

1 STATE OF CONNECTICUT  
2 CONNECTICUT SITING COUNCIL  
3



4 DOCKET NO. 495

5 Cellco Partnership d/b/a Verizon Wireless application  
6 for a Certificate of Environmental Compatibility and  
7 Public Need for the construction, maintenance, and  
8 operation of a telecommunications facility located at  
9 5151 Park Avenue, Fairfield, Connecticut  
10

11 VIA ZOOM AND TELECONFERENCE  
12

13 Hearing held on Thursday, January 21, 2021,  
14 beginning at 2:00 p.m. via remote access.  
15

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

17 ROBERT SILVESTRI, Presiding Officer  
18

19 Reporter: Debra A. Chasse, CSR #055  
20  
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22  
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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               **QUAT NGUYEN**

9                       Designee for Chair Marissa Paslick Gillett  
10                      Public Utilities Regulatory Authority

11              **JOHN MORISSETTE**

12              **EDWARD EDELSON**

13              **MICHAEL HARDER**

14  
15       **Council Staff:**

16              **MELANIE BACHMAN, ESQUIRE**

17                      Executive Board Director/Staff Attorney

18              **ROBERT MERCIER**

19                      Siting Analyst

20              **LISA FONTAINE**

21                      Fiscal Administrative Officer

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

2

3           **For the Applicant, Cellco Partnership d/b/a**

4           **Verizon Wireless:**

5                   **ROBINSON & COLE, LLP**

6                   **BY:   KENNETH C. BALDWIN, ESQUIRE**

7                           **280 Trumbull Street**

8                           **Hartford, CT 06103**

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1 MR. SILVESTRI: Good afternoon,  
2 everyone. Could everyone hear me okay?

3 This remote public hearing is called  
4 to order this Thursday, January 21, 2021 at 2 p.m. My  
5 name is Robert Silvestri, member and presiding officer  
6 of the Connecticut Siting Council. Other members of  
7 the counsel are Mr. Robert Hannon, designee for  
8 commissioner Katie Dykes of the Department of Energy  
9 and Environmental Protection, Mr. Quat Nguyen, chair  
10 of -- designee for Chair Marisa Paslick Gillett of the  
11 Public Utilities Regulatory Authority, Mr. John  
12 Morissette, Mr. Michael Harder, and Mr. Edward Edelson.

13 Members of the staff are Miss  
14 Melanie Bachman, executive director and staff attorney;  
15 Mr. Robert Mercier, siting analyst; and Miss Lisa  
16 Fontaine, fiscal administrative officer.

17 As all are keenly aware, there is  
18 currently a statewide effort to prevent the spread of  
19 the Coronavirus. This is why the council is holding  
20 this remote public hearing, and we ask for your  
21 patience and, if you haven't done so already, I ask  
22 that everyone please mute their computer audio and/or  
23 telephone at this time.

24 This hearing is held pursuant to the  
25 provisions of Title 16 of the Connecticut General

1 Statutes and of the Uniform Administrative Procedure  
2 Act upon an application from Cellco partnership, doing  
3 business as Verizon Wireless, for a certificate of  
4 environmental compatibility and public need for the  
5 construction, maintenance, and operation of a  
6 telecommunications facility located at 5151 Park Avenue  
7 in Fairfield, Connecticut. This application was  
8 received by the Council on October 16, 2020.

9 The Council's legal notice of date  
10 and time of this remote public hearing was published in  
11 the Connecticut Post on December 11, 2020. Upon this  
12 Council's request, the applicant erected a sign at the  
13 proposed access road entering the property from  
14 Jefferson Street so as to inform the public of the name  
15 of the applicant, the type of the facility, the remote  
16 public hearing date, and contact information for the  
17 Council.

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 on the merits of this  
21 application is prohibited by law.

22 The parties and intervenors to this  
23 proceeding are as follows: Applicant, Cellco  
24 Partnership doing business as Verizon Wireless and it's  
25 represent Kenneth C. Baldwin, Esquire from Robinson &

1 Cole, LLP.

2 We will proceed in accordance with  
3 the prepared agenda, a copy of which is available on  
4 the Council's docket No. 495 webpage, along with a  
5 record of this matter, the public hearing notice,  
6 instructions for public access to this remote public  
7 hearing and the Council's Citizen's Guide to Siting  
8 Council procedures. Interested persons may join any  
9 session of this public hearing to listen, but no public  
10 comments will be received during the 2 p.m. evidentiary  
11 session. At the end of the evidentiary session, we'll  
12 recess until 6:30 p.m. this afternoon for the public  
13 comment session. Please be advised that any person may  
14 be removed from the remote evidentiary session or the  
15 public comment session at the discretion of the  
16 Council. The 6:30 p.m. comment session is reserved for  
17 the public to make brief statements into the record,  
18 and I wish to note that the applicant, parties, and  
19 intervenors, including their representatives,  
20 witnesses, and members are not allowed to participate  
21 in the public comments session.

22 I also wish to note, for those who  
23 are listening, and for the benefit of your friends and  
24 neighbors who are unable to join us for remote public  
25 comment session, that you or they may send written

1 comments or statements to the Council within 30 days of  
2 the date hereof either by mail or by e-mail, and such  
3 written states will be given the same weight as if  
4 spoken during the remote public comment session.

5 A verbatim transcript of this remote  
6 public hearing will be posted on the Council's docket  
7 No. 495 webpage and deposited with the Fairfield,  
8 Easton, and Trumbull town clerk's offices and the  
9 Bridgeport city clerk's office for the convenience of  
10 the public.

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

14 I wish to call to your attention  
15 those items shown on the hearing program that are  
16 marked as Roman numeral IB, items 1 through 77, that  
17 the council has administratively noticed. Does the  
18 applicant have an objection to the items that the  
19 Council has administratively noticed? Attorney  
20 Baldwin, please.

21 MR. BALDWIN: No objection, Mr.  
22 Silvestri.

23 MR. SILVESTRI: Thank you, Attorney  
24 Baldwin. Accordingly, the Council hereby  
25 administratively notices these items.

1                   Now, will the applicant please  
2 present their witness panel for the purposes of taking  
3 the oath and Attorney Bachman will then administer the  
4 oath.

5                   MR. BALDWIN: Thank you, Mr.  
6 Silvestri. Good afternoon, everybody. Ken Baldwin on  
7 behalf the applicant, Cellco Partnership doing business  
8 as Verizon Wireless. I see just about everybody on our  
9 witness panel. I see some names I don't recognize, and  
10 I'm just wondering if Silvester Bhembe is signed in  
11 under another name. I don't see his name, but let me  
12 introduce the other witnesses on the panel.

13                   First, Mr. Anthony Befera, principal  
14 engineer in the real estate and regulatory division at  
15 Verizon Wireless; Mr. Shiva Gadasu. Shiva is  
16 radiofrequency engineer responsible for the project  
17 site. Brian Gaudet is with All Points Technology.  
18 He's a project manager. Mike Libertine is the director  
19 of siting and permitting for All Points Technology, and  
20 rounding out our panel is Dean Gustafson, senior  
21 wetlands scientist and professional soil scientist,  
22 also with All Points Technology. I offer them to be  
23 sworn in at this time.

24                   MR. SILVESTRI: Thank you, Mr.  
25 Baldwin. I take it your last witness did not join us



1 at this time?

2 MR. BALDWIN: I just sent him a  
3 couple of e-mails to find out why not. He was planning  
4 to join us, but -- and maybe he will be joining us  
5 shortly. I apologize.

6 MR. SILVESTRI: If need be, we'll  
7 double back on that one, but I'll ask Attorney Bachman,  
8 then, to go ahead and administer the oath to those that  
9 are here.

10 MS. BACHMAN: Thank you, Mr.  
11 Silvestri. Will the witnesses please just raise your  
12 right hand?

13 A N T H O N Y B E F E R A

14 S H I V A G A D A S U

15 B R I A N G A U D E T

16 M I C H A E L L I B E R T I N E

17 D E A N G U S T A F S O N,

18 called as witnesses, being first duly sworn  
19 (Remotely) by Attorney Bachman, were examined  
20 and testified on their oaths as follows:

21 (Whereupon, all responded with "I  
22 do.")

23 MR. SILVESTRI: Thank you, Attorney  
24 Bachman.

25 Attorney Baldwin, could you please

1 begin by verifying all the exhibits by the appropriate  
2 sworn witnesses?

3 MR. BALDWIN: Thank you, Mr.  
4 Silvestri. I will. We'll do this as a panel, if it's  
5 okay with you. There are seven hearing exhibits listed  
6 in the hearing program under Roman II, subsection B,  
7 items 1 through 7, and I believe our witness panel  
8 should have a list of those exhibits in front of them  
9 and are familiar with those.

10 So let me ask our witnesses, did you  
11 prepare, assist in, or supervise the preparation of th  
12 exhibits listed in the hearing program under Section  
13 2 -- Roman II, Section B, items 1 through 7.

14 Mr. Befera?

15 MR. BEFERA: Yes.

16 MR. BALDWIN: Mr. Gadasu?

17 MR. GADASU: Yes, I do.

18 MR. BALDWIN: Mr. Gaudet?

19 MR. GAUDET: Yes.

20 MR. BALDWIN: Mr. Libertine?

21 MR. LIBERTINE: Yes.

22 MR. BALDWIN: Mr. Gustafson?

23 MR. GUSTAFSON: Yes.

24 MR. BALDWIN: Let me just ask one  
25 more time if Sylvester Bhembe has joined us yet.

1 (No response.)

2 MR. BALDWIN: Moving on, then. Do  
3 you have any corrections, modifications, or amendments  
4 to offer to any of those exhibits at this time?

5 Mr. Befera?

6 MR. BEFERA: No, I do not.

7 MR. BALDWIN: Mr. Gadasu? You've  
8 been muted again.

9 MR. GADASU: No, I do not.

10 MR. BALDWIN: Mr. Gaudet?

11 MR. GAUDET: No.

12 MR. BALDWIN: Mr. Libertine?

13 MR. LIBERTINE: No.

14 MR. BALDWIN: Mr. Gustafson?

15 MR. GUSTAFSON: No.

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

19 Mr. Befera?

20 MR. BEFERA: Yes.

21 MR. BALDWIN: Mr. Gadasu? One more  
22 time for us.

23 MR. GADASU: Hello?

24 MR. BALDWIN: Now we can hear you.  
25 We have to figure out this microphone issue.

1                   Is the information, Mr. Gadasu, true  
2 and accurate to the best of your knowledge?

3                   MR. GADASU: Yes.

4                   MR. BALDWIN: Mr. Gaudet?

5                   MR. GAUDET: Yes.

6                   MR. BALDWIN: Mr. Libertine?

7                   MR. LIBERTINE: Yes.

8                   MR. BALDWIN: Mr. Gustafson?

9                   MR. GUSTAFSON: Yes.

10                  MR. BALDWIN: Do you adopt this  
11 information on these exhibits as your testimony in this  
12 proceeding?

13                  Mr. Befera?

14                  MR. BEFERA: Yes.

15                  MR. BALDWIN: Mr. Gadasu? Shiva,  
16 maybe we should unplug your headset. Maybe we can do  
17 better that way.

