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STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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 17 WARREN ROAD, WASHINGTON (NEW PRESTON) CONNECTICUT

DOCKET NUMBER 543:

BEFORE: VICE CHAIRMAN JOHN MORISSETTE

DATE: DECEMBER 4, 2025
TIME: 2:00 P.M.
VIA: ZOOM

REPORTER: ALEXA A. BUDIHAS, RPR/CRR

A P P E A R A N C E S

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DESIGNEE FOR COMMISSIONER KATIE DYKES
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

QUAT NGUYEN
DESIGNEE FOR CHAIRMAN-ELECT THOMAS WIEHL
PUBLIC UTILITIES REGULATORY AUTHORITY

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WITNESSES:

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SENIOR ENGINEER, REGULATORY AND REAL ESTATE

DEAN GUSTAFSON

ALL-POINTS TECHNOLOGY, PROFESSIONAL SOIL SCIENTIST
AND BIOLOGIST

JOSEPH JOHNSTON, AIROSMITH DEVELOPMENT,
VICE PRESIDENT OF ENGINEERING

RICHARD LANDINO, ALL-POINTS TECHNOLOGY,
GRAPHICS SPECIALIST

JASON MARGELOT, ALL-POINTS TECHNOLOGY
ENGINEERING IMPLEMENTATION LEAD

BRIAN PAUL, ALL-POINTS TECHNOLOGY, PROJECT MANAGER

KEITH VELLANTE, C2, SENIOR RADIO FREQUENCY ENGINEER

1 P R O C E E D I N G S

2 (The proceedings began at 2:00 P.M.)

3 VICE CHAIRMAN MORISSETTE: Good afternoon,
4 ladies and gentlemen. Can everybody hear me okay?
5 Very good. Thank you.

6 This public hearing is called to order this
7 Thursday, December 4th, 2025, at 2:00 p.m.

8 My name is John Morissette, Vice Chair of the
9 Connecticut Siting Council.

10 Other members of the Council are Brian
11 Golembiewski, Designee for Commissioner Katie Dykes of
12 the Department of Energy and Environmental Protection;
13 Quat Nguyen, Designee for Chairman-Elect Thomas Wiehl
14 of the Public Utilities Regulatory Authority; Chance
15 Carter; Khristine Hall; Bill Syme; Dr. Scott Williams;
16 and Daniel P. Lynch Jr.

17 Members of the staff are Executive Director
18 Melanie Bachman, Siting Analyst Robert Mercier, and
19 Administrative Support, Dakota LaFountain.

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

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

1 Administrative Procedure Act upon an application from
2 The Towers, LLC, for a Certificate of Environmental
3 Compatibility and Public Need for the Construction,
4 Maintenance, and Operation of a Telecommunications
5 Facility and Associated Equipment Located at 17 Warren
6 Road in Washington, in parentheses, New Preston,
7 Connecticut. This application was received by the
8 Council on July 30th, 2025. The Council's legal notice
9 of the date and time of this public hearing was
10 published in the "Republican-American" on August 26th,
11 2025.

12 Upon this Council's request, the Applicant
13 erected a sign in the vicinity of the proposed site so
14 as to 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 member
20 of the Council's staff upon the merits of this
21 application is prohibited by law.

22 The parties and intervenors to the proceeding
23 are as follows:

24 The Applicant, The Towers, LLC; its
25 representatives, Kenneth C. Baldwin, Esquire, and

1 Jonathan Schaefer, Esquire;

2 Parties -- the Town of Washington; their
3 representative, the Honorable James Brinton, First
4 Selectman -- Selectperson for the Town of Washington;

5 The Town of Warren; the Honorable Gregory M.
6 LaCava, First Selectperson, Town of Warren;

7 CEPA Intervenors: Steep Rock Association,
8 Inc.; its representatives, David F. Sherwood, Esquire,
9 of Moriarty, Paetzold & Sherwood;

10 Intervenor and CEPA Intervenor Washington
11 Montessori Association, Inc., represented by Joseph P.
12 Mortelliti, Esquire, of Cramer & Anderson, LLP.

13 We will proceed in accordance with the
14 prepared agenda, a copy of which is available on the
15 Council's website, along with the record of this
16 matter, the public hearing notice, instructions for
17 public access to this public hearing, and the Council's
18 Citizens Guide to Siting Council Procedures.

19 Interested persons may join any session of
20 this public hearing to listen, but no public comments
21 will be received during the 2:00 p.m. evidentiary
22 session. At the end of the evidentiary session, we
23 will recess until 6:30 p.m. for the public comment
24 session.

25 Please be advised that any person may be

1 removed from the evidentiary session or the public
2 comment session at the discretion of the Council.

3 The 6:30 p.m. public comment session is
4 reserved for members of the public who signed up to
5 make brief statements into the record.

6 I wish to note that the Applicant, parties,
7 and intervenors, including their representatives,
8 witnesses, and members, are not allowed to participate
9 in the public comment session.

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

18 A verbatim transcript of the public hearing
19 will be posted on the Council's website and deposited
20 in the Washington Town Clerk's Office for the
21 convenience of the public.

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

24 We have two motions to take care of this
25 afternoon before we get started: The Towers, LLC,

1 motion for protective order for the Lease Agreement
2 Financial Terms dated September 9th, 2025. Attorney
3 Bachman may wish to comment.

4 Attorney Bachman, good afternoon.

5 MS. BACHMAN: Good afternoon, Vice Chair
6 Morissette.

7 Pursuant to General Statutes Section 16-50o,
8 The Towers submitted a motion for protective order for
9 a Lease Agreement for Financial Terms which are exempt
10 from public disclosure under the Freedom of Information
11 Act; and therefore, staff recommends the motion be
12 granted. Thank you.

13 VICE CHAIRMAN MORISSETTE: Thank you,
14 Attorney Bachman.

15 Is there a motion?

16 MR. LYNCH: I move the motion.

17 VICE CHAIRMAN MORISSETTE: Thank you,
18 Mr. Lynch.

19 Is there a second?

20 MS. HALL: I'll second.

21 VICE CHAIRMAN MORISSETTE: Thank you,
22 Ms. Hall.

23 We have a motion by Mr. Lynch to approve the
24 motion for protective order, and we have a second by
25 Ms. Hall.

1 We'll now move to discussion with
2 Mr. Golembiewski.

3 Mr. Golembiewski, good afternoon. Nope. He
4 hasn't joined us as of yet.

5 Mr. Nguyen, good afternoon. Any discussion?

6 MR. NGUYEN: Good afternoon. No discussion.
7 Thank you.

8 VICE CHAIRMAN MORISSETTE: Thank you.

9 Mr. Carter, good afternoon. Any discussion?

10 MR. CARTER: Good afternoon, Mr. Vice Chair.
11 I have no discussion. Thank you.

12 VICE CHAIRMAN MORISSETTE: Thank you.

13 Ms. Hall, good afternoon. Any discussion?

14 MS. HALL: No discussion. Thank you.

15 VICE CHAIRMAN MORISSETTE: Thank you.

16 Dr. Williams, good afternoon. Any
17 discussion?

18 DR. WILLIAMS: Good afternoon. No
19 discussion.

20 VICE CHAIRMAN MORISSETTE: Thank you.

21 Mr. Symes (sic), good afternoon. Any
22 discussion?

23 MR. SYME: I have none.

24 VICE CHAIRMAN MORISSETTE: Thank you.

25 Mr. Lynch, good afternoon. Any discussion?

1 MR. LYNCH: I have no discussion.
2 VICE CHAIRMAN MORISSETTE: Thank you.
3 And I have no discussion.
4 We'll now move to the vote.
5 Mr. Nguyen, how do you vote?
6 MR. NGUYEN: I vote to approve.
7 VICE CHAIRMAN MORISSETTE: Thank you.
8 Mr. Carter?
9 MR. CARTER: Vote to approve. Thank you.
10 VICE CHAIRMAN MORISSETTE: Thank you.
11 Ms. Hall?
12 MS. HALL: Vote to approve.
13 VICE CHAIRMAN MORISSETTE: Thank you.
14 Dr. Williams?
15 DR. WILLIAMS: Vote to approve.
16 VICE CHAIRMAN MORISSETTE: Thank you.
17 Mr. Syme?
18 MR. SYME: Vote of approval.
19 VICE CHAIRMAN MORISSETTE: Thank you.
20 Mr. Lynch?
21 MR. LYNCH: Vote approval.
22 VICE CHAIRMAN MORISSETTE: Thank you.
23 And I also vote approval. We have a
24 unanimous decision. The motion for a protective order
25 is approved.

1 Moving on to the second motion for this
2 afternoon, on October 26th, 2025, the Council received
3 six requests -- requests for intervenor and CEPA
4 intervenor status. Attorney Bachman may wish to
5 comment.

6 Attorney Bachman?

7 MS. BACHMAN: Thank you, Vice Chair
8 Morissette. I'm sorry. It was on November 26th, 2025.

9 VICE CHAIRMAN MORISSETTE: Oh. I'm sorry. I
10 misspoke. Thank you.

11 MS. BACHMAN: Thank you. We did receive six
12 requests from Joslyn Pollock of Warren, Patricia Werner
13 of New Preston, Imad Afiouni of New Preston, Robert
14 Odom of Warren, Russell James Mackie Jr. of Warren, and
15 Kristy Faulhaber from Warren, all requesting intervenor
16 and CEPA intervenor status.

17 And staff recommends approval of all six
18 requests. And I'm grouping them under General Statutes
19 Section 16-50m(c) as the Area Residents Group on the
20 basis of similar interests and common council. Thank
21 you.

22 VICE CHAIRMAN MORISSETTE: Thank you,
23 Attorney Bachman.

24 With that, is there a motion?

25 MR. NGUYEN: I move for approval.

1 VICE CHAIRMAN MORISSETTE: Thank you,
2 Mr. Nguyen.

3 Is there a second?

4 MR. LYNCH: I'll second.

5 VICE CHAIRMAN MORISSETTE: Thank you,
6 Mr. Lynch.

7 We have a motion by Mr. Nguyen to approve six
8 requests for intervenor and CEPA intervenor status to
9 be grouped as the Area Residents Group, and we have a
10 second by Mr. Lynch.

11 We'll now move to discussion.

12 Mr. Nguyen, any discussion?

13 MR. NGUYEN: No discussion. Thank you.

14 VICE CHAIRMAN MORISSETTE: Thank you.

15 Mr. Golembiewski, good afternoon. Any
16 discussion?

17 MR. GOLEMBIEWSKI: Good afternoon. No -- no
18 discussion. Thank you.

19 VICE CHAIRMAN MORISSETTE: Thank you.

20 Mr. Carter, any discussion?

21 MR. CARTER: No discussion. Thank you.

22 VICE CHAIRMAN MORISSETTE: Thank you.

23 Ms. Hall, any discussion?

24 MS. HALL: No discussion. Thank you.

25 VICE CHAIRMAN MORISSETTE: Thank you.

1 Dr. Williams?

2 DR. WILLIAMS: No discussion.

3 VICE CHAIRMAN MORISSETTE: Thank you.

4 Mr. Syme?

5 MR. SYME: Sorry. I was on mute. I have
6 none.

7 VICE CHAIRMAN MORISSETTE: Thank you.

8 Mr. Lynch?

9 MR. LYNCH: Just a point of clarification.
10 Is this grouping just one group or is it a number of
11 different groups?

12 VICE CHAIRMAN MORISSETTE: One group.

13 MR. LYNCH: Thank you. No discussion.

14 VICE CHAIRMAN MORISSETTE: Thank you. Thank
15 you.

16 And I have no discussion.

17 We'll now proceed to the vote.

18 Mr. Golembiewski, how do you vote?

19 MR. GOLEMBIEWSKI: I vote to approve. Thank
20 you.

21 VICE CHAIRMAN MORISSETTE: Thank you.

22 Mr. Nguyen?

23 MR. NGUYEN: Vote to approve.

24 VICE CHAIRMAN MORISSETTE: Thank you.

25 Mr. Carter?

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

2 VICE CHAIRMAN MORISSETTE: Thank you.

3 Ms. Hall?

4 MS. HALL: Vote to approve. Thank you.

5 VICE CHAIRMAN MORISSETTE: Thank you.

6 Dr. Williams?

7 DR. WILLIAMS: Vote to approve.

8 VICE CHAIRMAN MORISSETTE: Thank you.

9 Mr. Syme?

10 MR. SYME: Vote approval.

11 VICE CHAIRMAN MORISSETTE: Thank you.

12 Mr. Lynch?

13 MR. LYNCH: Vote of approval.

14 VICE CHAIRMAN MORISSETTE: Thank you. And I
15 also vote approval. The request for -- six requests
16 for intervenor CEPA status is approved, as the Area
17 Residents Grouping (sic) is approved. Thank you.

18 Moving on to administrative notices taken by
19 the Council, I call your attention to those items shown
20 on the hearing program marked as Roman numerals I, C, 1
21 through 94.

22 Does any party or intervenor have an
23 objection to the items that the Council has
24 administratively noticed?

25 Attorney Baldwin or Attorney Schaefer, good

1 afternoon. Attorney Baldwin? Attorney Schaefer?

2 MR. SCHAEFER: This is Attorney Schaefer. I
3 think they're having some technical difficulties there,
4 Vice Chair Morissette, but I don't believe there's any
5 objections.

6 VICE CHAIRMAN MORISSETTE: Thank you,
7 Attorney Schaefer.

8 First Selectperson Brinton, any objections?

9 MR. BRINTON: No objections.

10 VICE CHAIRMAN MORISSETTE: Thank you. Good
11 afternoon, by the way.

12 MR. BRINTON: Good afternoon.

13 VICE CHAIRMAN MORISSETTE: First Selectperson
14 LaCava, good afternoon.

15 MR. LaCAVA: Good afternoon. Thank you. No
16 objections.

17 VICE CHAIRMAN MORISSETTE: Thank you.

18 Attorney Sherwood, good afternoon.

19 MR. SHERWOOD: Good afternoon,

20 Mr. Morissette. No objection.

21 VICE CHAIRMAN MORISSETTE: Thank you.

22 Attorney Mortelliti, good afternoon.

23 MR. MORTELLITI: Good afternoon,

24 Mr. Morissette. No objections. Thank you.

25 VICE CHAIRMAN MORISSETTE: Thank you.

1 And Attorney Coppola, good afternoon.

2 MR. COPPOLA: Good afternoon, Mr. Chairman.
3 No objections.

4 VICE CHAIRMAN MORISSETTE: Thank you.

5 Accordingly, the Council hereby
6 administratively notices these existing documents.

7 (Administrative Notice of Exhibits I, C, 1-94
8 is taken.)

9 We'll now move on to the appearance by the
10 Applicant. Will the Applicant present its witness
11 panel for purposes of taking the oath? Attorney
12 Bachman will administer the oath.

13 Attorney Baldwin or Attorney Schaefer?

14 Attorney Schaefer, still having technical
15 difficulties?

16 MR. BALDWIN: Mr. Morissette, are you able to
17 hear us now?

18 VICE CHAIRMAN MORISSETTE: We can, Attorney
19 Baldwin. You've got a little bit of an echo.

20 MR. BALDWIN: I apologize. We're attempting
21 to fix that internally. But in the meantime, I've
22 signed on with our computer.

23 Could we just have one minute,
24 Mr. Morissette?

25 VICE CHAIRMAN MORISSETTE: Certainly.

1 (Pause)

2 MR. BALDWIN: Can you hear us now?

3 VICE CHAIRMAN MORISSETTE: Still a little bit
4 of an echo, but I can hear you better.

5 (Pause)

6 MR. BALDWIN: Vice Chair Morisette, can you
7 hear us now?

8 VICE CHAIRMAN MORISSETTE: Yes. Thank you.
9 That's perfect.

10 MR. BALDWIN: Thank you. I apologize for the
11 disruption.

12 VICE CHAIRMAN MORISSETTE: Please continue
13 with the presenting of the witness panel for purposes
14 of taking the oath.

15 MR. BALDWIN: Thank you, Vice Chair
16 Morisette. Again, Kenneth Baldwin and Emily Deans for
17 the Applicant, The Towers, LLC.

18 Our witness panel, as listed in the hearing
19 program, consists of the following members:

20 Mr. Brian Paul, who is the Project Manager
21 for Vertical Bridge REIT, LLC;

22 Elizabeth Glidden, the Real Estate and
23 Regulatory Specialist with Verizon Wireless;

24 Joseph Johnston, a professional engineer with
25 Airosmith Development, Incorporated;

1 Jason Margelot, a project manager with
2 Airosmith;

3 Dean Gustafson, who's a senior soil scientist
4 and Director of Environmental Services with All-Points
5 Technology;

6 Rick Landino, who's a senior design analyst
7 with All-Points Technology.

8 And also on the Zoom as support for this
9 hearing is Keith Vellante, the Director of Radio
10 Frequency Services with C2, LLC.

11 And I offer them now to be sworn in.

12 VICE CHAIRMAN MORISSETTE: Thank you,
13 Attorney Baldwin.

14 Attorney Bachman, please administer the oath.

15 MS. BACHMAN: Thank you, Chair Morisette.

16 If the witnesses could please just raise
17 their right hand?

18 (The witnesses were duly sworn by Connecticut
19 Siting Council Executive Director Melanie Bachman,
20 Esq.)

21 VICE CHAIRMAN MORISSETTE: Thank you,
22 Attorney Bachman.

23 Attorney Baldwin, please begin by verifying
24 all the exhibits by the appropriate sworn witnesses.

25 MR. BALDWIN: Thank you, Vice Chair

1 Morissette.

2 Our exhibits to offer this afternoon are
3 listed in the hearing program under Roman II,
4 Section B, Items 1 through 6. And for the sake of
5 efficiency of our hearing this afternoon, I will ask
6 our panel to verify these exhibits as a panel.

7 So, we'll start. Did you prepare, assist in
8 the preparation and/or are you familiar with the
9 exhibits listed in the hearing program under Roman II,
10 Section B, Items 1 through 6?

