

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Docket No. 540

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 68 Danbury Road, New Milford,
Connecticut.

Zoom Remote Council Meeting (Teleconference),
Evidentiary Session, on Thursday, October 23, 2025,
beginning at 2 p.m.

H e l d B e f o r e :

JOHN MORISSETTE, THE VICE CHAIR

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

2 Councilmembers:

3 JOHN MORISSETTE (Vice Chair)

4

5 BRIAN GOLEMBIEWSKI,

6 DEEP Designee

7

8 QUAT NGUYEN

9 PURA Designee

10

11 CHANCE CARTER

12 KHRISTINE HALL

13 BILL SYME

14 DR. SCOTT WILLIAMS

15 DANIEL P. LYNCH, JR.

16

17 Council Staff:

18 IFEANYI NWANKWO,

19 Siting Analyst

20

21 MELANIE BACHMAN, ESQ.,

22 Executive Director and Staff Attorney

23

24 LISA FONTAINE

25 Administrative Support

1 A p p e a r a n c e s : (c o n t ' d)

2 F o r T h e T o w e r s , L L C (A P P) :

3 C U D D Y & F E D E R , L L P

4 4 4 5 H a m i l t o n A v e n u e , 1 4 t h F l o o r

5 W h i t e P l a i n s , N e w Y o r k 1 0 6 0 1

6 B y : D A N I E L P A T R I C K , E S Q .

7 D P a t r i c k @ c u d d y f e d e r . c o m

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9 A n d : L U C I A C H I O C C H I O , E S Q .

10 L C h i o c c h i o @ c u d d y f e d e r . c o m

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(Begin: 2:00 p.m.)

THE VICE CHAIR: Good afternoon, ladies and gentlemen.

Can everybody hear me okay? Great. Thank you.

This public hearing is called to order this Thursday, October 23, 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-elect Thomas Wiehl 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 Ifeanyi Nwankwo, 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 Procedure Act upon an application from The Towers,

1 LLC, for a certificate of environmental
2 compatibility and public need for the
3 construction, maintenance, and operation of a
4 telecommunications facility and associated
5 equipment located at 68 Danbury Road in New
6 Milford, Connecticut.

7 The complete application was received by the
8 Council on June 17th, 2025. The Council's legal
9 notice of the date and time of this public hearing
10 was published in the New Milford Spectrum on July
11 4, 2025. Upon this Council's request, the
12 Applicant erected a sign in the vicinity of the
13 proposed site so as to inform the public of the
14 name of the Applicant, the type of facility, the
15 public hearing date, and contact information for
16 the Council, including the website and phone
17 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 interveners to the proceeding
23 are as follows. The Applicant, the Towers LLC,
24 its representatives, Lucia Chiocchio, Esquire, and
25 Daniel Patrick, Esquire, of Cuddy & Feder, LLP.

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

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

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

24 I also wish to note to those who are
25 listening and for the benefit of their friends and

1 neighbors who aren't able to join us for the
2 public comment session, that you or they may send
3 written statements to the Council within 30 days
4 of the date hereof, either by mail or by e-mail,
5 and such written statements will be given the same
6 weight as if spoken during the public comment
7 session.

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

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

14 We have one motion to take care of this
15 afternoon, The Towers, LLC, motion for protective
16 order with the lease agreement financial terms,
17 dated August 5, 2025. Attorney Bachman may wish
18 to comment.

19 Attorney Bachman, good afternoon.

20 ATTORNEY BACHMAN: Good afternoon, Vice Chair
21 Morissette.

22 Persaunt to General Statute Section 16-50o,
23 The Towers, LLC, submitted a motion for protective
24 order for the lease agreement financial terms,
25 which are exempt from public disclosure under the

1 Freedom of Information Act. And therefore, staff
2 recommends the motion be granted.

3 Thank you.

4 THE VICE CHAIR: Thank you, Attorney Bachman.

5 Is there a motion?

6 MR. LYNCH: I move the motion.

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

8 Is there a second?

9 MR. CARTER: I'll second.

10 MR. NGUYEN: I'll second.

11 THE VICE CHAIR: I think I have Mr. Carter as a second.

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

15 Mr. Golembiewski, any discussion?

16 MR. GOLEMBIEWSKI: Good afternoon.

17 I have no discussion. Thank you.

18 THE VICE CHAIR: Mr. Nguyen, any discussion?

19 MR. NGUYEN: Good afternoon, no discussion.

20 THE VICE CHAIR: Thank you. Ms. Hall, any discussion?

21 MS. HALL: No discussion, thank you.

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

23 MR. CARTER: Good afternoon.

24 I have no discussion. Thank you.

25 THE VICE CHAIR: Thank you. Mr. Syme?

1 MR. SYME: I have none.

2 THE VICE CHAIR: Thank you.

3 Dr. Williams, any discussion?

4 DR. WILLIAMS: No discussion. Thank you.

5 THE VICE CHAIR: Thank you. Mr. Lynch, any discussion?

6 MR. LYNCH: No discussion.

7 THE VICE CHAIR: Thank you, and I have no discussion.

8 We'll now move to the vote.

9 Mr. Golembiewski, how do you vote?

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

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

12 MR. NGUYEN: Vote to approve.

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

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

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

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

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

18 MR. SYME: Vote approval.

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

20 DR. WILLIAMS: Vote to approve.

21 THE VICE CHAIR: Thank you. Mr. Lynch?

22 MR. LYNCH: Vote approval.

23 THE VICE CHAIR: Thank you, and I vote approval.

24 We have an unanimous decision. The motion
25 for protective order is approved.

1 Moving on to administrative notices taken by
2 the Council, I call your attention to those items
3 on the hearing program marked as Roman numerals
4 1C, items 1 through 94. Does the Applicant have
5 an objection to the items that the Council has
6 administratively noticed?

7 Good afternoon, Attorney Chiocchio or
8 Attorney Patrick. I understand Attorney Patrick
9 is covering for today.

10 ATTORNEY PATRICK: Correct. Attorney Chiocchio is
11 joining us remotely. I've got the witness panel
12 here -- but no, no objection to the administrative
13 notice materials.

14 THE VICE CHAIR: Very good. Thank you.

15 Accordingly, the Council hereby
16 administratively notices these existing documents.

17 Will the Applicant present its witness panel
18 for purposes of taking the oath, and we will have
19 Attorney Bachman administer the oath.

20 Attorney Patrick?

21 ATTORNEY PATRICK: Thank you very much and good
22 afternoon, Vice Chair Morissette and members of
23 the Council.

24 Again, for the record, my name is Daniel
25 Patrick from Cuddy & Feder on behalf of The

1 Towers, LLC, joined by Lucia Chiocchio, also an
2 attorney from Cuddy & Feder.

3 In the room with me today, I have the entire
4 witness panel. I have Brian Paul, the project
5 manager from Vertical Bridge REIT, LLC; Elizabeth
6 Glidden, senior engineer, regulatory and real
7 estate from Verizon Wireless; Quaison McKitty,
8 radiofrequency engineer from Verizon Wireless;
9 Emily Perko, registered soil scientist from
10 All-Points Technology; Rick Landino, graphic
11 specialist from All-Points Technology; Jason
12 Margelot, project manager, engineering
13 implementation at Airosmith Development; and
14 Joseph Johnston, PE, Vice President of Engineering
15 from Airosmith Development.

16 Mr. Morissette, this is the entire witness
17 panel today and we offer them for the oath.

18 THE VICE CHAIR: Thank you, Attorney Patrick.

19 Attorney Bachman, please administer the oath.

20 ATTORNEY BACHMAN: Thank you, Vice Chair Morissette.

21 Could the witnesses please raise your right
22 hand?

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

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

11

12 ATTORNEY BACHMAN: Thank you.

13 THE VICE CHAIR: Thank you, Attorney Bachman.

14 Attorney Patrick, please begin by verifying
15 all the exhibits by the appropriate sworn
16 witnesses.

17 ATTORNEY PATRICK: Absolutely. So, the exhibits
18 identified in the hearing program as Roman numeral
19 two, subsection B, numbers one through five are
20 the exhibits.

21 That includes the application received by the
22 Council on June 10, 2025, as number one; number
23 two, the proof of service to the Office of
24 Consumer Council; number three, the affidavit of
25 publication in the New Milford Spectrum; number

1 four, the responses to council interrogatories;
2 and number five, the signposting affidavit.

3 And for verification purposes, I will ask a
4 series of yes-or-no questions to each witness and
5 ask them to respond.

6 So, question number one, did you prepare,
7 assist in the preparation, or review the
8 information relied upon in the preparation of the
9 exhibits identified? Brian Paul?

