

1                   STATE OF CONNECTICUT  
2                   CONNECTICUT SITING COUNCIL

3  
4                   Docket No. 495A

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

10                   \*\*\*

11                   Reopening of this Certificate based on changed  
12                   conditions pursuant to Connecticut General  
13                   Statutes, Section 4-181a(b)

14  
15                   VIA ZOOM AND TELECONFERENCE

16  
17                   Public Hearing held on Thursday, March 31, 2022,  
18                   beginning at 2 p.m., via remote access.

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

21                   JOHN MORISSETTE, Presiding Officer

22  
23  
24  
25                   Reporter: Lisa L. Warner, CSR #061

1   **A p p e a r a n c e s :**

2  
3   **Council Members:**

4           **KENNETH COLLETTE, Designee for Commissioner**  
5           **Katie Dykes, Department of Energy and**  
6           **Environmental Protection**

7           **QUAT NGUYEN, Designee for Chairman Marissa**  
8           **Paslick Gillett, Public Utilities Regulatory**  
9           **Authority**

10           **ROBERT SILVESTRI**  
11           **DANIEL P. LYNCH, JR.**  
12           **LOUANNE COOLEY**  
13           **MARK QUINLAN**

14   **Council Staff:**

15           **MELANIE BACHMAN, ESQ.**  
16           **Executive Director and Staff Attorney**

17           **ROBERT MERCIER**  
18           **Siting Analyst**

19           **LISA FONTAINE**  
20           **Fiscal Administrative Officer**

21           **For Certificate Holder, Homeland Towers, LLC**  
22           **and Cellco Partnership d/b/a Verizon**  
23           **Wireless:**

24                   **ROBINSON & COLE LLP**  
25                   **280 Trumbull Street**  
                  **Hartford, Connecticut 06103-3597**  
                  **BY: KENNETH C. BALDWIN, ESQ.**

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

2  
3           **For Intervenor, New Cingular Wireless PCS,**  
4           **LLC, (AT&T):**

5                   **CUDDY & FEDER LLP**  
6                   **445 Hamilton Avenue, 14th Floor**  
7                   **White Plains, New York 10601**  
8                   **BY: KRISTEN MOTEL, ESQ.**

9  
10           **Zoom co-host: Aaron Demarest**

11  
12           **\*\*All participants were present via remote access.**

13           **\*\*\* (Inaudible) - denotes breaks in speech due to**  
14           **interruptions in audio or echo.**

1 MR. MORISSETTE: This remote public  
2 hearing is called to order this Thursday, March  
3 31, 2022, at 2 p.m. My name is John Morissette,  
4 member and presiding officer of the Connecticut  
5 Siting Council. Other members of the Council are  
6 Kenneth Collette, designee for Commissioner Katie  
7 Dykes of the Department of Energy and  
8 Environmental Protection, Quat Nguyen, designee  
9 for Chairman Marissa Paslick Gillett of the Public  
10 Utilities Regulatory Authority, Robert Silvestri,  
11 Louanne Cooley, Mark Quinlan and Daniel P. Lynch,  
12 Jr.

13 Members of the staff are Executive  
14 Director and Staff Attorney Melanie Bachman,  
15 Robert Mercier, siting analyst, and Lisa Fontaine,  
16 fiscal administrative officer.

17 If you haven't done so already, I ask  
18 that everyone please mute their computer audio  
19 and/or telephones now.

20 This hearing is held pursuant to the  
21 provisions of Title 16 of the Connecticut General  
22 Statutes and of the Uniform Administrative  
23 Procedure Act upon a motion to reopen to the  
24 Council's April 26, 2021 final decision to issue  
25 Cellco Partnership d/b/a Verizon Wireless a

1 Certificate of Environmental Compatibility and  
2 Public Need for the construction, maintenance, and  
3 operation of a telecommunications facility located  
4 at 5151 Park Avenue, Fairfield, Connecticut, based  
5 on changed conditions. On February 24, 2022, the  
6 Council, pursuant to a request filed by Verizon  
7 Wireless and the provisions of Connecticut General  
8 Statutes, Section 4-181a(b), reopened its April  
9 26, 2021 final decision to issue Verizon a  
10 Certificate to consider a proposed relocation site  
11 for the telecommunications facility on the Sacred  
12 Heart University campus.