11 Mr. Paul?

12 MR. PAUL: Yes.

13 MR. BALDWIN: Mr. Vellante?

14 MR. VELLANTE: Yes.

15 MR. BALDWIN: Ms. Glidden?

16 MS. GLIDDEN: Yes.

17 MR. BALDWIN: Mr. Johnston?

18 MR. JOHNSTON: Yes.

19 MR. BALDWIN: Mr. Margelot?

20 MR. MARGELOT: Yes.

21 MR. BALDWIN: Mr. Gustafson?

22 MR. GUSTAFSON: Yes.

23 MR. BALDWIN: Mr. Landino?

24 MR. LANDINO: Yes.

25 MR. BALDWIN: And do you have any

1 corrections, modifications, or clarifications to offer
2 regarding any of those exhibits this afternoon?

3 Mr. Paul?

4 MR. PAUL: No.

5 MR. BALDWIN: Mr. Vellante?

6 MR. VELLANTE: No.

7 MR. BALDWIN: Ms. Glidden?

8 MS. GLIDDEN: No.

9 MR. BALDWIN: Mr. Johnston?

10 MR. JOHNSTON: No.

11 MR. BALDWIN: Mr. Margelot?

12 MR. MARGELOT: No.

13 MR. BALDWIN: Mr. Gustafson?

14 MR. GUSTAFSON: No.

15 MR. BALDWIN: Mr. Landino?

16 MR. LANDINO: No.

17 MR. BALDWIN: And is the information
18 contained in those exhibits true and accurate to the
19 best of your knowledge?

20 Mr. Paul?

21 MR. PAUL: Yes.

22 MR. BALDWIN: Mr. Vellante?

23 MR. VELLANTE: Yes.

24 MR. BALDWIN: Ms. Glidden?

25 MS. GLIDDEN: Yes.

1 MR. BALDWIN: Mr. Johnston?
2 MR. JOHNSTON: Yes.
3 MR. BALDWIN: Mr. Margelot?
4 MR. MARGELOT: Yes.
5 MR. BALDWIN: Mr. Gustafson?
6 MR. GUSTAFSON: Yes.
7 MR. BALDWIN: Mr. Landino?
8 MR. LANDINO: Yes.
9 MR. BALDWIN: And you adopt the information
10 in those exhibits as your testimony in this proceeding?
11 Mr. Paul?
12 MR. PAUL: Yes.
13 MR. BALDWIN: Mr. Vellante?
14 MR. VELLANTE: Yes.
15 MR. BALDWIN: Ms. Glidden?
16 MS. GLIDDEN: Yes.
17 MR. BALDWIN: Mr. Johnston?
18 MR. JOHNSTON: Yes.
19 MR. BALDWIN: Mr. Margelot?
20 MR. MARGELOT: Yes.
21 MR. BALDWIN: Mr. Gustafson?
22 MR. GUSTAFSON: Yes.
23 MR. BALDWIN: Mr. Landino?
24 MR. LANDINO: Yes.
25 MR. BALDWIN: Vice Chairman, we're set. I

1 offer them as full exhibits.

2 VICE CHAIRMAN MORISSETTE: Thank you,
3 Attorney Baldwin.

4 Does any party or intervenor object to the
5 admission of the Applicant's exhibits?

6 First Selectperson Brinton?

7 MR. BRINTON: No objection. No objection.

8 VICE CHAIRMAN MORISSETTE: Thank you.

9 First Selectperson LaCava?

10 MR. LaCAVA: No objection. Thank you.

11 VICE CHAIRMAN MORISSETTE: Thank you.

12 Attorney Sherwood?

13 MR. SHERWOOD: No objection. Thank you.

14 VICE CHAIRMAN MORISSETTE: Thank you.

15 Attorney Mortelliti?

16 MR. MORTELLITI: No objection. Thank you.

17 VICE CHAIRMAN MORISSETTE: Thank you.

18 Attorney Coppola?

19 MR. COPPOLA: No objection.

20 VICE CHAIRMAN MORISSETTE: Thank you. The
21 exhibits are hereby admitted.

22 (Hearing Program Exhibits II, B, 1-6 admitted
23 into evidence.)

24 VICE CHAIRMAN MORISSETTE: We'll now begin
25 with cross-examination of the Applicant by the Council,

1 starting with Mr. Mercier, followed by
2 Mr. Golembiewski.

3 Mr. Mercier, good afternoon.

4 MR. MERCIER: Good afternoon. Thank you.

5 I'm going to begin just by reviewing the
6 responses to the Council's interrogatories dated
7 November 26th. And I'm going to begin with Response
8 Number 9.

9 Essentially, the response states that the
10 access road entrance area where the wetlands is can be
11 slightly shifted to the north to reduce impact to
12 wetlands over the original design in the application
13 site plan.

14 Now, I understand a site plan was submitted
15 with these interrogatory responses as Exhibit 3. My
16 question is, is the Exhibit 3 site plan within these
17 responses -- does that show the revised driveway
18 alignment, or is it still the initially proposed
19 alignment?

20 MR. PAUL: This is Brian Paul with Vertical
21 Bridge. The drawing that was recently submitted is the
22 proposed pathway. However, since that submission, we
23 have investigated an alternative solution, which brings
24 the road, the access road, further away from the curb
25 on the main road and lessens some of the steepness of

1 that road by bringing it across some of the slopes
2 rather than directly up it.

3 MR. MERCIER: Okay. So, is that particular
4 plan you're just now mentioning, is that in the record
5 currently?

6 MR. PAUL: It is not. Brian Paul with
7 Vertical Bridge. This is something we've continued to
8 investigate and work on in lieu of recent comments,
9 especially those of the D.O.T. requesting that the
10 access be 350 feet of line of sight from the curb and
11 Warren Road.

12 MR. MERCIER: Okay. I'll discuss Exhibit 3
13 in a little bit and go from there.

14 I'm just going to simply go on to Response
15 Number 15. And this had to do with the acreage of land
16 disturbance to construct the site. The response stated
17 it was essentially .7 acres.

18 Would you know, based on your new revised
19 plan that has not been submitted to the Council yet,
20 would that still -- would that increase? And if so,
21 would it be over one acre where it requires a general
22 permit?

23 MR. MARGELOT: This is Jason Margelot with
24 Airosmith. As of right now, everything's preliminary.
25 We're going to get additional survey in toto (phonetic)

1 to basically assign the road. But I assume that it
2 will increase. If it's going to be a whole acre, it
3 will just be determined by topography.

4 MR. MERCIER: Okay. Thank you. I'm going to
5 move on to Response Number 23. In the response, it
6 states there was a discussion with the Litchfield
7 County Dispatch for use of the proposed tower. Do you
8 have a date when a contact was made with the Litchfield
9 County Dispatch?

10 MR. PAUL: This is Brian Paul with Vertical
11 Bridge. That was on October 1st, 2025.

12 MR. MERCIER: Did Litchfield County Dispatch
13 indicate what height they may need on the tower to
14 install their equipment?

15 MR. PAUL: Brian Paul, Vertical Bridge. No,
16 they did not. They just expressed interest in
17 collocating their equipment there due to their current
18 characteristics of need in that area.

19 MR. MERCIER: Okay. I'm not sure if you have
20 any experience with Litchfield County Dispatch. And if
21 so, what is their usual requirement? Is it a whip
22 antenna with a small cabinet on the ground or some
23 other equipment, if you know?

24 MR. PAUL: Yeah. Brian Paul, Vertical
25 Bridge. Yes, we have had experience with Litchfield

1 County Dispatch. They vary, as far as I understand,
2 what their equipment requirements are on the tower. It
3 varies from whip antennas to directional antennas as
4 well. But the tower will be designed to accommodate
5 additional loading for their use. Once we have a
6 defined equipment list from them, we can specify what
7 exactly their needs are.

8 But, yes, to answer your question about the
9 ground equipment, as well, as typically one cabinet on
10 a concrete pad on the ground.

11 MR. MERCIER: Okay. Thank you.

12 VICE CHAIRMAN MORISSETTE: Excuse me,
13 Mr. Mercier. Before we move on, would you like to
14 request the -- a late file exhibit for the revisions of
15 the access road and revised drawings?

16 MR. MERCIER: Yes.

17 VICE CHAIRMAN MORISSETTE: Very good. Very
18 good. We'll label that as Late File Exhibit 1. Thank
19 you.

20 (Late File Exhibit 1 ordered.)

21 MR. MERCIER: For Response Number 24, it
22 basically states there's very limited maintenance
23 required after the site's operational. Approximately
24 how many times per month would Cellco visit the site
25 for maintenance or operational upgrades?

1 MS. GLIDDEN: This is Liz Glidden with
2 Verizon Wireless. The generator would be tested
3 remotely, exercised remotely, and technicians would go
4 on as an as-needed basis. It's usually not a monthly
5 visit. If there was something out of order or repair
6 needed to be made, they would make a visit then.

7 MR. MERCIER: If there were other carriers on
8 the tower, is that type of situation similar to other
9 carriers? They just go out periodically when
10 necessary? Or is there, you know --

11 MR. PAUL: Yes. Brian Paul from Vertical
12 Bridge. We found our towers where we have multiple
13 carriers that, as Liz described, it's on an as-needed
14 basis post their installation. It's seldom more than a
15 couple of times per year.

16 And, again, it's just more routine
17 maintenance to check on whether or not there are
18 perhaps a bee's nest in the cabinet or something along
19 those lines that a technician may just need to check on
20 semiannually. But there's no particular maintenance
21 required of the tower or the compound itself. In this
22 case, we don't expect there to be traffic on the site
23 on a regular basis.

24 MR. MERCIER: Thank you. Referring to
25 Response Number 30. It's got to do with site

1 performance statistics and, you know, adjacent areas,
2 actually. If this site was constructed, how would it
3 improve performance at the adjacent Washington north
4 and Litchfield southwest site?

5 MR. VELLANTE: Keith Vellante with C2. So,
6 the proposed site is situated between those two sites
7 in question, so the sectors that are referenced in this
8 response are those that are facing in the direction of
9 the proposed site.

10 So, the -- the ineffective attempts and the
11 dropped calls that are listed in that response, you
12 know, those numbers would be reduced substantially with
13 -- with the integration of the proposed facility, being
14 that it would fill in this expansive coverage gap along
15 Route 202 and Route 341.

16 MR. MERCIER: Would the site -- for those
17 underperforming sectors you just mentioned, would the
18 site make those sectors have a performance level of --
19 what do you have there, .5% for both dropped calls and
20 ineffective attempts? I mean, would it reach a
21 performance standard of .5% for both of those sectors,
22 or would it improve it but not to that level?

23 MR. VELLANTE: It would improve it. It would
24 be -- it would be difficult for me to speculate as to
25 whether or not that threshold or target level of .5%

1 would be met.

2 MR. MERCIER: Thank you. Moving on to the
3 next response, 31, there was a couple tables in there
4 in the response that provided, you know, performance
5 characteristics of the proposed site.

6 For the quantities in the first table, which
7 provides the total coverage footprint and some -- some
8 miles of service on some roads, what was the frequency
9 used for that table? I apologize. The single level.

10 MR. VELLANTE: The single level. In
11 discussion with the Verizon RF team, my understanding
12 is that that is at the NIG 95 in vehicle threshold.

13 MR. MERCIER: Now, just to understand the
14 table a little bit, the table values reach frequency.
15 That represents a total coverage from the site; is that
16 correct?

17 MR. VELLANTE: Correct. In miles.

18 MR. MERCIER: Okay. So, it's not new --
19 essentially new coverage. It includes areas where
20 there's overlap with other sectors from other towers;
21 right? Correct?

22 MR. VELLANTE: Correct. And in reviewing
23 this table and the coverage maps, there is some -- some
24 degree of overlap at the lower bands of 700 megahertz
25 and 850. The mid-bands and higher bands, there's

1 virtually minimal overlap. So, those -- those
2 distances would be new coverage. That's without any
3 overlap.

4 MR. MERCIER: With the lower frequencies with
5 overlap, why would that be or not important? Is
6 there -- is there a reason you would want overlap?

7 MR. VELLANTE: Well, sure. Overlap is
8 important just to maintain overall network connectivity
9 so that users can travel throughout the area and be
10 handed off from one site to the next so that -- in
11 order to do that, there must be some degree of overlap
12 in coverage to support those handoffs.

13 MR. MERCIER: Thank you. I'm going to move
14 on to Response Number 33. This had to do with
15 emergency generation. Just in general or maybe for
16 this site, there is -- for this site, what is the
17 reason diesel is selected over propane?

18 Is the diesel a standard Cellco install or --
19 depending on economics and other factors, or does it
20 vary depending on environmental factors?

21 MS. GLIDDEN: This is Liz Glidden. To your
22 point, it would vary on environmental factors. The
23 first go-to is typically a diesel generator because it
24 doesn't require a propane tank within the compound.
25 And occasionally we -- we do use propane, but for this

1 particular site, diesel was selected.

2 MR. MERCIER: Just to expand on that, the
3 propane tanks, do those require safety zones around the
4 tank that take up compound space? And if so, would you
5 know the approximate distance of a safety zone around
6 the tank?

7 MS. GLIDDEN: This is Liz Glidden. The
8 safety zone or spark zone I believe is three feet --
9 oh -- ten feet around the -- the tank. So, between the
10 tank and the spark zone, it would take a considerable
11 amount of space.

12 MR. MERCIER: Thank you. I just have a quick
13 question on Number 50, Response Number 50 on page 24.
14 This response discussed the feasibility of cell tower
15 option. You know, we talked about a tree tower and
16 some other options.

17 Would painting the tower brown or a mix of
18 brown and blue sky, a sky-blue or some other type of
19 color, would that actually reduce or mitigate some of
20 the views in the view shed area?

21 MR. LANDINO: This is Rick Landino with All-
22 Points. Painting the tower, I think especially at
23 these distances, I don't think it would make a
24 considerable -- a considerable change in overall
25 visible impact. You're still -- if you paint it a

1 light color, you're still dealing with, like, the
2 shadows from the -- from equipment on it, so it will
3 still create some contrast of the tower itself that you
4 can't really change. And if you paint it a dark color,
5 you're introducing more contrast against the sky.

6 MR. MERCIER: Now, did you say that was more
7 for far-away views it won't make any difference?

8 MR. LANDINO: In this case, I don't think it
9 would make a difference either way, really.

10 MR. MERCIER: Okay. I was just looking at
11 the previous Response 49 with the number of residences
12 in the general area.

13 So, if a resident has -- residential property
14 has seasonal views of the tower, you don't think the
15 painting it brown would be of any benefit?

16 MR. LANDINO: If you look at the -- hang on
17 one second. If you look at some of the seasonal views
18 in the existing visibility analysis, you could kind of
19 see that they are -- there is so much tree cover there,
20 you can barely see them kind of as it is. That being
21 said, I don't think changing the color of it would
22 significantly change the seasonal views that we're
23 anticipating.

24 MR. MERCIER: Just give me a moment for a
25 second. Thank you.

1 MR. LANDINO: Sure.

2 MR. MERCIER: Now that you brought it up,
3 some of the visibility analysis photos -- I want to
4 talk about Photo 19. It showed a white home with the
5 tower behind it. Just in general for that tower --
6 excuse me -- that location, are there other -- do you
7 anticipate similar views of this nature at other
8 residential properties, or is this -- do you believe
9 that's an isolated view from this particular residence?

10 MR. LANDINO: Rick Landino with All-Points.
11 I do believe this is an isolated view. This is a
12 year-round view from the street. As you get closer to
13 that property, it could even potentially become a
14 seasonal view. Those trees will -- those trees will
15 act more as a buffer as you get closer to it. I do
16 believe this is one of the only really year-round views
17 that I observed that are overlooking a residence.

18 Also saying the response to interrogatory --
19 sorry --

20 MR. MERCIER: Maybe 49?

21 MR. LANDINO: Thank you. Yeah. It is
22 estimated that all -- almost all the residences are
23 predicted to experience seasonal -- seasonal views.
24 There really aren't much for year-round views.

25 MR. MERCIER: In that response, you have a

1 statement that says residences with combined seasonal
2 and year-round visibility. Can you just -- can you
3 just expand on exactly what that means?

4 MR. LANDINO: Sure. If you look at the
5 attached Exhibit 5, we put a map together to show
6 exactly the degree that's happening on parcel by
7 parcel. So, you can see -- any parcel that has a mix
8 of orange and yellow on it, we consider that a mix of
9 seasonal and year-round visibility. So, that could
10 give you a feel for really what's happening within a
11 half-mile radius of the tower.

12 MR. MERCIER: Okay. So, when you use the
13 term "residence" in the response, you actually mean
14 residential parcel, not necessarily a house?

15 MR. LANDINO: Correct. We -- yes. Correct.
16 Sorry. Correct. We -- we conservatively pick out
17 any -- anytime a parcel is touched by a projection, we
18 count it. You know, so in a lot of cases, it may be
19 right at the property -- right at the property line
20 where somebody would most likely never experience any
21 visual impact. We'll count it anyway just to be
22 conservative.

23 I'd also like to say, while we're looking at
24 this map, you have a lot of seasonal here. And
25 seasonal projection's a little bit different than the

1 year-round projection in the case that year-round is
2 kind of more or less, like, binary. If you're in
3 yellow, you might see year-round, but if you're in
4 orange, it's -- because we don't have access to these
5 areas and there's tree cover intervening, we -- we are
6 pretty conservative with our estimation.

7 So, basically what I'm saying is if you're in
8 orange, doesn't mean you're going to see it; you might
9 see it in orange because you'd be looking through tree
10 cover. In some cases, it's heavy tree cover. In some
11 cases, it's light.

12 MR. MERCIER: Okay. Thank you. Looking at
13 that map you just mentioned -- it's in Exhibit 5 of the
14 interrogatories -- I'm going to look to the left of the
15 tower, and where it says Bee Brook, right to the right.
16 Is that the Montessori School, right to the right?

17 MR. LANDINO: Correct.

18 VICE CHAIRMAN MORISSETTE: Where it says Bee
19 Brook? Okay.

20 MR. MERCIER: And so, what would be the
21 expected visibility from the -- it looks like there
22 might be some athletic fields and maybe a couple
23 buildings in the yellow shaded area.

24 Do you have a sense of how much of the tower
25 would be visible year-round from those locations?

1 MR. LANDINO: Sure. I'd say on the right --
2 you have that yellow projection. And on the right side
3 of that projection, where it ends, that's pretty much
4 the tower just getting over the trees. That's our
5 assessment.