10 THE WITNESS (Paul): Yes.

11 ATTORNEY PATRICK: Elizabeth Glidden?

12 THE WITNESS (Glidden): Yes.

13 ATTORNEY PATRICK: Quaison McKitty?

14 THE WITNESS (McKitty): Yes.

15 ATTORNEY PATRICK: Emily Perko?

16 THE WITNESS (Perko): Yes.

17 ATTORNEY PATRICK: Rick Landino?

18 THE WITNESS (Landino): Yes.

19 ATTORNEY PATRICK: Jason Margelot?

20 THE WITNESS (Margelot): Yes.

21 ATTORNEY PATRICK: Joseph Johnston?

22 THE WITNESS (Johnston): Yes.

23 ATTORNEY PATRICK: Question number two, do you have any
24 updates or corrections to the identified exhibits?
25 Brian Paul?

1 THE WITNESS (Paul): No.

2 ATTORNEY PATRICK: Elizabeth Glidden?

3 THE WITNESS (Glidden): No.

4 ATTORNEY PATRICK: Quaison McKitty?

5 THE WITNESS (McKitty): No.

6 ATTORNEY PATRICK: Emily Perko?

7 THE WITNESS (Perko): No.

8 ATTORNEY PATRICK: Rick Landino?

9 THE WITNESS (Landino): No.

10 ATTORNEY PATRICK: Jason Margelot?

11 THE WITNESS (Margelot): No.

12 ATTORNEY PATRICK: Joseph Johnston?

13 THE WITNESS (Johnston): No.

14 ATTORNEY PATRICK: Is the information contained in the
15 identified exhibits true and accurate to the best
16 of your belief?

17 Brian Paul?

18 THE WITNESS (Paul): Yes.

19 ATTORNEY PATRICK: Elizabeth Glidden?

20 THE WITNESS (Glidden): Yes.

21 ATTORNEY PATRICK: Quaison McKitty?

22 THE WITNESS (McKitty): Yes.

23 ATTORNEY PATRICK: Emily Perko?

24 THE WITNESS (Perko): Yes.

25 ATTORNEY PATRICK: Rick Landino?

1 THE WITNESS (Landino): Yes.

2 ATTORNEY PATRICK: Jason Margelot?

3 THE WITNESS (Margelot): Yes.

4 ATTORNEY PATRICK: Joseph Johnston?

5 THE WITNESS (Johnston): Yes.

6 ATTORNEY PATRICK: And finally, do you adopt these
7 exhibits as your testimony?

8 Brian Paul?

9 THE WITNESS (Paul): Yes.

10 ATTORNEY PATRICK: Elizabeth Glidden?

11 THE WITNESS (Glidden): Yes.

12 ATTORNEY PATRICK: Quaison McKitty?

13 THE WITNESS (McKitty): Yes.

14 ATTORNEY PATRICK: Emily Perko?

15 THE WITNESS (Perko): Yes.

16 ATTORNEY PATRICK: Rick Landino?

17 THE WITNESS (Landino): Yes.

18 ATTORNEY PATRICK: Jason Margelot?

19 THE WITNESS (Margelot): Yes.

20 ATTORNEY PATRICK: And Joseph Johnston?

21 THE WITNESS (Johnston): Yes.

22 ATTORNEY PATRICK: Thank you very much.

23 And Vice Chair, we offer these exhibits and
24 these witnesses for examination by the Council.

25 Thank you.

1 THE VICE CHAIR: Thank you, Attorney Patrick. The
2 exhibits are hereby admitted.

3 We'll now begin with cross-examination of the
4 Applicant by the Council, starting with
5 Mr. Nwankwo and followed by Mr. Golembiewski.

6 Mr. Nwankwo, good afternoon.

7 MR. NWANKWO: Good afternoon, Mr. Vice Chair.

8 Thank you.

9 I'll begin by referencing the signposting
10 affidavit, Exhibit 5, submitted by the Applicant,
11 dated October 14, 2025. I'd like to refer to the
12 first photo. In the lower right-hand corner,
13 there's a caption that references number three,
14 Laughing Waters Lane in New Milford.

15 My question is, what does this refer to?

16 THE WITNESS (Paul): This is Brian Paul with Vertical
17 Bridge.

18 I'm not sure other than the time and date
19 stamp on there. Let me just get a look at the
20 photo here, and I might be able to answer it a
21 little more clearly for you.

22 Yeah, I don't have a great answer for you,
23 other than that's just part of the timestamp as it
24 appeared on the camera of the person taking the
25 photo.

1 MR. NWANKWO: Thank you.

2 Next, I'd like to ask if the Applicant has
3 determined a staging or laydown area for its
4 equipment during construction?

5 THE WITNESS (Paul): Yes. Again, Brian Paul, Vertical
6 Bridge.

7 We'll use the area to the south of the
8 proposed compound towards the back of the parking
9 lot area there to stage and store any equipment
10 that might be on site during construction.

11 MR. NWANKWO: Thank you.

12 Next, I'd like to ask, are there any existing
13 topographical features in the surrounding area
14 that might interfere or impact wireless service
15 from this facility?

16 THE WITNESS (Paul): Just a sec?

17 THE WITNESS (McKitty): Hi, this is Quaison McKitty,
18 the RF engineer.

19 Can you please repeat the question?

20 MR. NWANKWO: Yes. My question was, are there any
21 existing topographical features within the
22 surrounding area that would interfere or impact
23 wireless service from this facility?

24 THE WITNESS (McKitty): No.

25 MR. NWANKWO: Thank you.

1 THE WITNESS (McKitty): You're welcome.

2 MR. NWANKWO: Next, I would like to refer to the
3 application site plan, which is attachment four,
4 sheet number Z-2. The top right-hand corner
5 references the nearest residence, which is north
6 of the host parcel.

7 My question is, what is the address of this
8 residence?

9 THE WITNESS (McKitty): We're looking that up.

10 Please stand by.

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

13 The address would be 68 Danbury Road.

14 MR. NWANKWO: Thank you for that.

15 Would the Applicant please describe the
16 visibility of the proposed tower from this
17 residence?

18 THE WITNESS (Landino): Good afternoon.

19 Rick Landino, All-Points Tech.

20 That residence will experience potential
21 season -- seasonal visibility.

22 MR. NWANKWO: Thank you.

23 Next, I would like to refer to sheet number
24 Z-3, also in the site plans, which shows the
25 finished grade of the compound with a slope to the

1 east. My question is, what would be the direction
2 of stormwater runoff in that area?

3 THE WITNESS (Johnston): Hi. This is Joe Johnston with
4 Airosmith.

5 The direction of stormwater runoff is to the
6 north, kind of north-northeast, but mainly north.

7 MR. NWANKWO: Thank you.

8 Also on that, are there any existing drainage
9 controls along that paved driveway?

10 THE WITNESS (Johnston): There, there are no existing
11 ones, no.

12 MR. NWANKWO: So, just for clarity, will the swale be
13 required to slow or capture stormwater runoff?

14 THE WITNESS (Johnston): No, the compound will have --
15 slightly slope towards the east and north, and
16 then it just turns into natural drainage down the
17 hill from there.

18 MR. NWANKWO: So, it will maintain the existing
19 stormwater conditions?

20 THE WITNESS (Johnston): Yes.

21 MR. NWANKWO: Thank you for that.

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

23 MR. NWANKWO: Also on the site plan, I would like to
24 refer to sheet number Z-10. My question is, does
25 the proposed emergency backup generator have

1 containment measures in the event of a fuel leak?

2 THE WITNESS (Johnston): Yes, it does. It has a
3 UL-rated containment tank on the tank itself under
4 the generator, and then it's got an overbuilt
5 concrete slab that the generator sits on.

6 MR. NWANKWO: Thank you.

7 THE WITNESS (Johnston): You're welcome.

8 MR. NWANKWO: Next, I'll refer to response to council
9 interrogatory number twelve. And my question is,
10 what type of actions are required during a
11 geotechnical investigation?

12 THE WITNESS (Paul): Brian Paul with Vertical Bridge.

13 The geotechnical investigation will consist
14 of a truck-mounted drill rig that will drive up to
15 the proposed drill locations both at the site and
16 along the utility trench, and we'll perform our
17 drilling in four locations throughout the compound
18 and the utility easement area.

19 MR. NWANKWO: Thank you.

20 Next, I'll refer to interrogatory responses
21 number 15A and 15B, which show the distances from
22 the proposed compound to the church and the
23 daycare. It does show that both values are the
24 same.

25 My question is, looking at the multi-story

1 building, the L-shaped building on the parcel,
2 what portion is the daycare facility and what
3 portion is the church?

4 THE WITNESS (Paul): Standby. Jason has that, I
5 believe.

6 THE WITNESS (Margelot): This is Jason Margelot with
7 Airosmith.

8 The -- both are contained within the same
9 building. I believe the daycare is on the
10 southern side portion, and the church would be on
11 the northern side.