18                  MR. GADASU: Hello?

19                  MR. BALDWIN: Now we can hear you.

20                  MR. GADASU: It's a yes.

21                  MR. BALDWIN: Mr. Gaudet?

22                  MR. GAUDET: Yes.

23                  MR. BALDWIN: Mr. Libertine?

24                  MR. LIBERTINE: Yes.

25                  MR. BALDWIN: Mr. Gustafson?

1 MR. GUSTAFSON: Yes, I do.

2 MR. BALDWIN: Mr. Silvestri, I offer  
3 them as full exhibits.

4 MR. SILVESTRI: Thank you, Attorney  
5 Baldwin. Just before we proceed, did Mr. Bhembe join  
6 us at this point?

7 MR. LIBERTINE: I just sent him a  
8 link. He requested a link to get in, I anticipate  
9 he'll be joining us momentarily.

10 MR. SILVESTRI: Attorney Baldwin, in  
11 his absence, what might we run into as far as problems  
12 as far as cross-examination goes at this time? Any  
13 idea?

14 MR. BALDWIN: Mr. Bhembe is with  
15 Hudson Design Group. They're responsible for producing  
16 the plans and a few of the interrogatory responses. So  
17 when he does get here, I apologize again for the  
18 procedural error here, we'll have to swear him in  
19 quickly, and if you would prefer, for the sake of the  
20 record, we can -- I can have him verify those portions  
21 of the record that he is directly responsible for.

22 MR. SILVESTRI: That would be  
23 appropriate. You know, at this time the exhibits that  
24 you had mentioned, I would put a tentative, if you  
25 will, that they are admitted, just pending whatever he

1 might be able to add to the record when he does come  
2 and when he does get sworn in and verified.

3 MR. BALDWIN: Thank you, Mr.  
4 Silvestri.

5 MR. SILVESTRI: I'd like to  
6 continue, from a time standpoint, then, for  
7 cross-examination of the applicant and, again, knowing  
8 that we might have to double back when Mr. Bhembe does  
9 join us.

10 I would like to start with Mr.  
11 Mercier, and he's going to be followed by Mr.  
12 Morissette. Mr. Mercier, please.

13 MR. MERCIER: Hello. Yes. This is  
14 Bob Mercier. I'm going to ask some questions on some  
15 site plans, and they're related to photographs that  
16 were submitted as part of interrogatory 28. So maybe  
17 I'll hold off on those, since some of them relate to  
18 the site plans.

19 MR. BALDWIN: As far as the site  
20 photographs that were submitted, the remote field  
21 review, Mr. Gaudet and Mr. Libertine, as well as Mr.  
22 Befera, can answer those questions, so maybe we can  
23 start there.

24 MR. MERCIER: Basically, I'm going  
25 to start looking at photos 2 and 3 on the field review

1 and that's, again, Council number -- excuse me, those  
2 are interrogatory response No. 28 on the website.

3 Now, looking at the photographs 2  
4 and 3, I see the overhead lines extended to some pine  
5 trees. I'm just trying to determine what exact field  
6 work is needed in that area along the road apron up to  
7 the pole, which is kind of obscured in the tree on  
8 photo 3. How many of those trees need to come down, if  
9 any, to build this site?

10 MR. BALDWIN: With that, Mr. Bhembe  
11 joins us, Mr. Silvestri.

12 MR. SILVESTRI: Yeah, I did see  
13 that, Attorney Baldwin. I didn't want to interrupt Mr.  
14 Mercier. Let's pause for a second on the  
15 cross-examination. If you could introduce him, and  
16 then I will ask Attorney Bachman if she could swear him  
17 in.

18 MR. BALDWIN: I do again apologize,  
19 Mr. Silvestri and Council members. This is Sylvester  
20 Bhembe. He's with Hudson Design Group, the project  
21 engineers. I would offer him to be sworn at this time.

22 MS. BACHMAN: Mr. Bhembe, if you  
23 could just raise your right hand?

24 S Y L V E S T E R B H E M B E,

25 called as a witness, being first duly sworn

1 (remotely) by Attorney Bachman, was examined  
2 and testified on his oath as follows:

3 MR. SILVESTRI: Thank you, Attorney  
4 Bachman, and Attorney Baldwin, can you kindly verify  
5 the appropriate exhibits by Mr. Bhembe?

6 MR. BALDWIN: Certainly. Thank you,  
7 Mr. Silvestri.

8 Mr. Bhembe, were you and your firm  
9 responsible for the production of the engineering plans  
10 included in the application package behind tab 1 and  
11 associated information related to site design and  
12 engineering for the Plattsville relo cell site?

13 MR. BHEMBE: Yes, that is correct.

14 MR. BALDWIN: Is the information  
15 contained in those plans -- let me back up for a  
16 second.

17 Were you also responsible for the  
18 preparation of responses to interrogatories 9 through  
19 13 related to the site engineering aspects?

20 MR. BHEMBE: Yes.

21 MR. BALDWIN: Is the information  
22 contained in those described exhibits or portion of  
23 exhibits true and accurate, to the best of your  
24 knowledge?

25 MR. BHEMBE: Yes, true and accurate.



1 MR. BALDWIN: And do you adopt the  
2 information contained in those exhibits, plans, and  
3 responses to interrogatories as your testimony in this  
4 proceeding?

5 MR. BHEMBE: Yes, I do.

6 MR. BALDWIN: Thank you. Therefore,  
7 Mr. Silvestri, I offer all of the exhibits as fully  
8 verified and full exhibits in this proceeding.

9 MR. SILVESTRI: Thank you both and,  
10 again, the exhibits are admitted. I'll go back to Mr.  
11 Mercier. Mr. Mercier, apologies, but if you could  
12 start your cross-examination again by repeating the  
13 first question that you had, and then we'll go from  
14 there. Thank you.

15 MR. MERCIER: Yes, thank you. I'm  
16 going to begin by looking at the response to  
17 interrogatory No. 28 that was the field review  
18 photographs taken by the applicant, and also I'm going  
19 to compare those to site plan CT2. That's in  
20 application attachment 1.

21 I guess my first question is looking  
22 at photographs No. 2 and 3 in the field review  
23 submittal by the applicant. I'm just trying to  
24 determine how many trees along the roadway there that  
25 need to be removed. It looks like a bunch of pine

1 trees kind of obscuring the wire and the utility pole.  
2 How many of those trees need to be removed to  
3 facilitate construction of this project?

4 MR. GAUDET: There's no planned  
5 removal for the trees along the roadside. It's going  
6 to be an existing overhead run for the utilities there.  
7 There is a utility pole riser back a little bit from  
8 the road. They'll be going underground, so one tree  
9 with be removed just past that utility pole. You can  
10 sort of make it out in photo 3 there.

11 MR. MERCIER: Okay. I'm just  
12 comparing to the site plan. It just kind of shows the  
13 other headline going right through one of the pine  
14 trees. I just want to ensure that that is not the  
15 case, and those trees will remain for visual mitigation  
16 and other things.

17 MR. GADASU: Yes. To the best of my  
18 knowledge, there will be no removal of the pine trees.

19 MR. LIBERTINE: Those wires or those  
20 lines do currently snake through existing pine trees as  
21 it comes up the access road today.

22 MR. MERCIER: Now, in order to  
23 maintain -- so this overhead line, would that be the  
24 main connection to the street from the facility?

25 MR. GADASU: Yes.

1                   MR. MERCIER: Okay. Now, is there  
2 any hazard as there is right now with branches, or  
3 whatever, falling onto the line and disrupting service  
4 during, say, a storm outage, a storm event?

5                   MR. GAUDET: I'm not familiar if  
6 they have any existing issues with it or have in the  
7 past. The lines have been up there seemingly for some  
8 time and it's certainly possible, but those trees are  
9 relatively small, and I believe they -- the lines go  
10 more or less above the branch line there.

11                  MR. MERCIER: Thank you. It's hard  
12 to determine from the photo.

13                  And then I believe you said that  
14 there would be one tree taken out near a riser pole.  
15 Is that an existing -- oh, that's the existing pole  
16 that's shown on this diagram, or is there another pole  
17 in addition to the one shown on photo 3?

18                  MR. GAUDET: If you look at photo 8,  
19 you can get a clear look at that riser, I should say a  
20 better look at that riser, from the angle just outside  
21 the compound, so there's one small tree just in front  
22 of it that will be removed.

23                  Q.           Okay. So no additional pole in that area?

24                  MR. GAUDET: No.

25                  MR. MERCIER: Now, looking at --

1 we'll stay with photo 8 right here. I'm looking at a  
2 backhoe, and there's a -- I guess it's identified as a  
3 Norway spruce potentially on your site plan. Is that  
4 tree scheduled to be removed, or is that going to  
5 remain? That's right behind the backhoe.

6 MR. GAUDET: I believe that tree  
7 will be removed. Maybe Sylvester can speak to that a  
8 little better.

9 MR. BHEMBE: Yes, that tree will be  
10 removed.

11 MR. MERCIER: Given the amount of  
12 open space in this area, is it possible to shift the  
13 compound a little bit to save the tree? I don't know  
14 if it offers any kind of visual mitigation and maybe it  
15 would if it grew taller. I guess my question is can  
16 you move the compound a little bit at the tower itself  
17 in the compound to potentially save that tree? If it's  
18 deemed, you know, enhances any type of visual  
19 mitigation.

20 MR. GAUDET: Sylvester, you can  
21 answer that one.

22 MR. BHEMBE: Yes, that tree, we  
23 would potentially save it, and the reason it's going  
24 out is really because of the underground utilities. It  
25 could be saved. We could do something to save it.

1 MR. MERCIER: Mr. Libertine, have  
2 you been out to that area looking at the treeline back  
3 in the spruce tree? Does this spruce tree provide any  
4 type of visual mitigation from anywhere?

5 MR. LIBERTINE: It would form  
6 locations on the campus further to the south. It would  
7 not have a direct impact in terms of screening, per se,  
8 from the areas to the north along the road in the  
9 neighborhood to the north, although it might help  
10 soften some of the compound edging from those  
11 locations, but primarily that would be areas to the  
12 northeast. There is a rise there and there are some  
13 dormitories and some other buildings, so to some degree  
14 it could provide some screening and to the point of if  
15 we could shift -- provide that within the existing leaf  
16 area and we could make that shift, then it probably  
17 makes sense to attempt to save that tree.

18 MR. MERCIER: Okay. Thank you.

19 Just staying with photo 8, and I'm  
20 looking at the backhoe and looking behind it, there's a  
21 building which wasn't present on some of the aerial  
22 imagery that was submitted with the application.  
23 Obviously, it's new. Does anybody know what that  
24 building is?

25 MR. LIBERTINE: That's a relatively

1 new facilities building that the university has  
2 constructed.

3 MR. MERCIER: Like a maintenance  
4 type building you mean, for groundskeeping and things  
5 like that?

6 MR. LIBERTINE: Yes, it is, for  
7 equipment and storage of materials.

8 MR. MERCIER: Just out of curiosity,  
9 does anybody know what they're doing with the gravel  
10 and backhoe at this location of the proposed site?

11 MR. BEFERA: Yes. SHU has informed  
12 us that the Town of Fairfield has a drainage and pump  
13 house job going on on Easton Turnpike and they asked  
14 the university if they could use that area for staging,  
15 materials, machinery, but that that would be completed  
16 and whatever they have there will be cleaned out within  
17 a month or so.