6 As you get further back to the left, away
7 from it, you'll see more of it there. I can't really
8 say how much -- I don't -- because that -- because it's
9 that little bit. I don't think it's -- it is -- I
10 can't even put it in feet. I don't think it's that
11 great.

12 But I can tell you for first the right side,
13 it's going to be red at the tree line, and towards the
14 left side, it will be a little bit more.

15 MR. MERCIER: Okay. So, it wouldn't be the
16 top half of the tower?

17 MR. LANDINO: No. No way.

18 MR. MERCIER: Okay. Okay. I'm going to
19 actually move on to Number 57 of the interrogatory
20 responses. Now, I understand you're actually revising
21 the site plans now. But would that revised site plan
22 that's going to be filed as a late file, would that
23 require wetlands impact?

24 MR. GUSTAFSON: Dean Gustafson from
25 All-Points. Yes. The revised access road that was

1 recently referenced would require a crossing of the
2 southern extent of the wetlands system, which is a
3 well-confined, seasonal in a midstream feature.
4 There's no boring wetlands at this new proposal
5 location for crossing.

6 MR. MERCIER: Okay. I'll have to hold off on
7 other questions until later. Thank you.

8 For the revised site plan you're developing,
9 are there any portions of the access road on the
10 compound going down the hill -- are any of those -- is
11 any of that portion of the road still going to be
12 proposed, or is it a total reconstruction of the access
13 road up to the tower?

14 MR. JOHNSTON: Hi. This is Joe Johnston with
15 Airosmith. We're going to put a couple switchbacks for
16 -- to provide some relief to the slope as we come down.
17 It would -- it would connect to the compound in the
18 same general location that the existing road
19 location connects to the compound. So, we would use
20 the top -- you know, similar top portions near the
21 compound and then kind of curve down the hill.

22 MR. MERCIER: Okay. Has any geotechnical
23 work been performed out at the site, you know, during
24 development of the initial tower or maybe when you're
25 going to be doing the potential revised access road?

1 Has any -- any borings or anything of that nature taken
2 place?

3 MR. PAUL: This is Brian Paul with Vertical
4 Bridge. We have not done any geotechnical
5 investigation at this point without approval to move
6 forward on the site.

7 MR. MERCIER: Okay. So, assuming the site
8 was approved, then you would go do geotechnical in
9 advance of the development and management plan? Is
10 that correct?

11 MR. PAUL: That is correct.

12 MR. MERCIER: Based on some of the site
13 issues you had around the hillside area and the
14 compound, do you believe there's a substantial amount
15 of ledge or just ledge at the -- at the site that would
16 have to be excavated?

17 MR. MARGELOT: This is Jason Margelot with
18 Airosmith. No. We would kind of be going up and
19 around. There is a rockledge there, but it would be --
20 the compound, kind of going around that.

21 MR. MERCIER: What about subsurface bedrock?
22 Do you -- do you have any idea what the depth to
23 bedrock here is on this site just from doing some
24 preliminary work? Is it shallow? Is it, you know,
25 eight feet down, or any sense?

1 MR. MARGELOT: This is Jason Margelot with
2 Airosmith. Not at the time. It's until this is
3 completed.

4 MR. PAUL: I'll further that. Brian Paul,
5 Vertical Bridge. We tend not to disturb any soil
6 without proper regulatory authority in place. We'll
7 walk it, stake it. That's about it. We won't -- we
8 don't do any subsurface work or move any dirt without
9 proper regulatory improvements in place.

10 MR. MERCIER: Would you anticipate any
11 blasting at this site, or would rock, if encountered,
12 be removed by chipping?

13 MR. PAUL: Brian Paul, Vertical Bridge.
14 Difficult to say. From my experience, there are --
15 most -- most situations, we can chip the rock away
16 versus blasting.

17 MR. MERCIER: I believe on the initial site
18 plan -- I can't find the note in front of me. However,
19 I believe it said the contractor was to slope the
20 compound at 2%, essentially a flat surface.

21 Given the closeness of some of the steep
22 drop-offs, are any retaining walls required up around
23 the compound area if that is remaining where it's
24 supposed to -- as you stated it might remain in place
25 even though the site's revised?

1 MR. MARGELOT: This is Jason Margelot with
2 Airosmith. The compound is at 5%. No retaining wall
3 will be needed.

4 MR. MERCIER: I'm going to go back to
5 interrogatory -- interrogatory responses. Number 7.
6 I'd like to go into cross on that a little bit. And
7 that was regarding the small-cell deployment.

8 Does Cellco deploy small cells on utility
9 poles in Connecticut?

10 MR. VELLANTE: Yes. I believe there are
11 small cells within -- deployed by Verizon within
12 Connecticut. Sorry. This is Keith Vellante with C2.

13 MR. MERCIER: Do you know how many have been
14 deployed, roughly?

15 MR. VELLANTE: I do not have a count
16 available for me at this time.

17 MR. MERCIER: Would you know how -- how does
18 -- Cellco decides where to place a small cell, for what
19 particular reason?

20 MR. VELLANTE: Small cells are generally
21 intended to complement the macro network site --
22 network of sites. What I mean by "macrosite" is such
23 as that proposed at the subject facility, the tower, or
24 maybe some rooftops and other areas. Those provide a
25 broad area of coverage that most users access.

1 But what the small cells primarily do is
2 they're targeted solutions in isolated areas to --
3 primarily to provide additional capacity support. So,
4 as far as where they go and where they're designed, it
5 depends on a number of factors: From a network
6 perspective, does that type of solution satisfy the
7 need in the area? And then beyond that, there's a
8 whole host of other considerations that need to be
9 accounted for in terms of availability of poles and
10 such.

11 MR. MERCIER: Do you know what equipment is
12 typically necessary at each pole-mounted small cell?

13 MR. VELLANTE: The small cells I'm familiar
14 with deployed by Verizon, generally they consist of a
15 single remote radio head mounted maybe ten feet above
16 ground on a -- on a telephone pole, for example, with a
17 small -- a smaller omnidirectional antenna, in most
18 cases, mounted at varying heights depending on what's
19 available on that pole. Usually, it's roughly around
20 25 feet aboveground.

21 In addition to that, there would need to be
22 some sort of a fire backhall (phonetic) connecting each
23 small cell location along the tower.

24 MR. MERCIER: Would there be any cabling
25 going up and down the pole or any kind of a like other

1 type of box, like a meter box or anything like that, or
2 is it just the antenna or the radio mount and the fiber
3 connection?

4 MR. VELLANTE: Keith Vellante with C2. So,
5 the -- the -- there would be a small co-axial cable
6 that would -- that would run from that remote radio
7 head mounted roughly about ten feet aboveground on the
8 pole. That would run up to the antenna. There would
9 be multiple cables depending on the antenna type.

10 MR. MERCIER: Do these small cells -- do they
11 typically have backup power? And if they do, how is it
12 accomplished, the ground-mounted equipment or a pole-
13 mounted?

14 MR. VELLANTE: In my experience, the small
15 cells do not typically have any backup power.

16 MR. MERCIER: Would -- assuming the small
17 cells located on a utility pole, you know, owned by an
18 electric company or another type of public utility --
19 or utility for that matter -- would that entity tend to
20 limit the amount of construction installed on each
21 pole?

22 MR. BALDWIN: Mr. Mercier, could you repeat
23 the question? I'm sorry.

24 MR. MERCIER: Yes. If you wanted to use a
25 utility pole we'll just say to support some of the

1 electric lines, would the owner of the pole or the
2 state or utility, do they -- do they dictate what goes
3 on the pole or what poles they use? Is that correct?

4 MS. GLIDDEN: This is Liz Glidden with
5 Verizon Wireless. Yes. That's accurate. We -- when
6 we -- when Verizon is deploying small-cell technology,
7 we approach the utility company and request to use a
8 certain pole in an application, and they will either
9 approve it or deny use of that pole.

10 So, some poles are ruled out due to
11 transformers being on that pole or other equipment.
12 Sometimes streetlights will have an impact on the
13 ability to use a small cell. And then, from there, we
14 would obtain a license from the utility company and
15 proceed with an attachment.

16 MR. MERCIER: Thank you. I was reading the
17 response. And it said there, you know, could be a cost
18 of up to, you know, 75,000 to 85,000 per small cell.
19 Is that figure based on recent small-cell deployments
20 in Connecticut?

21 MS. GLIDDEN: For the record, Liz Glidden.
22 Yes. That's fairly accurate. But it would include --
23 that includes all of the environmental assessments that
24 need to be done and any applications that need to be
25 done to the utility, any makeready that's required by

1 the utility. So, I think that's an accurate range for
2 Connecticut.

3 MR. MERCIER: Would that estimate also
4 include a new utility pole, or is that an extra cost,
5 just saying the utilities don't want you to go on an
6 existing pole and you have to put up a new pole
7 somewhere else in the area to get coverage? So, would
8 that estimate include the utility pole or not?

9 MS. GLIDDEN: This is Liz Glidden. A new
10 utility pole that is replacing an existing utility pole
11 is part of the make-ready, so it would be included in
12 that cost. There are unique situations where a utility
13 company may drop a new pole for us where there wasn't
14 one previously, but those circumstances are very
15 unusual.

16 And just to -- I believe the cost for
17 dropping a pole, if there isn't one now, would
18 exceed -- would be certainly more expensive than what a
19 typical make-ready would include.

20 MR. MERCIER: Thank you. Would you know -- I
21 know you've made some applications to the utility to
22 use certain poles.

23 Is being rejected for a certain pole common,
24 or is it just really -- you're just trying to avoid,
25 say, a transformer or something on the pole? What are

1 the reasons for rejection, I guess is what I'm getting
2 at.

3 MS. GLIDDEN: This is Liz Glidden again. So,
4 typically, because we deploy as many -- you know,
5 because of the volume of small cells that we deploy, we
6 try to avoid sites with primary power, transformers,
7 excessive utilities in the com space. Sometimes there
8 are sites where there are risers that would also
9 preclude it.

10 So, we have agreements with the utility
11 companies in Connecticut. And in those agreements,
12 they preclude the use of poles with certain elements
13 like I just mentioned -- the transformers, the risers,
14 primary power.

15 MR. MERCIER: Okay. Thank you. Now, I
16 understand you're revising the access road right now.
17 Is part of that revision due to the Department of
18 Transportation's concerns regarding sight-line issues?
19 I think there was in their correspondence to the
20 Council dated November 26th.

21 MR. PAUL: Brian Paul, Vertical Bridge. Yes.
22 That's -- that's one of the main reasons we're
23 attempting to relocate the road. We discovered there's
24 a curb cut on the property about 200 feet to the south
25 which we can utilize, as it seems like there was a

1 previous driveway or access there prior on the same
2 property.

3 MR. MERCIER: Okay. That's one of my
4 questions. So, if there's an existing curb cut or a
5 driveway apron, do you still need a D.O.T. encroachment
6 permit?

7 MR. PAUL: Brian Paul, Vertical Bridge. I
8 don't know the answer to that. We'll take that as a
9 homework assignment and find out.

10 MR. MERCIER: Would -- to improve sight
11 lines, could tree-cutting be cut on either side of the
12 driveway or wherever it's going to be, or the access
13 road, that is, to improve sight lines?

14 Is that one of the methods you could do
15 instead of the relocation of a driveway, just cut trees
16 so vehicles could see at greater distances?

17 MR. PAUL: Again, Brian Paul, Vertical
18 Bridge. I believe that's an option for us, yes. And,
19 again, we -- I think we're trying to minimize the
20 amount of trees that we cut overall on the site. So,
21 we would be cautious of what we're cutting, where we're
22 cutting, but also keeping in mind the safety of
23 accessing a road -- or accessing the driveway, I should
24 say, the proposed driveway from Warren Road or Route
25 341, also keeping in mind that this -- as I mentioned

1 previously, the amount of traffic post construction
2 here is very minimal. Again, the site may see a car or
3 a vehicle accessing the site once or twice a year, so
4 we're not talking about people visiting the site daily
5 after construction is complete.

6 MR. MERCIER: That was one of my other
7 questions. If it's a low-vehicle-use driveway, are
8 there exceptions through the D.O.T. process to get
9 these permits? I wasn't sure if you had dealt with
10 this type of issue before at another site.

11 MR. PAUL: Brian Paul. I have -- I have not
12 dealt specifically with this issue on a site before,
13 but again, we could dig into the requirements of the
14 D.O.T. and the requirements for accessing Route 341.

15 MR. MERCIER: Since it's a state route, I
16 think it's 202, that's heavily trafficked, would this
17 site -- if it's constructed, would it require a flagger
18 or, you know, police -- police escort or something for
19 large vehicles to access the tower site for, you know,
20 the tower components itself?

21 MR. PAUL: Yep. Brian Paul with Vertical
22 Bridge. Yeah. You're spot on. While most of the
23 traffic accessing the site during construction will be
24 regular what I would call utility vehicles like pickup
25 trucks, so on and so forth, on times when we know we

1 would have larger vehicles like a crane or a concrete
2 truck or the tower itself accessing the site, we would
3 certainly align ourselves with a flagger in the area or
4 more than one flagger, probably something closer up to
5 where the curb is in the road just up to the north, and
6 just to the south we would treat as a normal
7 construction site.

8 MR. MERCIER: Okay. Thank you. I just have
9 one more question with regard to the application. It's
10 on page 14.

11 There was a statement on that page that
12 stated the proposed facility would comply with U.S.
13 Fish & Wildlife Service recommended guidelines for
14 reducing impacts for migratory birds. I'm trying to
15 determine what guidelines that were referenced and the
16 date of those guidelines.

17 MR. GUSTAFSON: Dean Gustafson from
18 All-Points. The guidelines are from the 2021 U.S. Fish
19 & Wildlife Recommended Best Practices for Communication
20 Tower Design, Siting, Construction, Operation,
21 Maintenance, and Decommissioning document.

22 And the reason why there's that completed
23 statement in the application is that the key elements
24 for a tower design that could potentially conflict with
25 migratory birds are associated with a couple different

1 factors, generally three factors.

2 So, the first is the height. Generally,
3 towers less than 200 feet do not represent an
4 impediment to typical elevations for bird migratory
5 flights, so they don't represent a potential concern
6 for bird collisions.

7 The second is that towers that require
8 lighting for warning systems can potentially attract
9 birds, especially during overcast, foggy evenings or
10 other low-visibility conditions. This tower will not
11 be lit.

12 And then, finally, the third factor is that
13 towers with guy wires for support can sometimes result
14 in conflicts with bird migrations and some collisions
15 under low-cloud ceiling conditions or low-visibility
16 conditions. This tower is a self-supporting monopole
17 and does not have guy wires.

18 MR. MERCIER: Thank you. I was looking at
19 that document on page 2 under 3d. It says, Towers and
20 the associated facility shall not be -- should avoid
21 ridgelines -- excuse me -- should avoid ridgelines.

22 Could you expand upon how this tower will not
23 affect migratory birds -- first of all, is it not a
24 ridgeline, number one. Number two, how would there be
25 a reduction in migratory bird disruption?

1 MR. GUSTAFSON: Dean Gustafson from
2 All-Points. So, there is not great guidance in that
3 document with respect to how ridgelines are defined.

4 Setting that aside, the proposed tower is
5 located on a local highest point. I wouldn't
6 necessarily characterize that as a ridgeline, but it is
7 certainly a localized high-elevation point in that
8 locale.

9 But the previous design considerations for
10 the tower that avoid impacts to migratory bird flights
11 would mitigate any potential for this tower at this
12 location to represent a concern for bird strikes during
13 migratory bird movements.

14 MR. MERCIER: Have you consulted with the
15 National Audubon Society and the Important Bird Areas
16 website? And, you know, that website has certain
17 designations. It's on our administrative notice list.

18 Have you taken a look at that to determine if
19 the actual tower is within an Important Bird Area?

20 MR. GUSTAFSON: Dean Gustafson from
21 All-Points. We have looked at that information, and
22 the tower itself is not currently positioned within
23 the -- it's a -- the Shepaug forest block, and it's
24 landscape-scaled for Important Bird Area. Part of that
25 Important Bird Area does encroach into the subject

1 property, but the proposed tower is located just
2 outside of it. But we will have, you know, some --
3 some tree-clearing within that block.

4 One thing to note about the Important Bird
5 Area, particularly these landscape-scale for important
6 the bird areas is that, you know, that particular
7 designation, it encompasses both private and public
8 properties. And with respect to its designation, it
9 places no restrictions on a property and does not
10 entail any regulatory measures, it simply recognizes
11 the sites as significant.

12 And so, one of the potential benefits for a
13 property owner if you are encumbered by this landscape-
14 scale Important Bird Area is you're eligible for
15 Important Bird Area small grants through the Audubon
16 Society.

17 All of this information was -- you know, was
18 publicly accessed through the Connecticut Audubon
19 website. We have not consulted directly with anyone at
20 the Audubon Society for this facility.

21 MR. MERCIER: Given that the tower is not
22 actually within the boundary of the Important Bird Area
23 but a portion of the compound is, is it possible just
24 to move the compound slightly to the northwest? I
25 think I might have asked an interrogatory on that. You

1 know, make it more of a rectangle than a square to just
2 reduce some clearing over -- over the boundary onto the
3 Important Bird Area.

4 I'm not sure -- do you believe that would be
5 of any benefit or a de minimis impact as to where it is
6 right now?

7 MR. GUSTAFSON: Dean Gustafson from
8 All-Points. So, a couple of things. So, we can
9 certainly consider looking at moving the tower and
10 compound slightly to try to keep it out of this
11 landscape-scale Important Bird Area. One thing that we
12 have reached out to the Audubon Society is that it's --
13 we're uncertain as far as the rectification of the
14 limits of the Shepaug Forest block Important Bird Area.
15 It's curious that it cuts across this particular
16 property and doesn't encumber the entire property.

17 So, we've made inquiry to determine how the
18 rectification of that -- that polygon that shows the
19 limits of it, why is it cutting across the property and
20 not encumbering the exact, you know, limits of the
21 actual parcel boundary.

22 So, but we can certainly take a look and see
23 if we can revise it slightly to try to avoid any
24 encroachment for the compound and the tower within that
25 area. And we'll evaluate that with the Late File

1 Submission Number 1.

2 MR. MERCIER: Thank you. Yes. Maybe if you
3 could submit a map with that late file just showing
4 where the tower is in relation to the boundary of the
5 Important Bird Area.