13 The Council's legal notice of the date  
14 and time of this remote public hearing was  
15 published in The Connecticut Post on March 3,  
16 2022. Upon this Council's request, the  
17 Certificate Holder erected a sign along Jefferson  
18 Street near the existing Sacred Heart University  
19 campus entrance driveway that leads to the  
20 proposed relocated facility site so as to inform  
21 the public of the name of the Certificate Holder,  
22 the type of facility, the remote public hearing  
23 date, and contact information for the Council,  
24 which includes the website and telephone number.

25 As a reminder to all, off-the-record

1 communications with a member of the Council or a  
2 member of the Council staff upon the merits of  
3 this requested facility relocation is prohibited  
4 by law.

5           The parties and intervenors to this  
6 proceeding are as follows: The Certificate Holder  
7 is Cellco Partnership d/b/a Verizon Wireless  
8 represented by Kenneth C. Baldwin, Esq. of  
9 Robinson & Cole, LLP. The Intervenor is New  
10 Cingular Wireless PCS, LLC, also known as AT&T,  
11 represented by Lucia Chiocchio and Kristen Motel,  
12 Esq. of Cuddy & Feder LLP.

13           We will proceed in accordance with the  
14 prepared agenda, a copy of which is available on  
15 the Council's Docket 495A webpage, along with the  
16 record of this matter, the public hearing notice,  
17 instructions for public access to this remote  
18 public hearing, and the Citizens Guide to Siting  
19 Council Procedures. Interested persons may join  
20 any session of this public hearing to listen, but  
21 no public comments will be received during the 2  
22 p.m. evidentiary session. At the end of the  
23 evidentiary session we will recess until 6:30 p.m.  
24 for a public comment session. Please be advised  
25 that any person may be removed from the remote

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

3           The 6:30 p.m. public comment session is  
4 reserved for the public to make brief statements  
5 into the record. I wish to note that the  
6 Certificate Holder, parties and intervenors,  
7 including their representatives, witnesses and  
8 members, are not allowed to participate in the  
9 public comment session. I also wish to note for  
10 those who are listening and for the benefit of  
11 your friends and neighbors who are unable to join  
12 us for this remote public comment session that you  
13 or they may send written statements to the Council  
14 within 30 days of the date hereof either by mail  
15 or by email, and such written statements will be  
16 given the same weight as if spoken during the  
17 remote public comment session.

18           A verbatim transcript of this remote  
19 public hearing will be posted on the Council's  
20 Docket No. 495A webpage and deposited with the  
21 Fairfield, Easton and Trumbull Town Clerk's  
22 Offices and the Bridgeport City Clerk's Office for  
23 the convenience of the public.

24           Please be advised that the Council's  
25 project evaluation criteria under the statute does

1 not include the consideration of property values.

2 We'll now move on to administrative  
3 notices. I wish to call your attention to those  
4 items shown in the hearing program marked Roman  
5 numeral I-B, Items 1 through 85, that the Council  
6 has administratively noticed.

7 Does any party or intervenor have any  
8 objection to the items that the Council has  
9 administratively noticed?

10 Attorney Baldwin.

11 MR. BALDWIN: No objection, Mr.  
12 Morissette. Thank you.

13 MR. MORISSETTE: Thank you. Attorney  
14 Chiocchio or Motel?

15 MS. MOTEL: Thank you, Mr. Morissette.  
16 No objection.

17 MR. MORISSETTE: Thank you, Attorney  
18 Motel.

19 Accordingly, the Council hereby  
20 administratively notices these items.

21 (Council's Administrative Notice Items  
22 I-B-1 through I-B-85: Received in evidence.)

23 MR. MORISSETTE: We'll move on to the  
24 joint appearance by the Certificate Holder and the  
25 Intervenor. Will the Certificate Holder and the



1 Intervenor present their witness panels for  
2 purposes of taking the oath. Attorney Bachman  
3 will administer the oath.

4 Attorney Baldwin.

5 MR. BALDWIN: Thank you, Mr.  
6 Morissette. Again, Kenneth Baldwin with Robinson  
7 & Cole on behalf of the applicant Cellico  
8 Partnership doing business as Verizon Wireless.  
9 First on behalf of Verizon, we want to thank the  
10 Council for agreeing to further consider this  
11 application in the motion to reopen and consider  
12 an alternative location that my client has worked  
13 hard to settle on, but we appreciate your  
14 indulgence and your willingness to do that.

