL: Yes.

19 THE WITNESS (DiVito): This is Kip DiVito with Verizon
20 Wireless.

21 If you refer to the site search, the last
22 page gives a good visual analysis of what sites
23 were considered here. So, along 207 you see from
24 Route 87 down to Route 32 there were no parcels
25 that were in our search -- search, I guess,

1 history for -- for the site.

2 ATTORNEY BARALL: Was the town dump considered?

3 THE WITNESS (DiVito): Is that the public works
4 (unintelligible)?

5 ATTORNEY BALDWIN: Do you have an address for the town
6 dump?

7 NATALIE ROY: (Unintelligible) transfer station.

8 GREGORY ROY: It's the transfer station.

9 ATTORNEY BALDWIN: Do you have an address for the town
10 transfer station?

11 THE VICE CHAIR: Yeah, it's going to be on Exeter Road.

12 VOICES: (Unintelligible.)

13 ATTORNEY BALDWIN: (Unintelligible.)

14 THE WITNESS (DiVito): Pardon me?

15 ATTORNEY BALDWIN: (Unintelligible.)

16 THE WITNESS (DiVito): They were on number six.

17 It was number six.

18 ATTORNEY BARALL: 171 Exeter Road.

19 A VOICE: No.

20 THE WITNESS (Paul): This is Brian Paul from the
21 Towers.

22 It was looked at, but since we didn't receive
23 any feedback from the Town on the two properties
24 that we identified there we did not consider it.

25 NATALIE ROY: Would they consider it now?

1 VOICES: (Unintelligible.)

2 ATTORNEY BARALL: (Unintelligible) intention.

3 Is it -- I know you're trying to -- you said,
4 improve coverage on 207 and 32, but what about 87?
5 What direction and what's the intention for 87?

6 THE WITNESS (DiVito): This is Kip DiVito with Verizon
7 Wireless.

8 So, you can see again from the comparison on
9 attachment six, page 1 and 2, you'll see that the
10 coverage is improved along Route 87. And since
11 you have Lebanon Center reaching so far away it
12 would be best if it wasn't so much.

13 You really need a site closer to customers to
14 provide the most reliable in-vehicle/indoor
15 service.

16 ATTORNEY BARALL: Is my client allowed to ask a
17 question? Is it only going to go through me?

18 THE VICE CHAIR: The questions have to go through you.

19 ATTORNEY BARALL: Okay.

20 So, I'm not sure who answered it, but when we
21 were discussing my client's property at 1044
22 Trumbull Highway, I believe it was asked, you
23 know, how much of the tower would be visible from
24 the property. And then the answer was, only ten
25 feet or so will be visible to 1044 Trumbull

1 Highway.

2 How did you come up with that, that distance?

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

4 I -- I had my team run an analysis where we
5 looked at contour data in that area between the
6 tower and the property, tree heights that we could
7 get from LiDAR, and broke it down to -- I looked
8 at the viewshed analysis where it showed
9 year-round visibility. So, I wanted to see there
10 how much of the tower would be visible that's
11 showing.

12 So, from that information you get a line of
13 sight where it's just a straight shot, kind of a
14 cross-section of a three-dimensional map, and you
15 can see how much of the tower above the tree will
16 be visible. Based on that data it's showing me
17 around ten feet in the area of year-round
18 visibility that is shown on the viewshed map. And
19 that's at the far south, the southern portion of
20 the visibility. So, that's like the most extreme.

21 As you get closer to that treeline, the --
22 the visibility is reduced.

23 ATTORNEY BARALL: So, when you're saying, the far
24 south, are you saying where their actual residence
25 is -- the house is located and the swimming pool?

1 THE WITNESS (Landino): I don't know that the -- the
2 property, let's say, it -- it is kind of -- the
3 low end is the southwest and the -- the high end
4 is the northeast. And you have that, that
5 year-round visibility that kind of cuts
6 north-south, you know. It's the southern tip of
7 the year-round visibility that's shown on the
8 viewshed map.