6 So, just to clarify, the Important Bird Area
7 includes, like you stated, private and public
8 properties. So, there's development within the
9 Important Bird Areas that are designated; is that
10 correct?

11 MR. GUSTAFSON: That is -- that is correct.
12 There is multiple properties with multiple different
13 types of developments that are encumbered within that
14 landscape-scale Important Bird Area.

15 MR. MERCIER: Okay. Thank you. I have no
16 other questions.

17 VICE CHAIRMAN MORISSETTE: Thank you,
18 Mr. Mercier.

19 We'll now continue with cross-examination by
20 Mr. Golembiewski, followed by Mr. Nguyen.

21 Mr. Golembiewski, good afternoon.

22 MR. GOLEMBIEWSKI: Good afternoon, Vice
23 Chair. I'm going to hold off any questions till I
24 receive the revised site plans, because most of my
25 questions revolve around the crossing and the access

1 road. So, it makes no sense for me to ask questions on
2 the current design if that's not what will be
3 ultimately proposed. So, I will just pass until we get
4 the revised plan.

5 VICE CHAIRMAN MORISSETTE: Very good. Thank
6 you, Mr. Golembiewski.

7 We'll now continue cross-examination by
8 Mr. Nguyen, followed by Mr. Carter.

9 Mr. Nguyen, good afternoon.

10 MR. NGUYEN: Good afternoon, Mr. Vice Chair.
11 Yeah. Just a -- just a few questions.

12 Interrogatory Number 33. This is a follow-up
13 to Mr. Mercier's question regarding the backup
14 generator. Is there a natural gas line in the area? I
15 guess this is a question for Verizon.

16 MS. GLIDDEN: This is Liz Glidden. There is
17 not an actual gas line.

18 MR. NGUYEN: And moving down to Number 35,
19 the answer indicates that the fuel tank is
20 double-walled and it maintains leak detection alarms;
21 is that correct?

22 MS. GLIDDEN: That is -- this is Liz Glidden.
23 That is correct.

24 MR. NGUYEN: Yes. Could you please explain,
25 how does that work should there be a leak?

1 MS. GLIDDEN: So -- Liz Glidden. For the
2 record, this is Liz Glidden. There is a remote sensor
3 that would sound an alarm that is connected to the
4 systems operations folks that would indicate if there
5 was a leak. And the double-wall protection system is
6 just as it sounds. It's an extra layer of protection
7 in the event of a failure.

8 MR. NGUYEN: So, when you receive a leak, a
9 signal would be sent to where? And how do you respond
10 to that?

11 MS. GLIDDEN: Through the systems operations.
12 We have remote sensors, and those can be located at any
13 of our switches or even remotely. And a technician
14 would be sent out immediately.

15 MR. NGUYEN: Now, moving on to Question
16 Number 58. This is regarding the small core forest.
17 The answer to this question indicates that the access
18 drive and the tower facility would result in the loss
19 of approximately 0.4 acres of core forest; is that
20 correct?

21 MR. GUSTAFSON: That is correct. I would
22 just point out with the Late File Number 1, that that
23 value will be adjusted.

24 MR. NGUYEN: And that's a follow-up as well.
25 So, given the revised access drive, do you

1 anticipate that would be less impact to the core
2 forest?

3 MR. GUSTAFSON: Based off my understanding of
4 the new -- the new access route, I would expect a
5 slight increase.

6 MR. NGUYEN: It would be increased?

7 MR. GUSTAFSON: It should -- it looks like
8 there would be a slight increase, but we need to run
9 some analysis to be certain.

10 MR. NGUYEN: Yeah. Okay. Now, Exhibit 6 is
11 referenced in this Interrogatory 58. So, if I could
12 ask you about Exhibit Number 6. Okay?

13 So, conceptually -- and I know that the
14 access drive will be modified. But at the moment, the
15 access drive from Warren Road, which is from the east,
16 moves to the west, and it's abandoned, and then it goes
17 further south to where the compound is -- do you see
18 that?

19 MR. GUSTAFSON: Yes, I do. Dean Gustafson
20 for All-Points. Yes, I do.

21 MR. NGUYEN: Yeah. So, to the extent that --
22 is it possible -- in order to minimize or avoid a core
23 forest impact, can the compound be moved far enough
24 perhaps where the north -- to the north where the edge
25 of that edge forest and the core forest -- in other

1 words, the access drive from the bend, if you will,
2 would be reduced and the tower be moved farther up?

3 MR. GUSTAFSON: Dean Gustafson from
4 All-Points. So, based on my understanding of the RF
5 objectives and needs for this facility, revising the
6 tower location to the area that you're suggesting would
7 result in a significant reduction in elevation, and I'm
8 not sure that that would be a feasible location for the
9 facility to meet the RF objectives. It's something
10 that we can evaluate further, but that would be my
11 suspicion, is that we would lose too much elevation to
12 be viable for that location.

13 And it's a relatively steep, you know,
14 northeast-facing hillside. So, trying to carve a
15 compound into the hillside, even if it met RF
16 objectives, would result in a significant amount of
17 land disturbance and resulting tree-clearing that would
18 probably still impact that small patch of core forest
19 area.

20 MR. NGUYEN: You mentioned about it would be
21 more disturbing to core forest. Well, based on what
22 I'm saying or what I'm asking, it actually will be less
23 disturbance to the core forest. Essentially, the
24 access drive from the bend going down further south
25 would essentially almost be eliminated so that there

1 would be less core forest impact. And that's the
2 objective of what I'm asking.

3 MR. GUSTAFSON: Yeah. So, Dean Gustafson
4 from All-Points. So, setting aside the concerns from
5 RF and the coverage objectives for the facility, if it
6 was feasible to locate the tower facility in the
7 location you're suggesting, yes, it would reduce the
8 amount of impact to the small patch of core forest
9 area.

10 MR. NGUYEN: Okay. And I know that this
11 question will need you to look into it further. So,
12 would it be possible if you could amend Exhibit -- or
13 Late File Number 1 or a new late file that would assess
14 the impact or, you know, any variable should the tower
15 be moved further north?

16 And would that be okay with Mr. Morissette?

17 VICE CHAIRMAN MORISSETTE: Yes, Mr. Nguyen.
18 We'll call that Late File 4 as a separate analysis so
19 we don't confuse the matter relating to the revisions
20 to the access road.

21 So, I'll have a stand-alone analysis as Late
22 File 4 to review possibly moving the compound out of
23 the edge forest -- or out of the small core forest to
24 the edge. Excuse me.

25 (Late File Exhibit 4 ordered.)

1 MR. NGUYEN: Thank you. Now, regarding
2 the -- the staging or setting up area for equipment
3 should this application be approved, where would be the
4 staging or setup area for the construction and the
5 equipment?

6 MR. PAUL: This is Brian Paul with Vertical
7 Bridge. Mostly to the west of the proposed compound.
8 There's a relatively flat area there. I believe it to
9 be, say, southwest?

10 MR. GUSTAFSON: Northwest.

11 MR. PAUL: Sorry. Northwest of the proposed
12 compound is the flattest area available there where it
13 would make the most sense so that any stored material
14 or excavated material could then be protected by -- so,
15 vents (phonetic) and protected from runoff down the
16 hill.

17 MR. NGUYEN: Okay. Now, in terms of
18 interconnection between the compound to the road -- I'm
19 talking about communication wires -- would that be
20 underground from the compound to Warren Road?

21 MR. PAUL: Yeah. This is Brian Paul with
22 Vertical Bridge. I believe what we would attempt to do
23 is it would be both overhead and underground with the
24 first portion of the utilities coming from Warren Road
25 being underground; and then, prior to where the

1 utilities would cross the wetland area, we would set a
2 utility pole and go aboveground to the compound, so as
3 to avoid trenching through that wetland area.

4 MR. NGUYEN: Okay. That's all I have,
5 Mr. Morissette. Thank you. And thank you, panel.

6 VICE CHAIRMAN MORISSETTE: Thank you,
7 Mr. Nguyen.

8 At this time, we're going to take a break.
9 I'd like to reconvene at 3:35. That gives us 13
10 minutes. So, we'll see everybody in 13 minutes at
11 3:35. Thank you, everyone.

12 (Recess from 3:22 p.m. to 3:35 p.m.)

13 VICE CHAIRMAN MORISSETTE: Welcome back,
14 everyone.

15 Is the court reporter back with us?

16 THE COURT REPORTER: Yes, sir.

17 VICE CHAIRMAN MORISSETTE: Thank you. We are
18 now back on the record.

19 We will now continue with cross-examination
20 by Mr. Carter, followed by Ms. Hall.

21 Mr. Carter, good afternoon.

22 MR. CARTER: Good afternoon once again,
23 Mr. Vice Chair, and good afternoon to all. I'm not
24 going to take up much time because I, too, would like
25 to see the revised site plan.

1 But I do have one question. And apologies if
2 it's been addressed before, but we've had such robust
3 questioning, so I just want to get some clarification.

4 Will Litchfield County Dispatch be
5 accommodated with the current tower height as proposed,
6 or would there need to be additional accommodations for
7 the inclusion of service for them?

8 MR. PAUL: This is Brian Paul with Vertical
9 Bridge. We would work with Litchfield County Dispatch
10 at the existing tower height. We would not seek to
11 expand the tower based on there.

12 MR. CARTER: Thank you. And would any
13 equipment for them -- other than I'm assuming the
14 antennas -- so, would they need to have their own
15 emergency backup power, or would they be using the
16 proposed backup power as planned?

17 MR. PAUL: Again, Brian Paul with Vertical
18 Bridge. In my experience with Litchfield County
19 Dispatch, they do deploy their own emergency backup
20 generator on site. We have not had the discussion with
21 them about that specific need at this point in time.

22 Typically, the generators on site are
23 dedicated for each carrier. In other words, Verizon's
24 generator in this case would only supply backup power
25 to their equipment. So, a second generator would have

1 to be deployed if Litchfield County Dispatch desired to
2 have that.

3 MR. CARTER: Thank you. And do you know --
4 well, I guess this is sort of a question that may not
5 be able to be answered right now. But would the
6 revised site plan, once it's presented to us, would it
7 incorporate any of the discussions that are being held
8 with Litchfield County Dispatch?

9 So, in other words, would we see the proposed
10 generator for them in the new site plan, or would that
11 be something that would be done at a later date or
12 something that would be done through them coming before
13 us?

14 MR. PAUL: Yeah. Brian Paul with Vertical
15 Bridge. The revised site plan that we've been
16 discussing really only addresses the rerouting of the
17 access road as it comes up the hill. There are no
18 current planned changes for the compound itself or
19 anything contained within the compound.

20 Litchfield County Dispatch's installation
21 would be treated as a separate installation, as we
22 would treat any other collocating wireless carrier, for
23 example, later down the road. It would be under a
24 separate application, separate permit patrolled by
25 Litchfield County Dispatch.

1 MR. CARTER: Thank you.

2 Mr. Vice Chair, that's all that I have as of
3 right now. So, thank you, and I thank the panel.

4 VICE CHAIRMAN MORISSETTE: Thank you,
5 Mr. Carter.

6 Now continuing cross-examination by Ms. Hall,
7 followed by Dr. Williams.

8 Ms. Hall, good afternoon.

9 MS. HALL: Good afternoon. I, too, will
10 limit my questions given that things are changing. But
11 I kind of want to know generally -- I think you
12 indicated in talking with Mr. Nguyen that it was likely
13 that the change of plans was -- would, in fact, result
14 in more -- more core forest being affected.

15 And I gather that's probably -- I think you
16 also said at the beginning of the meeting that you were
17 redesigning the road not only because of sight lines
18 but to put in some switchbacks to deal with the steep
19 gradients. Is -- did I hear that right?

20 MR. PAUL: This is Brian Paul, Vertical
21 Bridge. You did hear that correctly. So, rather than
22 have a direct route down the hill, so to speak, or up
23 the hill, depending on which way you're looking at it
24 from off of Warren Road, we felt as though we could
25 eliminate some of the potential issues with stormwater

1 runoff and the crossing of the wet areas at the bottom
2 of the hill or towards the bottom of the hill by
3 utilizing an existing curb cut that's already on the
4 same property as well as accessing the edge of an open
5 field that's already -- exists on the property.

6 Therefore, while I can't speak to the core
7 forest -- I'll leave that to Dean's expertise -- the
8 proposed route, based on what we know of the site
9 today, takes us through or on the edge of an open field
10 at the bottom of the hill near the Warren Road entrance
11 and the existing curb cut that's there, and then
12 switches back, crossing the wet area, and then, again,
13 as Joe indicated earlier, turning back and entering the
14 site at the top of the hill in the same manner as the
15 original design.

16 So, of the thousand or so feet that the
17 road -- the proposed road would be, about 200 feet of
18 that are going to stay the same at the top, and the
19 bottom 800 feet or so would be rerouted.

20 MR. GUSTAFSON: If I can add on to that.
21 Dean Gustafson from All-Points. So, with respect to
22 the alternate access road, the switchback that Mr. Paul
23 references would swing through kind of the northeastern
24 extent of the small patch core forest area. So, with
25 that kind of geometry and alignment of the new access

1 road, they'll be anticipating a slight increase in
2 impact to that small patch core forest area.

3 MS. HALL: Okay. I mean, we'll await the new
4 plans, but sort of a similar set of questions
5 concerning the wetlands. Your very original
6 proposal -- you'd reworked your very original proposal
7 and found a way to lessen the impact to the wetlands.

8 I suspect, hearing what you're saying now,
9 that there may be more impact to wetlands with the new
10 plan; is that correct?

11 MR. GUSTAFSON: Dean Gustafson from
12 All-Points. So, we -- with the -- the revised design
13 that was submitted as part of the prehearing
14 interrogatory responses reduced the permanent wetland
15 impacts to 228 square feet with a potential temporary
16 impact to wetland of 2,600 square feet.

17 With this new alternate access route, we'll
18 be crossing the wetland further towards its southern
19 extent. And that -- the wetland is similar in
20 characteristics as the currently proposed crossing and
21 such that it's limited to a seasonal intimate
22 watercourse feature, the difference being is that at
23 the current crossing location, it is a very, in size,
24 narrow-dug channel.

25 With the proposed alternate access route, it

1 would occur within an area that has seen less
2 disturbance and is slightly wider. It's similar in
3 characteristics from a hydraulic flow standpoint. So,
4 there -- there will be a slight increase. It won't be
5 significant, but it will be a slight increase.

6 MS. HALL: Okay. I guess -- I mean, we
7 just -- I -- we're going to have to wait and see what
8 you come back with on -- on that.

9 I think -- yeah. I mean, I know there are a
10 lot of visibility issues, but I think I'm going to
11 defer questioning on that as well. And so, yeah, I
12 will cede the rest of my time over.

13 VICE CHAIRMAN MORISSETTE: Thank you,
14 Ms. Hall.

15 We'll now continue cross-examination by
16 Dr. Williams, followed by Mr. Syme.

17 Dr. Williams, good afternoon.

18 DR. WILLIAMS: Good afternoon. I'll hold my
19 questions for the revised plan.

20 VICE CHAIRMAN MORISSETTE: Very good. Thank
21 you.

22 Now continuing cross-examination by Mr. Syme,
23 followed by Mr. Lynch.

24 Mr. Syme, good afternoon.

25 MR. SYME: I'm going to follow suit from some

1 of my predecessors from the Council today and note my
2 concerns were basically the wetland and the roads. And
3 without a current plan that shows where it's going,
4 it's hard for me to really ask questions that may be
5 valid, so I'll cede my time.

6 MR. MORISSETTE: Very good. Thank you,
7 Mr. Syme.

8 We'll now continue cross-examination with
9 Mr. Lynch. Mr. Lynch, good afternoon.

10 MR. LYNCH: I, too, am waiting for the new
11 upgrade of plans, but I have a couple questions before
12 that.

13 And one of them has to do with the stealth
14 technology. And I know you've ruled out that a pine
15 tree, because of the winter, and you ruled out any silo
16 because the silo would be out of place.

17 But have you given any consideration to a
18 fire tower, which I know some other states in New
19 England do use because it stands above the canopy and
20 it doesn't -- and it's not out of place above the
21 canopy? So, have you given any consideration to a fire
22 tower?

23 MR. LANDINO: This is Rick Landino with
24 All-Points Tech. We have not given any consideration
25 to a fire tower per se. We can certainly take a look

1 at it and get back to you.

2 MR. LYNCH: Sadly, I didn't hear you.

3 MR. LANDINO: This is Rick Landino from
4 All-Points Tech. Can you hear me okay?

5 DR. WILLIAMS: It's locking up, so I can't
6 hear you.

7 MR. LANDINO: Rick Landino, All-Points Tech.
8 We have not given any consideration to a fire tower,
9 but we could take a look at it and get back to you.

10 MR. LYNCH: Well, that's what I was kind of
11 hoping for.

12 But -- now, another question I have is for
13 your representative from C2. The battery backup for
14 the tower has -- and you -- I forgot which question it
15 is, but you say that it would last approximately eight
16 hours.

17 Now, we've had testimony from someone from
18 your organization that that's an optimal eight hours
19 and potentially under what -- if the -- if the site is
20 under full power, you'd be lucky to get five or six
21 hours out of the battery. Am I -- am I -- am I correct
22 here?

23 MR. BALDWIN: Mr. Lynch, excuse me. Could I
24 just ask a clarification? You said based -- "your
25 organization." Did you mean C2 or Verizon Wireless?

1 MR. LYNCH: No. C2. And I won't mention who
2 was the -- who was the witness, but he -- he testified
3 that at a maximum capacity of battery storage usage,
4 you're lucky to get six hours out of it if the site is
5 up and running at full capacity.

6 MR. BALDWIN: I don't know that we can speak
7 to what --

8 COURT REPORTER: I'm sorry. Who is speaking?

9 MR. BALDWIN: I'm sorry. This is Ken
10 Baldwin. Mr. Lynch, I don't know that we can speak to
11 what another C2 witness may have testified to in
12 another proceeding. But that -- perhaps Ms. Glidden
13 can speak a little bit about the battery backup power
14 to try and get you the answer you're looking for.