18 MR. MERCIER: Okay. Thank you.  
19 Going back to photo 3, and I'm looking at the driveway.  
20 It looks -- I believe it's paved. Are there any  
21 improvements to the section that I'm viewing here in  
22 the photograph as it goes up the hill? It's kind of a  
23 wide apron on the roadway. Are there any other  
24 improvements that Cellco needs to do to utilize this  
25 existing road?

1 MR. BHEMBE: No, no improvements  
2 will be done to the existing road. The pavement will  
3 be left as is. Just the last small section very close  
4 to the compound will be replaced with gravel.

5 MR. MERCIER: Okay. Thank you. I  
6 was reading the site plans and I saw a note. I think  
7 it was a general note. It stated something that upon  
8 construction, complete seeding and install landscaping.  
9 Is there any landscaping proposed at this site and, if  
10 so, where would it be?

11 MR. BHEMBE: So there's no  
12 landscaping, except just some grass would be planted on  
13 the slopes very close and around the site itself, so  
14 that's as far as landscaping goes, but there will be no  
15 trees added.

16 MR. MERCIER: Now, going back to  
17 photo 3. I'm looking up the access road again, and I  
18 see at the end of the road, like a gravel dirt pile. I  
19 assume that's kind of where the compound is going to  
20 be, and is there any opportunity for any type of shrubs  
21 or anything planted along that side? That would be, I  
22 guess, the north side, I believe, looking at this image  
23 here. From the road, there's a couple of residents  
24 across the street, according to the documentation. So  
25 I wasn't sure if there's any opportunity to plant

1 shrubs there or is that just taking up the turnaround  
2 area and the gate?

3 MR. BHEMBE: The turn around area,  
4 that would make it hard to grow shrubs, unless we grow  
5 shrubs on the northern side of the turn around area.

6 MR. BEFERA: Verizon would be happy  
7 to plant shrubs where appropriate and that don't  
8 interfere with the site's logistics as deemed necessary  
9 by the council to mitigate the visual impact.

10 MR. MERCIER: Okay. Thank you. And  
11 going back to the driveway one more time, are there any  
12 type of drainage acruments needed for the driveway? I  
13 know you're not doing really anything along the  
14 driveway itself, but with the addition of the  
15 turnaround area and the compound, are you going to put  
16 any type water bars along the top to direct flow away  
17 or is nothing proposed because nothing is necessary?

18 MR. GAUDET: Sylvester, you're on  
19 mute.

20 MR. BHEMBE: Yeah. I was saying at  
21 the end of that driveway we could add a check dam that  
22 would slow down the flow of water on the D side, and  
23 then the water would just seep through and flow across  
24 the existing driveway.

25 MR. MERCIER: Okay. Are you aware



1 of any existing drainage problem along that road due to  
2 the existing driveway?

3 MR. BHEMBE: No, we are not aware of  
4 any existing drainage issues at this point.

5 MR. MERCIER: Okay. I just have a  
6 couple of questions regarding the -- I guess the  
7 relocation of the facility from the existing dormitory  
8 building to the proposed site. Does Cellco know if  
9 there's any other carriers on top of that dormitory  
10 building?

11 MR. BEFERA: Yes. Verizon is, of  
12 course, on top of Tucson Hall, the dormitory building.  
13 AT&T, Sprint, and T-Mobile are also there. I'm sure  
14 that there would be a consolidation of the T-Mobile and  
15 Sprint installations at some point in the future, in  
16 this case probably on where they go. So I'd say all  
17 four major carriers are there at the present time.

18 MR. MERCIER: I WAS just wondering  
19 if there was any discussions from those other carriers  
20 about relocating to your facility.

21 MR. BEFERA: Well, we did just  
22 receive interest from T-Mobile so that would take care  
23 of two of the three installations -- well, including  
24 us, it would take care of three of the four of the  
25 installations that are currently on the roof of that

1 dormitory building. T-Mobile has told us that they  
2 would be good with the second spot on that tower  
3 proposed at 130 feet, where they'd be willing to take  
4 the 120-foot spot, so that just leaves AT&T.

5 MR. MERCIER: Thank you. For the  
6 tower itself, would the foundation and the tower be  
7 constructed to afford an extension?

8 MR. BEFERA: Absolutely. And in  
9 situations like this, we always -- basically what we do  
10 is we design a 150-foot tower and only purchase the  
11 first 130 feet of it, and so everything is designed for  
12 a minimum of four carriers and emergency services as  
13 far as the design, foundation, the structure, and it  
14 leaves and opportunity should a future carrier desire a  
15 height in excess of 130 feet that either a 10-foot  
16 extension or a 20-foot extension could be purchased and  
17 placed on top.

18 MR. MERCIER: As the compound is  
19 designed right now, could it fit the other, assuming --  
20 let's just say assuming two more carriers, with any  
21 type of generation equipment they have? It's a -- I  
22 think it's a 45 by 50-foot compound.

23 MR. BEFERA: Yes. The way that our  
24 equipment is situated, the compound could accommodate  
25 the two other major carriers and potentially emergency

1 services ground equipment as well. Because you have to  
2 consider T-Mobile is going to come over with a  
3 consolidated installation. They're not going to come  
4 over with a T-Mobile installation and a Sprint  
5 installation, so it would be the three major --  
6 assuming AT&T eventually wants to come here, that would  
7 be the three major carriers; Verizon, T-Mobile, AT&T,  
8 and then emergency services. So, yes, the compound  
9 is -- should be more than equipped to handle that  
10 colocation amount.

11 MR. MERCIER: You mentioned  
12 potential emergency equipment. Have you had any  
13 discussions with the town as to any type of need they  
14 may have to install municipal communication equipment  
15 on the tower?

16 MR. BEFERA: Well, of course, the  
17 towns have been alerted of the project, and we have not  
18 yet received any inquiries from any of the emergency  
19 services from the towns that have been notified that  
20 they are looking to use this location but, you know,  
21 that could still certainly happen.

22 MR. MERCIER: Thank you. I was  
23 reviewing the application, and I believe on page 21,  
24 that was the local municipal meeting or consultation  
25 process, that is, and I was just curious as to why

1 initially a site on the west campus was pursued, rather  
2 than the main campus where the dormitory is, since the  
3 west campus was, you know, a half a mile away. Was  
4 there a different type of need over to the west of the  
5 site that needed to be addressed?

6 MR. BEFERA: No. The west campus  
7 was first looked at because at the beginning that was  
8 the only university property that was offered to us as  
9 an alternative. We did look at three different  
10 potential -- actually, four different potential tower  
11 locations and the rooftop of one of the old GE  
12 buildings, but the topography over there drops off  
13 significantly from the road down to the highway, and  
14 the site had many challenges that we just -- we  
15 couldn't come anywhere near duplicating the existing  
16 coverage we provide our customers today from the west  
17 campus, so those options were eliminated.

18 MR. MERCIER: Does this site  
19 propose -- does the proposed site meet all of your  
20 specifications, or is there going to be an area of  
21 deficiency when compared to the installation on the  
22 dormitory building?

23 MR. BEFERA: Mr. Gadasu?

24 MR. GADASU: Yes. The new facility  
25 will duplicate the existing facility but, again, as we

1 are moving away from where most of the traffic is, you  
2 might need future sponsors in order to add any sort of  
3 capacity to the site.

4 MR. MERCIER: In what area is it  
5 degraded? North, south, east west? I'm just trying to  
6 get a handle as to idea as to what area might be  
7 deficient that might be future small cell.

8 MR. GADASU: East of the future cell  
9 site.

10 MR. MERCIER: Thank you. I read  
11 through the interrogatory responses of set 1 and for  
12 No. 12 there was a statement that the university asked  
13 Cellco to consider the potential benefits of a monopine  
14 tower to mitigate differences in residential parcels,  
15 so I'm just trying to determine if Cellco has evaluated  
16 that and or has -- has Cellco evaluated that? I guess  
17 that's my question. Whether a monopine would be  
18 appropriate for this installation.

19 MR. BEFERA: Yes. We have  
20 considered that and looked at that. I think the  
21 university is partial to us doing the monopine. The  
22 monopine would add about \$50,000 in tower costs to it,  
23 and only on seldom occasions do we have a location  
24 where a monopine actually lends itself to a better  
25 visual impact, and I think this is a good -- this

1 location is a good candidate for the monopine, and if  
2 deemed appropriate by the Council, Verizon is certainly  
3 amenable to doing the monopine instead of the monopole.

4 MR. MERCIER: Based on the analysis,  
5 is there any area where the monopine would be a  
6 definite benefit, and also is there any area where it  
7 would actually look out of place?

8 MR. LIBERTINE: Well, this is one of  
9 those balancing acts, I think, from a near view  
10 standpoint, essentially immediately from the driveway  
11 area and approaching from either direction on the road  
12 to the immediate north, there are probably some  
13 advantages in terms of looking through other trees, and  
14 also as you get out towards the Merritt Parkway,  
15 because there are such limited views out there, it  
16 would blend in any time of year. The downside is if  
17 you start to move away from the site in between the  
18 parkway -- north of the site in between the parkway and  
19 the site location, there are some views where you're a  
20 bit elevated, and so the tower itself does appear above  
21 the trees, so there's going to be kind of that point  
22 where, you know, it becomes a little bit of diminishing  
23 returns there because it will look a little bit out of  
24 context.

25 There are more of those type of

1 similar views where you're significantly above the  
2 treeline as you move to the south on the campus. Which  
3 are less -- excuse me, I'm less concerned from the  
4 campus because, again, the university is certainly open  
5 to it. So to answer your question, it is one of those  
6 things where, depending on where your viewer location  
7 is, there are benefits in some locations, and in others  
8 it's not going to fully capture, I guess, the end point  
9 that it's intended to, so it's -- again, I say it's one  
10 of those 50/50 sites.

11 MR. MERCIER: I was looking at some  
12 of the photographs and I guess, looking at No. 19, I  
13 just wanted to know what your thought was on that  
14 particular location. It's Weeping Willow Lane about  
15 point 13 miles away.

16 MR. LIBERTINE: Right. That is that  
17 area between the parkway and our site where the -- no  
18 matter what we do, there's going to be a fairly good  
19 amount of the pole above the treeline. As you move  
20 closer to the site in that neighborhood and along the  
21 road itself, the aspects are such that you'd have  
22 intervening trees in your view line, and just because  
23 of the angle that you'd be viewing it from, it would  
24 probably have a beneficial effect, but if you move  
25 further away and particularly view 19 was one of the

1 ones that I was thinking of when I pointed out this  
2 particular area, that probably would not really provide  
3 a benefit one way or the other.

4 MR. MERCIER: For the 19 area, is  
5 that just a large area that would have a similar view  
6 or just kind of compact, maybe a few homes?

7 MR. LIBERTINE: It's not a  
8 particularly long stretch of the road. There are  
9 individual select locations along that road where you  
10 will catch views of this, but it is not throughout the  
11 entire area, so it is limited in its overall view shed  
12 in that particular spot.

13 MR. MERCIER: Looking at photo 19,  
14 it looks like the tower appears greenish or gray. Is  
15 that a paint used, or is that just the way the tower  
16 came out during the simulation?