12 MR. NWANKWO: Thank you.

13 Would the distances still remain the same
14 based on that?

15 THE WITNESS (Margelot): Yes, they're the same
16 building.

17 MR. NWANKWO: Thank you.

18 Considering that's within 250 feet of the
19 tower, has the Town expressed any concerns
20 regarding the proximity of the daycare to the
21 site?

22 THE WITNESS (Paul): This is Brian Paul with Vertical
23 Bridge.

24 We have not heard of any concern from the
25 Town with regard to that question.

1 MR. NWANKWO: Thank you.

2 Also referencing the fact that the site is
3 located in the southern part of the existing
4 driveway, my question is, if the facility was
5 constructed, will the church be able to use other
6 portions of the southern parking lot?

7 THE WITNESS (Paul): Yeah. Again, Brian Paul, Vertical
8 Bridge.

9 Yes, we intend to keep as much of that
10 parking lot accessible, not only during
11 construction, but post construction for use.

12 MR. NWANKWO: Thank you.

13 Next, I'd like to refer to interrogatory
14 responses number 20 and 24, and also the future
15 adoption of the 2024 International Building Code
16 by the State of Connecticut, which would include
17 an updated structural standard for
18 antenna-supporting structures and antennas. That
19 is revision I.

20 My question is, will the antennas and antenna
21 mounts still be compliant with the updated design
22 standards, specifically for wind speed tolerance?

23 THE WITNESS (Johnston): Hi. This is Joe Johnston with
24 Airosmith.

25 The manufacturers would have to run

1 calculations to definitively verify that, but I
2 have intimate knowledge of both Rev-H and Rev-I,
3 and we would anticipate they would.

4 MR. NWANKWO: Thank you.

5 THE WITNESS (Johnston): You're welcome.

6 MR. NWANKWO: Next, I'll refer to interrogatory
7 responses number 22. My question is, what height
8 will the yield point be installed?

9 THE WITNESS (Johnston): Hi. This is Joe Johnston from
10 Airosmith.

11 Typically the yield point is designed as the
12 base of the tower.

13 MR. NWANKWO: Sorry. You said the base of the tower?

14 THE WITNESS (Johnston): Yes, correct.

15 MR. NWANKWO: So, the yield point would be 75?

16 THE WITNESS (Johnston): The fall zone would be 75
17 feet, correct.

18 MR. NWANKWO: Thank you.

19 Next, I'd like to refer to interrogatory
20 responses number 34. My question is, what are the
21 industry-recognized optimal values for voice over
22 LTE accessibility index and the PRB utilization in
23 LTE networks?

24 THE WITNESS (McKitty): Hi. Quaison McKitty, RF
25 Engineer.

1 As it relates to question number 34, we
2 monitor bearer drops, faulty IAs and PRB
3 utilization. The bearer drops, faulty IAs,
4 ineffective attempts pretty much indicates when
5 you're trying to connect and you're unable to
6 connect because there's congestion on the -- the
7 sector. In this case it's a sector. At times it
8 could be the entire site.

9 MR. NWANKWO: Thank you.

10 Do you have any value for the optimal values?
11 You did give 6 percent for the voice over LTE and
12 50 percent for the PRB.

13 THE WITNESS (McKitty): Right. So, bearer drops are
14 normally, you know, it's -- it's a wide context
15 word, "bearer drops," but it's any channel.
16 Right? Any user that is utilizing a channel to,
17 you know, to use their user devices is referred to
18 a bearer drop.

19 If those contacts are dropped unexpectedly --
20 right? You're driving and you drop a call or
21 you're listening to, you know, audio on your phone
22 via YouTube or anything, and you -- the connection
23 just gets dropped, referred to a bearer drop.

24 Ineffective attempt greater than .6 percent
25 refers to ineffective attempt -- I'm in the area,

1 I'm trying to connect, and I am unable to connect.
2 Anything greater than .6 percent is seen as a
3 threshold that our KPIs monitor to say, hey.
4 There's -- there's an issue on this site, and that
5 we can drill down into.

6 The PRB utilization is normally referencing
7 performance as well, as it relates to anything
8 over 50 percent.

9 Now, granted, you -- you say, well, you have
10 a hundred percent. Right? But normally if we hit
11 past 50 percent and we start seeing congestion, we
12 start planning for the future. We don't wait for
13 the site to exhaust and, you know, potentially
14 customers complaining before we take action.

15 MR. NWANKWO: Thank you.

16 THE WITNESS (McKitty): You're welcome.

17 MR. NWANKWO: So, the proposed New Milford facility
18 will be capable of meeting these optimal network
19 performance metrics?

20 THE WITNESS (McKitty): That is correct. Currently,
21 and I'll reference -- yes. I'll say yes.

22 MR. NWANKWO: Thank you for that.

23 THE WITNESS (McKitty): You're welcome.

24 MR. NWANKWO: Next, I'd like to refer to interrogatory
25 response number 48. And my question is, what type

1 of vehicles will be expected to enter the site
2 during construction?

3 THE WITNESS (Paul): Brian Paul, Vertical Bridge.

4 We expect all types of vehicles, anything
5 from a pickup truck up to a concrete truck or a
6 crane.

7 MR. NWANKWO: Thank you.

8 Looking at the site plans, where would these
9 vehicles -- or could you indicate where these
10 vehicles will be parked?

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

12 We would plan on most vehicles accessing and
13 parking as close to the facility as possible,
14 therefore not infringing on parking and the
15 walkway access to and from the church.

16 MR. NWANKWO: Thank you.

17 Next, I'd like to refer to interrogatory
18 response number 49A, which states that the
19 antennas are 80 feet to the nearest parking. What
20 portion of the parking is being referenced?

21 THE WITNESS (McKitty): So from the --

22 A VOICE: Here. That's -- or actually, that's probably
23 it.

24 A VOICE: Correct.

25 A VOICE: Yeah, so it's probably that way.

1 THE WITNESS (McKitty): Right. So, it's -- it's
2 directly where the, I would say the access road
3 going towards the tower. We take the base of the
4 tower to that edge of the parking.

5 MR. NWANKWO: That would be 80 feet?

6 THE WITNESS (McKitty): Yes, approximately.

7 MR. NWANKWO: Thank you.

8 THE WITNESS (McKitty): You're welcome.

9 MR. NWANKWO: I'd like to just go back to the question
10 about the distance of the daycare and the church
11 building, because that question also references
12 190 feet and 156 feet, which is inconsistent from
13 the original distance.

14 THE WITNESS (McKitty): Now it's referencing to the --
15 okay. Yeah, it's on answer 15, question 15, the
16 answer for -- okay.

17 A VOICE: You know that for sure?

18 THE WITNESS (McKitty): The nearest is a part of this
19 line of the church. So this is a tip, especially.
20 That one.

21 A VOICE: Maybe (unintelligible) --

22 THE WITNESS (McKitty): Yes, I'll -- from the center.
23 I'll speak to how I -- because 49, I provided this
24 data. And --

25 A VOICE: If (unintelligible).

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

3 Could you repeat the question?

4 MR. NWANKWO: Yes. In question number 15, I think we
5 referenced the -- just a second -- the distance
6 from the compound to the daycare and the church
7 building as 105, 105-foot each.

8 But for 49, when we were talking about the
9 antennas, the distance was referenced as 190 feet
10 and 146 feet. I just wanted some clarity on the
11 discrepancy.

12 A VOICE: Was that question 50?

13 THE WITNESS (Margelot): Fifteen.

14 So, I did -- I did edge of the compound to
15 the southwest of the -- of the church, based on
16 this, this survey. It could just be a slight
17 discrepancy due to different measurement tools.

18 THE WITNESS (McKitty): Right. So, in answering 49A,
19 we use the FCC MPE measurements that was also
20 presented in the -- the documents for Docket
21 Number 540, and it shows approximately the
22 percentage as it relates to the distance.

23 MR. NWANKWO: Thank you.

24 So, that will be the distance from the
25 antenna to that church building?

1 THE WITNESS (McKitty): These are -- yes, and these are
2 vertical, vertical distance.

3 MR. NWANKWO: Thank you.

4 THE WITNESS (McKitty): You're welcome.

5 MR. NWANKWO: Next, I'll refer to council interrogatory
6 number 59. And my question is, could the
7 Applicant provide the addresses of the four
8 residential properties with year-round views of
9 the facility?

10 VOICES: (Unintelligible.)

11 THE WITNESS (Landino): Yeah, let me -- this is Rick
12 Landino from All-points Tech.

13 I don't have -- I don't have those addresses,
14 but let me see if I could get them for you guys
15 later. Yeah.

16 MR. NWANKWO: Thank you.

17 Thank you, Mr. Vice Chair. That will be all
18 my questions.

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

20 We now continue with cross-examination by
21 Mr. Golembiewski followed by Mr. Nguyen.

22 Mr. Golembiewski, good afternoon.

23 MR. GOLEMBIEWSKI: Good afternoon, Vice Chair.

24 I really only have one question and it's
25 really in regards to the interrogatory, the

1 response to interrogatory 62. Essentially, I
2 believe the Applicant has stated that a monopine
3 would be more conspicuous than the tower because
4 it's entirely a deciduous forest.

