

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

**IN RE:**

**: DOCKET NO. 538**

**APPLICATION OF THE TOWERS, LLC  
FOR A CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY  
AND PUBLIC NEED FOR THE  
CONSTRUCTION, MAINTENANCE AND  
OPERATION OF A WIRELESS  
TELECOMMUNICATIONS FACILITY  
AT 1022 TRUMBULL HIGHWAY,  
LEBANON, CONNECTICUT**

**: DECEMBER 2, 2025**

**AMENDED INTERVENOR PRE-HEARING SUBMISSION**

Now comes Gregory Roy and Natalie Roy, by and through their undersigned counsel, who respectfully submit this Memorandum to the Connecticut Siting Council in opposition to the application for approval of a proposed wireless telecommunications facility (“cell tower”) on property adjacent to their residence. In accordance with the Connecticut Siting Council’s procedural rules and the Notice of Pre-Hearing Conference in the above-captioned proceeding, Intervenor, Gregory and Natalie Roy, submit the following information and documentation:

**I. LIST OF WITNESSES**

- a. Gregory Roy, owner of real property located at 1044 Trumbull Hwy, Lebanon, CT, intervenor and adjacent landowner;
- b. Natalie Roy, owner of real property located at 1044 Trumbull Hwy, Lebanon, CT, Intervenor and adjacent landowner;
- c. TBD, commercial appraiser;
- d. TBD, representative of the Lebanon Historical Society;
- e. Dr. Ginger Gardner, Oncologist, Sloan Kettering;
- f. TBD, representative of the Daughters of the American Revolution;

## **II. EXHIBIT LIST**

- a. Lebanon Green Historical District Nomination to the National Register of Historic Places Inventory;
- b. Northern Parcel Declaration of Conservation and Preservation Restrictions and Covenants;
- c. Town of Lebanon Plan of Conservation and Development;
- d. Karen K. Buffkin's employment profile on the University of Connecticut website;
- e. Dr. Scott C. Williams, Ph.D.'s employment profile on the University of Connecticut website;
- f. Dr. Scott C. Williams, Ph.D.'s Appointment Letter;
- g. Redacted Option and Ground Lease Agreement;
- h. Appraisal report from R.F. Hagearty & Associates, Inc. (estimated to be completed by 10/1/2025);
- i. Visual Assessment Prepared by All-Points Technology Corporation, P.C.;
- j. Preliminary Historic Resources Evaluation Prepared by All-Points Technology Corporation, P.C., dated February 14, 2025;
- k. SHPO submission prepared by a qualified architectural historian who meets criteria developed by the Secretary of the Interior;
- l. Coverage Maps – Surrounding Cell Sites;
- m. Site Search Summary;
- n. Notice to and List of Abutting Landowners; Certificate of Service;
- o. Responses to Council Interrogatories, Set One, 08/13/25;
- p. Sign-Posting Affidavit, 09/04/25;
- q. Drone photos from 9/04/25;
- r. Photos from the 10/27/25 balloon float;
- s. Lebanon, CT wetland map;

t. Email dated 9/11/2025 from the Staff Archaeologist at the SHPO;

The undersigned reserves the right to offer additional exhibits, testimony, witnesses and materials as new information comes to their attention and in rebuttal to positions taken by the Council, Parties and/or Intervenors, or Applicant.

### **III. BRIEF POSITION STATEMENT**

Intervenors, Gregory and Natalie Roy, oppose the approval of the proposed Telecommunications Facility located at 1022 Trumbull Hwy, Lebanon, CT. The proposed facility is not consistent with the Council's statutory obligation to balance the public need for wireless communications with the protection of the environment, public health and safety, and perhaps most importantly in this particular situation, the preservation of the Town of Lebanon's unique historical, cultural, and aesthetic resources.

At the time of the hearing on September 11, 2025, the Council raised the possibility of relocating the cell tower within the host parcel to increase the distance between the tower and the Roys' residence located at 1044 Trumbull Hwy in Lebanon. As result, the Applicant conducted a balloon float on October 27, 2025 in order to evaluate the overall visual effects from this alternate location. At this time, too, the Roys were also able to utilize the balloon float to conduct and photograph their own visual assessment. However, without confirmation of the final site, the Roys have been limited in their defense. It has been Gregory and Natalie Roy's plan to undertake a neighborhood impact study and hire a qualified soil scientist to determine the potential impact on the interconnected wetlands adjacent to their property. However, a final location must be confirmed so they are not required to undertake these costly studies for a site that may ultimately change.

In light of the above, the undersigned counsel, on behalf of Intervenor, Gregory and Natalie Roy, seeks a determination of the final site location and, hereby, requests a postponement of the hearing date to allow adequate time to obtain a neighborhood impact study and retain a qualified soil scientist as noted above and to assess the Applicant's answers to the Roys' Interrogatories so that the Roys' may determine the economic and ecological impact of the proposed facility. Gregory and Natalie Roy have a specific, personal, legal interest in the location of the prominently visible facility from their land but for reasons outside of their control, have been prevented from hiring experts to adequately determine the special and injurious effect to the fair market value of their home, the quiet enjoyment of their property, health concerns, impact to the water table that provides potable drinking water to their home, and other concerns further described below.