15 MS. GLIDDEN: This is Liz Glidden. The
16 battery -- we're going off the equipment specs, and the
17 battery backup on the equipment specs says that it can
18 go for eight hours. It's possible that a fully charged
19 battery would go less or that the draw could be
20 greater. I don't know. But in theory, it would go for
21 eight hours.

22 MR. LYNCH: That's the key phrase, "in
23 theory." I'll go to another -- I'm going to stick with
24 battery backup. Is -- why did you switch from propane
25 to diesel?

1 MS. GLIDDEN: Liz Glidden. I don't know that
2 we did switch. It's always been diesel for this
3 particular setting.

4 MR. LYNCH: All right. The battery -- excuse
5 me -- will the backup generator allow other carriers to
6 tie into it?

7 MS. GLIDDEN: Liz Glidden. The backup
8 generator is for Verizon equipment.

9 MR. LYNCH: All right. So, if another
10 carrier came on, they'd have to bring in their own
11 generator?

12 MS. GLIDDEN: That's correct.

13 MR. LYNCH: All right. Now, just a
14 clarification. The Montessori School refused to allow
15 you to use their land as a site?

16 MS. GLIDDEN: Liz Glidden. We contacted the
17 Montessori School, and they were amenable to us using
18 not the primary parcel but an adjacent parcel. And due
19 to environmental issues such as wetlands and size
20 constraints, we were not able to use that and meet all
21 of the setbacks that were required.

22 MR. LYNCH: Now, as far as the wind and --
23 for your antennas, you said that the -- a three-second
24 gust at 150 miles an hour is what the Connecticut
25 General Statute Building Code says. Has that code been

1 upgraded since 2022?

2 MR. JOHNSTON: This is Joe Johnston with
3 Airosmith Development. It has not. It's typically
4 every two to three years it updates. It's been, you
5 know, three years and they haven't updated it yet, so I
6 have no definitive confirmation but would expect
7 sometime in '26 potentially that they will update it.

8 MR. PAUL: This is Brian Paul, Vertical
9 Bridge. I'll add to that by stating that the tower
10 will be designed to whatever the code is at the time
11 that the tower is actually designed.

12 MR. LYNCH: All right. Thank you. Now, you
13 talk about the antennas and apparatus on the tower
14 being able to exceed a 115-mile-an-hour. But how about
15 the tower itself? Is that also 115 miles per hour?
16 And I don't mean a gust. I mean a prolonged wind.

17 MR. JOHNSTON: This is Joe Johnston with
18 Airosmith Development. Yeah. The tower and the
19 antennas and mounts will all be designed to resist a
20 115-mile-an-hour three-second gust. The current
21 building codes no longer use fastest miles for
22 sustained wind speeds.

23 MR. LYNCH: All right. Now I'm going to ask
24 my standard question. If your fiber-optic telephone
25 line goes down, what are your plans for getting the

1 site up and operating again?

2 MR. PAUL: Brian Paul with Vertical Bridge.
3 I'll give you my standard answer, in that we place a
4 second conduit or allow for placement of an additional
5 fiber line from the street to the site in the event
6 that the original fiber from the street fails.

7 Unfortunately, none of the fiber providers
8 that we know of that work in this area allow for
9 redundant fiber to be brought simultaneously so that we
10 could just switch over to the second one should the
11 first one fail.

12 Again, in the unlikely event that there is a
13 failure of a fiber either at the street or along the
14 access road or wherever we should choose to run fiber,
15 it's -- it's probably also a result of other
16 catastrophic failures in the area of power and fiber.
17 So, getting the site restored is likely timed by how
18 catastrophic that event is in this area. Again, we
19 can't determine what that is until it happens.

20 MR. LYNCH: Well, I understand there would
21 probably be a catastrophic event that would cause this,
22 but I was just wondering whether you had any plans in
23 place to simplify getting up and operating again.

24 MR. PAUL: Yeah. Brian Paul with Vertical
25 Bridge. Unfortunately, there isn't a simple solution

1 for that without getting the fiber providers involved.

2 MR. LYNCH: All right. Thank you.

3 Mr. Morissette, those are all my questions
4 for now.

5 VICE CHAIRMAN MORISSETTE: Thank you,
6 Mr. Lynch. I'd like to thank Mr. Mercier for his
7 detailed questions starting the hearing off. Quite a
8 few of my questions have been answered, but I do have
9 some follow-up and some clarification.

10 It was talked about that the Litchfield
11 County Dispatch -- that there's been discussions with
12 them but no commitment at this time to locate equipment
13 on the tower.

14 Now, does Litchfield County Dispatch also
15 encompass Washington and Warren, or do they have their
16 own entities that take care of emergency services?

17 MR. PAUL: This is Brian Paul with Vertical
18 Bridge. I don't know what Litchfield County Dispatch's
19 service area is. I'm sure we can probably find that
20 out in the interim and get back to you on that.

21 I -- I've dealt with them on a few other
22 sites in this part of the state, but I don't know the
23 extent of their service area and whether that
24 encompasses here. But the fact that they reached out
25 to us directly tells me that they're certainly seeking

1 improved coverage here.

2 VICE CHAIRMAN MORISSETTE: Okay. So,
3 Washington and Warren have not specifically reached out
4 to you to provide -- for you to provide a spot for
5 emergency services?

6 MR. PAUL: Again, Brian Paul with Vertical
7 Bridge. That is correct.

8 VICE CHAIRMAN MORISSETTE: Okay. Thank you.
9 If you could clarify that for us in a Late
10 File Number 6 as to, you know, whether Litchfield
11 County Dispatch covers the area, as well, so that would
12 be the single entity or are there -- are we dealing
13 with three entities.

14 (Late File Exhibit 6 ordered.)

15 VICE CHAIRMAN MORISSETTE: Going to page 1 of
16 the Executive Summary along the emergency services
17 line, in the second paragraph, it says, Washington
18 North 2 facility will provide Cellco customers and
19 emergency service providers with improved wireless
20 service.

21 Now, is that statement "emergency service
22 providers" in reference to a Litchfield County Dispatch
23 type of entity, or is it relating to emergency services
24 in general being able to have better service during
25 emergencies that are in that area?

1 MR. PAUL: Yeah. Brian Paul with Vertical
2 Bridge. I think -- I think it's both. I think it's
3 any -- any entity such as a Litchfield County Dispatch
4 and/or local municipal services or just any Cellco user
5 with a wireless device.

6 VICE CHAIRMAN MORISSETTE: Okay. So, it's
7 more related to cell phone service versus having their
8 independent -- independent antenna on the facility?

9 MR. PAUL: Yeah. Brian Paul, Vertical
10 Bridge. Yes. Correct.

11 VICE CHAIRMAN MORISSETTE: Okay.

12 MR. PAUL: The ability to contact emergency
13 services, dial 911 from a wireless device.

14 VICE CHAIRMAN MORISSETTE: Very good. Now,
15 are you aware of emergency services having difficulty
16 -- or residents having difficulty obtaining emergency
17 services because the coverage is poor?

18 MR. PAUL: This is Brian Paul with Vertical
19 Bridge. I don't have any specific knowledge of lack of
20 ability by emergency services, but based on what we
21 know of the coverage objective in this area and the
22 testimony provided by C2, we know that there are failed
23 call attempts in the area and dropped calls in the
24 area. If anyone wants to expand on what that looks
25 like in the area, I'm sure we could provide you with

1 better detail.

2 VICE CHAIRMAN MORISSETTE: Thank you for
3 that. I will wait to question the Town of Washington
4 and Warren to see what kind of responses that they have
5 relating to connectivity during emergencies. But thank
6 you.

7 Okay. I'm going to switch gears. I'm going
8 to ask questions relating to the new access crossing.
9 Now, I know you're in the process of developing it, but
10 my sense is that you've got some sense of where you're
11 going to go with this.

12 Now, your original proposal to cross the
13 wetland was to install a culvert. Are you still
14 intending to use a culvert to cross the wetland at a
15 wire -- wider access point?

16 MR. GUSTAFSON: Dean Gustafson from
17 All-Points. "Yes" is the simple response. But if I
18 could point you to Exhibit 2 in our prehearing
19 interrogatory response? It's our Wetland Inspection
20 report dated November 25th, 2025.

21 VICE CHAIRMAN MORISSETTE: Okay. Hang on.
22 Okay. I'm there. Thank you.

23 MR. GUSTAFSON: Yep. And if you go to the
24 end of that document, there is a wetland inspection
25 map.

1 VICE CHAIRMAN MORISSETTE: Yes. I'm with
2 you.

3 MR. GUSTAFSON: So, for the new access road
4 location off of Warren Road, you see the wetlands
5 system essentially drains from north to south. And
6 around it, for a reference, we have a 100-foot upland
7 review area buffer around it.

8 VICE CHAIRMAN MORISSETTE: Mm-hmm.

9 MR. GUSTAFSON: So, where that buffer
10 intersects with Warren Road just to the south is an
11 open field --

12 VICE CHAIRMAN MORISSETTE: Okay.

13 MR. GUSTAFSON: -- associated with the
14 subject parcel. At that general location is an
15 existing curb cut of about around 341. So, the
16 alternate access route would essentially follow along
17 that northern edge of that open field, progressing to
18 the southwest, and would cross over the wetlands system
19 not at the very southern terminus but kind of where --
20 where the field -- if you project out a line along the
21 north side of the edge of the field and project that to
22 the southwest, it would cross that at a fairly narrow
23 location of that wetland system.

24 VICE CHAIRMAN MORISSETTE: Would that be
25 below the -- I'll call it the wetland flag mark?

1 MR. GUSTAFSON: It -- so, we're showing an
2 intermittent stream system that's running through the
3 interior of that wetland system, and there's a
4 south-facing north arrow.

5 VICE CHAIRMAN MORISSETTE: Okay.

6 MR. GUSTAFSON: So, where that last north --
7 that last south-facing flow arrow is would be about --
8 just south of that would probably be about where the
9 proposed crossing of the wetland would be.

10 VICE CHAIRMAN MORISSETTE: Okay.

11 MR. GUSTAFSON: So, a little bit further
12 north of the terminus of the wetland where the flag
13 numbers 1A-1 and 1-01 are located. They would be
14 located, you know, about -- maybe about 100 feet
15 further to the north from there.

16 And then from that location, what would
17 happen is the access road would traverse to the west.
18 And then this is a -- an east-facing -- kind of
19 southeast-facing hill slope at that location.

20 The road would have a radius that would turn
21 towards the north and essentially cut across slope and
22 then intersect with the currently proposed access road
23 just to the west of the current bend in that road.

24 VICE CHAIRMAN MORISSETTE: Gotcha.

25 MR. GUSTAFSON: So, if that makes sense to

1 you. That's generally the orientation of access -- the
2 new access road.

3 VICE CHAIRMAN MORISSETTE: Okay. Thank you.
4 So, at that crossing, how wide is the wetland?

5 MR. GUSTAFSON: So, the wetland at that
6 location is -- its characteristics are it's an incised
7 intermittent stream feature; there's no bordering
8 wetlands to it. And it's approximately four feet wide,
9 give or take.

10 You know, we'll -- as we run through the --
11 our impact analysis with our late file, we'll analyze
12 that carefully. But it's -- it's generally in that --
13 that range for width. It's, you know, almost -- you
14 can pretty much jump across it.

15 VICE CHAIRMAN MORISSETTE: Okay.

16 MR. GUSTAFSON: So, it's very seasonal. That
17 wetlands system doesn't have a large drainage area.
18 So, it is -- would be characterized as an intermittent
19 watercourse, but it's -- it's a very seasonal
20 watercourse. It doesn't flow for significant periods
21 of time.

22 It does con- -- it does convey some
23 stormwater runoff from adjacent properties and the road
24 to the north, so there is a stormwater component to it
25 in addition to exfiltration of groundwater from the

1 hillside.

2 And then it just -- it terminates at that
3 wetland flag location, because there is a -- there's a
4 virtual (phonetic) geology contact point between the
5 glacial till hill to the north and to the west, and
6 then there is deep outwash highly permeable materials,
7 and the wetland system just infiltrates into that
8 highly permeable glacial outwash deposit.

9 VICE CHAIRMAN MORISSETTE: Very good. Thank
10 you.

11 MR. GUSTAFSON: You're welcome.

12 VICE CHAIRMAN MORISSETTE: Has there been any
13 thought about -- since it's, you know, let's say four
14 to five feet wide, instead of putting a culvert, to
15 bridging it?

16 MR. GUSTAFSON: So, we can -- with the
17 updated analysis and design for the roadway, we can
18 certainly consider, like, either a box collared or
19 open-bottom collared structure as opposed to a culvert
20 feature.

21 From a resource impact perspective, because
22 of the characteristics of the hydraulic -- the seasonal
23 hydraulic flows and the limited kind of ecological
24 sensitivity associated with this isolated wetlands
25 system, I'm not sure it makes much difference, but we

1 will certainly evaluate that, give that serious
2 consideration.

3 VICE CHAIRMAN MORISSETTE: Thank you. I know
4 Mr. Hammonds -- one of his pet peeves was to install
5 box culverts. But I'll leave that to Mr. Golembiewski
6 to explore further for review.

7 MR. GOLEMBIEWSKI: Note taken.

8 VICE CHAIRMAN MORISSETTE: Thank you. Okay.
9 I'd like to move on to the viewshed.

10 Now, I noticed that pages 9, 11, 15, and
11 22 -- the photos, I should say, of the viewshed
12 analysis -- they are all along -- there's a Route 15
13 and Route 202. And those appear to be year-round
14 views, and then it appeared to be -- they appear to be
15 the most significant views in the analysis. Is that --
16 am I looking at that properly?

17 MR. LANDINO: This is Rick Landino with
18 All-Points. You said it was 9, 11, 15 --

19 VICE CHAIRMAN MORISSETTE: And 22.

20 MR. LANDINO: And your question is are these
21 the most significant views? Is that --

22 VICE CHAIRMAN MORISSETTE: Yeah. Those four
23 seem to be the most significant views, most year-round
24 views, because as you get closer, the tree lines are --
25 kinds of blend in. But as you move out and you're on

1 the -- on the -- on those two roads, State Route 341
2 and 202, they appear to be -- well, it appears to be
3 more prominent.

4 MR. LANDINO: Sure. I could -- I could say
5 -- I'm looking at them with you. One thing I notice
6 with those views is that they're -- there are very
7 narrow view lines in those locations. Like, if you
8 took ten feet -- took ten steps left or right in most
9 of those shots, it's a very different experience.

10 You know, 9, that's a -- that's a shot
11 looking across. If you take a few steps to the left,
12 that's, like, the edge -- kind of the edge of your
13 visibility over there. And if you look at the viewshed
14 map, you can barely see the year-round visibility past
15 that point, really. Same thing with 11.

16 VICE CHAIRMAN MORISSETTE: Well, 11 -- well,
17 I don't know. That seems pretty prominent. 11 seems
18 to be pretty prominent, along with 15.

19 MR. LANDINO: Sure. It is a static -- that
20 location for sure, but it's a static shot. In nature,
21 like I said, if you took ten steps left or ten steps
22 right, it's -- it's behind those trees. Certainly if
23 you're passing on the road, driving down the road, it's
24 a second.

25 VICE CHAIRMAN MORISSETTE: Hmm.

1 MR. LANDINO: Same thing with -- with 15 and
2 22.

3 VICE CHAIRMAN MORISSETTE: Okay. Just one
4 final question, and it has to do with the small-cell
5 discussion. We talked a little bit about the -- you
6 know, there's been testimony that the cost should be
7 significantly lower and that there's ten -- ten small
8 cells would replace the need for this facility. What
9 is your reaction to that analysis?

10 MR. VELLANTE: Keith Vellante with C2. With
11 respect to the cost, I don't know that I could probably
12 offer any expertise in that regard. In terms of the
13 small cells, I'm aware of -- I've reviewed the isotrope
14 report. I believe that's the document in reference.
15 That seems to suggest the stringing along ten -- ten or
16 so small cells would allow for poorer service
17 comparable to that of the proposed site.

18 I mean, my initial reaction to that was the
19 coverage is limited along Route 202. I haven't done
20 analysis myself on the number of small cells, but that
21 wouldn't account for any coverage along Route 341 or
22 some of the secondary roads that the proposed site
23 would serve.

24 The reason for that being is just the nature
25 of the small-cell installations and the low antenna

1 height with respect to the surrounding tree cover. The
2 coverage is really limited to the clear line of sight
3 up and down the roadways. But once you move off the
4 roadways into any homes that are set back off the
5 street, coverage is going to be severely diminished
6 (brief) just because those antennas are so low.

7 So, again, as I testified earlier, the small
8 cells, in my experience, are more intended to
9 complement an existing network of coverage from
10 macrosites to target isolated areas where there's an
11 enhanced need for improved coverage capacity.

12 VICE CHAIRMAN MORISSETTE: Very good.

13 MS. GLIDDEN: This is -- this is Liz Glidden.
14 I just wanted to follow up and say that we stand by the
15 amount that is in the report at the cost.

16 VICE CHAIRMAN MORISSETTE: Very good. Thank
17 you.

18 Okay. That concludes my questioning for this
19 afternoon. And thank you, panel, for your responses.

20 We will continue with cross-examination of
21 the Applicant by the Town of Washington, Selectperson
22 Brinton.

23 First Selectperson Brinton, please.

24 MR. BRINTON: Thank you, Mr. Vice Chair. And
25 I can confirm the Towns of Washington and Warren are

1 covered by Litchfield County Dispatch.

2 VICE CHAIRMAN MORISSETTE: Thank you, First
3 Selectperson.

4 MR. BRINTON: I had a question regarding --
5 at the outset, I believe it was Mr. Paul talked about,
6 when redesigning the access road, reducing the level of
7 nonconformity or coming closer to D.O.T. standards. I
8 guess my question is, is the redesign to reduce the
9 nonconformity or to come into compliance with CONNDOT's
10 standards?

11 MR. PAUL: This is Brian Paul. Without the
12 ground design in our hands right now, the plan is to
13 use an existing curb cut, which we believe will make us
14 compliant with the 350-foot line of sight that the
15 D.O.T. requested from the curb in 341. We don't have
16 that exact measurement right now, which is why I stated
17 that we were seeking to comply.