9 It's kind of like their southern -- southern
10 edge of their property in the yellow.

11 ATTORNEY BARALL: Okay. I have no further questions.

12 THE VICE CHAIR: Thank you, Attorney Barall.

13 We'll now continue with cross-examination of
14 the Applicant by party Cynthia Arons.

15 Cynthia Arons, please? Good afternoon.

16 CYNTHIA ARONS: Hi. Good afternoon. First, I want to
17 apologize for my interruption earlier. I thought
18 I was on mute and I wasn't. So, sorry about that.

19 THE VICE CHAIR: Thank you.

20 CYNTHIA ARONS: So, I have a few questions. Some were
21 generated from things that were said today and
22 some were based on all the information that was
23 provided to me and was on the website.

24 So, to start with something that was said
25 today is the trees on the access road. It was

1 said that you were going to be cutting 70 trees on
2 the access road. And are those trees that are
3 specifically on the landlord's property?

4 Because I'm the abutting -- I'm at 1038, and
5 there are trees in the fence line. And I mean, we
6 would have to do surveying to figure out who owns
7 those trees, if you know what I mean.

8 And so the trees, the 70 trees you're talking
9 about, those are trees that are growing from their
10 side of the fence?

11 THE WITNESS (Margelot): This is Jason Margelot with
12 Airosmith.

13 When I visited the house -- or excuse me, the
14 property, I confirmed that these would all be on
15 their property. The property line follows the
16 wall and the only ones to be removed would be
17 within their existing farm road.

18 CYNTHIA ARONS: Okay. Thank you for clarifying.

19 The other thing is a couple of times you
20 talked about -- or somebody raised the potential
21 of moving the cell tower which might make it less
22 visible, because it would be further into their
23 property. But you also said that the elevation
24 was lower, so it would have -- the tower would
25 have to be made taller. Did I get that right?

1 And so, it's like six in one half, a dozen in
2 another. Because in one place the tower would be
3 lower but closer, and in another place it would be
4 further away but higher?

5 THE WITNESS (Paul): Yeah, this is Brian Paul with The
6 Towers.

7 Yeah, I think it depends on the location that
8 we determine meets both requirements. Right? So,
9 if we can keep it at the same height and not
10 necessarily move all 250 feet where the elevation
11 might be different, we could keep the tower at its
12 existing height.

13 Again, it's -- it's based on propagation maps
14 that Verizon Wireless determines provides them the
15 proper coverage and the coverage that matches this
16 location.

17 CYNTHIA ARONS: So I have one more tree question which
18 is, you said 70 trees and then you said a total of
19 86 trees. So, you're saying that only 16 trees
20 have to be cut to build the facility itself.

21 Is that --

22 THE WITNESS (Margelot): This is --

23 CYNTHIA ARONS: Did I get that right?

24 THE WITNESS (Landino): This is Jason with Airosmith.

25 That is correct. That would be just for the

1 compound at the end of the access road.

2 It would be the 16 trees.

3 CYNTHIA ARONS: Okay. And I have to step back a minute
4 here because I really fail to understand why we
5 need this cell phone tower. Because if you look
6 at what you, what was said on -- we looked earlier
7 this afternoon in one of the interrogation
8 questions about the range. And so, at 700 hertz
9 it was 6.5 miles. Right? So, we're putting up
10 this tower to cover 6.5 miles.

11 And within a five-mile radius there's already
12 four towers. So, I mean you have to put a tower,
13 like, on every corner to get complete coverage.
14 So, I just -- like, I don't understand why we have
15 to have a tower because cell phone calls get
16 dropped on a section of 207.

17 I mean, can you address that? Like, it's --
18 is the goal to how -- how are you going to get a
19 hundred percent coverage? If you look at your
20 coverage maps, obviously there's places that have
21 no coverage.

22 THE WITNESS (DiVito): This is Kip DiVito with Verizon
23 Wireless.

24 So, the need really stems from a lack of
25 reliable indoor and in-vehicle service, and we try

1 and show that with our coverage maps. There,
2 attachment six, I always refer to page 1 and 2
3 because it's 700 megahertz. It's our base
4 frequency that has the largest footprint and it's
5 just our base frequency for our network. People
6 will always default to that when they lose service
7 on other higher frequencies.