17 MR. LIBERTINE: It's -- we simulated  
18 a standard steel pole, so it's really a combination of  
19 the time of day and the sun hitting it. So it does  
20 have bit of that hue to it, but we -- at this point we  
21 have not suggested painting the pole, although that's  
22 certainly another option that could be done.

23 MR. MERCIER: Would a paint actually  
24 work around photo 19? I guess that's my question. So  
25 the upper 2/3 of that are bluish.



1 MR. LIBERTINE: This is always  
2 another area that I always struggle with, honestly,  
3 because of the varying backdrop of the sky and  
4 depending upon the weather and the day that we have. I  
5 mean, here today where I'm standing in South Windham,  
6 Connecticut, it's a fairly heavy gray, overcast day,  
7 and I believe the standard steel tends to work better  
8 on those days. The day we took the picture, that's  
9 more of a blue sky, so, you know, the argument could be  
10 made that a robin blue pole might actually work better.  
11 Unfortunately, you know, it changes from day to day, so  
12 there's no one color that would actually be the best  
13 overall in all conditions. I think if we were to  
14 consider a paint on this, I personally would either  
15 stick with the standard steel gray and let it weather  
16 accordingly, or I tend to favor a darker color, but  
17 that's just my personal preference.

18 The two-tone that we've often  
19 discussed at council proceedings will work in certain  
20 conditions but, as you suggested, it's over 2/3 of the  
21 pole being exposed above the treeline, so I'm not sure  
22 that would necessarily be an option that would give us  
23 a softening effect that we prefer to see.

24 MR. MERCIER: Now, during your  
25 review for the visual simulations and model

1 preparation, visual model preparation, is photo 19, and  
2 the other one, photo 21, are those pretty much the  
3 worst case that someone would see from a residential  
4 area?

5 MR. GAUDET: Yeah, those are from  
6 that area down at the end of photo 21 has a similar  
7 view where you're really looking up at the tower. Yes,  
8 these two neighborhoods -- the select areas in these  
9 two neighborhoods are going to have the most --

10 MR. MERCIER: Okay. Thank you. I  
11 had another question on another interrogatory. I don't  
12 have the number right in front of me at this second,  
13 but it had to do with a submission to the State  
14 Historic Preservation Office, and I believe the  
15 response was that you have submitted documentation to  
16 the State Historic Preservation Office but have not  
17 received a response; is that correct?

18 MR. BALDWIN: Just for the record,  
19 that's response No. 25, Mr. Mercier? Is that the one  
20 you're referring to?

21 MR. MERCIER: Yes. Thank you.

22 MR. BEFERA: Yes, that is true. We  
23 have filed our section 106, we filed our MEPA, which  
24 includes notification and review by the State Historic  
25 Preservation Office. Those were officially filed

1 fairly recently. We have not received any feedback  
2 yet. I know that Mr. Libertine was talking to someone  
3 at the State Historic Preservation Office about the  
4 project but it -- Michael could talk to that, if he  
5 would like.

6 MR. LIBERTINE: Sure. Thanks, Tony.  
7 As we often do, because of Verizon's process, they tend  
8 to do these submissions to the SHPO a little bit later  
9 in the process. So recognizing we were fairly close to  
10 the Merritt Parkway, we felt that we should at least  
11 reach out informally, and between myself and Mr.  
12 Gaudet, we reached out several times. We initiated a  
13 conversation, but we could not get a commitment, one  
14 way or the other, unfortunately, prior to the dealing.  
15 And so it's one of the reasons the Verizon had  
16 accelerated the Section 106 submission in hopes of at  
17 least receiving something that we could report back on.

18 Our feeling is that, you know, and,  
19 again, it's just our opinion, I can't state what the  
20 SHPO or even anticipate what the SHPO is going to come  
21 back with, but it's very limited in terms of the views  
22 from the parkway proper, and it's through a fair amount  
23 of trees, and we do not have views that extend above  
24 the treeline significantly, so I'm hopeful that because  
25 of that fact that they are not going to have any type

1 of a concern with it. We're not within 250 feet of the  
2 actual parkway right of way, but because they tend to  
3 look at the parkway a little bit differently than they  
4 would a normal site that's on the national register as  
5 being a scenic byway, their position is whether or not  
6 it's within the 250 feet, if it's in the view shed,  
7 then -- and this in case we have more of an APE, which  
8 extends to a half mile, which we certainly fall within  
9 that.

10 So they tend to take a little the bit  
11 closer look or closer interest in that, but the short  
12 answer is we really don't have any definitive feedback  
13 that we can report, other than our own opinion, and we  
14 know how much that, at the end of the day, may count or  
15 may not.

16 MR. GAUDET: To piggyback off of  
17 that, in a recent conversation with them again, they  
18 weren't providing us with any real feedback, other than  
19 you're driving on the parkway northbound, regular  
20 speeds, you're not going to see it for more than a  
21 second really. It's really right when you get under  
22 the eastern turnpike overpass by Exit 46. Friday  
23 afternoon in the summertime, if you're sitting there  
24 for 20 or 30 minutes, I think that's what they're  
25 evaluating and the concern being.

1 MR. MERCIER: What's the 250-foot  
2 measurement?

3 MR. LIBERTINE: I apologize. I  
4 misspoke. The area of potential effect, or the APE, is  
5 really dependent on the type of structure, and in this  
6 case, because we have a tower structure less than 200  
7 feet tall, they use a half mile as their APE. The 250  
8 feet is if we have an existing structure, like a  
9 building or a water tank, so I apologize for any  
10 confusion. I didn't quite have my thoughts together  
11 when I was starting to speak.

12 MR. MERCIER: Based on your  
13 experience, they're concerned with everything --  
14 something within a half a mile?

15 MR. LIBERTINE: And within the view  
16 shed. So sometimes they're actually, in some cases,  
17 have expanded that half mile if it is highly visible  
18 from the parkway itself, but typically it's a half mile  
19 for towers of this type, again, under 200 feet tall, so  
20 they have an opportunity to review within that 250-foot  
21 radius. I'm sorry, excuse me, within that half mile  
22 radius.

23 MR. MERCIER: I'm just thinking back  
24 to another project I had along the Merritt Parkway, so  
25 I was just curious if they commented to you.

1 MR. LIBERTINE: We do have a couple  
2 of shots in our visual report that are from areas  
3 adjacent to or right on the parkway itself. Trying to  
4 get shots from the parkway is pretty dangerous just  
5 because of the speed of the traffic, but we often try  
6 to do overpasses or publicly available locations that  
7 are adjacent to it. So we do have a couple that are  
8 right next to it that you can see on the view shed map  
9 or on the photo log map, so I would point you to the  
10 series of photos, essentially 28, 29, and 30, at least  
11 give you somewhat of an idea of in that general area.  
12 29 is probably an anomaly, only because, again, we're  
13 looking through trees and trying to find a location  
14 where you can actually see it, as opposed to if you're  
15 driving on the parkway or even if you're stuck in  
16 traffic, as Brian had indicated. You'd have to be  
17 looking in that direction and only if you were driving  
18 northbound would you see it and, again, it's pretty  
19 limited in scope in terms of where the visibility  
20 actually occurs.

21 MR. MERCIER: Okay. Thank very  
22 much. I have no other questions.

23 MR. SILVESTRI: Thank you, Mr.  
24 Mercier. I'd like to continue our cross-examination  
25 with Mr. Morissette, and he'll be followed by Mr.

1 Harder. Mr. Morissette, please.

2 MR. MORISSETTE: Thank you, Mr.  
3 Silvestri. Good afternoon, everyone. Thank you, Mr.  
4 Mercier, for eliminating about half my questions. I'm  
5 glad they were questioned and answered.

6 I'd like to start off with page 8 of  
7 the application, and I have a question on capacity. It  
8 relates to the statement that says the Plantsville  
9 facility is currently operating at 200 percent of its  
10 existing capacity limits on the gamma sector and 100  
11 percent of capacity on the alpha sector. Can someone  
12 explain to me, how do you operate above 100 percent or  
13 operate at 200 percent?

14 MR. GADASU: So the meaning of more  
15 than 100 percent is limited. You can't have more than  
16 the number of customers on a sector, but you experience  
17 jog calls and trance reports and all of those to get  
18 100 percent capacity.

19 MR. MORISSETTE: Okay. So let's say  
20 you're approaching 200 percent, you've got 100 percent  
21 of capacity that's being dropped, and it's to maintain  
22 your full 100 percent level? Is that it?

23 MR. GADASU: It's like first come,  
24 first serve basis. Let's say I'm on a call and you're  
25 initiating another call, then you might not get

1 connected.

2 MR. MORISSETTE: Okay. So is the  
3 gamma sector, is that towards the university? Is that  
4 where that is?

5 MR. GADASU: They're in the  
6 university. The gamma sector is into Route 15.

7 MR. MORISSETTE: So the university,  
8 what capacity are they at?

9 MR. GADASU: Most of the gamma site  
10 is from the university.

11 MR. MORISSETTE: Oh, okay. I  
12 misunderstood. Thank you, very helpful.

13 I'd like to talk a little bit about  
14 the elevation of the proposed site and compare it to  
15 the current site, and then I'd like to compare that to  
16 the elevation at the United Illuminating substation. I  
17 didn't see in the application, I may have missed it,  
18 what is the height of the elevation of the proposed  
19 site?

20 MR. BEFERA: The ground elevation at  
21 the proposed site is approximately 223 AMSL, average  
22 mean above sea level. The ground elevation at the  
23 existing dormitory location is approximately 283 feet  
24 at the ground AMSL, so about a 60-foot difference in  
25 elevation between the two. At the hall, our



1 antennas -- the top of the -- the antenna faces are two  
2 somewhat different levels. The highest face of the  
3 antenna is at 353 feet approximately AMSL, which is how  
4 we came up with the requirement -- well, that and also  
5 Mr. Gadasu doing tests and running propagation at the  
6 proposed location, we took the -- we also took the 223  
7 AMSL at the proposed location, you add 130 feet  
8 aboveground to that, the proposed height of the tower,  
9 and you come up with the same 353 AMSL that we have at  
10 the existing location, a location on the resident's  
11 hall, and that's why when Mr. Gadasu runs those  
12 propagations, we get very similar coverage footprint  
13 from the proposed location, as proposed, as we do it  
14 from the existing site.

15 MR. MORISSETTE: Thank you. Yeah,  
16 the coverage appears to be very similar.

17 And how does that compare to the UI  
18 substation site? It was stated that it's significantly  
19 lower in elevation.

20 MR. BEFERA: I don't actually know  
21 what the elevation is over there, but I think you're  
22 referring to the fairly new substation on the west  
23 campus?

24 MR. MORISSETTE: Yes.

25 MR. BEFERA: Yeah. That's just in a

1 location that doesn't provide for any type of suitable  
2 substitution for the existing location.

3 MR. MORISSETTE: Okay. And that's  
4 because it's a significantly lower elevation; is that  
5 correct? Or are there other factors?

6 MR. GADASU: This is Shiva Gadasu.  
7 So the main factors are from --

8 MR. MORISSETTE: I'm sorry, you're  
9 breaking up.

10 MR. GADASU: The only reason being  
11 is it's far away from the university, part of the  
12 database right now, but it's a distance from the  
13 university.