5 And I'd like to go through some of the photos
6 from the visual assessment just so that I
7 understand what they mean, and hopefully I can
8 agree with that position. So, I wanted to go to
9 photo five, which is the first, the first photo
10 that shows the tower.

11 And I guess I want to understand why for
12 each -- I guess, we'll just go through the views,
13 but why a pine-shaped tower would stand out in
14 some of these instances.

15 THE WITNESS (Landino): This is Rick Landino from --

16 MR. GOLEMBIEWSKI: So I don't know who -- okay.

17 THE WITNESS (Landino): Go? Go ahead?

18 So, photo five, you have -- you were saying
19 you were concerned about photo five?

20 MR. GOLEMBIEWSKI: Well, I just wanted -- I mean,
21 because, I mean, generally we don't get towers
22 this short. Correct?

23 THE WITNESS (Landino): Sure, yeah.

24 MR. GOLEMBIEWSKI: And then an average -- I don't want
25 to say an average, but a pine tree can be 75 feet.

1 It's not uncommon. Correct?

2 THE WITNESS (Landino): Sure, yeah.

3 MR. GOLEMBIEWSKI: Okay. So, then as I go through
4 these, photo five, I actually think I see several
5 pine trees in that profile as you look over the
6 auto part store. Right? It looks like there's --

7 THE WITNESS (Landino): Correct. I can see --

8 MR. GOLEMBIEWSKI: Okay.

9 THE WITNESS (Landino): Yeah.

10 MR. GOLEMBIEWSKI: So, I guess you're saying that in
11 that -- so, I'll just go view by view.

12 So, you think the --

13 THE WITNESS (Landino): We could say -- yeah. You
14 could say, certainly, there's going to be views
15 where it -- where it would look good, and I think
16 there are also some views where it won't, you
17 know.

18 MR. GOLEMBIEWSKI: Okay. So, great. You're leading
19 me -- so, why don't you take me to the photos
20 where you think it would be worse --

21 THE WITNESS (Landino): Sure.

22 MR. GOLEMBIEWSKI: -- than what's shown? Okay.

23 THE WITNESS (Landino): Particularly, I think, like,
24 photo number nine.

25 MR. GOLEMBIEWSKI: Okay.

1 THE WITNESS (Landino): I think it would be -- it would
2 be a little bit more on photo eleven.

3 MR. GOLEMBIEWSKI: Okay. Hold on. Photo nine? Okay.

4 So, in that case, you believe that it just --
5 it would draw more attention to it because it
6 would be more substantial?

7 THE WITNESS (Landino): Yeah, especially at that, at
8 that closer distance for my eye.

9 MR. GOLEMBIEWSKI: Okay. And then which one?

10 You said, eleven?

11 THE WITNESS (Landino): On eleven.

12 MR. GOLEMBIEWSKI: Okay. I mean, it's funny because, I
13 mean, I look -- I look at eleven and I see the
14 stand of pine right there on the right. And I
15 don't know. I guess, maybe --

16 THE WITNESS (Landino): Those -- yeah. Those are -- I
17 look at it, I guess -- I look at it. It's a pine
18 sticking out, I'm guessing 40 feet of deciduous
19 trees.

20 MR. GOLEMBIEWSKI: Okay.

21 THE WITNESS (Landino): And I also --

22 MR. GOLEMBIEWSKI: And --

23 THE WITNESS (Landino): Please continue.

24 MR. GOLEMBIEWSKI: Oh, yeah. No, I'm just saying, are
25 there any other photos that -- I mean, 15 maybe.

1 I was looking, and it's kind of, you know, I'm
2 looking at 15 and it looks like it kind of --

3 THE WITNESS (Landino): It's a leaf-off --

4 MR. GOLEMBIEWSKI: Yeah.

5 THE WITNESS (Landino): It's a leaf-off shot.

6 MR. GOLEMBIEWSKI: And then 16 clearly is a very
7 visible location above the --

8 THE WITNESS (Landino): Yeah.

9 MR. GOLEMBIEWSKI: -- the landscape, the background,
10 the hillside. Right?

11 THE WITNESS (Landino): What was that? Did you say --
12 which one was that? Sixteen?

13 MR. GOLEMBIEWSKI: Sixteen looks like to me that might
14 be the most, one of the most prominent.

15 THE WITNESS (Landino): Sure, yeah. And it's -- yeah,
16 and I think to keep in mind, it's -- it's a
17 75-foot tower with an average tree height in that
18 area of about, if I remember correctly, like, 74,
19 75 feet.

20 So, as of right now, there's -- there's
21 pretty substantial screening naturally happening.
22 You know, it's --

23 MR. GOLEMBIEWSKI: Okay.

24 THE WITNESS (Landino): That's -- that's how I was
25 looking at it.

1 MR. GOLEMBIEWSKI: Okay. So, let's just say I agree
2 with you. Right?

3 THE WITNESS (Landino): Sure.

4 MR. GOLEMBIEWSKI: The cost -- so, as I read in the
5 interrogatory, the cost would be three times as
6 much for just installation. Is that correct?

7 THE WITNESS (Paul): Yeah. This is Brian Paul with
8 Vertical Bridge.

9 We typically find that a monopine is three-X
10 the cost of that of a standard steel galvanized
11 monopole. That's correct.

12 MR. GOLEMBIEWSKI: Okay. And then --

13 THE WITNESS (Paul): That's just the cost of the steel.
14 And it costs more to install it, obviously. It's
15 more labor intensive. Right? Putting on all the
16 branches, repainting any touch, you know, touchup
17 paint on the tower, so on and so forth.

18 So, it is a little more extensive in its
19 construction costs as well.

20 MR. GOLEMBIEWSKI: Okay.

21 THE WITNESS (Paul): But the cost of the actual
22 structure itself, we find to be about three times.
23 It's, you know, the --

24 MR. GOLEMBIEWSKI: And then, do you have any thoughts
25 on maintenance costs? How much higher those would

1 be?

2 THE WITNESS (Paul): I don't have any particular
3 figures I can reference for you. We do see over
4 time, you know, if you drive up and down certain
5 highways, you'll certainly see where some branches
6 don't always maintain their -- their needles over
7 time whether it's, you know, weather related, or
8 they just become brittle, fall off, so on and so
9 forth.

10 So, I can imagine there is a point down the
11 road which, yes, branches would have to be
12 replaced in the future. And not to mention any
13 time a carrier were to come along and change
14 antennas or do maintenance on the -- on the
15 structure itself, there's potential for those
16 branches to be damaged or broken. Right? During
17 the course of any upgrade or construction activity
18 on the tower we do find that that happens more
19 than we'd like to see.

20 In addition, I think it's -- it's also
21 opening up to the risk of folks not painting their
22 equipment on the tower to match in the future.
23 Right? So, you may find that there's some white
24 antennas hanging from a green pine tree because
25 somebody didn't realize that they were supposed to

1 paint it, didn't bring the paint with them, and
2 promised to come back later and do it. And six
3 months later, you've still white antennas being
4 seen through your monopines.

5 So, we do see that as well.

6 MR. GOLEMBIEWSKI: Okay. Are there any limitations to
7 tower sharing with a monopine design?

8 THE WITNESS (Paul): There can be. Sometimes if it --
9 if a municipality were to come along and wanted to
10 install some, what we would consider non-typical
11 antennas, we can run into issues there, especially
12 with whip-type antennas. They tend to be longer,
13 most in the 10- to 20-foot length.

14 So, those don't often fit within the
15 structure, if you will, of -- of the monopine.
16 Right? And typically they can't be painted
17 either. Right? I'm not aware that you can paint
18 a whip antenna, you know, green or brown or
19 whatever it is. We want it to -- to match.

20 So, oftentimes something of that stature
21 could stick out.

22 MR. GOLEMBIEWSKI: Okay. And then I just want to
23 confirm the church, the host property owner had
24 no -- did not request any type of stealth design?

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

1 I'm not aware of any restriction on -- or a
2 request, I'm sorry, a request to stealth the
3 tower.

4 MR. GOLEMBIEWSKI: Okay. And how about from the Town?
5 Was there any --

6 THE WITNESS (Paul): No.

7 MR. GOLEMBIEWSKI: Any conversation or contact? The
8 Town had no -- did not mention stealth design at
9 all?

10 THE WITNESS (Paul): Again, Brian Paul, Vertical
11 Bridge.

12 We're not aware of any communication from the
13 Town on that request.

14 MR. GOLEMBIEWSKI: Okay. Great. Thank you, panel.

15 Thank you, Vice Chair. That's all I had.

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

17 We'll continue cross-examination of the
18 Applicant by Mr. Nguyen, followed by Mr. Carter.

19 Mr. Nguyen, good afternoon.

20 MR. NGUYEN: Good afternoon, thank you. Yeah, just a
21 few clarification questions.

22 Referencing question number four, in the
23 answer to in interrogatory number four it
24 indicated that the commercial daycare center is
25 owned by the church. I get that. And it's

1 indicated that it's aware of the proposed
2 facility.