1. ***Loss of Natural Habitat:*** The proposed site includes and abuts sensitive habitats, including seasonal wetlands (vernal pools) that serve as critical breeding grounds for amphibians and other wildlife. Construction and ongoing operation will disrupt these ecosystems.
2. ***Impact on Wetlands and the Local Water Table:*** The applicant has identified a total disruption of congruent wetlands running through the host property into the adjacent parcels. Construction, grading and road improvements to support construction and maintenance of the facility will sever the wetland system running through the intervenors' property, with detrimental impacts to the surrounding properties, including potentially irreparable impacts to the water table and intervenor's access to potable water on their own property.

3. ***Visual and Scenic Impacts:*** The tower will intrude upon protected viewscales and significantly alter the rural and natural character of the surrounding environment. The Connecticut Environmental Policy Act and related state policy favor minimizing such impacts. During the October 27, 2025 balloon float, which was alleged to have less of a visual impact on the intervenors' property, the balloon remained prominently visible over and in between tree cover. The intervenors will suffer year-round visibility from nearly every part of their property, *even with the less visually impactful placement.*
4. ***Impact on Historic and Cultural Resources:*** The tower will be prominently visible year-round from the Lebanon Town Green, which is a historically designated space and a focal point of civic and cultural identity. The Connecticut General Statutes and prior Council precedent recognize the importance of preserving historic resources and community aesthetics.
5. ***Degradation of Historic Town Character:*** The community's architectural and cultural heritage is a vital asset. The tower's industrial appearance is incompatible with the town's historic district, and its approval would irreparably harm the traditional New England character valued by residents and other persons visiting the Town of Lebanon.
6. ***Availability of Alternative Sites:*** The applicant has failed to demonstrate that the proposed location represents the least intrusive means of addressing service needs thereby undermining the applicant's burden of proof pursuant to Conn. Gen. Stat. § 16-50p. Reasonable alternatives may exist, including: co-location on existing telecommunications structures outside the visibility from the Town Green, use of distributed antenna systems (DAS) or small-cell technologies, or alternative sites farther from sensitive historic and cultural resources. Pride's Corner, Scotts/Earthgro, and the

Town of Lebanon's municipal transfer station are three examples of site options for a new facility that would reduce or eliminate impacts on residential homes, wetlands, and the historic character of the town.

7. ***Non-Proliferation:*** From the 2024 Connecticut Siting Council Report, one of the Siting Council's guiding goals under the Public Utilities Environmental Standards Act (PUESA) alleges to "[p]romote the sharing of telecommunications towers wherever technically, legally, environmentally, and economically feasible to avoid the unnecessary proliferation of towers in the state." The Siting Council has, as recently as July 31, 2025, approved modifications to the facility located at 36 Ayer Road in Franklin, which is equidistant to the applicant's alleged area of cell coverage concern as the proposed facility. The Applicant has not identified any potential increase in coverage due to the approved modifications to the existing facility. Upon information and belief, there are at least ***seven existing*** facilities in the immediate area, all within a 5-10 mile radius: 5 Tyler Dr, North Franklin, CT 06254; 140 Franklin Turnpike, North Franklin, CT 06254; 36 Ayer Rd, North Franklin, CT 06254; Goshen Hill Rd, Lebanon, CT 06249; 236 Gates Rd, Lebanon, CT 06249; 1593 Exeter Road, Lebanon, CT; and Prides Corner Farms, 122 Waterman Rd, Lebanon, CT 06249. The applicant has alternate, viable options other than the host parcel at 1022 Trumbull Hwy, Lebanon; options that would avoid disturbing wetlands, residential neighborhoods and historic resources in a rural farming community of roughly 7,000 residents.
8. ***Public Health and Safety Concerns:*** While the Council is constrained by federal law regarding RF emissions, the health and safety concerns of residents cannot be dismissed. Erecting towers near homes and the Town Green raises legitimate questions about long-

term exposure impacts, safety risks associated with fire or ice, and interference with emergency communications such as Lifestar or other similar services when accessing the area in the event of an emergency.

9. ***Impact on Property Values:*** Numerous peer reviewed studies and local assessments show that the siting of a cell tower in close proximity to residential properties significantly depresses property values. Homeowners in the community like the Roys, have invested in reliance on the town's historic and aesthetic character, which the tower would compromise. The applicant's failure to identify a final location for the proposed facility has prevented the intervenors from properly evaluating the full impact on the fair market value of their property, a home they have cherished for more than 25 years.
10. ***Potential Improper Affiliation:*** The Roys also raise the issue of the appearance of potential impropriety between Siting Council appointee Dr. Scott C. Williams, Ph.D., and the property owner of the proposed site, Karen Buffkin. Upon information and belief, Dr. Williams is employed by the University of Connecticut as an adjunct professor and Karen Buffkin, also employed by the University of Connecticut, serves in an executive role as Executive Director of Employee Relations. The appearance of impropriety lies in the fact that Karen Buffkin stands to benefit financially, should the Siting Council approve the proposed application cited herein.

Dated at Willimantic, Connecticut this 2nd day of December, 2025

GREGORY ROY &amp; NATALIE ROY

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### **CERTIFICATION**

In accordance with Connecticut General Statutes § 4-177a (b), 16-50n, 16-50o, 22a-120, and/or 22a-163j, and/or RSA 16-50j-15a through 17, I hereby certify that a copy of the above application for intervenor status was mailed or electronically delivered on December 2, 2025 to all counsel and pro se parties of record and that written consent for electronic delivery was received from all counsel and pro se parties of record who were electronically served, as follows:

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