14 MR. MORISSETTE: It's only a half a  
15 mile; right?

16 MR. GADASU: It's more than a half a  
17 mile.

18 MR. MORISSETTE: What is the  
19 distance? I thought I saw a response in the  
20 interrogatories saying it was a half a mile.

21 MR. GADASU: It's about point 7  
22 miles.

23 MR. MORRISSETTE: I'm sorry?

24 MR. GADASU: Point 7.

25 MR. MORISSETTE: 1.7?

1 MR. GADASU: Zero point 7.

2 MR. MORISSETTE: Zero point 7.

3 Okay, so it's a little bit greater than a half a mile.

4 MR. GADASU: Yes.

5 MR. MORISSETTE: Okay. So the  
6 primary reason is the distance, not the elevation?

7 MR. GADASU: Yes.

8 MR. MORISSETTE: Thank you. All  
9 right. So given the information we just discussed, is  
10 there a potential to lower the height of the tower?

11 MR. GADASU: This is Shiva Gadasu  
12 again. So, as I said, to duplicate the service from  
13 the existing facility, that's the minimum height that  
14 you need.

15 MR. MORISSETTE: Okay. Thank you.

16 Is there -- the building that we saw  
17 in the field review photos behind the excavator, is  
18 there any concern about the structure -- if the  
19 structure was to fail that it would come close or hit  
20 that building?

21 MR. BEFERA: No. Because these  
22 types of towers are designed such that in the case of a  
23 storm or winds that are excessive, that we hardly ever  
24 see, in addition to the towers being designed based on  
25 what are assumed hurricane type winds in the county in

1 which the tower is going to be placed, what we have  
2 found in the rare instances that there has been a tower  
3 failure, the higher winds are further up off the  
4 ground, the monopole is designed to taper from being  
5 wide at the base to being narrow at the top. So what  
6 happens in failure is the base of the tower remains and  
7 the top of the tower just kind of folds into itself  
8 because the failure point is near the top where the  
9 tower is thinner and the winds are at higher speeds.

10           So the towers don't -- in  
11 particular, monopole towers, they don't fall over from  
12 the base. They would buckle from the top, buckle in  
13 the middle, and just fall into itself and actually  
14 remain in tact and still standing, just with the top  
15 half being upsidedown against the bottom half still  
16 standing straight up.

17           MR. MORISSETTE: Okay. So is there  
18 a specific yield point that's going to be designed in  
19 this facility?

20           MR. BEFERA: Yes. That's how they  
21 design them, specifically for that reason.

22           MR. MORISSETTE: What is the yield  
23 point and height going to be?

24           MR. BEFERA: Well, for something  
25 like this, it would be around the 100-foot point above

1 ground, so the top 30 feet would bend into itself, most  
2 likely would be -- something designed like this would  
3 be designed with two 50-foot sections, a 30-foot  
4 section with the potential, if someone in the future  
5 wanted to add to it, an additional 20-foot section.

6 MR. MORISSETTE: Okay. Thank you.  
7 How many feet is the nearest building?

8 MR. BALDWIN: Mr. Morissette,  
9 because that's a new building, I'm not sure we have  
10 that answer. But maybe as we go, one of our witnesses  
11 could estimate that by looking at some aerial  
12 photography, and then we can come back to you and we  
13 can kind of do an on-the-run homework assignment, if  
14 you don't mind.

15 MR. MORISSETTE: That would be  
16 great. Thank you.

17 That's all the questions I have.  
18 Thank you.

19 MR. SILVESTRI: Thank you, Mr.  
20 Morissette.

21 I'd like to continue  
22 cross-examination of the applicant by Mr. Harder, and  
23 Mr. Harder will be followed by Mr. Hannon. Mr. Harder,  
24 please.

25 MR. HARDER: Yes. Thank you, Mr.

1 Silvestri. I wanted to continue along the lines of Mr.  
2 Morissette's questions on alternative sites. One  
3 general question I have is it looks like the site  
4 search was limited strictly to the Sacred Heart campus,  
5 both the main and the west campuses. Why was that?  
6 Were there other sites outside the campus area that  
7 just weren't identified in the application, or for some  
8 reason was it actually limited to campus?

9 MR. BEFERA: Well, the main  
10 objective of this project is to duplicate, as closely  
11 as possible, the site that we have that is practically  
12 smack dab in the middle of the university's campus.  
13 We've been there for 23 years now, and we have  
14 developed the network basically around that site over  
15 the past 23 years with additions, based on the fact  
16 that the site was right there. So moving -- the idea  
17 is if it's going to duplicate the existing coverage,  
18 the existing purpose that's been established over the  
19 past 23 years, even with additional sites surrounding  
20 it that have been added since, we've got to -- we have  
21 to stay about as close as possible now, given the  
22 concerns discussed earlier about the historic nature of  
23 the Merritt Parkway. We certainly wouldn't want to  
24 move closer that way, which also moves us further away  
25 from where the traffic is primarily on the university

1 campus, and because we need to cover the Merritt  
2 because we currently do cover the Merritt from our  
3 location, we don't want to move off the campus in the  
4 other direction because then we open up a wide gap on  
5 the Merritt that is a -- would be a significant failure  
6 for our network.

7           So the idea is, and I think you can see  
8 from the propagation maps of the existing location  
9 versus the proposed location, that this location is one  
10 that can achieve similar coverage, and that's really  
11 the objective here. The objective here is we're trying  
12 to save a site that we are in jeopardy of losing that  
13 has been a part of our network for 23 years and to do  
14 so trying to duplicate it as best as possible, given  
15 the opportunities that have been afforded to us.  
16 That's primarily the reason where the university has  
17 been our primary partner in this endeavor.

18           MR. HARDER: Okay. Thank you for  
19 that. Could you give us a rough idea or maybe, as  
20 specific as you can, anyway, that the amount of -- the  
21 proportion of traffic for this site, for the existing  
22 site that comes from the campus and also from the  
23 Merritt, there was a comment earlier that the majority  
24 of the traffic comes from the campus. It sounded like  
25 it was -- just the way that that point was made, it

1 sounds like a fairly significant majority, and I'm  
2 wondering also how much -- how much from the Merritt  
3 Parkway.

4 MR. BEFERA: Well, I would defer  
5 that to Mr. Gadasu, because with the location of the  
6 existing site, he probably has information on which  
7 faces direct and which direction each face of the site  
8 goes, so what's covering what. So I defer that  
9 question to Shiva.

10 MR. GADASU: This is Shiva Gadasu.  
11 Yes, as the site is sitting inside the campus and two  
12 sectors of the site are facing into the Merritt  
13 Parkway, those two sectors are mostly exhausted because  
14 most of the traffic is coming from the university  
15 before the pandemic when everything was normal, and now  
16 it's completely different, and when you go back now,  
17 it's going to go back to earlier days and the traffic  
18 from Route 15.

19 MR. HARDER: I'm not sure -- I'm not  
20 sure I understood that. I mean, can that be put in  
21 terms of, you know, the proportion or the percentage of  
22 traffic at the existing site that comes from the  
23 campus. Can you give us a number on that at all?

24 MR. GADASU: I would say more than  
25 50 percent on these two sectors, alpha and gamma, comes



1 from the campus.

2 MR. HARDER: And how about the  
3 Merritt Parkway?

4 MR. GADASU: The remaining of the  
5 100 percent.

6 MR. HARDER: So the remainder,  
7 roughly, is from the Merritt Parkway?

8 MR. GADASU: Yes.

9 MR. HARDER: Okay. I guess what  
10 that makes me wonder is was thought given -- I know  
11 there was something mentioned earlier about small cell  
12 possibly in the future, but was thought given to  
13 servicing the entire campus and perhaps even the  
14 Merritt with that small cell system? I know there was  
15 some reference in another application. I think it  
16 might have been -- I forget which one, but there was  
17 some discussion about some stretch of the Merritt is  
18 already served by small cell, and I'm wondering if --  
19 you know, what -- if consideration was given as an  
20 alternative to servicing the campus and the Merritt  
21 with one or more small cells.

22 MR. GADASU: This is Shiva Gadasu  
23 again. So as this is a micro facility, so we can  
24 deploy all of the three carriers available from  
25 Verizon, but as opposed to a small cell, we only get

1 the two carriers for a small cell. So that would be a  
2 whole lot of numbers through small cells.

3 MR. HARDER: Multiple locations?

4 MR. GADASU: Yes, multiple locations  
5 and more than -- 100s of small cells.

6 MR. HARDER: Hundreds?

7 MR. GADASU: Yes.

8 MR. HARDER: Okay. Thank you.

9 MR. SILVESTRI: Mr. Harder, before  
10 you continue, you mentioned the small cells for the  
11 Merritt Parkway. To my knowledge, that might have been  
12 an approved project, but it was never built.

13 MR. HARDER: I think you're right.

14 MR. SILVESTRI: Go ahead. Continue.

15 MR. HARDER: I had a question about  
16 the public -- any public comments -- actually, though,  
17 going back in the application, I think it indicated  
18 that, early on, the prior first selectman had objected  
19 to the proposed location, and my first question is was  
20 his objection concerning the location that's proposed  
21 in the application now?

22 MR. BALDWIN: Mr. Harder, are you  
23 referring to the original location on the south campus?

24 MR. HARDER: Well, I don't -- I'm  
25 not sure if that's the same of what I'm thinking. I

1 think the application indicated that the prior first  
2 selectman had fairly quickly expressed an objection to  
3 the location proposed, and I'm wondering if that's the  
4 same location as the one proposed in the application  
5 now, location I on that site search map.

6 MR. BALDWIN: Bear with me one  
7 second. I'm just trying to get to that. That's the  
8 application behind tab 8. Well, just for  
9 clarification, Mr. Harder, location I is the proposed  
10 location that's the subject of the application, and I  
11 think that the narrative portion talks about the former  
12 first selectman objecting to location A on the west  
13 campus.

14 MR. HARDER: Oh, okay.

15 MR. BALDWIN: Maybe Mr. Befera can  
16 verify that, but I believe that's the case because,  
17 just based on the timing, the original search being on  
18 the west campus was the focus of the original first --  
19 well, the former first selectman.

20 MR. BEFERA: Well, I know that when  
21 we were first looking at the area near the substation  
22 over on the west campus, we did receive considerable  
23 pushback from the neighborhood group. Is that the  
24 Stratford Neighborhood Association? And I know we  
25 ended up having a meeting with that group. There was

1 also a state senator there on their behalf to ask us to  
2 go somewhere else. I can't say, to my personal  
3 recollection this was back in 2018, if there was a Town  
4 of Fairfield representative there, but I know that that  
5 group didn't feel like they had a fair say in the  
6 substation development, and our timing was really bad  
7 and they wanted no part of us over there.

8 MR. HARDER: Okay. So whatever that  
9 objection was, assuming it was regarding one of the --  
10 or some site proposed on the west campus, that's pretty  
11 much moot at this point. My question was going to be  
12 if he objected to the existing application location,  
13 why did he object? It wasn't clear what the objection  
14 was, but if it wasn't even for the existing or the  
15 proposed location, then I guess that's a moot point.