15 Our witness panel is the same as it was  
16 in the prior proceeding. Anthony Befera sitting  
17 to my right is principal engineer with the real  
18 estate and regulatory division at Verizon Wireless  
19 responsible for relocation sites. To Tony's right  
20 is Shiva Gadsu. Shiva is a radio frequency design  
21 engineer responsible for Fairfield County and the  
22 Sacred Heart University site in particular. On  
23 remote Zoom we have Sylvester Bhembe, the project  
24 manager with Hudson Design Group, the project  
25 engineers; Brian Gaudet, the project manager with

1 All-Points Technology; Michael Libertine, the  
2 director of siting and permitting with All-Points  
3 Technology; and Dean Gustafson, the senior wetland  
4 scientist and professional soil scientist also  
5 with All-Points Technology. And we'd offer them  
6 to be sworn at the appropriate time.

7 MR. MORISSETTE: Thank you, Attorney  
8 Baldwin.

9 For the Intervenor, Attorney Motel.

10 MS. MOTEL: Thank you, Mr. Morissette.

11 AT&T's witness panel consists of two witnesses,  
12 Mark Roberts, site acquisition consultant from QC  
13 Development, and Martin Lavin, radio frequency  
14 engineer from C Squared Systems on behalf of AT&T.

15 MR. MORISSETTE: Thank you, Attorney  
16 Motel.

17 Attorney Bachman, please administer the  
18 oath.

- 19 A N T H O N Y B E F E R A,
- 20 S H I V A G A D S U,
- 21 S Y L V E S T E R B H E M B E,
- 22 B R I A N G A U D E T,
- 23 M I C H A E L L I B E R T I N E,
- 24 D E A N G U S T A F S O N,
- 25 M A R T I N L A V I N,

1 M A R K R O B E R T S,

2 called as witnesses, being first duly sworn  
3 (remotely) by Attorney Bachman, were examined  
4 and testified on their oaths as follows:

5 MS. BACHMAN: Thank you.

6 MR. MORISSETTE: Thank you, Attorney  
7 Bachman.

8 Attorney Baldwin, please begin by  
9 verifying all the exhibits by the appropriate  
10 sworn witnesses.

11 MR. BALDWIN: First, we offer for the  
12 Council's record and ask that you take  
13 administrative notice of all the information  
14 contained in the original Docket 495 proceeding.  
15 I think that's a matter of common practice, but  
16 we'd ask that the Council take administrative  
17 notice of those documents from Docket 495.

18 MR. MORISSETTE: Thank you, Attorney  
19 Baldwin.

20 Attorney Motel, do you have any  
21 objection?

22 MS. MOTEL: No objection. Thank you,  
23 Mr. Morissette.

24 MR. MORISSETTE: Thank you, Attorney  
25 Motel. The exhibits are hereby administratively

1 noticed. Thank you.

2 MR. BALDWIN: Thank you. As far as the  
3 new exhibits, Mr. Morissette, we have four that  
4 are listed in the hearing program. They include  
5 the original motion to reopen the evidentiary  
6 proceeding in Docket 495, now called Docket 495A  
7 with all of its attachments. We have the  
8 Certificate Holder's responses to the Council's  
9 interrogatories, dated March 17, 2022. We have  
10 our sign posting affidavit, also dated March 22,  
11 2022. And our last exhibit is a supplemental  
12 response to pre-hearing Interrogatory No. 13 from  
13 the Siting Council, and those are dated March 24,  
14 2022.

15 DIRECT EXAMINATION

16 MR. BALDWIN: I would ask my witnesses  
17 to answer the following questions for the  
18 verification process. Did you prepare or assist  
19 in the preparation of the exhibits listing in the  
20 hearing program as previously stated under Roman  
21 II, Section B, Items 1 through 4?