3 The question is, to date, has the Applicant
4 received any comments or concerns regarding the
5 proposed facility in conjunction with the church
6 building or the commercial daycare center?

7 THE WITNESS (Paul): Yeah, this is Brian Paul, Vertical
8 Bridge.

9 We have not received any such communication.

10 MR. NGUYEN: Any comments, concerns, you have not
11 received?

12 THE WITNESS (Paul): None. No, sir. None.

13 MR. NGUYEN: Now the answer to question number 15, the
14 answer indicated that the distance from the edge
15 of the compound to the commercial daycare center
16 is 105 feet, and that's same with the church
17 building.

18 So, is it the commercial daycare center
19 that's in the church building?

20 THE WITNESS (Paul): Again, Brian Paul, Vertical
21 Bridge.

22 That's our understanding. Yes, the daycare
23 center is in the ground floor -- right? Of the --
24 of the church itself.

25 MR. NGUYEN: When we talk about the church building,

1 what are we talking about? So, it combined the
2 notion or -- the daycare center, it's a church,
3 which is a place of worship?

4 THE WITNESS (Paul): I'm not that familiar. Who's --
5 I'm not that -- again, Brian Paul.

6 I haven't been to the facility. I don't know
7 that we have enough knowledge of the inside of the
8 building. I don't know that anyone here has set
9 foot inside the building to know the makeup of
10 what happens inside that building.

11 MR. NGUYEN: Where is the place of worship?

12 THE WITNESS (Paul): Where is the place of worship?

13 Do we know the answer to that, Jason? I
14 mean, I imagine it's the L-shaped building.
15 Right? The L-shaped portion.

16 THE WITNESS (Margelot): (Unintelligible.)

17 THE WITNESS (Paul): Yeah.

18 MR. NGUYEN: So, it's up here, that part of the church
19 building, that's what we are talking about.

20 Right?

21 THE WITNESS (Paul): Correct. Yes, that's our --
22 again, Brian Paul, Vertical Bridge.

23 Yes, that's our understanding. It's in
24 the -- if you were to look at Z-2 of the drawings,
25 we believe it's in the L-shaped building.

1 MR. NGUYEN: Okay. Now based on Mr. Nwankwo's
2 questions earlier, I just want to confirm, so what
3 is the distance from the tower to the commercial
4 daycare center?

5 THE WITNESS (Paul): Yeah. Again, Brian Paul.

6 I believe Jason was going to look up that
7 specific information, because I -- I believe we
8 had a potential conflict in the distances from
9 what Quaison submitted and what Jason submitted.

10 So, I think we owe you an answer on that
11 exact distance. I don't believe we have a clear
12 answer on that at this time.

13 MR. NGUYEN: Yeah. Mr. Vice Chair, would it be
14 possible, like, perhaps after the break for the
15 company to come back with that information for us?

16 THE VICE CHAIR: Certainly, that would be appropriate.

17 If we could have that answer after the break
18 then we can move this along. Thank you.

19 THE WITNESS (Paul): Certainly.

20 MR. NGUYEN: Thank you.

21 THE WITNESS (Paul): We're working on that as we speak.

22 MR. NGUYEN: Thank you.

23 Now, so we established that the proposed
24 facility is 105 feet from the commercial daycare
25 center. So, my question is, because it is within

1 250 feet from the proposed facility, would this
2 have an effect on the aesthetics or scenic quality
3 of the neighborhood in which this commercial
4 daycare center is located? If not, why not?

5 THE WITNESS (Paul): Rick, you want to take that?

6 THE WITNESS (Landino): Sure.

7 Could you repeat that question?

8 MR. NGUYEN: Yes.

9 THE WITNESS (Paul): He's speaking about the
10 aesthetics. Go ahead. All right.

11 MR. NGUYEN: Would you like me to repeat it?

12 THE WITNESS (Landino): Yes, please.

13 MR. NGUYEN: We established that the commercial daycare
14 center is within 250 feet from the proposed
15 facility. So, my question is, would this have an
16 effect on the aesthetics or scenic quality of the
17 neighborhood in which this commercial daycare
18 center is located? If not, why not?

19 THE WITNESS (Landino): The -- the neighborhood? I'm
20 sorry, the neighborhood in which the commercial
21 daycare center is located?

22 MR. NGUYEN: Correct.

23 THE WITNESS (Landino): Is that what you said?

24 THE WITNESS (Paul): It's the scenic impact.

25 THE WITNESS (Landino): The host property?

1 THE WITNESS (Paul): Yeah, it was the scenic impact.

2 THE WITNESS (Landino): The viewshed analysis will show
3 you kind of the -- the area where things will be
4 visible and where they won't. The visibility on
5 the host property, there's the church building or
6 the daycare that will obstruct portions of the
7 tower from the -- from the eastern side. It's a
8 mix of -- a mix of wooded and open space, so there
9 will be lines of sight to it.

10 But you can see in the -- in the remote field
11 review, you could see the -- the general layout of
12 the -- of the back parking lot where everything is
13 located. So, you see general lines of sight over
14 there.

15 But the visual impact to the neighbor -- to
16 the neighborhood around it, you're asking? There,
17 there are -- there's some views along Danbury Road
18 in that photo simulation package that pretty much
19 shows the extent of visibility along that road. I
20 don't think -- yeah, I think it's pretty well
21 documented in the simulations, the impact to that
22 neighborhood.

23 MR. NGUYEN: And the simulations essentially show
24 there's many natural trees growing. The height of
25 the trees are what you are referencing to?

1 THE WITNESS (Landino): I -- I'm sorry, I couldn't -- I
2 couldn't hear you.

3 MR. NGUYEN: When you talk about the simulation that
4 addressed what I'm asking, I'm asking you back,
5 what specifically that the photo simulation
6 addressed, the aesthetics or the scenic quality
7 with respect to the proposed facility --

8 THE WITNESS (Landino): Sure.

9 MR. NGUYEN: -- in relation to the commercial daycare
10 center?

11 THE WITNESS (Landino): I think the -- the existing
12 trees on the property average about 75 feet, 74
13 feet. The height of the facility is 75 feet. So,
14 there's a fair amount of screening already
15 throughout it. I -- I don't -- I don't see
16 exactly, I guess, that, how it impacts the
17 aesthetic quality.

18 MR. NGUYEN: So, you're saying that it shouldn't affect
19 the aesthetics or scenic quality?

20 THE WITNESS (Landino): No, I think there's -- I think
21 it's pretty consistent with the neighborhood.
22 There's existing infrastructure present along
23 Danbury Road. I think it will blend in with that,
24 you know.

25 MR. NGUYEN: Okay. Regarding the diesel fuel

1 generator, the question asked earlier about the
2 containment -- and I believe that you said there
3 there's a containment plan for that. The question
4 is, should there be a leak, would there be an
5 automated alarm?

6 THE WITNESS (Paul): This is Brian Paul with Vertical
7 Bridge.

8 Yes. That, the generator itself is alarmed
9 with an overfill alarm, yes.

10 MR. NGUYEN: Okay. Now, is there a natural gas line in
11 the vicinity of the facility?

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

14 We're not aware of any gas lines on Danbury
15 Road that would feed this facility.

16 MR. NGUYEN: Okay. And that's all we have. Thank you,
17 panel. Thank you, Mr. Vice Chair.

18 That's all I have.

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

20 We'll now continue with cross-examination by
21 Mr. Carter, followed by Ms. Hall.

22 Mr. Carter, good afternoon.

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

24 I do not have any further questions. I
25 appreciate the line of questioning that I've heard

1 so far. Thank you.

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

3 We will now continue with cross-examination
4 by Ms. Hall, followed by Mr. Syme.

5 Ms. Hall, good afternoon.

6 MS. HALL: Good afternoon. I live in a neighboring
7 town, so I know this area pretty well. In fact, I
8 shop on Danbury Road quite a bit. And Route 7 is
9 very busy, lots of traffic, lots of commercial
10 buildings.

11 I am less concerned about the view from
12 Danbury Road than I am behind, and I noticed when
13 I look at a map that there's a housing development
14 right to the west. The property, the maps that we
15 have show that this is 79 feet from the western
16 property edge, but it doesn't really explain how
17 close it is to the houses that are back in that
18 direction.