8 So, our -- our coverage maps I believe do a
9 good job of showing the unreliable service along
10 some of those major roads there that I was
11 referring to, 207, 87, 32. And, you know, I -- I
12 pulled just -- just for my own peace of mind, you
13 know, in the last week, you know, we had 27
14 dropped calls at the intersection of 32 and Route
15 207.

16 That's 32 calls that were dropped that could
17 have been -- there might have been an emergency
18 phone call in there. There could have been
19 anything, I don't know. But the fact of the
20 matter is that instances like that happen all
21 along this stretch of 207 and on other roads that
22 I mentioned.

23 So, our goal at Verizon here is to provide
24 our customers with the most reliable and robust
25 service that we possibly can because that's what

1 they demand of us. That's customer demand that
2 we -- we have. We have metrics that we need to
3 meet so that we can say we provide the best for
4 them. And if we don't meet that, then we're not
5 doing what we said we would be doing for our
6 customers.

7 ATTORNEY BALDWIN: Ms. Arons, if I could also just
8 clarify? Question 34 in the interrogatories talks
9 about 6.1 square miles of coverage area --

10 CYNTHIA ARONS: Yes, yes.

11 ATTORNEY BALDWIN: Not miles in any one direction.

12 CYNTHIA ARONS: Yes, I'm sorry. I misspoke. I didn't
13 realize it was square miles.

14 ATTORNEY BALDWIN: That's fine. Thank you.

15 CYNTHIA ARONS: I mean, the other thing is that there
16 you -- all throughout the discussion today and in
17 the information it focuses on the visibility from
18 residences. Okay? So, I have a farm and I spend
19 all my time outside and in my fields.

20 So, for me the fact that maybe it's less
21 visible from my house than when I'm out in my
22 field, I mean, the impact to me is as great that I
23 see it that it's -- right? Going to be 200 feet
24 from my field. So, I just think it's misguided to
25 just focus on the impact to a residence.

1 And the other questions that I have are, in
2 the lease agreement you're allowed to subcontract
3 it, or sublease the facility? That's one
4 question.

5 And the other question is, it seemed like
6 additional things could be added to the pole or to
7 the facility itself. And so what are the
8 limitations on what you're allowed to do
9 additionally and additional structures, or
10 equipment that you're allowed to add to it?

11 THE WITNESS (Paul): Yeah this is Brian from Vertical
12 Bridge.

13 So, yes, we can sublease to other carriers.
14 Right? It's mainly designed for other carriers to
15 co-locate on the tower so that you don't have an
16 additional tower being built in the neighborhood.

17 If AT&T, for example, wanted to come out and
18 provide service in the area they would have a
19 co-locatable tower available to them at this
20 facility.

21 CYNTHIA ARONS: And so, then how many other towers are
22 there? Because this -- the four towers in the
23 four-mile range were your tower. So, are there
24 other -- does AT&T have towers already around
25 here?

1 THE WITNESS (DiVito): This is Kip DiVito --

2 CYNTHIA ARONS: Or any other carriers?

3 THE WITNESS (DiVito): This is Kip DiVito with Verizon
4 Wireless.

5 That four-mile ring refers to where we've
6 looked. We have -- we have those. Yeah, we have.
7 We've -- we've searched the -- we've searched the
8 area for other towers to make sure that there were
9 no other co-locatable structures that we could go
10 on to service this area.

11 So, we -- we -- that's us doing our due
12 diligence to make sure that, you know, there's an
13 already existing tower -- we could co-locate on
14 that. But there isn't, so this is why we're
15 proposing this tower here.

16 CYNTHIA ARONS: And what about the additional
17 information? There was some reference to solar
18 conversion or something?

19 THE WITNESS (Paul): Brian Paul again.

20 CYNTHIA ARONS: In the lease?

21 THE WITNESS (Paul): I'm sorry. In our lease? I don't
22 believe there's any language in there referencing
23 any solar. I'm not aware of that.