22 Mr. Befera.

23 THE WITNESS (Befera): Yes.

24 MR. BALDWIN: Mr. Gadsu.

25 THE WITNESS (Gadsu): Yes.

1 MR. BALDWIN: Mr. Bhembe.  
2 THE WITNESS (Bhembe): Yes.  
3 MR. BALDWIN: Mr. Gaudet.  
4 THE WITNESS (Gaudet): Yes.  
5 MR. BALDWIN: Mr. Libertine.  
6 THE WITNESS (Libertine): (Indicating)  
7 MR. BALDWIN: Having microphone  
8 problems, but Mr. Libertine gave a thumbs up for  
9 the record.  
10 Mr. Gustafson.  
11 THE WITNESS (Gustafson): Yes.  
12 MR. BALDWIN: And do you have any  
13 modifications, amendments or revisions to offer to  
14 any of those exhibits?  
15 Mr. Befera.  
16 THE WITNESS (Befera): No.  
17 MR. BALDWIN: Mr. Gadsu.  
18 THE WITNESS (Gadsu) : No.  
19 MR. BALDWIN: Mr. Bhembe.  
20 THE WITNESS (Bhembe): No.  
21 MR. BALDWIN: Mr. Gaudet.  
22 THE WITNESS (Gaudet): No.  
23 MR. BALDWIN: Mr. Libertine, do we have  
24 you?  
25 THE WITNESS (Libertine): (No

1 response.)

2 MR. BALDWIN: We still can't hear you,  
3 Mike.

4 Okay. Mr. Gustafson.

5 THE WITNESS (Gustafson): No.

6 MR. BALDWIN: And is the information  
7 contained in those exhibits true and accurate to  
8 the best of your knowledge?

9 Mr. Befera.

10 THE WITNESS (Befera): Yes.

11 MR. BALDWIN: Mr. Gadsu.

12 THE WITNESS (Gadsu): Yes.

13 MR. BALDWIN: Mr. Bhembe.

14 THE WITNESS (Bhembe): Yes.

15 MR. BALDWIN: Mr. Gaudet.

16 THE WITNESS (Gaudet): Yes.

17 MR. BALDWIN: Mr. Gustafson.

18 THE WITNESS (Gustafson): Yes.

19 MR. BALDWIN: Mr. Libertine, do we want  
20 to try one more time? You're muted.

21 THE WITNESS (Libertine): Is that any  
22 better? Yes.

23 MR. BALDWIN: Thank you. Got you.

24 THE WITNESS (Libertine): Sorry about  
25 that.

1 MR. BALDWIN: And do you adopt the  
2 information contained in those exhibits as your  
3 testimony in this proceeding?

4 Mr. Befera.

5 THE WITNESS (Befera): Yes.

6 MR. BALDWIN: Mr. Gadsu.

7 THE WITNESS (Gadsu): Yes.

8 MR. BALDWIN: Mr. Bhembe.

9 THE WITNESS (Bhembe): Yes.

10 MR. BALDWIN: Mr. Gaudet.

11 THE WITNESS (Gaudet): Yes.

12 MR. BALDWIN: Mr. Libertine.

13 THE WITNESS (Libertine): Yes.

14 MR. BALDWIN: Mr. Gustafson.

15 THE WITNESS (Gustafson): Yes, I do.

16 MR. BALDWIN: Thank you. Mr.

17 Morissette, I offer them as full exhibits.

18 MR. MORISSETTE: Thank you, Attorney  
19 Baldwin.

20 Attorney Motel, please verify all the  
21 exhibits by the appropriate sworn witnesses.

22 MS. MOTEL: Thank you. AT&T's exhibits  
23 are those identified in Item III-B of the hearing  
24 program. That includes AT&T's request for  
25 intervenor status, dated February 23, 2022, and

1 AT&T's responses to the Siting Council's  
2 interrogatories, dated March 22, 2022.

3 DIRECT EXAMINATION

4 MS. MOTEL: I'll lead the witnesses  
5 through a series of questions so that our  
6 submissions can also be admitted. Did you prepare  
7 or assist in the preparation of the exhibits  
8 identified?