19 I suspect that some of the views are going to
20 be from those homes, and I was kind of surprised
21 that there was only one house on Dartmouth Road,
22 which is the street immediately to the west, where
23 you showed some sort of impact and that it was
24 seasonal. I'd be very surprised if there weren't
25 more impact back in that housing development to

1 the west.

2 Can you give a little bit more color to the
3 visual impact to those houses right to the west,
4 please?

5 THE WITNESS (Paul): Rick is coming over. There he is.

6 THE WITNESS (Landino): Hello. Rick Landino,
7 All-Points Tech. Thank you.

8 I see what you're talking about over here on
9 Dartmouth Road. What's happening over there,
10 there's an existing stand of trees. This tower,
11 being only 75 feet tall, the existing stand of
12 trees on the east side of the parcels on Dartmouth
13 Road appear to be obstructing a lot of the
14 visibility past it. There is a non-visible shot
15 from -- from that area of view 17.

16 I think it's where we're predicting there
17 will be some seasonal visibility on those parcels,
18 a few of them directly west of the site, but I
19 think because it's such a short tower is why it's
20 not extending past it, if that makes sense. And
21 you could see the -- the viewshed mapping, too,
22 kind of shows how it is being projected.

23 MS. HALL: Yeah, I was looking at it and seeing all the
24 yellow and orange back there, which is why I was
25 surprised that there was only -- you were only

1 listing one shot back on Dartmouth Road there.

2 THE WITNESS (Landino): Yeah, and it's -- it's because
3 we didn't get any visibility back there --

4 MS. HALL: Okay.

5 THE WITNESS (Landino): -- from that, from that road.

6 We assessed it and, you know, I understand,
7 you know, we included it because it is in such
8 close proximity to the site, and it's -- it's --
9 there's no line of sight to it from that road.

10 MS. HALL: Yeah. And did you explore whether there was
11 natural gas available? I mean, New Milford,
12 unlike the town I live in, does have natural gas.
13 And I think it's fairly widespread in New Milford.

14 Did you explore that?

15 THE WITNESS (Margelot): This is Jason Margelot,
16 Airosmith.

17 I -- I did go onto the Eversource website,
18 and per their website there was no natural gas
19 offered at the address.

20 MS. HALL: Okay. Thank you.

21 All right, and were there discussions
22 directly with the daycare center about this,
23 rather than going through their landlord, the
24 church?

25 THE WITNESS (Glidden): Hi. For the record, this is

1 Liz Glidden with Verizon Wireless.

2 I'm not aware of any conversations directly
3 with the -- with the daycare. All conversations
4 were with the church and their board of directors.

5 MS. HALL: Okay. There was one sentence someplace that
6 said that both the church and the daycare were
7 aware of this. How -- what basis is there for
8 making that statement that the daycare is aware of
9 this?

10 THE WITNESS (Glidden): I think because the board of
11 directors is also involved for -- the church is
12 also involved with the daycare. My assumption is
13 that they were notified through the church and the
14 board of directors.

15 MS. HALL: Okay. No further questions. Thank you.

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

17 We'll now continue with cross-examination by
18 Mr. Syme followed by Dr. Williams.

19 Mr. Syme, good afternoon.

20 MR. SYME: Good afternoon, everybody.

21 (Unintelligible) this time I have no
22 questions.

23 THE VICE CHAIR: Thank you, Mr. Syme. You were
24 breaking up quite a bit, but the gist is --

25 MR. SYME: Can you all hear me?

1 THE VICE CHAIR: -- you have no questions.

2 Is that correct?

3 MR. SYME: That's correct.

4 THE VICE CHAIR: Very good. Thank you.

5 MR. SYME: Yeah, that's correct.

6 THE VICE CHAIR: Okay. We'll now continue with
7 cross-examination by Dr. Williams followed by
8 Mr. Lynch.

9 Dr. Williams, good afternoon.

10 DR. WILLIAMS: I have no questions at this time.

11 Thank you.

12 THE VICE CHAIR: Thank you.

13 We'll now continue with cross-examination by
14 Mr. Lynch followed by myself.

15 Mr. Lynch, good afternoon.

16 MR. LYNCH: Can you hear me, Mr. Morissette?

17 THE VICE CHAIR: I can.

18 MR. LYNCH: I have a few questions. I want to revisit
19 the daycare center. And I think this is probably
20 more of a legal question, but I thought the
21 Connecticut Legislature passed a law a few years
22 back that prohibited -- or prohibited a telecom
23 tower from within so many feet of a daycare center
24 or a school.

25 So, could I get a ruling on that somehow?

1 THE VICE CHAIR: I will ask Attorney Bachman if she
2 could provide some guidance on that.

3 Attorney Bachman?

4 ATTORNEY BACHMAN: Thank you, Vice Chair Morissette.

5 That is correct, Mr. Lynch. It's not a
6 prohibition. It is for any facility that is
7 proposed to be located within 250 feet of a school
8 or a commercial child care center, that the chief
9 elected official of the host municipality does not
10 object to the location.

11 Thank you.

12 THE VICE CHAIR: Thank you Attorney Bachman.

13 MR. LYNCH: Thank you, Ms. Bachman.

14 Also, I want to revisit the stealth site for
15 a second. Did I hear you correctly that the
16 stealth site would prohibit a whip antenna from
17 being used by the municipalities or some other
18 form of emergency service?

19 THE WITNESS (Paul): Again, Brian Paul with Vertical
20 Bridge.

21 It doesn't prohibit it. It just doesn't
22 necessarily fit the stature of the tower. It
23 would -- it would stick out. It would kind of --

24 A VOICE: Draw more attention.

25 THE WITNESS (Paul): Yeah, it would draw more

1 attention, if you will, than -- than it would to
2 hide it. Right? The idea with stealth is to hide
3 it. An antenna of that size and shape would --
4 would tend to stick out more.

5 MR. LYNCH: And on a cell pine tree would the branches
6 have to meet the wind-shear standards of the
7 state? I think it's 135 miles per hour.

8 THE WITNESS (Paul): Yeah. Again, Brian Paul, Vertical
9 Bridge.

10 Yes, that's correct. All parts of the tower
11 will have to meet the same standard.

12 MR. LYNCH: All right. Thank you.

13 I want to go -- I want to start with the tree
14 canopy, as it ranges from 45 feet to 175 feet to
15 106 feet. Would that cause the antennas to be
16 directional or angled in any way?

17 THE WITNESS (Paul): Is the tree canopy going to change
18 the way you're (unintelligible) being that some of
19 the trees at are the same height or taller, or
20 being tall?

21 THE WITNESS (McKitty): Hi, Quaison McKitty. RF
22 engineer for Verizon Wireless.

23 Can you restate the question for me, please?

24 MR. LYNCH: The tree canopies range in height from 48
25 feet to 75 feet to 106 feet. Would that in any

1 way make your -- have you to use directional
2 antennas or angle your antennas in any way to
3 avoid the interference from the trees?

4 THE WITNESS (McKitty): So, yes, we've come across that
5 in the industry where based on, you know, the
6 stealth, on how the -- the tree stealthing is
7 done, it impacts our azimuth that we can get out
8 of our panel antennas.

9 So, at times, if they can't rotate, that, you
10 know, the structure itself to get our azimuth that
11 we're looking for per our sectors, then yes, it
12 definitely impacts it -- or there could
13 potentially be impacts. Let me just rephrase
14 that.

15 MR. LYNCH: I'm not sure you answered my question, but
16 okay.

17 If you had the opportunity to use the
18 flush-mounted antennas -- and I'm not saying that
19 we're going to require it, but would that require
20 more than one flush-mount antenna, and at what
21 height?

22 THE WITNESS (McKitty): So, flush mount? I can look at
23 this design and say that it is a three antennas or
24 four -- three to four antennas per sector. It is
25 not feasible to -- okay. Yeah. So, one, two,

1 three -- two, three, four, yeah. So, we're using
2 three masts by -- currently. One is being used as
3 a side-by-side mount. So, we're making -- taking
4 advantage of that as well.

5 And to answer your question, it is not
6 feasible to do a flush mount on every single
7 antenna. That will take a multiple RAD center,
8 which will not leave room for any other wireless
9 carriers based on just how there they have to be
10 spaced out.

11 So, in essence -- one second. We've just got
12 to plug in the laptop here.

13 In essence, it's installing the antennas
14 vertically versus horizontally, and vertically
15 will take up more space. And flush mount, just to
16 answer the question, can they be flush mounted?
17 Yes, but it's -- it doesn't provide us the most
18 optimal opportunity to optimize the network when
19 after the site is built, and we're looking to
20 optimize the network. Flush mount does not allow
21 those flexibilities.

22 MR. LYNCH: I just wanted to get that on the record
23 that it wouldn't work.

24 THE WITNESS (McKitty): Correct, correct.

25 MR. LYNCH: The power density of the antennas, if you

1 added another carrier, would the carrier -- would
2 you have to reevaluate the power density at the
3 bottom of the tower?