24 ATTORNEY BALDWIN: We can look into that, Ms. Arons,
25 for you. And --

1 CYNTHIA ARONS: I mean, I'm just not sure what it
2 meant. It did -- the word "solar" was there and
3 I'm just seeing if I could find it on what I
4 printed out quickly.

5 ATTORNEY BALDWIN: I can search.

6 A VOICE: Which attachment? Seventeen?

7 ATTORNEY BALDWIN: Seventeen.

8
9 (Pause.)

10
11 CYNTHIA ARONS: Okay. So, it's not that this is now a
12 cell tower and somewhere down the road it could be
13 something else, like a satellite thing --

14 THE WITNESS (Paul): Yeah, Brian --

15 CYNTHIA ARONS: -- or something?

16 THE WITNESS (Paul): Brian Paul here again.

17 I think that the word "solar" is used in
18 there as an alternative power source for a
19 carrier, should they want to put a couple of solar
20 panels on top of their ice bridge to provide power
21 to a light or something minor that, you know,
22 needed a minimal amount of power that they didn't
23 want to draw from their existing cabinet. That's
24 all.

25 It's alternative power outside of the normal

1 commercial power or diesel-fired generator power
2 that the site will --

3 CYNTHIA ARONS: Oh, for the site itself, not for --

4 THE WITNESS (Paul): Sure. You're correct.

5 CYNTHIA ARONS: Okay.

6 THE WITNESS (Paul): Just for the site itself, or the
7 equipment on the site itself. Correct.

8 CYNTHIA ARONS: Okay. And so, can you address, like,
9 can it become something other than a cell tower?

10 THE WITNESS (Paul): Again, Brian Paul.

11 That's up to the landlord. I mean, we're
12 not -- we're not in any other business. We're not
13 in the solar generation business. If the landlord
14 chose to put other commercial entities on his
15 property, that would be up to him, but they would
16 have to be, of course, outside of our easement
17 rights and lease area.

18 CYNTHIA ARONS: No, that's not exactly what I meant. I
19 meant, like, this -- this tower itself, like, you
20 couldn't decide five years from now that cell
21 towers are obsolete. And so, you're going to do
22 something else here, some kind of other kind of
23 telecommunication facility.

24 THE WITNESS (Paul): Well, I hope cell towers don't
25 become obsolete, because I want to retire in 10

1 years, so.

2 CYNTHIA ARONS: Well, I hope they become obsolete
3 tomorrow, because I don't want to look at this
4 cell tower off of my property. I bought a farm in
5 Lebanon because it's a beautiful quiet
6 agricultural historical community and this is,
7 like, not good.

8 ATTORNEY BALDWIN: Ms. Arons, I would also point out
9 that this application is for this tower, which is
10 all we're asking for at this point. If something
11 were to change we would have -- either have to
12 come back to the Siting Council again, or with a
13 new application, or an effort to modify the
14 existing, if it were approved.

15 CYNTHIA ARONS: Could I ask somebody on the Siting
16 Council that question, is that correct?

17 Like, how much can they do without having to
18 come back to the Siting Council?

19 THE VICE CHAIR: Well, Ms. Arons, we're not -- it's not
20 appropriate for us to answer, but they are
21 strictly regulated, and things that they need to
22 do on that tower we will see.

23 CYNTHIA ARONS: Thank you.

24 I guess that's all the questions I have for
25 now.

1 ATTORNEY BALDWIN: Mr. Morissette, since Ms. Arons last
2 question kind of asks a legal question, perhaps
3 just to assist I can confirm based on my
4 experience anything that happens to this facility,
5 any changes, any modifications, additional
6 carriers, change in location of equipment, et
7 cetera, anything we do -- if the site is approved,
8 anything we do after the fact would have to go
9 back through some approval process at the Siting
10 Council before it could be completed.

11 THE VICE CHAIR: Thank you, Attorney Baldwin.

12 Attorney Bachman, would you like to add
13 anything to that?

14 ATTORNEY BACHMAN: Thank you, Vice Chair Morissette.

15 I believe you and attorney Baldwin have
16 accurately characterized the Siting Council's
17 jurisdiction over the facility, should it get
18 approved.