18 MR. BRINTON: Thank you. There was
19 discussion of the diesel tank for the generator and the
20 security if a leak happens, that kind of thing. And it
21 was mentioned that there are sensors that will notify
22 the Company that there's been a leak.

23 What other protocols are in place? In other
24 words, you had mentioned that when the sensors go off,
25 you would send a technician immediately.

1 What other protocols -- because this is an
2 extremely rural area, the odds of anybody seeing it are
3 next to none. Is there a protocol in place to notify
4 DEEP? town emergency services? emergency management?
5 Do you have something like that?

6 MS. GLIDDEN: This is Liz Glidden. I think
7 if it's an extensive diesel leak that -- right off of
8 the pad that it is located on, the protocol would be to
9 call DEEP and report the leak.

10 MR. BRINTON: Right. And DEEP has a standard
11 for what leak needs to be reported.

12 MS. GLIDDEN: This is Liz Glidden. You're
13 asking me if they have a standard?

14 MR. BRINTON: No. They do. I'm just --

15 MS. GLIDDEN: Okay.

16 MR. BRINTON: Just a statement. Thank you.

17 And, again, I believe, Ms. Glidden, when we
18 talked about location of small cells, one of the
19 prohibitors was the --

20 (Pause)

21 VICE CHAIRMAN MORISSETTE: I'm sorry. First
22 Selectperson, you're on the mute. There you go.

23 MR. BRINTON: Sorry about that.

24 VICE CHAIRMAN MORISSETTE: Unfortunately, we
25 didn't catch your question.

1 MR. BRINTON: Sure. Again, I think it's
2 Ms. Glidden. When we talked about the placement of
3 small cells, in addition to transformers, one of the
4 prohibitors mentioned was primary power. Can you
5 elaborate on that? Are you talking about primary
6 lines?

7 MS. GLIDDEN: Yes. The primary -- Liz
8 Glidden. Primary lines that are on top of the pole.

9 MR. BRINTON: So, that -- that says "no" to a
10 small cell, essentially. And the reason I ask is every
11 pole in the state of Connecticut has a primary line.

12 MS. GLIDDEN: Well, some of them have
13 secondary.

14 MR. BRINTON: They all have secondary --
15 secondary utilities like telephone and cable,
16 what-have-you. But they all have a primary power line.

17 MS. GLIDDEN: Liz Glidden. They -- some of
18 them -- some of the poles only have a secondary power
19 line, and those are the poles that we attach to.

20 MR. BRINTON: Okay. Thank you.

21 I don't have any other questions, Mr. Vice
22 Chair.

23 VICE CHAIRMAN MORISSETTE: Thank you, First
24 Selectperson Brinton.

25 We'll now continue the cross-examination of

1 the Applicant by the Town of Warren. Selectperson
2 LaCava, please.

3 MR. LaCAVA: Thank you very much, sir.

4 I wanted to reiterate the notes from First
5 Selectman Brinton and confirm, as well, LCD is our
6 primary coverage for all EMS and fire services in that
7 area.

8 My concerns are the wetlands and the vernal
9 pool area with the reconfiguration of the
10 egress/ingress. I may have missed it earlier. Can we
11 confirm if this has a lesser impact on that area by the
12 relocation?

13 MR. GUSTAFSON: Dean Gustafson from
14 All-Points. First point of clarification, there are --
15 there is no vernal pool habitat associated with the
16 isolated wetland system that's been delayed on the
17 subject parcel. And for the revised alternate access
18 route, we expect a slight increase of wetland impact
19 from what's being currently proposed.

20 MR. LaCAVA: Okay. Thank you. I have no
21 other questions.

22 VICE CHAIRMAN MORISSETTE: Thank you,
23 Selectperson LaCava.

24 We'll continue with cross-examination of the
25 Applicant by Steep Rock Association, Inc., by Attorney

1 Sherwood.

2 Attorney Sherwood, good afternoon.

3 MR. SHERWOOD: Good afternoon,

4 Mr. Morissette, members of the Council.

5 Steep Rock, as I think you know, is a
6 nonprofit conservation organization, and they have
7 spent a considerable amount of time and money reviewing
8 the plans and other application materials by hiring
9 experts to do that. And we're now told, on the day of
10 the hearing, that there are new plans which differ
11 apparently quite significantly from those submitted.

12 So, I'd like to request that the -- first of
13 all that the Applicant's prefiled exhibits be filed so
14 that we have at least two weeks to review what the
15 Applicant has submitted prior to the continuation of
16 the public hearing.

17 We ask that the Council consider postponing
18 or continuing the public portion of the meeting this
19 evening until the new plans have been submitted so that
20 the public can understand what's being proposed.

21 And I do have a few questions, but we reserve
22 the right to re-examine the Applicant's witnesses after
23 the new materials have been filed.

24 VICE CHAIRMAN MORISSETTE: Thank you,
25 Attorney Sherwood. As far as two weeks is concerned,

1 Attorney Bachman, are we looking at two weeks out for a
2 continuation?

3 MS. BACHMAN: Vice Chair Morissette, we are
4 looking at Tuesday, January 13th, for a continuation.
5 And so to accommodate Attorney Sherwood's request, if
6 my math is correct, the prefiled testimony and
7 additional exhibits and late files would be due on New
8 Year's Eve.

9 VICE CHAIRMAN MORISSETTE: Attorney Baldwin,
10 does that give you enough time to put your late file
11 exhibits together by the end of the year, in time for
12 our continuation hearing on the 13th?

13 MR. BALDWIN: This is Ken Baldwin. It would
14 be close, Mr. Morissette. We spoke about that during
15 the break. We're in the process of securing survey
16 data out at the site and working on the designs. We
17 have other elements, as Mr. Gustafson said, that can be
18 evaluated soon. We're going to do our best to get that
19 information to the siting council as soon as -- and
20 every party and intervenor as soon as we can.

21 VICE CHAIRMAN MORISSETTE: Very good. With
22 that, we're going to stay on the schedule that has been
23 set with a continuation of January 13th with late file
24 exhibits filed by New Year's Eve. That will give you
25 some holiday reading, unfortunately.

1 Concerning the postponement of the public
2 comment session this evening, I think -- in general
3 terms, I think the public can speak their mind this
4 evening and we can hear what they have to say. I don't
5 see the need for postponing that until the 13th since
6 people have already signed up for this evening and are
7 -- and are ready to go.

8 Attorney Sherwood, was there anything else?

9 MR. SHERWOOD: I have a few questions, if I
10 may, Mr. Vice Chairman.

11 VICE CHAIRMAN MORISSETTE: Certainly.
12 Certainly. Please continue.

13 MR. SHERWOOD: Thank you. My first question
14 is with respect to tower height. The narrative
15 submitted with the application says that the tower is
16 140 feet tall.

17 The Attachment 1 to the application at page 9
18 of 25 says the tower height is 150 feet above ground
19 level with the antenna centerline at 145.

20 The -- page 19 of Attachment 1 says the top
21 of the highest appurtenance is 144 feet above ground
22 level.

23 Attachment 3, which is a legal notice, says
24 that the -- complications for a 140-foot monopole
25 tower.

1 And Attachment 15, which is the FAA
2 certification, says that the tower height is 154 feet.

3 So, what is the height of the tower?

4 MR. PAUL: Yeah. Brian Paul with Vertical
5 Bridge. The top of steel is 140, one four zero. The
6 top of the highest appurtenance is 144, which is the
7 lightning rod for lightning protection on the tower.

8 MR. SHERWOOD: Thank you. The narrative says
9 that the -- in the Applicant's opinion, the primary
10 facility impact is visual, and that certainly is a
11 concern for Steep Rock.

12 The narrative says that quote, The visual --
13 this is at page 16 -- The visual assessment assesses
14 overall visual impact of the proposed 140-foot monopole
15 tower on the surrounding areas and includes
16 photographic simulations for the Council's review and
17 consideration.

18 So, my first question on the visual
19 assessment is what are the -- what are the mechanics
20 for -- for doing a balloon float? How is that done?

21 MR. LANDINO: This is Rick Landino with
22 All-Points Tech. Typically, the way we do it, we start
23 with a preliminary viewshed, which essentially is our
24 GIS team puts together on a three-dimensional map
25 using LiDAR data, basically takes into account the

1 height of the tower, the gradient and topography,
2 vegetation, and it projects out what the predicted
3 visibility is going to be, both year-round and
4 seasonal.

5 Then our team goes out with a weather
6 balloon. In this case, we put it on the site, we fly
7 the weather balloon at the -- at the tower location,
8 and we drive the two-mile radius to publicly accessible
9 locations and assess essentially truth, the preliminary
10 viewshed analysis, and try to see if there's any areas
11 that may have been missed with the preliminary viewshed
12 analysis. So, we travel anywhere where, you know, it
13 could be visible.

14 We document our -- we take our photo
15 documentation back into the office, and we create a
16 three-dimensional model of the site, and we superimpose
17 the three-dimensional model onto the photographs that
18 you see here.

19 MR. SHERWOOD: How do you locate the tower
20 site when you do the balloon float?

21 MR. LANDINO: We use -- use our eyes. But to
22 help us, we have handheld GPS that gives us a point.
23 We plot a point in the field so we kind of know the
24 direction that we should be looking as we're driving.
25 So, we're driving and -- and walking and spotting at

1 the same time.

2 MR. SHERWOOD: No. I'm -- I'm saying when
3 you actually set up the balloon, how do you locate the
4 tower, the tower site? How do you know where to put
5 the balloon?

6 MR. LANDINO: Correct. Using handheld GPS
7 technology.

8 MR. SHERWOOD: So, you go to -- you go to the
9 coordinates that --

10 MR. LANDINO: We follow the coordinates.
11 Sorry.

12 MR. SHERWOOD: So, you go to the coordinates
13 that tell you where the tower is going to be?

14 MR. LANDINO: Correct. It will either be --
15 and the coordinates -- or sometimes the site has been
16 staged. We go with that. But we always have
17 coordinates handy. And between that, if there's
18 something to measure off from, we'll measure off from
19 that. But --

20 MR. SHERWOOD: What about in this case?

21 MR. LANDINO: This case, I believe we used
22 the GPS coordinates.

23 MR. SHERWOOD: And how big is the balloon?

24 MR. LANDINO: Approximately four feet.

25 MR. SHERWOOD: In diameter?

1 MR. LANDINO: Correct.

2 MR. SHERWOOD: And how high was the balloon
3 flown?

4 MR. LANDINO: 140 feet to the bottom of the
5 balloon.

6 MR. SHERWOOD: So, that would have covered
7 the -- the tower and the lightning rod?

8 MR. LANDINO: Correct.

9 MR. SHERWOOD: Now, none of that information
10 is included in your visual assessment; correct?

11 MR. LANDINO: I'd have to review it, but I
12 believe there was methodology in the visual assessment
13 that --

14 MR. SHERWOOD: Right. There's a -- there's
15 a -- certainly a discussion of methodology. But the
16 size of the balloon, how you locate the spot on the
17 ground to fly the balloon, and how you fly the balloon
18 -- how the balloon is flown is not in the visual
19 assessment. So, you're sure about that information?

20 MR. LANDINO: On page 4 of the visibility
21 assessment, there's much of that information right
22 there. Four-foot balloon, the height.

23 MR. SHERWOOD: Is that Attachment 9?

24 MR. LANDINO: Correct, under Balloon Test and
25 Field Reconnaissance.

1 MR. SHERWOOD: Right. It tells us that the
2 balloon is four feet. It doesn't tell us how high it
3 was flown, though.

4 MR. LANDINO: It was flown at 140 feet.

5 MR. SHERWOOD: Now, Interrogatory Number 50,
6 the Council asks about alternative tower designs, and
7 you discuss three: the model pine, the -- the silo or
8 the farm tower, and the unipole.

9 What -- what would be the -- and you say that
10 the -- that the first two are prohibitively expensive.
11 The unipole is about the same cost as a -- as what
12 you're proposing to put up. What are the disadvantages
13 of the unipole?

14 MR. LANDINO: It would have to be
15 significantly higher because there -- your platforms --
16 you don't have the luxury of the wider platforms, so
17 you'd have to get significantly higher. I'm not sure
18 of the total height above what it would be, but it
19 would be a higher distance above the trees.

20 MR. SHERWOOD: Could you tell us that when
21 you return?

22 MR. LANDINO: Perhaps Mr. Vellante might have
23 some insight as to the RF differences in the unipole
24 design? Otherwise, we can certainly take --

25 MR. VELLANTE: Sure. I can add a little

1 context. Keith Vellante, C2. So, with the concealed
2 monopole, the idea is there is an additional benefit to
3 streamlining the -- the width of the -- of the tower
4 and the antennas and appurtenances.

5 So, in order to do that, the antennas
6 themselves would be stacked vertically rather than
7 staged horizontally. In doing so, they would have to
8 be more on top of one another, so a single carrier
9 would take up greater vertical area on a pole of a
10 concealed nature rather than a proposed monopole with a
11 platform already for Verizon's antennas.

12 And that would create an effect for any
13 future tenants that may -- may join the tower. They
14 would likewise have those similar challenges but not
15 taking antennas that are traditionally horizontally
16 dispersed in a vertical -- in a larger vertical area.

17 So, as a result, the pole height would
18 increase. So, from Verizon's perspective, we can come
19 back with a detailed answer, but it would likely be
20 another ten feet to accommodate another seven antennas
21 and maintain 135 feet for the lower set.

22 MR. SHERWOOD: What about the fire tower
23 design? What are the -- what's -- what would the
24 downside be of using a fire tower design?

25 MR. LANDINO: I would imagine -- sorry. Rick

1 Landino, All-Points Tech. I imagine you'd be looking
2 at a greater visual footprint. It would be quite a bit
3 wider. It's a four-legged tower instead of one.

4 MR. PAUL: Yeah. This is Brian Paul with
5 Vertical Bridge. Although we're not opposed to
6 exploring whether a fire tower would work here, the
7 visual impact of that sounds to me like it's much
8 greater than a single monopole.

9 You'd have platforms, right, stairs. Fire
10 towers are always four-legged structures that can't be,
11 you know, climbed like a monopole would be. They have
12 stairs on them. Every one that I've seen is about 30,
13 40 feet wide at the base.

14 MR. SHERWOOD: Well, I think the issue is
15 the -- is the context, but we'll wait to see what you
16 come up with. There is a difference --

17 VICE CHAIRMAN MORISSETTE: Attorney Sherwood,
18 I want to make sure we're clear here. Were you
19 satisfied with the answer on the unipole design? Are
20 you still asking for a further analysis? Because it
21 sounded to me like the question was answered and no
22 further analysis is required.

23 MR. SHERWOOD: My understanding is that the
24 unipole design would require a tower that is ten feet
25 taller than the one being proposed. And if I'm correct

1 about that, then I -- then my answer -- the question
2 has been answered to my satisfaction.

3 MR. PAUL: This is -- this is Brian Paul.
4 I'll add to that. While Verizon --

5 VICE CHAIRMAN MORISSETTE: Okay. Thank you.

6 MR. PAUL: This is Brian Paul with Vertical
7 Bridge. While Verizon's installation may require an
8 additional ten feet, each other carrier that the tower
9 is designed for, in this case three other carriers,
10 they would all require an additional RAD center,
11 bringing the tower closer to almost 200 feet.

12 A unipole design of almost 200 feet is
13 nearly -- I'm not an engineer. I shouldn't speak. But
14 I've never seen a pole design of that stature. They're
15 just not sturdy enough to do that. It would have to be
16 such a significant width, right, to be able to stably
17 support such a structure at 200 feet tall, nearly 200
18 feet tall. It would be just -- it would be a monopole
19 essentially but without the horizontal raise at the
20 top.

21 MR. SHERWOOD: So, your testimony is that
22 it's not feasible?

23 MR. PAUL: My testimony is that I have not
24 seen it done before. And I just wanted to clarify that
25 for each additional carrier designed on the tower --

1 which in this case there are three additional carriers
2 designed for this tower, not to mention Litchfield
3 County Dispatch potentially not being able to use the
4 tower based on that design type would be prohibitive.
5 Litchfield County Dispatch does not deploy antennas
6 that would work within the confines of a unipole;
7 therefore, they'd be eliminated from use here.

8 MR. SHERWOOD: If you compare the maps in the
9 visual assessment, which is Attachment 9, with the maps
10 in the technical report, there's a fairly significant
11 difference in visibility estimates.

12 In Attachment 9, you say that there is about
13 20 acres that would have year-round visibility and 138
14 acres which would have seasonal visibility. And in the
15 technical report, you say there are 18 acres that would
16 have year-round visibility and 280 acres with seasonal
17 visibility.

18 So, I assume that the difference between the
19 two is that the maps in Attachment 9 reflect the --
20 your conclusions based on the balloon float; is that
21 correct?

22 MR. LANDINO: Correct. Rick Landino,
23 All-Points Tech. Yes. I believe we probably had some
24 preliminary numbers and we treated it in the final
25 viewshed analysis.

1 MR. SHERWOOD: There are quite significant
2 areas that -- of both seasonal and year-round
3 visibility which have been removed. If you look at the
4 technical report -- it's 43 pages long. If you look at
5 page 33 of the technical report -- bear with me for a
6 moment, please -- the technical report is the first
7 item in the bulk filing.

8 MR. LANDINO: I'm sorry, Attorney Sherwood.
9 Is there a question regarding that?

10 MR. SHERWOOD: Yes. I'm waiting to --

11 MR. LANDINO: I think we're there.

12 MR. SHERWOOD: I'm waiting for the technical
13 report to load, and it just has, so.

14 MR. LANDINO: Okay.

15 MR. SHERWOOD: If you look at page 30 -- I'm
16 sorry -- 32 of 43 in the technical report, there's a
17 large area to the east of the tower which is shown as
18 having seasonal visibility. And you have eliminated
19 that in your visibility analysis, Attachment 9;
20 correct?

21 MR. LANDINO: Correct. Again, Rick Landino,
22 All-Points Technologies. I know that area pretty well.
23 When we were out there and did the preliminary viewshed
24 that was predicting potential visibility viewshed out
25 there, that day I was out there with a two-man team

1 with two different vehicles.