4 THE WITNESS (McKitty): So, in this case, we're using
5 worst-case scenario -- or, I should say in this
6 presentation, we're using worst-case scenario. We
7 take into consideration our design.

8 In the event additional carriers are being --
9 or other telecommunication companies are
10 co-located on the tower, we would do a
11 comprehensive MPE study, yes.

12 MR. LYNCH: All right, thank you.

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

14 MR. LYNCH: Now, if you had another carrier that wanted
15 to come onto the tower, it would seem that a new
16 carrier would want to go higher because going
17 below, you're going down to 65 feet and that would
18 interfere with the tree canopy.

19 So, how much higher can this tower be raised?

20 THE WITNESS (Paul): Brian Paul with Vertical Bridge.

21 We would design a tower to be extendable by
22 20 feet.

23 MR. LYNCH: Okay. Thank you.

24 Now, on your diagram Z-2, you have a conduit
25 or a trench for electrical and fiber optics. Are

1 they in the same trench, or are they separate
2 trenches?

3 THE WITNESS (Paul): Yeah. Brian Paul again.

4 Those are in the same trench.

5 MR. LYNCH: Thank you.

6 Now, you haven't heard from any of the
7 municipalities as far as adding their equipment to
8 the tower. Now, is this something you're waiting
9 for them to approach you, or do you go out and
10 solicit them?

11 THE WITNESS (Paul): This is Brian Paul with Vertical
12 Bridge.

13 We don't typically solicit them. They
14 receive, obviously, this package notification
15 prior to the filing, so they're aware of the
16 tower. If they choose to contact us with regard
17 to that, we certainly welcome them.

18 I've mentioned in the past we don't typically
19 charge municipalities any rent for tower or ground
20 space. So, we're certainly open to them putting
21 equipment on the tower.

22 MR. LYNCH: All right. Thank you.

23 Those are all my questions, Mr. Morissette.

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

25 We're going to take a break early this

1 afternoon. The Applicant has two open questions
2 that they were going to research during the break.
3 One having to do with interrogatory question
4 number 59 and the addresses of the properties of
5 the residents that have, I believe it was a
6 year-round view. And then the second one is the
7 distance of the tower versus the daycare center.

8 So, if the Applicant could research that
9 during the break, we will reconvene at 20 after 3.

10 VOICES: Thank you.

11 THE VICE CHAIR: Thank you.

12

13 (Pause: 3:05 p.m. to 3:20 p.m.)

14

15 THE VICE CHAIR: Thank you, everyone.

16 Is the Court Reporter with us?

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

18 THE VICE CHAIR: Very good, thank you.

19 Attorney Patrick, do you have some responses
20 for us?

21 ATTORNEY PATRICK: Yes, we do, Mr. Morissette.

22 I will let Mr. Landino lead the way with his
23 response regarding the visibility from various
24 residences.

25 THE VICE CHAIR: Very good, thank you.

1 THE WITNESS (Landino): Sure. We got those. We have
2 those four properties. I'll list them out for
3 you. We have 34 Pickett District Road. That's
4 Pickett District Apartments. There's some --
5 there's seasonal prediction there with about a
6 15-foot patch of year-round vis at the edge of the
7 western property line.

8 Seven Dartmouth Road; it's a mix of non-vis,
9 seasonal, and year-round in that property. 21A
10 Sherwood Drive; seasonal, with some small area of
11 year-round on the eastern edge of the property.
12 And 15 Sherwood Drive has a seasonal year-round
13 mix.

14 THE VICE CHAIR: Thank you. Mr. Nwankwo, does that
15 satisfy your question?

16 MR. NWANKWO: Yes. Thank you, Mr. Vice Chair.

17 THE VICE CHAIR: Very good. And the second question we
18 have is the distance of the tower versus the
19 daycare.

20 ATTORNEY PATRICK: Yes. So, Mr. Margelot who will
21 provide a response as well as Mr. McKitty who will
22 supplement that response as well.

23 THE VICE CHAIR: Very good. Thank you.

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

1 I have confirmed that the distance from the
2 corner of the compound to the nearest corner of
3 the building is 105 feet, and the distance between
4 the center of tower to the nearest portion of the
5 building is a hundred -- approximately 140 feet.

6 THE WITNESS (McKitty): Correct. Quaison McKitty, RF
7 engineer for Verizon.

8 In response to the differences between answer
9 15 and answer 49, my reference point was the
10 center of the tower, and answer number 15
11 responded to the edge of the compound. So,
12 therein lies the difference in the numbers.

13 So, the compound explains the outline of
14 Verizon's property that we're leasing versus the
15 center of the tower, which is what I was using as
16 my reference point.

17 THE VICE CHAIR: Very good, thank you.

18 THE WITNESS (McKitty): With that --

19 THE VICE CHAIR: Mr. Nwankwo --

20 THE WITNESS (McKitty): Sorry.

21 THE VICE CHAIR: Mr. Nwankwo, are you all set with
22 that?

23 MR. NWANKWO: I do have one, just one question to ask.
24 The distances from the compound were the same, so
25 I'm assuming that the distances from the antennas

1 will be similar, that there seems to be about a
2 50-foot gap in between.

3 THE WITNESS (McKitty): So, I'll say updates to answer
4 number 49. A remains at 80. B is updated to, or
5 revised to 140, and the MPE is 4.35. C is updated
6 from 146 to 140, which the MPE is also 4.35
7 percent.

8 MR. NWANKWO: Thank you.

9 THE WITNESS (McKitty): You're welcome.

10 MR. NWANKWO: Thank you, Mr. Vice Chair.

11 THE VICE CHAIR: Thank you.

12 Okay. I will commence with my line of
13 questioning. I probably should have asked these
14 two questions prior to going on the break, but in
15 earlier testimony it was testified that the
16 nearest resident is 68 Danbury Road. That is the
17 address of the facility, the site address. So,
18 how could that be the nearest residence as well?

19 THE WITNESS (Margelot): This is Jason Margelot with
20 Airosmith.

21 It's actually 64. I just misread it.

22 My apologies.

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

24 Okay. And my second question is relating to
25 the sign affidavit. The second photo has the sign

1 located at 75 Danbury Road.

2 Is that correct, or is that an error?

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

4 I'm going to say that's an error. We worked
5 actually closely with the -- the church itself to
6 make sure that we were in a place where they
7 wanted the sign. It wasn't going to interfere
8 with traffic visibility and so on. But yeah,
9 it -- it is, again, similar to one of the other
10 photos that showed an erroneous address on the
11 bottom of the screenshot there.

12 It is, as you can see, just outside the
13 driveway of the church with the church in the
14 background. So, we are on the correct property.

15 I think somebody needs a new camera.

16 THE VICE CHAIR: So, that is 68 Danbury Road, for the
17 record?

18 THE WITNESS (Paul): Yes, it is. It is on the church
19 property, that's correct, yes. And again, you can
20 see the church in the background and that is their
21 driveway.

22 THE VICE CHAIR: Very good. Thank you. Thank you for
23 that clarification.

24 I'm going to go back to Mr. Lynch's question
25 relating to the daycare and the number of feet.

1 Now, I understand based on Attorney Bachman's
2 remark that there is no prohibition, but the chief
3 elected official does have to apply no objection.

4 Has the chief elected official not objected
5 to this project?

6 THE WITNESS (Paul): Again, Brian Paul, Vertical
7 Bridge.

8 We're not aware of any objection at this
9 time.

10 THE VICE CHAIR: But he hasn't officially objected
11 or approved?

12 THE WITNESS (Paul): Or acknowledged?

13 THE VICE CHAIR: Or acknowledged.

14 THE WITNESS (Paul): No, we're not aware of any
15 acknowledgement or objection at this time.

16 ATTORNEY PATRICK: Mr. Morissette, if I may say? Our
17 office did coordinate the municipal consultation.
18 We did submit the technical report to the
19 municipality earlier this year. They did not
20 request any municipal consultation.

21 They did reach out to me towards the end of
22 the municipal consultation period. He did not --
23 the Mayor of New Milford did not raise any
24 objections or issues with this facility at that
25 time. He had a question or two, which we answered

1 on the record and which we answered to him on the
2 phone, but he did not raise any objections during
3 that time.

4 THE VICE CHAIR: Very good, thank you.

5 Okay. I would like to go to page 11 in the
6 introductory of the application. The top
7 paragraph of page 11 indicates that in the second
8 sentence, the proposed facility will provide
9 reliable services to Verizon's network of the area
10 of town currently experiencing deficient
11 coverages, including 202 and Route 7.

12 Now, that implies that you have a coverage
13 problem, but when I look at the coverage maps,
14 specifically at the 700 megahertz of existing
15 versus existing plus proposed, there is no gap
16 between the two, as far as I can see, between the
17 two maps.