16 The other question I have on public  
17 comment or public interaction was I think the  
18 application indicated that you received replies from  
19 all of the abutters, at least indicating their return  
20 receipt cards, or whatever, indicating that they had  
21 received the notices; is that correct? From all the  
22 abutters?

23 MR. BEFERA: Yes, that's correct.

24 MR. HARDER: Did you ever receive  
25 any comments, one way or another, from any of the

1 abutters, beyond just the fact that they received the  
2 notices?

3 MR. BEFERA: Not that I'm aware of,  
4 but there was a public informational hearing that Mr.  
5 Baldwin was at that I was not, and I think there was  
6 information in our application regarding that.

7 MR. BALDWIN: Perhaps -- Mr. Harder,  
8 I think Mr. Libertine was at that meeting as well.  
9 Perhaps he could add to that testimony.

10 MR. LIBERTINE: Right. I can't say  
11 if they were direct abutters across the street. We had  
12 about a dozen or so people from the immediate  
13 neighborhood come out and listen and express some  
14 concerns and did offer up some additional sites that we  
15 should consider, which we did subsequently. But I  
16 don't remember if there was anything formally put in  
17 writing that I have seen.

18 MR. HARDER: Okay. Thank you.  
19 Actually, one other question I had back on the site  
20 search. There were two locations actually on campus,  
21 where the indication was if a tower were to be located  
22 at those sites, it would require -- they're on building  
23 sites G and E, I think it is. It would require a 30 to  
24 40-foot tower on top of those buildings. But it  
25 doesn't go beyond that. It doesn't say that the school

1 objected or that there was some other issue beyond  
2 that, and I'm wondering, for each of those locations  
3 would the service where a 30 to 40-foot tower, or  
4 whatever tower you would need, would the service be  
5 adequate, or would there be other issues that would  
6 exist there that would preclude location of the tower  
7 at those locations?

8 MR. BEFERA: We could never really  
9 get that far with that location. I believe you're  
10 talking about the Pitt Center property?

11 MR. HARDER: That's one of them.  
12 That's location E, the other one is location G, and I  
13 forget the name of the building, if it would be on a  
14 building.

15 MR. BEFERA: Yeah.

16 MR. BALDWIN: If you need a  
17 reference, Tony, that's behind tab 8, the site search  
18 map. G is the library and E is the Pitt Center, as you  
19 mentioned.

20 MR. HARDER: Right.

21 MR. BEFERA: Well, the -- I feel  
22 like I'm kind of stuck because I don't want to say  
23 anything that, you know, upsets anyone that's been  
24 trying to help us with this, but the idea of a rooftop  
25 tower was not anything that was received favorably by

1 the university.

2 MR. LIBERTINE: One other thing I  
3 can add in the discussions I was part of. I wasn't  
4 privy to all of the discussions, but I was for a few  
5 meetings with the university officials. One of the  
6 challenges we had on the main campus was they've been  
7 undergoing an enormous amount of renovation, and  
8 there's a spiderweb of underground utilities, and they  
9 have significant concerns with any type of new lines  
10 that could conflict with those utilities that they were  
11 installing at the time, and so they were pretty adamant  
12 that pretty much any of the locations that we were  
13 looking at in and around the original location were  
14 just not going to work, for a host of reasons, but that  
15 was one of them was utility conflicts, that I recall.

16 MR. HARDER: Okay. Thank you. I  
17 guess the last question, I was just looking at the  
18 satellite views earlier and, actually, I went on Google  
19 maps looking. I guess it's a little more recent than  
20 the one in the site search map. I'm looking at the  
21 area just to the east of the proposed location. Is it  
22 Gaynos or Gaynos Drive that kind of curves through  
23 there? There's an area between that road and that  
24 semicircular parking lot. There's some trees, but I'm  
25 wondering again, just from the standpoint of looking at

1 an aerial view, I don't know anything more about it  
2 than that. Was that considered at all -- the reason I  
3 bring it up is because it appears to be a fair amount  
4 farther away from the closest residence and, you know,  
5 also with trees in between, so I would assume that the  
6 view wouldn't be as objectionable, and then as you go  
7 east on Jefferson Street, there's a high school in the  
8 parking lot. So, really, it looks like there's  
9 probably only one house on Jefferson anyway. It's the  
10 corner of Jefferson and Donna Drive that might be  
11 impacted.

12 MR. LIBERTINE: Mr. Harder, this is  
13 Mike Libertine. During one of the meetings we did go  
14 over and evaluate that area. That's significantly  
15 elevated above our site location, and although I think  
16 you could argue that we could evaluate a smaller tower,  
17 two things immediately came to mind; one, it's very  
18 tight in terms of where you can build. Where those  
19 trees are the slope drops immediately to the north.  
20 And I'm going to guess, I don't have a topo map in  
21 front of me, but I'm going to guess it's probably  
22 anywhere from 40 to 60 feet in elevation drop. Even if  
23 we did a shorter tower, the views would not be  
24 significantly different.

25 To your point, it is a little bit



1 further back, but we would have to do it -- if we could  
2 even be allowed to, it would probably be in the  
3 cul-de-sac area. Those are dormitories and, once  
4 again, we have the combination of I'm not sure if it's  
5 the prime spot that the folks at Sacred Heart  
6 preferred, but we also have utilities running through  
7 that road. So it was an another area that we did look  
8 at in terms of kind of an informal review with folks  
9 from the university, but it was immediately kind of  
10 kiboshed for those reasons and --

11 To your point, I did first think  
12 that there might be some opportunities there for a  
13 little bit better screening, but we would be  
14 essentially screening perhaps those trees maybe 30 or  
15 40 feet tall, maybe a little taller than that, but we  
16 would still be significantly above the treeline, even  
17 with a reduced power, and so it wasn't -- it really  
18 didn't go too far.

19 MR. HARDER: Okay. Thank you for  
20 that, and that's all I have right now, Mr. Silvestri.  
21 Thank you.

22 MR. SILVESTRI: Thank you, Mr.  
23 Harder. I'd like to continue with Mr. Hannon at this  
24 time, and then following his cross-examination, we'll  
25 take a short break. Mr. Hannon?

1 MR. HANNON: Thank you. I don't  
2 have too many questions. I guess one question I have  
3 is how critical is getting this facility approved and  
4 the time frame for building it?

5 MR. BEFERA: This is a very critical  
6 site in our network. It's a site that is operating  
7 above capacity today. It's a site that covers a decent  
8 stretch of the Merritt Parkway and all of the  
9 surrounding secondary roads and other businesses. If  
10 this site were lost, it would be a significant gap. It  
11 would probably be the largest gap that we have in our  
12 Connecticut network in an area of equal traffic.

13 Perhaps Mr. Gadasu could describe  
14 the detriment it could have to our network in this  
15 area, as well as to causing the existing -- the other  
16 existing sites that work with this site in conjunction  
17 and how their performance would also degrade with the  
18 loss of this location.

19 MR. GADASU: This is Shiva Gadasu.  
20 Yes, Tony is absolutely correct. So we do have a  
21 couple of sites to the east, but they are still far  
22 away and, yeah, this would leave us with a huge gap in  
23 our network.

24 MR. HANNON: Half the reason why I'm  
25 asking the question in the first place is because on

1 page 7 of the document it talks about you have the turn  
2 of the rooftop license agreement between FHU and MCM  
3 will expire January 13, 2022, so it's about a year  
4 away. But at the same time Cellco's sublease agreement  
5 expired in September of 2017. So you've been operating  
6 for over three years without a current lease agreement.  
7 I mean, yeah, I guess you're going month to month as a  
8 holdover provision. So why is this 2022 date so  
9 critical now? I mean, it sounds like people have been  
10 operating, even though their license is -- or their  
11 agreements have expired previously, they're still able  
12 to operate month to month, so what is actually  
13 occurring come January 13, 2022?

14 MR. BEFERA: The university is not  
15 going to -- the university has made it very clear they  
16 have no interest in extending their agreement with MCM.  
17 MCM has a rooftop management agreement with the  
18 university, and then we, since the beginning, have a  
19 sublease with MCM for that space. At this point the  
20 university has every right in their power and they've  
21 made it clear they don't want installations on this  
22 rooftop, but they have every power in their right come  
23 January 13, 2022 to require everyone to remove their  
24 facility. And that's why, shortly after Verizon's  
25 lease expired in September 2017, that we started, I'll

1 use the word panicking, and working with the university  
2 that please help us, please help us find a location  
3 where we can maintain service for this university and  
4 maybe even come up with a solution that solves the  
5 rooftop problem with the other carriers, too.

6           And this is a solution that solves not  
7 only our problem, but we've already heard from  
8 T-Mobile, it's going to solve their problem, so that  
9 solves Sprint's problem. We're just waiting to hear  
10 from AT&T. We can solve their problem with this  
11 location proposed, and getting everyone off that roof  
12 solves the university's problem with having everyone  
13 there, and when you think about it, it makes perfect  
14 sense.

15           I mean, a Christian university can't  
16 have cell techs from three different companies,  
17 typically middle-aged men, walking through the halls of  
18 a coed dormitory all hours of the day and night on  
19 their way to the rooftop to maintain equipment. So I  
20 understand the university's view on how that's not  
21 appropriate for a coed dormitory and why they don't  
22 want the facilities on that roof. So this is a  
23 solution that could benefit all parties involved.

24           MR. HANNON: Like I said, the reason  
25 I was asking is because your sublease didn't seem to be

1 that critical in terms of a time frame, but it sounds  
2 like the agreement between MCM and SHU is very  
3 critical, and that's sort of a drop dead date for when  
4 people lose their access. No, that's fine. Thank you.

5 Now, if I remember correctly, the  
6 battery backup system that you have, or that's being  
7 proposed, is roughly eight hours duration.

8 MR. BEFERA: Yes. They're typically  
9 an 8-hour backup system.

10 MR. HANNON: And this is just sort  
11 of a curiosity question because you started seeing a  
12 lot of these things all around as you're driving, but  
13 is there any way to conceivably hook up some solar  
14 panels to extend the time frame of those batteries?

15 MR. BEFERA: Well, that's never been  
16 anything that we have even looked at, because now  
17 you're talking about a much larger area than what's  
18 offered here and a much larger area than anything that  
19 we've ever endeavored to get into, but the reason, you  
20 know, with a very small footprint we can put a 30 KW  
21 generator and a propane tank that can run for five to  
22 seven days before being refilled. So what if there's  
23 no sun? Then what happens to our service? We're  
24 trying to -- you know, I mean, we promote the  
25 reliability of our network in a significant manner. We

1 advertise it that way, we build it that way, and that's  
2 what's important, is for Verizon to offer the best and  
3 most reliable network out there, and that's why we  
4 design them the way that we do with both batteries and  
5 generator.

6 MR. HANNON: I'm just curious  
7 because you see a lot of roadside signs now that have a  
8 small system mounted, and that's, in essence, what  
9 powers that unit. I'm not talking about a big solar  
10 project. But I just thought that I would ask.

11 The next question probably -- I know  
12 he's around somewhere, I just don't see his name up  
13 there right now. There's Dean.

14 A question for you on the wetland  
15 report. If I understand correctly, there's a -- it  
16 looks more like a detention basin that's coming from  
17 the dormitory that drains down, and where this tower is  
18 being proposed is downgradient of where that detention  
19 basin is; correct? Because my understanding is you're  
20 saying that the cell tower would not have any impact on  
21 that wetland area because that's upgradient of where  
22 the tower is proposed; correct?