2 My associate drove it at least once, maybe
3 twice. He didn't see anything up there. I did it
4 twice myself, very slowly. I assessed it thoroughly.
5 And I could not spot anything that would lead me to
6 believe that there could be any potential for seasonal
7 visibility over there. That's why we eliminated it.

8 MR. SHERWOOD: Well, you took one -- I'm
9 looking at page 13 of 53 of Attachment 9. You took one
10 photograph --

11 MR. LANDINO: Mm-hmm.

12 MR. SHERWOOD: -- which is 26. And I assume
13 that's intended as a representational photograph?

14 MR. LANDINO: Yes. That was -- was the most
15 exposed view I was able to get from that area. If
16 there was going to be visibility from -- from that
17 area, that's where it would be.

18 MR. SHERWOOD: Well, you didn't check -- I
19 mean, you couldn't have checked the entire area because
20 there isn't public access to the entire area; correct?

21 MR. LANDINO: Correct. But based on the
22 location that I am -- that I'm at, I'm at kind of the
23 height of land over there. So, as you move closer to
24 the tower, visibility is going to drop and you're going
25 to get closer to that tree line; therefore, that would

1 further reduce any potential for visibility there. And
2 it doesn't get much higher behind it, get higher behind
3 me, which would also eliminate the possibility of
4 visibility.

5 MR. SHERWOOD: Chairman Morissette asked
6 about -- about -- now that we're on 13 out of 53 --
7 asked about the visibility along the roadway. And you
8 indicated that the year-round visibility was -- as you
9 were driving along those roads, 202 and I guess it's
10 341, was just momentary. But I don't think I'm
11 understanding your map correctly.

12 The yellow areas are areas of year-round, and
13 the brown areas are areas of seasonal. So, if you're
14 in a brown area and the road goes through, can't --
15 can't you see it the whole time you're on the road as
16 long as the leaves are off the trees?

17 MR. LANDINO: Rick Landino, again, All-Points
18 Tech. Yeah. That's a good question. And really, the
19 way the visibility map works, your yellow areas are
20 year-round visibility, and you can see along the roads
21 they're pretty spotty where they -- where they cut
22 through -- where they cross the roads.

23 And then outside of that, you have your
24 orange areas, which are representative --
25 representative of seasonal visibility. And anywhere

1 that -- anywhere where we think there might be seasonal
2 visibility we'll consider orange, but it doesn't mean
3 that anywhere you're standing in that orange you're
4 going to see things. It's kind of us being
5 conservative with our estimations.

6 When you're looking through understory of a
7 quarter mile of trees or whatever it is, chances are
8 you're not going to see anything through that. You
9 might see it right at the treetops if you're in there.
10 But like I said, it's kind of a conservative estimate
11 on our part where we predict seasonal visibility is
12 going to be.

13 MR. SHERWOOD: Did you --

14 MR. PAUL: Brian Paul. Go ahead. Sorry.

15 MR. SHERWOOD: No. Go ahead, Mr. Paul.

16 MR. PAUL: Brian Paul, Vertical Bridge. I
17 think one of things we're leaving out of this
18 conversation is if the tower is visible from a road
19 like 202 or 341. That's the coverage objective. We're
20 trying to cover those roads. Therefore, if the tower
21 is visible from one of those roads, the coverage
22 objective should be getting mapped; right?

23 So, I'm not necessarily implying that all
24 visibility is great visibility, but our coverage
25 objective is those main roads. Part of the coverage

1 projective is the main roads. So, the fact we can see
2 it from there means we're meeting our objective. So, I
3 just wanted to throw that out there.

4 MR. SHERWOOD: Did you check visibility from
5 any of the high points in the area? I know you
6 indicate that there's no visibility from Mount Tom.
7 But that conclusion is based on your computer model;
8 correct?

9 MR. LANDINO: Both. We -- we both were up
10 there and I thought we had -- yeah. We have a photo
11 from -- from the high part of Mount Tom, Photo
12 Number 28 in the assessment. And you can see there's
13 no chance of visibility from that high point.
14 Everything else in that area is heavily forested. And
15 the other high points are -- are either heavily
16 forested or inaccessible but not public to us.

17 MR. SHERWOOD: But -- so -- so, did you check
18 any of the -- for -- we're obviously concerned about
19 Steep Rock. Did you check any of the -- did you check
20 visibility from any of the trails in Steep Rock? Did
21 you go to any of the high points and land owned by
22 Steep Rock which is accessible?

23 MR. LANDINO: The -- we used the concourse
24 to -- concourse and the -- the -- the fuchsia
25 (phonetic) mapping to kind of dictate some of that.

1 But, yes, you can see the -- the tower is surrounded by
2 heights of land on all sides, all -- 1,100, 1,200 feet,
3 maybe even higher.

4 With that tower being so much lower, in the
5 930s, elevation around 930 at the base, the fact that
6 those -- it's so high over there, as you move past it,
7 there's -- it becomes almost mathematically impossible
8 to see it. And with -- all the existing vegetation
9 further reduces your chances.

10 MR. SHERWOOD: Well, the tower sticks out of
11 the tree understory by 40 or 50 feet; right?

12 MR. LANDINO: At the -- at the location.
13 Sure. Yep.

14 MR. SHERWOOD: And so, you think that there
15 would be no visibility from any of the high points to
16 the west of the tower beyond what you've shown?

17 MR. LANDINO: How far -- yeah. Beyond what
18 we've shown, correct.

19 MR. SHERWOOD: So, within the two-mile
20 radius? Outside the two-mile radius?

21 MR. LANDINO: Very confident that the fuchsia
22 map is accurate, especially when you look at page --

23 MR. SHERWOOD: Well, that's not quite what I
24 asked you. What I asked you is, is there any
25 visibility inside or outside of the two-mile radius.

1 So, you said, well, you're confident in the viewshed
2 map, but that is limited by the two-mile radius;
3 correct?

4 MR. LANDINO: Oh. Sure. Yep.

5 MR. SHERWOOD: So, what about outside the
6 two-mile radius?

7 MR. BALDWIN: Attorney Sherwood, I need to
8 ask you to be a little bit more specific, if you don't
9 mind. What locations are we talking about? It might
10 be easier for Mr. Landino to give you an answer.

11 MR. SHERWOOD: There are a series of high
12 points --

13 COURT REPORTER: I'm sorry. I'm sorry. And
14 who was that speaker, please?

15 MR. BALDWIN: I apologize. That was Ken
16 Baldwin again.

17 MR. SHERWOOD: There are a series of high
18 points or peaks between the tower and Lake Waramaug,
19 which is almost directly due west. And those are the
20 areas that are of concern to Steep Rock, particularly
21 land within the Steep Rock preserve.

22 So, my question is out -- did you do any
23 research or any evaluation of visibility outside of the
24 two-mile radius?

25 MR. LANDINO: There was no evaluation outside

1 the two-mile radius. However, I could confidently
2 estimate based on page 10 of Attachment 9 that the --
3 the visibility analysis -- if you look at Rabbit Hill
4 just to the west, anywhere further west of Rabbit Hill
5 will not touch the tower -- you're looking due west --
6 just based on elevations alone.

7 MR. SHERWOOD: So, you're confident that
8 there will not be any visibility?

9 MR. LANDINO: 100%.

10 MR. SHERWOOD: Well, I have a few questions
11 for Mr. Gustafson on Attachment 10, which is the Listed
12 Species Analyses.

13 Attachment 10 says the purpose of -- The
14 objective of this analysis is on behalf of the tower's
15 All-Points Technology Corporation performing an
16 evaluation with respect to possible federal --
17 federally and state-listed endangered, threatened, or
18 special concerned species in order to determine if the
19 proposed referenced telecommunications facility would
20 result in a potential adverse impact of the listed
21 species.

22 So, my first question is who -- who prepared
23 the submission to the U.S. Fish & Wildlife Service, and
24 who's responsible for the input?

25 MR. GUSTAFSON: So, Dean Gustafson from

1 All-Points. That would be myself.

2 MR. SHERWOOD: At page 2, Mr. Gustafson, you
3 say a Phase 1 Bog Turtle Habitat Survey was performed
4 by a U.S. Fish & Wildlife Service qualified
5 herpetologist, Dennis Quinn of Quinn Ecological, LLC,
6 on March 27th, 2025, determining the site does not
7 support bog turtle habitat. Did Mr. Quinn prepare a
8 written report about that?

9 MR. GUSTAFSON: Dean Gustafson from
10 All-Points. Yes. He prepared the form -- the U.S.
11 Fish & Wildlife form for bog turtle Phase 1 Survey.

12 MR. SHERWOOD: Would you submit a copy of
13 that into the record?

14 MR. GUSTAFSON: We can certainly submit that
15 as a late file exhibit.

16 MR. SHERWOOD: Except for the Quinn study,
17 was any fieldwork done to determine the presence of
18 listed species?

19 MR. GUSTAFSON: No. It wasn't -- wasn't
20 determined necessary based on our analysis through the
21 U.S. Fish & Wildlife system and also through our
22 consultation with the Natural Diversity Database at
23 Connecticut DEEP.

24 MR. SHERWOOD: The Shepaug River, which is
25 just to the east of the site, is a well-documented wood

1 turtle riparian habitat. Would you agree with that?

2 MR. GUSTAFSON: Yes, I would.

3 MR. SHERWOOD: And the wood turtle is not
4 only state-listed but is a candidate for federal
5 listing as well?

6 MR. GUSTAFSON: So, with -- Dean Gustafson
7 from All-Points. With respect to your second
8 statement, the wood turtle is not a candidate species
9 with U.S. Fish & Wildlife.

10 MR. SHERWOOD: It is not?

11 MR. GUSTAFSON: That is correct. It is not.
12 It was considered for a listing, but it has not been
13 formally identified as a candidate species.

14 MR. SHERWOOD: Is it reasonable to conclude
15 that the -- that there is wood turtle use of the lower
16 portions of the proposed tower site?

17 MR. GUSTAFSON: I don't believe so. Dean
18 Gustafson from All-Points. I do not believe that the
19 project site sustains habitat for wood turtle. And the
20 traffic on Route 341 is -- is likely prohibitive of any
21 migratory vectors from wood turtle using the Shepaug
22 River.

23 That being said, we do have a comprehensive
24 wetland protection plan that would be implemented
25 during construction of the facility. And that

1 protection plan would isolate out the work areas from
2 the surrounding habitat zones. And in addition to
3 providing adequate protection to wetland resources
4 located on the subject parcel, it would be equally
5 protective of any migratory amphibians, reptiles,
6 including wood turtle, that may enter the subject
7 property and the construction zone. So, we have
8 appropriate conservation measures and protective
9 measures in place to avoid incidental injuring.

10 MR. SHERWOOD: Well, the Town of Washington
11 Natural Resource Inventory shows 32 state-listed
12 species. And the materials submitted on behalf of
13 Steep Rock shows the presence of 28 listed species just
14 a little under two miles away to the west.

15 So, it would be reasonable to assume that at
16 least some of those species occur on the property,
17 Mr. Gustafson?

18 MR. GUSTAFSON: Dean Gustafson from
19 All-Points. I do not agree with your -- your
20 statement. So, we -- we went through the required
21 consultation measures with Natural Diversity Database.
22 No records of any rare species were found on this -- on
23 or in the vicinity of the subject property. And that's
24 reflected in the file determination letter that was
25 issued by DEEP.

1 MR. SHERWOOD: So, in your judgment, the
2 report of the presence of 28 state-listed species on
3 the Steep Rock property is just an error?

4 MR. GUSTAFSON: No. That could be correct.
5 But it's also correct that it doesn't necessarily
6 equate that those species are -- portions of those
7 species would be located on the subject parcel.

8 MR. SHERWOOD: What would account for the --
9 for the presence on the Steep Rock property and the
10 absence on the proposed cell tower site? Is there a --
11 is there a significant difference in -- in habitat?

12 MR. GUSTAFSON: So, I'm not familiar with the
13 habitat on those nearby Steep Rock Association
14 properties, so I can't speak to that.

15 You know, we're not -- we do not abut one of
16 the Steep Rock Association open-space parcels. There's
17 significant separation, distance, between the project
18 site and that location. That includes quite a bit of
19 surrounding residential and Montessori School
20 development that surrounds our subject property as well
21 as two state roads, and so that that likely has some
22 bearing on the lack of listing of rare species on or
23 adjacent to this project site when comparing to the
24 conservation land that's owned and operated by Steep
25 Rock Association.

1 MR. SHERWOOD: Well, NDDDB is based on
2 reports; correct? In other words, no one has done a
3 listed-species evaluation of the proposed cell tower
4 site. NDDDB is simply reporting to you what's been
5 reported to them.

6 So, if a survey hasn't been done on the
7 property or on the adjacent property, then whether
8 there are listed species or not, NDDDB is going to tell
9 you that nothing has been reported; correct?

10 MR. GUSTAFSON: That would be correct.

11 MR. SHERWOOD: So, it wouldn't be fair to say
12 that you don't know whether there are any listed
13 species on the site without doing a study yourself?

14 MR. GUSTAFSON: So, we have no information
15 that leads us to believe that there are any listed
16 species located on or in the vicinity of the subject
17 property. So, through our normal consultation
18 process -- and this is what every development goes
19 through in the state of Connecticut -- you go through
20 an analysis to determine what the potential is for rare
21 species.

22 And the Natural Diversity Database is fairly
23 conservative in its analysis. So, if it has records,
24 not necessarily on the subject property, but if they
25 have records of rare species in the surrounding

1 landscape, they will flag those as a potential
2 occurrence on the subject property. And then at that
3 point, we would go through a site-specific analysis for
4 those identified or potentially identified listed
5 species. And that was not the case on this project.

6 MR. SHERWOOD: Let's take a look at the -- at
7 the answers to the questions of the U.S. Fish &
8 Wildlife Service survey form.

9 On page 16 of Attachment 10, you indicate
10 that talus slopes are not present on the property; is
11 that correct?

12 MR. GUSTAFSON: That's correct.

13 MR. SHERWOOD: How was that determination
14 made?

15 MR. GUSTAFSON: By visual assessment of the
16 subject property.

17 MR. SHERWOOD: Are -- isn't the question of
18 whether or not there are talus slopes present -- isn't
19 that a question of what's underneath the vegetation, in
20 other words, the surface geology of the site?

21 MR. GUSTAFSON: Dean Gustafson from
22 All-Points. No, that's not correct. A talus slope is
23 an exposed, you know, rock or crushed rock slope. It's
24 exposed talus, which is exposed, you know, bedrock that
25 has eroded and shaved off from the actual bedrock

1 outcrops. It's not an indication of potential for, you
2 know, crushed talus slope that's underneath a glacial
3 till soil surface. So, there is no talus slope on the
4 subject property.

5 MR. SHERWOOD: Who made the determination
6 that no drilling or blasting would be required? That's
7 page 18, Question 22.

8 MR. GUSTAFSON: That's based on our current
9 understanding of the project.

10 MR. SHERWOOD: So --

11 MR. GUSTAFSON: Sorry to interrupt. Dean
12 Gustafson from All-Points. One thing I'll point out
13 with respect to that question, even if we did answer
14 "yes," you would still end up with the same time-
15 of-year restriction for tree-clearing, because we're
16 avoiding any type of activity -- any tree-clearing
17 activity within the potential sensitive period where
18 the dads would be using the forested habitat for
19 breeding and pup rearing.

20 MR. SHERWOOD: So, what you're saying is that
21 there's no point including the question in the survey
22 because it wouldn't make any difference one way or the
23 other?

24 MR. GUSTAFSON: Dean Gustafson from
25 All-Points. So, the question -- the question there

1 that the U.S. Fish & Wildlife provides is obviously a
2 list of various questions to determine potential
3 sensitivity of a project site and development with
4 respect to habitat used by northern long-eared bat, and
5 we try to call it that.

6 So, the question is germane. But I'm just
7 telling you that we already have agreed to a
8 time-of-year restriction for tree-clearing; and
9 therefore, whether we answered "yes" or "no" to the
10 question on a talus slope, we would still end up at the
11 same end point, which is that not likely to adversely
12 affect determination from U.S. Fish & Wildlife through
13 the northern long-eared bat, tricolored bat
14 determination key.

15 MR. SHERWOOD: So, that survey form is only
16 for the -- for the two species of bats; is that
17 correct?

18 MR. GUSTAFSON: That is correct.

19 MR. SHERWOOD: Who made the determination
20 that no herbicides or pesticides would be used on the
21 property? That's Question 24.

22 MR. GUSTAFSON: That I -- Dean Gustafson from
23 All-Points. I answered that question based on my
24 understanding of the operation of the facility.
25 Generally speaking, there is no application of

1 herbicides or pesticides associated with operation of
2 these facility types.

3 MR. SHERWOOD: Well, if you look at the
4 resubmission of Attachment 3, which was filed I think
5 on December 1st, Sheet 5 of 6 of that submission, of
6 that attachment, is a set of notes which I believe you
7 prepared; correct?

8 MR. GUSTAFSON: Dean Gustafson from
9 All-Points. Yes. That's correct.

10 MR. SHERWOOD: And that contemplates the use
11 of herbicides because you provide guidelines with
12 respect to how they should be applied; correct?

13 MR. GUSTAFSON: That's correct. But that's
14 specific to enhancing the wetland area. So, it's
15 very -- it's very limited application, and it's not
16 associated with broad-spectrum application of
17 herbicides or pesticides. It's very focused. It's
18 either through hand application or a low-volume flow
19 spray, so it's -- it's not germane to the questionnaire
20 from U.S. Fish & Wildlife.

21 There, again, we could change the answer to
22 "yes" and we would still end up with the same outcome,
23 not likely to adversely affect with adherence to the
24 time-of-year restriction for tree-clearing.

25 MR. SHERWOOD: So, the U.S. Fish & Wildlife

1 survey only determines whether or not the two bats are
2 present and must be accounted for, and the NDDDB survey
3 depends on reports by other developers who have
4 encountered listed species in the area. That's your
5 testimony?

6 MR. GUSTAFSON: So, the first part of your --
7 Dean Gustafson from All-Points -- first part of your
8 question was associated with the -- the specific
9 questionnaire from U.S. Fish & Wildlife. In that
10 regard, my response is yes. To your second part, my
11 response is yes.