18 So, is it a coverage problem? Or is it a
19 capacity problem?

20 THE WITNESS (McKitty): I -- I will answer that.

21 Quaison McKitty, RF Engineer, Verizon.

22 This site is being pursued as a capacity
23 site.

24 THE VICE CHAIR: Okay. That clarifies that.

25 Okay. Are there any statistics besides

1 dropped calls that help you present a capacity
2 situation, over capacity, or a lack of capacity?

3 THE WITNESS (McKitty): Yes. So, the -- again, bearer
4 drops which, you know, normally leads to dropped,
5 you know, dropped connection. Right? In one
6 simple answer, it's just everything is a dropped
7 connection versus that.

8 Faulty ineffective attempts. When you're
9 trying to make voice over LTE calls, ineffective
10 attempts is there's blocking. Right? The sector
11 or the site is overcapacity and as a result,
12 there's -- no more traffic can be allowed on that
13 sector. That is greater than .6 percent. Those
14 KPIs are being measured as well.

15 THE VICE CHAIR: Okay. So, that's your indicator?

16 THE WITNESS (McKitty): Yes.

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

18 THE WITNESS (McKitty): You're welcome.

19 THE VICE CHAIR: Now -- I think you should probably
20 stay.

21 THE WITNESS (McKitty): I had a feeling.

22 THE VICE CHAIR: Okay. This facility is in a valley.
23 Correct? So, the height of 75 feet --

24 THE WITNESS (McKitty): Yes.

25 THE VICE CHAIR: It doesn't give you much coverage,

1 because you don't need it for coverage.

2 You need it for capacity?

3 THE WITNESS (McKitty): Correct.

4 THE VICE CHAIR: Am I looking at that properly?

5 THE WITNESS (McKitty): Yes, yes.

6 THE VICE CHAIR: So --

7 THE WITNESS (McKitty): So --

8 THE VICE CHAIR: Go ahead.

9 THE WITNESS (McKitty): The answer is yes.

10 THE VICE CHAIR: Okay. So, it's 75 feet. It looks
11 like the tower design is only for two carriers
12 with a possibility of a third going up 20 feet.

13 Is that also correct?

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

15 I would suspect that two more carriers could
16 fit on the extension of 20 feet with a 10-foot
17 separation for each.

18 THE VICE CHAIR: Oh, you could get on the 20-foot.

19 Okay. All right. So, you're designing it for
20 four, because the compound looks a little small?

21 THE WITNESS (Paul): Yeah, we're -- again, Brian Paul.

22 We're designing it currently for two. We
23 would have to deal with any expansion in the
24 future if we had other carriers interested, or a
25 municipality interested in leasing space on the

1 ground or on the tower.

2 THE VICE CHAIR: Okay. Have any other carriers
3 expressed interest?

4 THE WITNESS (Paul): Not at this time.

5 THE VICE CHAIR: All right. I'd like to go to question
6 eleven. It has to do with towers, not -- the
7 small cells, excuse me.

8 Now question eleven talks about it doesn't
9 quite work and it's costly, and you need a lot of
10 cells. Now, given that this is we're, you know,
11 essentially, Verizon is going on this two-carrier
12 designed tower and it could possibly go to four,
13 why couldn't you use a small cell for a capacity
14 relief situation?

15 THE WITNESS (McKitty): The small cell will, in most
16 case -- in all cases, provide the offload on the
17 roadways. We put our small cells on existing
18 poles, if they're available, and they're not
19 always available. And there's no new structure
20 that is being installed as part of this rollout of
21 small cells. So, there are some challenges there
22 as well.

23 In addition to that, it will not cover the
24 residents, the residential buildings beyond the
25 street view. If there are any obstructed

1 buildings, any -- obstructing buildings
2 obstructing the, you know, whether it's a 360
3 antenna or a panel antenna going up and down the
4 street, that will not provide any offload to the
5 residents that are, you know, are using the --
6 that is leading to the capacity constraint on
7 the -- on the tower.

8 So, the higher we go, i.e., the tower, the
9 more we can optimize these sectors or the
10 antennas, so to speak, and down tilting them to
11 focus them in the area of concern.

12 So, the answer is, while small cells can help
13 in most cases, in this case, due to the location
14 and the potential obstruction of the surrounding,
15 you know, structures, buildings and so forth, it
16 will not be the most adequate design. It would be
17 that we would have to return down the road to do
18 another additional, you know, request for -- to
19 add more capacity in the area.

20 THE VICE CHAIR: So, are small cells more for coverage
21 than they are for capacity?

22 THE WITNESS (McKitty): Both. In -- in areas where we
23 are unable to put -- well, coverage gaps.

24 Let me start by saying this. Wherever we
25 have coverage gaps and we see that, you know, that

1 the solution is not necessarily a macro. Right?
2 It's, let's say, between -- and I'm using this as
3 an example. It's not the case -- where 202 meets
4 Route 7, there's just this huge coverage gap,
5 maybe due to the terrain.

6 The -- the current sectors and the current
7 sites just does not penetrate that area well
8 enough, and we -- and we see those drops on the
9 sectors. We can deploy a small cell in that
10 specific location where we're seeing the drop
11 failures. That small cell would be considered a
12 service gap filling.

13 So, service coverage -- coverage gap filling.
14 Sorry. Okay? In an area where we do have
15 capacity constraint, and again, the towers are
16 well surrounded in the area, but we're seeing that
17 specific location again, i.e., between Route 7 and
18 Route 202 where they meet. We would put a small
19 cell there to control that specific area because
20 that's where the focus is.

21 I hope that answers the question.

22 THE VICE CHAIR: No, they're very helpful. Thank you.

23 So, small cells also limit the amount of
24 antennas that you can put on, or receivers,
25 whatever you would call them, so that it doesn't

1 provide you as much relief? Is that --

2 THE WITNESS (McKitty): That is correct.

3 THE VICE CHAIR: That's correct? Okay.

4 THE WITNESS (Landino): That is correct, yes.

5 THE VICE CHAIR: Okay. Good. So, thanks for your
6 responses. I appreciate it.

7 THE WITNESS (McKitty): Thank you.

8 THE VICE CHAIR: Okay. I'm going to go back through
9 the Councilmembers and see if they have any
10 follow-up questions, starting with Mr. Nwankwo.

11 Mr. Nwankwo, any follow-up questions?

12 MR. NWANKWO: Yes. Thank you, Mr. Vice Chair.

13 I did have a question based on the
14 Applicant's response to the earlier question about
15 the yield point. I did hear Mr. McKitty mention
16 an extension, so I was wondering if the yield
17 point would change if a 20-foot extension was
18 installed?

19 THE WITNESS (Paul): Yeah. Brian Paul with Vertical
20 Bridge.

21 Yes, the yield point would change to where
22 that section meets the current top tower, but also
23 in designing the original tower, the original
24 75-foot tower, we do have the capability of
25 changing that yield point as required. So,

1 currently, as Mr. Johnston noted, it is at the
2 base. We could change that if desired.

3 MR. NWANKWO: Thank you.

4 But just for clarity, when you say it's at
5 the base, is that at the point of connection with
6 the foundation, or is that on the pole itself?

7 THE WITNESS (Paul): That is on the -- it's the --
8 where the base flange plate meets the vertical
9 steel.

10 MR. NWANKWO: So exactly at 75 feet?

11 THE WITNESS (Paul): Yes.

12 MR. NWANKWO: Thank you.

13 That will be all my questions. Thank you.

14 THE VICE CHAIR: Thank you, Mr. Nwankwo.

15 We'll now ask Mr. Golembiewski, do you have
16 any follow-up questions?

17 MR. GOLEMBIEWSKI: I do not, thank you.

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

19 MR. NGUYEN: No followup. Thank you.

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

21 MR. CARTER: I have none. Thank you.

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

23 MS. HALL: No questions. Thank you.

24 THE VICE CHAIR: Thank you. Mr. Syme?

25 MR. SYME: I'm good. Thank you.

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

2 DR. WILLIAMS: All set. Thank you.

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

4 MR. LYNCH: No further questions.

5 THE VICE CHAIR: Very good. Thank you, everyone, for
6 your participation, and thank you to the panel for
7 their responses.

8 The Council will recess until 6:30 p.m., at
9 which time we will commence with the public
10 comment session of this public hearing.

11 Thank you, everyone.

12

13 (End: 3:38 p.m.)

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CERTIFICATE

I hereby certify that the foregoing 70 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. 540, 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 68 DANBURY ROAD, NEW MILFORD, CONNECTICUT, which was held before JOHN MORISSETTE, THE VICE CHAIR, on October 23, 2025.



Robert G. Dixon, CVR-M 857

Notary Public

My Commission Expires: 6/30/2030

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