

1 STATE OF CONNECTICUT
2 CONNECTICUT SITING COUNCIL

3
4 Docket No. 489

5 The First Taxing District Water Department of
6 Norwalk application for a Certificate of
7 Environmental Compatibility and Public Need for
8 the construction, maintenance, and operation of a
9 telecommunications facility located at 173 1/2
10 West Rocks Road, Norwalk, Connecticut.

11
12 VIA ZOOM AND TELECONFERENCE

13
14 Public Comment Hearing held on Tuesday,
15 September 15, 2020, beginning at 6:30 p.m. via
16 remote access.

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19 H e l d B e f o r e :

20 ROBERT SILVESTRI, Presiding Officer

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24 Reporter: Lisa L. Warner, CSR #061
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1 **A p p e a r a n c e s :**

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3 **Council Members:**

4 **ROBERT HANNON**

5 **Designee for Commissioner Katie Dykes**
6 **Department of Energy and Environmental**
7 **Protection**

8 **JOHN MORISSETTE**

9 **MICHAEL HARDER**

10 **EDWARD EDELSON**

11
12 **Council Staff:**

13 **MELANIE BACHMAN, ESQ.**

14 **Executive Director and**
15 **Staff Attorney**

16
17 **MICHAEL PERRONE**

18 **Siting Analyst**

19
20 **LISA FONTAINE**

21 **Fiscal Administrative Officer**

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23
24
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1 **A p p e a r a n c e s: (Cont'd.)**

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3 **For the First Taxing District Water**

4 **Department:**

5 **ROBINSON & COLE LLP**

6 **280 Trumbull Street**

7 **Hartford, Connecticut 06103-3597**

8 **BY: KENNETH C. BALDWIN, ESQ.**

9
10 **Local counsel, First Taxing District:**

11 **TIERNEY, ZULLO, FLAHERTY & MURPHY, P.C.**

12 **134 East Avenue**

13 **Norwalk, Connecticut 06852**

14 **BY: KARA A.T. MURPHY, ESQ.**

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16
17 **For New Cingular Wireless PCS, LLC:**

18 **CUDDY & FEDER, LLP**

19 **445 Hamilton Avenue, 14th Floor**

20 **White Plains, New York 10601**

21 **BY: KRISTEN MOTEL, ESQ.**

1 MR. SILVESTRI: Good evening, all.

2 This remote public hearing is called to order this
3 Tuesday, September 15, 2020, at 6:30 p.m. My name
4 is Robert Silvestri, member and presiding officer
5 of the Connecticut Siting Council.

6 Other members of the Council are Mr.
7 Robert Hannon, designee for Commissioner Katie
8 Dykes of the Department of Energy and
9 Environmental Protection. Mr. John Morissette,
10 Mr. Michael Harder, Mr. Edward Edelson. And
11 members of the staff are Executive Director and
12 staff Attorney, Ms. Melanie Bachman. Siting
13 Analyst, Mr. Michael Perrone. And Fiscal
14 Administrative Officer, Ms. Lisa Fontaine.

15 As everyone is keenly aware, there is
16 currently a statewide effort to prevent the spread
17 of Coronavirus. This is why the Council is
18 holding this remote public hearing, and we ask for
19 your patience.

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

23 This is a continuation of a remote
24 public hearing that began at 2 p.m. this
25 afternoon. A copy of the prepared agenda is

1 available on the Council's Docket No. 489 web
2 page, along with the record of this matter, the
3 public hearing notice, instructions for public
4 access to this remote public hearing, and the
5 Council's Citizens Guide to Siting Council
6 Procedures.

7 This hearing is held pursuant to the
8 provisions of Title 16 of the Connecticut General
9 Statutes and of the Uniform Administrative
10 Procedure Act upon an application from The First
11 Taxing District Water Department for a Certificate
12 of Environmental Compatibility and Public Need for
13 the construction, maintenance, and operation of a
14 telecommunications facility located at 173 1/2
15 West Rocks Road in Norwalk, Connecticut. This
16 application was received by the Council on March
17 17, 2020.

18 The Council's legal notice of the date
19 and time of this remote public hearing was
20 published in The Norwalk Hour on August 11, 2020.
21 And upon this Council's request, the applicant
22 erected a sign at the proposed site so as to
23 inform the public of the name of the applicant,
24 the type of the facility, the remote public
25 hearing date, and contact information for the

1 Council.

2 This remote public comment session is
3 reserved for the public to make brief statements
4 into the record. However, the deadline for the
5 public to sign up to speak during this public
6 comment session was Thursday, September 8, 2020.
7 No member of the public signed up to speak.
8 Please be advised that written comments may be
9 submitted by any person within 30 days of this
10 hearing.

11 At this time, I'd like to request that
12 the applicant make a very brief presentation to
13 the public describing the proposed facility.