12 MR. SHERWOOD: Didn't the -- didn't -- isn't
13 the bog turtle -- wasn't the bog turtle listed as a
14 species that U.S. Fish & -- the U.S. Fish & Wildlife
15 survey indicated was present on the property?

16 MR. GUSTAFSON: Dean Gustafson from
17 All-Points. That's correct. And there's a second
18 determination key specific that addresses bog turtle.
19 It's not one determination key for all three species;
20 it's one determination key for northern long-eared bat
21 and tricolored bat and a separate determination key for
22 bog turtle.

23 MR. SHERWOOD: And, for example, whether or
24 not there was going to be blasting on the property
25 would make no difference to the bog turtle?

1 MR. GUSTAFSON: I don't believe that's one of
2 the questions that was run through the determination
3 key for bog turtle.

4 MR. SHERWOOD: I'm just trying to understand
5 how the key works, Mr. Gustafson. But you seem
6 confident that there won't be a problem.

7 MR. GUSTAFSON: I agree. Dean Gustafson from
8 All-Points. We -- we don't take issue with the
9 determinations that we've received from the U.S. Fish &
10 Wildlife through application and their verified online
11 system and the -- the determination keys that were
12 issued for northern long-eared bat and tricolored bat
13 as well as bog turtle.

14 MR. SHERWOOD: Mr. Mercier asked you about
15 whether or not the site was located in an Important
16 Bird Area, and you indicated that a portion of the site
17 is; is that correct?

18 MR. GUSTAFSON: Dean Gustafson, All-Points.
19 That's correct.

20 MR. SHERWOOD: And that's -- that's a term of
21 art. That's not -- that's a designation by the
22 National Audubon Society.

23 MR. GUSTAFSON: Dean Gustafson, All-Points.
24 That's correct. It's an area that's determined by
25 Connecticut Audubon.

1 MR. SHERWOOD: In Attachment 10, which is
2 the -- the attachment which refers to listed species,
3 it says, In addition to responsibilities to protect
4 threatened and endangered species under the Endangered
5 Species Act, there are additional responsibilities
6 under the Migratory Bird Treaty Act and the Bald and
7 Golden Eagle Protection Act to protect native birds
8 from project-related impacts.

9 What are those additional responsibilities?

10 MR. GUSTAFSON: Dean Gustafson from
11 All-Points. So, the federal Migratory Bird Treaty Act
12 protects injury or intentional harm from a number --
13 hundreds of bird species that migrate throughout the
14 Continental U.S.

15 So, with respect to the project's potential
16 impact of those species, you know, we evaluate it under
17 the -- those requirements as well as the bald eagle and
18 golden eagle protection. There are no bald eagle nests
19 on or proximate to the subject property, so the
20 facility will have no adverse effect on eagles.

21 With respect to Migratory Bird Treaty --
22 birds protected under the Migratory Bird Treaty Act,
23 there will be no intentional harm of any of those bird
24 species through construction or operation of the tower
25 facility.

1 In addition to that, the time-of-year
2 restriction we have for northern long-eared bat and
3 tricolored bat, which is April 15th through
4 October 31st -- which prevents us from doing any
5 tree-clearing during that time period -- that would
6 also be equally protective of the peak bird breeding
7 season, which in Connecticut is from April 15th till
8 August 1st.

9 So, with those time-of-year restrictions, the
10 facility would have no adverse effect on migratory
11 birds.

12 MR. SHERWOOD: You also told Mr. Mercier that
13 you thought that the site complied with the U.S. Fish &
14 Wildlife Service recommended guidelines for reducing
15 impacts to migratory birds; correct?

16 MR. GUSTAFSON: Dean Gustafson from
17 All-Points. Correct.

18 MR. SHERWOOD: And the guidelines are the
19 recommended best practices for communication tower
20 design, siting, construction, operation, maintenance,
21 and decommissioning as of 2021; correct?

22 MR. GUSTAFSON: Dean Gustafson, All-Points.
23 Correct.

24 MR. SHERWOOD: So, we're talking about the
25 same document. And your response was that you thought

1 that the site complied with the best practices because
2 it was less than 200 feet, it was not lit, and it did
3 not have any guy wires; correct?

4 MR. GUSTAFSON: Dean Gustafson from
5 All-Points. Correct. Those are the principle design
6 criteria from U.S. Fish & Wildlife for these type of
7 facilities.

8 MR. SHERWOOD: That document is on our
9 administrative notice list. It's the last item, so
10 it's available. And it contains a number of additional
11 recommendations beyond those three.

12 For example, it recommends selecting
13 already -- well, first of all, it recommends
14 communicating project plans to the nearest U.S. Fish &
15 Wildlife project office -- or field office. I'm sorry.
16 Was that done?

17 MR. PAUL: This is Brian Paul from Vertical
18 Bridge. The project hasn't been approved. As we move
19 closer to the actual project being completed, we'll
20 make those notifications.

21 MR. SHERWOOD: Mr. Gustafson, you don't think
22 that that -- the intent of that best practice is to do
23 it at the planning phase so that the U.S. Fish &
24 Wildlife Service can have some input into the proposed
25 location?

1 MR. GUSTAFSON: Dean Gustafson from
2 All-Points. So, a couple of items, Attorney Sherwood.

3 So, with respect to running through a full
4 analysis of the tower facility using the reference
5 guides document, the Applicant is willing to provide as
6 a late file a more thorough analysis with respect to
7 potential for impact to avian species.

8 That being said, directly to your question
9 about providing site plans to the U.S. Fish & Wildlife
10 New England field office, the field office's current
11 policy is that they are not accepting those type of
12 inquiries. We'll make note of that in this late file
13 document.

14 MR. SHERWOOD: So, they weren't notified, and
15 your testimony is that they don't want to be notified
16 regardless of the best practices?

17 MR. GUSTAFSON: Dean Gustafson from
18 All-Points. That is correct. Currently, there's no
19 mechanism for a project proponent to send them any
20 plans for them to consider potential impacts to
21 migratory birds with respect to these tower facilities.

22 MR. SHERWOOD: Now, among the other
23 recommendations with respect to tower placement, one is
24 select already degraded areas for tower placement.
25 Another is towers should not be sited in or near

1 wetlands, other known bird concentration areas, e.g.,
2 state or federal refuges, staging areas, rookeries, or
3 Important Bird Areas or in known migratory bird
4 movement routes, daily movement flyways, areas of
5 breeding, concentration and habitat of threatened or
6 endangered species, key habitats for birds of
7 conservation concern.

8 And finally, as Mr. Mercier pointed out,
9 towers should avoid ridgelines, coastal area, wetlands,
10 or other known bird concentration areas.

11 Your testimony is that, having reviewed the
12 submissions that Steep Rock has made with respect to
13 the flora and fauna at its property, that the proposed
14 tower is consistent with the best practices?

15 MR. GUSTAFSON: Dean Gustafson from
16 All-Points. Yes. That's -- that's my testimony. And
17 as I had indicated, we are happy to provide a late file
18 that drills down through all those individual points in
19 accordance with the U.S. Fish & Wildlife guides
20 document.

21 MR. SHERWOOD: Okay. Thank you.

22 MR. GUSTAFSON: You're welcome.

23 MR. SHERWOOD: I have some questions for
24 Mister -- I believe for Mr. Vellante on the coverage
25 maps.

1 Mr. Vellante, your testimony is in place of
2 Mr. Devito (phonetic); correct?

3 MR. VELLANTE: That's -- Keith Vellante from
4 C2. That's correct.

5 MR. SHERWOOD: And the coverage maps in
6 Attachment 6, do you know who prepared those?

7 MR. VELLANTE: It was prepared internally at
8 Verizon. I do not know the person. We can find out.

9 MR. SHERWOOD: So, those are Verizon coverage
10 maps, not All-Point Technology (sic) coverage maps?

11 MR. VELLANTE: Allow me to clarify. So, that
12 -- the coverage areas on these maps are prepared by
13 Verizon.

14 MR. SHERWOOD: So, the data is from Verizon;
15 is that correct?

16 MR. VELLANTE: Correct. Yes.

17 MR. SHERWOOD: And do you know what software
18 Verizon uses?

19 MR. VELLANTE: Atoll.

20 MR. SHERWOOD: And do you use the same, C2?

21 MR. VELLANTE: We use a different software
22 tool but similar -- similar model -- modeling
23 characteristics and --

24 MR. SHERWOOD: So, it would yield the same
25 results?

1 MR. VELLANTE: It would depend on the
2 modeling. Yes.

3 MR. SHERWOOD: So, you think, if you did your
4 own analysis, it would be consistent with Attachment 6?

5 MR. VELLANTE: Yes.

6 MR. SHERWOOD: Now, the coverage maps include
7 only in-building and vehicular coverages; correct?

8 MR. VELLANTE: Yes. Those are the two color
9 gradients shown on the maps.

10 MR. SHERWOOD: Right. Blue and green.

11 MR. VELLANTE: Correct.

12 MR. SHERWOOD: So, there's no indication of
13 what the outdoor coverage is; correct?

14 MR. VELLANTE: Correct.

15 MR. SHERWOOD: So, is it fair to say that
16 what's important to Verizon with respect to this tower
17 is in in-building and vehicular coverage only?

18 MR. VELLANTE: Well, I think -- I think the
19 intent here is to improve coverage on all levels.
20 Outdoor coverage is not really the target at all. So,
21 as far as minimum required thresholds, that's what's
22 presented on the map here.

23 MR. SHERWOOD: Well, in your response to --
24 or in the Applicant's response to Interrogatory
25 Number 28, which is at page 18 of the interrogatory

1 responses, you say antennas at a centerline height of
2 135 feet at the proposed tower location is the minimum
3 necessary to satisfy Cellco's coverage objectives and
4 provide improved coverage for portions of Washington,
5 Litchfield, and Warren, including along portions of
6 Route 202 and 341 -- that would be the in-vehicle
7 coverage -- and local roadways in the vicinity of the
8 property, in open spaces, Mount Tom State Park, and
9 preserved land in all of Cellco's operating
10 frequencies.

11 But you don't have any coverage maps
12 analyzing the current coverage or how it would be
13 improved, correct, for the -- for the outdoor coverage?

14 MR. VELLANTE: There is no level
15 distinguished on these coverage areas that would
16 demonstrate outdoor, as it is termed, coverage.

17 MR. SHERWOOD: Now, with respect to
18 small-cell towers -- or small cells, not small-cell
19 towers -- in your response to Interrogatory Number 7,
20 which is at page 8 of the responses -- bear with me for
21 a minute, please -- the question is, are small cells a
22 feasible alternative to a new tower; estimate the
23 amount of polar-mounted small cells that would be
24 required for reliable service within the proposed
25 service area; would certain frequencies be limited

1 through the use of small cells; what would the cost of
2 each small cell be; and what type of equipment would be
3 attached to each pole.

4 In your response, you answer -- you provide a
5 cost estimate. And in your discussion with
6 Mr. Mercier, you explained what equipment would be
7 attached.

8 Your response -- I note your response is
9 absolutely identical, word for word, to your response
10 in Docket Number 542 for Stonington, so it obviously
11 wasn't tailored to respond to this specific question.

12 Can you tell us the number of pole-mounted
13 small cells that would be required for service within
14 the proposed service area?

15 MR. VELLANTE: Keith Vellante, C2. Yeah. As
16 noted earlier in the testimony, I have not done an
17 analysis to determine the number of small cells that
18 would be required.

19 MR. SHERWOOD: Can you testify whether or not
20 certain frequencies would be limited through the use of
21 small cells?

22 MR. VELLANTE: A traditional -- a typical
23 small-cell installation involves in most cases a single
24 remote radio head, so usually that would be limited to
25 a set of low-band frequencies or a set of mid-band

1 frequencies. I'm not -- I'm not aware of any that have
2 the full complement of frequencies that would be
3 deployed on a single small cell that Verizon would be
4 deploying at the proposed site.

5 MR. SHERWOOD: So, there -- the frequency
6 bands are limited, but you don't know which -- what --
7 which ones they are?

8 MR. VELLANTE: So, what -- if I can clarify.
9 So, the small-cell sites themselves are generally
10 limited in terms of the equipment that can be mounted
11 to the pole. Usually, that's a single radio head and
12 an antenna.

13 So, where the proposed tower has multiple
14 radio heads to support all of Verizon's FCC-licensed
15 frequencies so that they can deploy service on each of
16 those frequency bands throughout the area, that would
17 be limited on the small cell due to the limitation on
18 the amount of equipment that the pole itself can
19 support.

20 MR. SHERWOOD: Can you put more than one
21 radio head on a -- you know, a small cell?

22 MR. VELLANTE: If it could be structurally
23 capable of doing so, I'm sure you could, yes. It's
24 more of a -- it's more of a mechanical or structural
25 question, not so much an RF technical limitation.

1 MR. SHERWOOD: So, I take it, based on your
2 answer, you haven't done any investigation of the
3 number of poles in the area or the height of the poles
4 or the owners of the poles; is that correct?

5 MR. VELLANTE: I have not.

6 VICE CHAIRMAN MORISSETTE: Attorney Sherwood,
7 I'm going to interrupt you there. Are you nearing
8 completion of your cross-examination, or shall we call
9 it a day?

10 MR. SHERWOOD: I think it would be a good
11 idea to call it a day, Mr. Chairman.

12 VICE CHAIRMAN MORISSETTE: Very good.

13 MR. SHERWOOD: I thank you for your -- for
14 your time.

15 VICE CHAIRMAN MORISSETTE: Thank you. Okay.

16 With that, we are going to recess until 6:30.
17 We're -- at that time, we will continue with the public
18 comment session of this hearing.

19 And thank you, everyone, for your
20 participation.

21 MR. BALDWIN: Vice Chair Morissette, before
22 we do that, could we, as we typically do, review the
23 late-file homework assignments, make sure we're all on
24 the same page? This is Ken Baldwin.

25 VICE CHAIRMAN MORISSETTE: That would be a

1 good idea, Attorney Baldwin. Thank you for reminding
2 me. Okay. I've got seven. Let's start there.

3 MR. BALDWIN: I have the -- obviously the
4 revised road design --

5 VICE CHAIRMAN MORISSETTE: Yes.

6 MR. BALDWIN: -- which is Number 1.

7 There were some questions about the existing
8 curb cut and whether there'd still be a need for a
9 D.O.T. permit.

10 VICE CHAIRMAN MORISSETTE: Permit and
11 requirement.

12 MR. BALDWIN: Right. That's Number 2.

13 VICE CHAIRMAN MORISSETTE: Yep.

14 (Late File Exhibit 2 ordered.)

15 MR. BALDWIN: There was discussion with
16 Mr. Mercier and then with Attorney Sherwood about the
17 Important Bird Area, its location, and its proximity to
18 the tower site. I have that as Number 3.

19 VICE CHAIRMAN MORISSETTE: There's two
20 components to Number 3. My understanding of it was to
21 re-evaluate moving the compound out of the Important
22 Bird Area and to include a map identifying where the
23 Important Bird Areas are.

24 (Late File Exhibit 3 ordered.)

25 MR. BALDWIN: Okay.

1 VICE CHAIRMAN MORISSETTE: Okay?

2 MR. BALDWIN: Number 4 is Mr. Nguyen's
3 question related to Question Number 58 and the core
4 forest, question regarding a possible relocation of the
5 compound to the north to the edge of the edge forest
6 and an evaluation of what that might mean for the tower
7 compound.

8 VICE CHAIRMAN MORISSETTE: Yes.

9 MR. BALDWIN: In response to your question,
10 Vice Chair -- although I think it may have been
11 addressed by Mr. Brinton and the First Selectman from
12 Warren regarding Litchfield County Dispatch's service
13 area. So, perhaps we can eliminate that one.

14 VICE CHAIRMAN MORISSETTE: Yes. I eliminated
15 that one since they both responded to that in the
16 affirmative.

17 (Late File Exhibit 4 eliminated.)

18 MR. BALDWIN: And then the last one I have
19 relates to the unipole design, how much taller would it
20 need to be to accommodate additional carriers plus all
21 of Verizon's frequencies.

22 VICE CHAIRMAN MORISSETTE: That one I -- I
23 understand that we resolved that and Attorney Sherwood
24 concluded that he didn't need further analysis.

25 MR. BALDWIN: Okay. I'm going to -- I'm

1 going to ask to throw -- there was some questions about
2 the fire tower and what that meant as an alternative.

3 VICE CHAIRMAN MORISSETTE: Yes. I've got
4 that as Late File Exhibit 5: Look at the fire tower
5 independent of Attorney Sherwood that was asked
6 earlier. I don't recall the rest.

7 (Late File Exhibit 5 ordered.)

8 MR. BALDWIN: Okay. We are going to provide
9 a copy of the Dennis Quinn study referred to in
10 Mr. Gustafson's report in Attachment 10.

11 VICE CHAIRMAN MORISSETTE: Yes.

12 (Late File Exhibit 6 ordered.)

13 MR. BALDWIN: And then the last one I have is
14 the more detailed analysis of the compliance with the
15 U.S. Fish & Wildlife Best Management Practices that
16 Mr. Gustafson was referring to in his later testimony.

17 VICE CHAIRMAN MORISSETTE: Yes. I have that
18 as Late File 7.

19 (Late File Exhibit 7 ordered.)

20 MR. BALDWIN: I've lost count, but I'll trust
21 you.

22 VICE CHAIRMAN MORISSETTE: Very good.

23 MR. BALDWIN: So, we're on the same page.

24 VICE CHAIRMAN MORISSETTE: Very good. Thank
25 you. And thank you for the reminder.

1 Okay. Well, everybody enjoy their dinner,
2 and we'll see you at 6:30. Thank you.

3 (The public hearing adjourned at 5:21 p.m.)
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STATE OF CONNECTICUT

I, ALEXA BUDIHAS, RPR, CRR, and a Licensed Professional Reporter/Commissioner within and for the State of Connecticut, do hereby certify that I took the foregoing hearing on December 4, 2025, via Zoom.

I further certify that the witnesses by Executive Director Melanie Bachman first duly sworn to testify to the truth, the whole truth, and nothing but the truth concerning their knowledge in the matter.

I further certify that the within testimony was taken by me stenographically and reduced to typewritten form under my direction by means of computer-assisted transcription.

I further certify that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.

WITNESS my hand this 19th of December 2025.



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My commission expires 4/30/29

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