23 MR. GUSTAFSON: That's correct. Any  
24 drainage from the tower facility is going to drain to  
25 the north away from that basin.

1 MR. HANNON: What about drainage  
2 from the basin towards the cell tower? Has that been  
3 looked at?

4 MR. GUSTAFSON: So as far as -- that  
5 basin does outlet through a controlled structure. I'm  
6 not exactly sure where that pipe leads to as it heads  
7 to the north, but that will be worked out, you know,  
8 just to determine if there's any potential utility  
9 conflicts when they do an underground utility survey  
10 prior to construction.

11 MR. HANNON: Okay. I just wanted to  
12 make sure that that existing basin wasn't going to have  
13 any adverse impact on where you're proposing the tower  
14 to go, so thank you.

15 MR. GUSTAFSON: You're welcome.

16 MR. HANNON: And either I wasn't  
17 paying close attention or I didn't hear things that  
18 clearly, so if you don't mind going back to this. It  
19 might have been Mr. Libertine. But I was curious about  
20 the response of the monopine. Can you sort of fill me  
21 in on that a little bit more? I'm just not sure if  
22 that was something that was really looked at, but based  
23 on the response to interrogatory No. 12, the university  
24 had asked you guys to consider it?

25 MR. BEFERA: Yes. The university

1 asked us to consider the monopine, and in discussions  
2 with Mr. Libertine while reviewing his view shed  
3 analysis, you know, we agree that there are not many  
4 locations where the monopine necessarily works or adds  
5 any advantage to the view shed, but this might be a  
6 location that may lend itself positively from a visual  
7 perspective by going with the monopine, and what I had  
8 said earlier is that Verizon is amenable to either type  
9 of structure, if approved, to go with what the  
10 Connecticut Siting Council deems necessary at this  
11 location.

12 MR. HANNON: Thank you. I had a few  
13 other questions, but other people that had the  
14 privilege of going before me asked them and they were  
15 answered, so I'm done right now. Thank you.

16 MR. SILVESTRI: Thank you, Mr.  
17 Hannon. It's 3:35 right now. Why don't we take a  
18 15-minute break, come back at 3:50. When we do come  
19 back, we'll continue cross-examination with Mr. Nguyen  
20 who will be followed by Mr. Edelson and also, Attorney  
21 Baldwin, possibly we could look at your on-the-run  
22 homework assignment about the potential distance to the  
23 building. So let's come back at 3:50, and we'll  
24 continue from then. Thank you.

25 (Whereupon, a recess was taken from



1 3:35 p.m. until 3:50 p.m.)

2 MR. SILVESTRI: All right, ladies  
3 and gentleman, I do have 3:50. I trust that everybody  
4 can still hear me okay.

5 Before we continue with  
6 cross-examination by Mr. Nguyen, Attorney Baldwin, do  
7 we have the answer on the distance from the potential  
8 location of the cell tower to whatever the new building  
9 was?

10 MR. BALDWIN: We do, Mr. Silvestri,  
11 and Mr. Gaudet is going to testify to that point.

12 MR. GAUDET: So we were able to find  
13 some good aerial photos. It appears to be about 150  
14 feet, maybe a little bit more, conservatively, from  
15 where the tower is.

16 MR. SILVESTRI: Very good. Thank  
17 you. Thank you for the quick response.

18 Okay. Continuing cross-examination,  
19 we have Mr. Nguyen next. Mr. Nguyen?

20 MR. NGUYEN: Thank you, Mr.  
21 Silvestri. Good afternoon, everyone. Let me start --  
22 I have a few clarifying questions. Let me start with  
23 Mr. Libertine.

24 Mr. Libertine, you mentioned about  
25 there was a public information meeting that was held on

1 February 15th, and my understanding is that there was  
2 information exchanged during Mr. Harder's  
3 cross-examination. In the application on page 22, it  
4 indicated that Cellco agreed pursue to additional  
5 alternative locations, and I know that you have  
6 mentioned them before. Could you clarify what those  
7 additional alternative locations were? Are they listed  
8 on attachment No. 8?

9 MR. BALDWIN: I can also direct you  
10 to our response, interrogatory No. 8, set 1.

11 MR. LIBERTINE: I'm bringing that up  
12 momentarily as well. There were a few sites that a few  
13 folks in the audience had asked about or had suggested  
14 that we hadn't looked at had it been ruled out on the  
15 original site search summary. Off the top of my head,  
16 I don't recall specifically which ones, but there was  
17 some interest in evaluating the parking lot area, at  
18 which the building where we met was, and then also  
19 across from Jefferson Street there is a series of ball  
20 fields to the north, and those we were asked to also  
21 take a look at to see if any locations might work on  
22 the fringe of the baseball field or any of those fields  
23 there.

24 We got feedback from the university  
25 that the parking lot area, or anywhere immediately

1 around the meeting hall location, which is at that  
2 intersection of Jefferson and the Park Avenue location.  
3 There just was not interest in going there.

4 We did take a closer look, and I  
5 can't speak from a radiofrequency standpoint, but I can  
6 say from a visibility standpoint our feeling was going  
7 on the edge of any of those fields would not really  
8 eliminate views from the neighborhood that is -- does  
9 have views today, although albeit it would be further  
10 away and from a different perspective, but more so it  
11 would likely open up views to areas to the east and  
12 certainly put us in a position where we would be right  
13 on top of the parkway. And knowing the prior history  
14 we've had with SHPO, we felt that was probably going to  
15 be a nonstarter. So we really did not pursue those  
16 locations any further.

17 MR. BALDWIN: Mr. Nguyen, if I  
18 could, and for Mike's benefit, the site search summary  
19 map included behind tab 8 references those site  
20 locations that you asked about, and those are locations  
21 E, F, G, and H. H is the location that Mr. Libertine  
22 was referring to to the north of Jefferson Street.

23 MR. LIBERTINE: Thank you, Attorney  
24 Baldwin. My apologies. I got thrown off, and I was  
25 going to look at -- I was rifling through the responses

1 to the interrogatories trying to find those locations  
2 to reference, so thank you.

3 MR. NGUYEN: Thank you. Thank you  
4 very much.

5 Question No. 11. The answer to  
6 question No. 11 indicated that if an alarm was  
7 activated, local police would be called to investigate.  
8 Would that be the campus police, or is that the Town of  
9 Fairfield police?

10 MR. BALDWIN: I'm sorry, Mr. Nguyen.  
11 Did you say question -- is that interrogatory No. 11,  
12 set 1?

13 MR. NGUYEN: Yes.

14 MR. LIBERTINE: I believe that's --

15 MR. NGUYEN: The second paragraph of  
16 that.

17 MR. LIBERTINE: I'm sorry, let me  
18 repeat that. To answer your question, that's the local  
19 police department for the town itself and not the  
20 campus police, to my understanding.

21 MR. NGUYEN: Question No. 20, maybe  
22 somebody answered that presented here. It's indicated  
23 that in the event of a commercial power interruption,  
24 the battery will start first while waiting for the  
25 generator to kick in. Is that right?

1 MR. BEFERA: Yes. It's usually a  
2 brief moment for the generator to get up to speed to  
3 the point where it can carry the existing load and the  
4 load is transferred.

5 MR. NGUYEN: What would be the  
6 typical lag time for the generator to start and operate  
7 at full capacity?

8 MR. BEFERA: It would typically be  
9 anywhere from maybe 3 to 5 seconds. The batteries also  
10 operate as a conditioner that -- the site itself more  
11 or less runs off the batteries and the commercial power  
12 maintains the charge on the batteries, and that's kind  
13 of a buffer factor for any surges and spikes that you  
14 get from direct electric power feeds, because our  
15 equipment is quite sensitive to those things.

16 So the commercial power feeds the  
17 batteries, maintains the charge on the batteries, the  
18 batteries feed the sensitive cell equipment and  
19 maintain that in operational level. In the event of a  
20 power failure, the batteries maintain the sensitive  
21 equipment until the generator is up to speed over these  
22 3 to 5 seconds, and then the automatic transfer switch  
23 switches the load to the generator through the  
24 batteries and if the generator fails, as mechanical  
25 things can do sometimes, then the batteries would still

1 be able to provide us with approximately 8 hours of  
2 continued service before needing to be recharged, and  
3 over that course of time we could get a portable  
4 generator onsite that we could hook up while the  
5 permanent generator is being repaired.

6           Once again, the whole idea of  
7 maintaining reliability, especially in the course of a  
8 power outage, possibly the result of a storm when  
9 people need these communications the most.

10           MR. NGUYEN: Thank you very much.

11 Mr. Silvestri, I have no further questions. Thank you.

12           MR. SILVESTRI: Thank you, Mr.

13 Nguyen. Mr. Edelson had to step away for a couple of  
14 minutes, so we'll double back in a little bit to see if  
15 he rejoins us.

16           In the interim, I had a slew of  
17 questions, but, as I guess Mr. Morissette had mentioned  
18 and probably Mr. Hannon, Mr. Mercier and Mr. Morissette  
19 did take care of a number of questions that I had, but  
20 I do have some followups.

21           Mr. Befera, I believe you were  
22 talking about the Town of Fairfield using the proposed  
23 site for staging. I took the opportunity to view the  
24 street and the proposed access drive using an internet  
25 mapping program. I'll call it that. The view I saw

1 was undated, unfortunately, so I can't give you a  
2 reference on the date, but what I saw is that the  
3 access drive on that mapping program was about half as  
4 wide as the access that I see in the photo logs that  
5 were provided to us. So I guess the question will be  
6 what prompted the proposed widening of that access  
7 drive?

8 MR. BEFERA: I'm not aware of that  
9 driveway being any wider today than when it was first  
10 presented to us over a year ago by the university as an  
11 opportunity. I'm not aware of it being widened.

12 MR. SILVESTRI: My unfortunate part,  
13 I can't provide you with a date. I can only tell you  
14 what I saw, unfortunately, so I didn't know if that  
15 might have been a result, if it was widened, to allow  
16 access for Fairfield to get whatever equipment they  
17 needed to get up there for staging, so that's kind of  
18 where I was coming from for my question to you.

19 The related part, the backhoe that  
20 is shown in one of the photo logs is the Town of  
21 Fairfield's equipment; is that correct?

22 MR. BEFERA: Yes. When we asked the  
23 university representative, that's what we were told,  
24 that it was a temporary staging location for the Town  
25 of Fairfield and that they are -- have a project going

1 on on Eastern Turnpike that involved enlarging a pump  
2 house and improving upon the drainage along the Eastern  
3 Turnpike and that the town had asked the university if  
4 they had a staging area they could use, and this was  
5 the location offered, and the last correspondence we  
6 got on that, which was late last week, was that it  
7 should be done and all of their stuff should be out of  
8 there within a month or so.

9 MR. SILVESTRI: And they brought in  
10 the crushed stone that is viewed in the -- one of the  
11 photo logs. You can see the pile in the corner as  
12 well?

13 MR. BEFERA: Yes, I believe so.  
14 There's crushed stone. I think there might even be  
15 some broken up concrete there. There were other things  
16 we viewed there, and we were told that that's all their  
17 stuff, and it's all going to be out of there.