19 Thank you.

20 THE VICE CHAIR: Thank you, Attorney Bachman.

21 Anything else, Ms. Arons?

22 CYNTHIA ARONS: No, that's it for now. Thank you.

23 THE VICE CHAIR: Okay. Very good. Thank you.

24 All right. That concludes our hearing for
25 this afternoon. Attorney Baldwin, I have two

1 late-filed exhibits for you.

2 ATTORNEY BALDWIN: Only two? I thought there were a
3 couple -- I have a couple more. Perhaps we can
4 compare notes, Mr. Morissette, and --

5 THE VICE CHAIR: Certainly.

6 ATTORNEY BALDWIN: -- have them all.

7 THE VICE CHAIR: Okay. I thought the others got
8 reconciled, but the first one was to confirm the
9 square footage -- was it 52,000 square feet of the
10 site relating to question 16?

11 ATTORNEY BALDWIN: Correct. I got that one.

12 THE VICE CHAIR: Okay. The second one is reconciling
13 Exhibit Z-2, the distance of the residence and
14 whether it properly reflects the residential
15 location.

16 ATTORNEY BALDWIN: Yes, I have that one as well.

17 THE VICE CHAIR: Okay. That's all I have.

18 What else do you have?

19 ATTORNEY BALDWIN: Well, perhaps they were just my own
20 desire to impose additional homework assignments,
21 but I know there was a lot of discussion about
22 alternative locations on the subject parcel.

23 We're going to take a look at some of those
24 alternative locations, but I think those were the
25 two council-prompted homework assignments. But

1 why don't I just take our others as things that
2 we're going to do on our own, Mr. Morissette, and
3 then we can present them between now and the next
4 hearing?

5 **THE VICE CHAIR:** Very good. Thank you.

6 Okay. That concludes our hearing today. The
7 Council will recess until 6:30 p.m., at which time
8 we will commence with the public comment session
9 of this public hearing.

10 Thank you, everybody, for your participation
11 and we'll --

12 **ATTORNEY BARALL:** Just one sec. Could I inquire real
13 quick? Am I allowed to question my clients?

14 **THE VICE CHAIR:** Not yet. The next hearing.

15 **ATTORNEY BARALL:** Okay.

16 **THE VICE CHAIR:** Which will be scheduled December 16th,
17 I understand, and that will be your opportunity.

18 It will also be the Applicant's opportunity
19 to cross-examine your clients.

20 **ATTORNEY BARALL:** Thank you.

21 **ATTORNEY BACHMAN:** Excuse me, Vice Chair Morissette.

22 I'd like to make a clarification.

23 **THE VICE CHAIR:** Sure.

24 **ATTORNEY BARALL:** Attorney Barall does not have any
25 opportunity to cross-examine her own clients.

1 THE VICE CHAIR: Thank you.

2 ATTORNEY BACHMAN: All the other parties and
3 intervenors may cross-examine her clients on their
4 pre-filed testimony and exhibits, but there is no
5 cross-examination of your own clients during our
6 proceeding.

7 Thank you.

8 THE VICE CHAIR: Thank you. I stand corrected, and
9 thank you for that clarification.

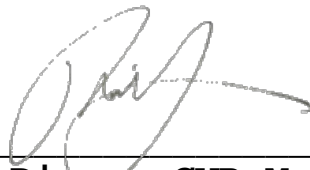
10 Very good. So, thank you, everyone. Have a
11 pleasant dinner and we'll see everybody at 6:30
12 p.m.

13 Thank you.

14
15 (End: 4:46 p.m.)
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CERTIFICATE

I hereby certify that the foregoing 121 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 evidentiary hearing In Re: DOCKET NO. 535, 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 1022 TRUMBULL HIGHWAY, LEBANON, CONNECTICUT, which was held before JOHN MORISSETTE, THE VICE CHAIR, on September 11, 2025.



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

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