14 Attorney Baldwin, are you ready to go?

15 MR. BALDWIN: Thank you, Mr. Silvestri.
16 Thank you. Again, Ken Baldwin with Robinson &
17 Cole on behalf of the applicant, First Taxing
18 District of Norwalk Water Department.

19 Back on March 23rd of this year, the
20 First Taxing District, in cooperation with Verizon
21 Wireless, AT&T Wireless, T-Mobile and Sprint,
22 otherwise known as the wireless carriers in our
23 application, filed an application with the Siting
24 Council for the construction of a new
25 telecommunications tower on its property at 173

1 West Rocks Road in Norwalk.

2 The First Taxing District currently
3 maintains an old water tank on the property that
4 it currently supports antennas of each of the
5 wireless carriers. However, because of its needs
6 to install a new facility, a new water tank at the
7 property, and also remove the existing structure,
8 The First Taxing District, along with the wireless
9 carriers, has developed this application that
10 would allow the construction of a new tower, the
11 relocation of all of the wireless carriers'
12 antennas from the existing water tank to the new
13 tower, the removal of the existing water tower,
14 and the construction of a new water tower in the
15 center of the property.

16 As shown on the screen, this is sheet
17 C-1 from the exhibits currently a part of the
18 application, this shows the triangular shaped
19 First Taxing District parcel. In the upper
20 right-hand corner of that plan is the existing
21 water tank on which the wireless carriers have
22 mounted antennas. In the center of that drawing
23 you'll see a proposed water tank that The First
24 Taxing District will install, and to the left of
25 that water tank is the facility compound that The

1 First Taxing District will build, including a 130
2 foot telecommunications tower, equipment space
3 within a fenced compound for each of the wireless
4 carriers, and two back-up generators that will
5 service AT&T's equipment and Verizon's equipment.
6 In the northerly portion of that compound are two
7 ground mounted propane fuel tanks for the back-up
8 generators.

9 Also included on this plan you'll see a
10 significant amount of landscaping. The First
11 Taxing District went to great lengths to do what
12 they could to screen at least the views from the
13 adjacent properties, particularly to the south,
14 into the parcel, especially after construction is
15 completed. But you'll see significant landscaping
16 surrounding the proposed water tank, significant
17 landscaping along the entire southerly property
18 boundary, landscaping around the eastern and
19 southern boundary of the telecommunications
20 facility compound, and additional landscaping to
21 the east of the proposed water tank in the area
22 where the existing tank will ultimately be removed
23 from the property.

24 Access to the site would remain from
25 West Rocks Road. The existing driveway that comes

1 in off of West Rocks Road to service the existing
2 water tank would be eliminated, and additional
3 landscaping would be installed in those areas so
4 that they are revegetated.

5 Thank you, Mr. Silvestri.

6 MR. SILVESTRI: Thank you, Attorney
7 Baldwin. Again, the deadline for the public to
8 sign up to speak during this public comment
9 session was Thursday, September 8, 2020, and no
10 member of the public signed up to speak.

11 Before closing the evidentiary record
12 of this matter, the Connecticut Siting Council
13 announces that briefs and proposed findings of
14 fact may be filed with the Council by any party or
15 intervenor no later than October 15, 2020. The
16 submission of briefs or proposed findings of fact
17 are not required by this Council, rather, we leave
18 it to the choice of the parties and intervenors.

19 Anyone who has not become a party or
20 intervenor but who desires to make his or her
21 views known to the Council, may file written
22 statements with the Council within 30 days of the
23 date hereof. The Council will issue draft
24 findings of fact and thereafter parties and
25 intervenors may identify errors or inconsistencies

1 between the Council's draft findings of fact and
2 the record. However, no new information, no new
3 evidence, no argument and no reply briefs without
4 our permission will be considered by the Council.

5 Copies of the transcript of this
6 hearing will be filed at the Norwalk City Clerk's
7 office. I hereby declare this hearing adjourned,
8 and I thank you all for your participation. Have
9 a nice evening.

10 (Whereupon, the hearing adjourned at
11 6:38 p.m.)

1 CERTIFICATE

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3 I hereby certify that the foregoing 10 pages
4 are a complete and accurate computer-aided
5 transcription of my original stenotype notes taken
6 of the PUBLIC COMMENT HEARING HELD BY REMOTE MEANS
7 IN Re: DOCKET NO. 489, THE FIRST TAXING DISTRICT
8 WATER DEPARTMENT OF NORWALK APPLICATION FOR A
9 CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND
10 PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE, AND
11 OPERATION OF A TELECOMMUNICATIONS FACILITY LOCATED
12 AT 173 1/2 WEST ROCKS ROAD, NORWALK, CONNECTICUT,
13 which was held before ROBERT SILVESTRI, Presiding
14 Officer, on September 15, 2020.

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19 Lisa L. Warner, CSR 061
20 Court Reporter
21 BCT REPORTING SERVICE
22 55 WHITING STREET, SUITE 1A
23 PLAINVILLE, CONNECTICUT 06062
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