18 MR. SILVESTRI: Very good. Thank  
19 you. I'm not sure, Mr. Befera, if this is a followup  
20 for you or Mr. Bhembe. I think Mr. Bhembe mentioned  
21 the check dam in response to one of the questions.  
22 What I saw also on this internet mapping program is  
23 that there seems to be a stormwater basin on the street  
24 located at the end of the proposed driveway, and the  
25 question I had is how will that basin be protected from



1 siltation and runoff before, during, and after  
2 construction, should the project be approved? I don't  
3 know if the check dam has a factor on that, but I'd  
4 like to pose that question. How do you protect that  
5 storm drain?

6 MR. BHEMBE: The catch basin at the  
7 end of the street will be protected by silt. We're  
8 going to put a silt cover on the basin during  
9 construction times, so that's how it's going to be  
10 protected. The check dam would be at the compound  
11 itself right at the end of the compound towards the  
12 street, and that will slow down any -- really a small  
13 amount of water, because that site is designed to flow  
14 at 2 percent. So it's really a small amount of water,  
15 and that would slow down anything that's going towards  
16 the street.

17 The site also is designed to flow  
18 towards the northwest side of the compound, so there's  
19 a no point there and, again, it's a really small and  
20 very gentle amount of flow, which is 2 percent; not a  
21 lot that's really going to be causing runoff.

22 MR. SILVESTRI: Very good. Thank  
23 you.

24 Different topic for the panel. We  
25 received a letter from the Connecticut Airport

1 Authority concerning FAA notification, and the question  
2 I have for you was a formal form 7460 process initiated  
3 and completed?

4 MR. BEFERA: Well, we know that we  
5 received an air space report, a preliminary air space  
6 report, which suggests that no further review would be  
7 required; however, in anticipation of this concern and  
8 a concern raised in the letter you state, we did file a  
9 formal FAA filing on the 15th, last week, and I have  
10 the ASN number for you, if you would like.

11 MR. SILVESTRI: I'll take it down.

12 MR. BEFERA: The ASN number on that  
13 filing, Mr. Silvestri, is 2021-ANE-286-OE.

14 MR. LIBERTINE: Mr. Silvestri, if I  
15 may, I think that particular form is a notice that's  
16 required at least 45 days prior to construction  
17 notification. So we may be jumping the gun in terms of  
18 that specific form that you referenced, if I'm not  
19 mistaken. I believe what Mr. Befera may have been  
20 referring to is the FAA study and whatever  
21 determination letter that came back, but the form  
22 itself is really a pre-construction form. So we'll --  
23 if, in fact, it's required, it will have to be  
24 submitted.

25 MR. SILVESTRI: Very good. Thank

1 you for the clarification, Mr. Libertine.

2 MR. LIBERTINE: You're welcome.

3 MR. SILVESTRI: One curiosity  
4 question, because I struggled with the 5151 Park Avenue  
5 address. The drive -- the access drive for the  
6 proposed project is located on Jefferson Street. Is it  
7 more appropriate or suitable to list the proposal  
8 location as Jefferson Street, as opposed to 5151 Park  
9 Avenue?

10 MR. BEFERA: I think, and I thought  
11 along those same lines, Mr. Silvestri, as to why it  
12 didn't have a Jefferson Street address, and I think the  
13 reason for that is that this is part of one large  
14 parcel owned or leased by the university and on record,  
15 the 5151 Park is the record address of that entire  
16 property, including the property on which this tower is  
17 proposed. So I believe that's why that address was  
18 used.

19 MR. SILVESTRI: I appreciate that,  
20 Mr. Befera because, again, when I was looking at these  
21 internet mapping programs, I started on 5151 and I was  
22 like, okay, where is the access drive, you've got to go  
23 around the corner to Jefferson Street, etc. What I am  
24 pleased to see, thought, is the notifications that were  
25 put out to abutteries and residences, that you did

1 clarify that the access drive was on Jefferson Street,  
2 so I was very happy to see that part of it.

3 One question that somebody brought  
4 up earlier goes back to the existing facilities at 200  
5 percent on the gamma sector and 100 percent on the  
6 alpha sector. If you recall that earlier discussion,  
7 that shows up on page 8 of the application. The  
8 question that I have for a followup, though, is how  
9 would the proposed tower provide relief?

10 MR. GADASU: This is Shiva Gadasu,  
11 Mr. Silvestri. So the existing facility right now has  
12 only two carriers on the site, but the proposed  
13 facility will have all the carriers available for -- so  
14 it will have more capacity.

15 MR. SILVESTRI: That's where I'm  
16 confused. If I heard correctly earlier, the existing  
17 rooftop facility has your four major carriers, and  
18 there's a potential, if this is approved, that the new  
19 tower would also have four carriers, so that's my  
20 disconnect. I can't figure out that if you have four,  
21 you might have four if it's approved, how you're  
22 getting any relief. I'd like you to explain that  
23 further to me.

24 MR. GADASU: Let me clarify that for  
25 you. So the existing facility has only two

1 frequencies.

2 MR. SILVESTRI: Two frequencies.

3 MR. GADASU: Yeah, two frequencies.

4 The proposed facility would have four.

5 MR. SILVESTRI: Thank you very much  
6 on that.

7 I believe the last question I had,  
8 Mr. Befera, I'm going to go back to you. Mr. Hannon  
9 brought up the question about solar panels, and I  
10 didn't have this prewritten, but I wrote it on the  
11 spot. Has there been any consideration of using a --  
12 I'll call it a battery substitute. I hate to use  
13 tradenames, if you will, so I'll say power wall or  
14 similar type battery storage. They're flat, they take  
15 up less space. Just curious if there's been any  
16 investigations into looking at other types of  
17 batteries, as opposed to the typical lead acid type  
18 battery.

19 MR. BEFERA: I have to apologize,  
20 but I have not heard anything from anyone in my  
21 company, research development, or any word coming from  
22 our headquarters telling us that anything solar related  
23 is being looked into. I can't say that I have my  
24 finger on the pulse of what the company is looking at  
25 in the future. I certainly don't, in my own little

1 world in New England, but it's not something that I  
2 have seen come out of headquarters as something that  
3 they're looking at to date.

4 MR. SILVESTRI: Thank you. Again,  
5 this wouldn't be solar, per se. It would be a  
6 different type of commercial battery that would still  
7 be powered by commercial power, if you will, just like  
8 your batteries are now. Just a thought maybe somewhere  
9 out in the future that perhaps telecommunications  
10 people might want to look into something like that, but  
11 thank you.

12 I don't have any further questions  
13 for you but, as we all know, when we pose questions and  
14 we receive answers, it can spur additional questions,  
15 so I'd like to go back to our staff and Council members  
16 to see if they have any follow-up questions for you  
17 folks. And I'd like to start with Mr. Mercier, please.

18 Mr. Mercier, any follow-up  
19 questions?

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

22 MR. SILVESTRI: Thank you, Mr.  
23 Mercier.

24 Mr. Morissette, any follow-up  
25 questions?

1 MR. MORISSETTE: Thank you, Mr.  
2 Silvestri. I have no further questions.

3 MR. SILVESTRI: Thank you also.

4 Mr. Harder, any follow-up questions?

5 MR. HARDER: No further questions.  
6 Thank you.

7 MR. SILVESTRI: Thank you. Mr.  
8 Hannon, any follow-up questions?

9 MR. HANNON: No follow-up questions.  
10 Thank you.

11 MR. SILVESTRI: Mr. Nguyen, any  
12 follow-up questions?

13 MR. NGUYEN: No follow-up questions.  
14 Thank you.

15 MR. SILVESTRI: Thank you. And I'll  
16 check. I'm not sure if Mr. Edelson did make it back,  
17 but I'll do a shout out to him, although I don't see  
18 him on the screen.

19 Very good. And, again, I have no  
20 further follow-up questions for you. I think we did  
21 our homework assignments, and I think we're done with  
22 cross-examination.

23 MR. MORISSETTE: Mr. Silvestri, I'm  
24 sorry, I arrived late to -- I didn't hear what the  
25 answer to the follow-up question was.

1 MR. SILVESTRI: Which followup, Mr.  
2 Morissette?

3 MR. MORISSETTE: The distance to the  
4 closest building.

5 MR. SILVESTRI: If I remember  
6 correctly from Mr. Gaudet, it was 150 feet.

7 MR. MORISSETTE: Okay. Just one  
8 follow-up question. If it's going to be 150 feet, the  
9 tower is going to be 130, so having a yield point at  
10 100 should be adequate; is that correct?

11 MR. BEFERA: If a yield point would  
12 be required at all or needed at all, yes, it would be  
13 adequate to be at 100 feet. It would be adequate to  
14 not even exist, but that's where it would be.

15 MR. MORISSETTE: Thank you. Just  
16 for clarity, are you or are you not proposing a yield  
17 point?

18 MR. BEFERA: The way that the tower  
19 is designed in multiple sections, the natural yield  
20 point would be, on this design, at 100 feet.

21 MR. MORISSETTE: And that should be  
22 adequate?

23 MR. BEFERA: Yes.

24 MR. MORISSETTE: Thank you. That's  
25 all the questions that I have.



1 MR. SILVESTRI: Very good. Thank  
2 you, Mr. Morissette.

3 Again, with no follow-up questions  
4 for cross-examination, I'll announce that the Council  
5 will recess until 6:30 p.m., at which time we will  
6 commence the public comment session of the remote  
7 public hearing and, Attorney Baldwin, I believe you're  
8 going to give a brief presentation at that time?

9 MR. BALDWIN: That's correct.

10 MR. SILVESTRI: Super. Thank you.  
11 All right. We'll see everyone for 6:30 for the public  
12 comment session. Thank you.

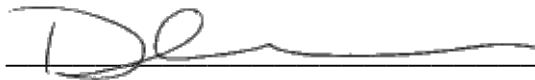
13 (Whereupon, the Hearing was  
14 adjourned at 4:16 p.m.)  
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1 CERTIFICATE FOR REMOTE HEARING

2 STATE OF CONNECTICUT

3  
4 I, Debra A. Chasse, CSR 055, a Notary Public  
5 duly commissioned and qualified, do hereby certify  
6 that the foregoing 80 pages are a complete and accurate  
7 computer-aided transcription of my original stenotype  
8 notes taken of the HEARING HELD BY REMOTE MEANS IN Re:  
9 DOCKET NO. 495 CELLCO PARTNERSHIP D/B/A VERIZON  
10 WIRELESS APPLICATION FOR A CERTIFICATE OF ENVIRONMENTAL  
11 COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION,  
12 MAINTENANCE, AND OPERATION OF A TELECOMMUNICATIONS  
13 FACILITY LOCATED AT 5151 PARK AVENUE, FAIRFIELD,  
14 CONNECTICUT, which was held before ROBERT SILVESTRI,  
15 Presiding Officer, on January 21, 2021.

16 In witness whereof, I have hereunto  
17 set my hand this 4th day of February 2021.

18 

19 Debra A. Chasse, CSR 055  
20 BCT REPORTING SERVICE  
21 55 WHITING STREET, SUITE 1A  
22 PLAINVILLE, CONNECTICUT 06062  
23  
24  
25