9 THE WITNESS (Lavin): Martin Lavin.  
10 Yes.

11 THE WITNESS (Roberts): Mark Roberts.  
12 Yes.

13 MS. MOTEL: Do you have any updates or  
14 corrections to the exhibits identified?

15 THE WITNESS (Lavin): Martin Lavin.  
16 No.

17 THE WITNESS (Roberts): Mark Roberts.  
18 No.

19 MS. MOTEL: Is the information  
20 contained in the exhibits true and accurate to the  
21 best of your belief?

22 THE WITNESS (Lavin): Martin Lavin.  
23 Yes.

24 THE WITNESS (Roberts): Mark Roberts.  
25 Yes.



1 MS. MOTEL: And do you adopt these  
2 exhibits as your testimony?

3 THE WITNESS (Lavin): Martin Lavin.  
4 Yes.

5 THE WITNESS (Roberts): Mark Roberts.  
6 Yes.

7 MS. MOTEL: Thank you. Mr. Morissette,  
8 we respectfully request that these exhibits be  
9 admitted into the evidence.

10 MR. MORISSETTE: Thank you, Attorney  
11 Motel. The exhibits are hereby admitted.

12 (Certificate Holder's Exhibits II-B-1  
13 through II-B-4: Received in evidence - described  
14 in index.)

15 (Intervenor's Exhibits III-B-1 and  
16 III-B-2: Received in evidence - described in  
17 index.)

18 MR. MORISSETTE: We will now begin with  
19 cross-examination of the Certificate Holder and  
20 the Intervenor by the Council. This will be a  
21 joint cross-examination starting with Mr. Mercier  
22 followed by Mr. Silvestri.

23 Mr. Mercier.

24 CROSS-EXAMINATION

25 MR. MERCIER: Thank you. I'm going to

1 start out referring to the Council interrogatories  
2 dated March 17th. Response 8 included photographs  
3 of the site that were attached to that document.  
4 On the Council webpage, if you're following along  
5 there, the link is marked as attachment to  
6 Interrogatory 8, photographs. I'd simply like to  
7 go through some of the photographs and discuss  
8 them as necessary. The first five photographs  
9 kind of show a general area that's similar,  
10 there's like a loading dock, there's a fence,  
11 there's some containers, paved areas, a small  
12 parking lot. If someone can please explain  
13 exactly where the tower is going in these series  
14 of photographs? I'm not sure if it's along the  
15 container boxes or inside that fenced area by, it  
16 looks like a generator.

17 MR. BALDWIN: Mr. Bhembe.

18 THE WITNESS (Bhembe): So yes, the  
19 containers will be actually replaced with storage,  
20 and that's where the cell site is going to be  
21 erected.

22 MR. MERCIER: Okay. So it's off that  
23 little driveway so in the area of the containers  
24 only; is that correct?

25 THE WITNESS (Bhembe): Yes. And just a

1 little bit north of that just very close to the  
2 existing generator, that's where the actual bell  
3 tower is going to be erected and then the storage  
4 also in the container area.

5 MR. MERCIER: So would the storage  
6 extend over towards the existing score board at  
7 the field?

8 THE WITNESS (Bhembe): The storage, it  
9 will only just be where the red containers are  
10 located. It won't actually going into the field.

11 MR. MERCIER: Okay. Behind the  
12 containers are several large trees. Are those  
13 coming down to accommodate construction?

14 THE WITNESS (Bhembe): No, trees in  
15 that area will be removed at all.

16 MR. MERCIER: As we proceed through the  
17 photos and then the next one after the storage  
18 container photo "fiber path towards site" is  
19 marked on the photograph and the score board. And  
20 you can scroll down, and it goes along a stone  
21 wall over by, it looks like a soccer goal post in  
22 the corner of the lawn. Is that stone wall going  
23 to be removed or is the fiber line just going  
24 along the edge there?

25 THE WITNESS (Bhembe): The fiber line

1 will go on the edge. The stone wall will remain  
2 intact.

3 MR. MERCIER: Okay. And as we proceed  
4 down through some of the photographs, then you'll  
5 see the main sports field. It says "fiber path  
6 towards site." And you scroll again, and then  
7 you'll actually start seeing some bleachers, it  
8 looks like a type temporary cover, there's a  
9 couple light stanchions. The fiber line here is  
10 kind of shown along the hill along the stone wall.  
11 Is that stone wall coming down?

12 THE WITNESS (Bhembe): No --

13 MR. MERCIER: Go ahead.

14 THE WITNESS (Bhembe): No, the stone  
15 will remain. It's not coming down.

16 MR. MERCIER: Okay. So it's along the  
17 base of the wall also?

18 THE WITNESS (Bhembe): That's correct.

19 MR. MERCIER: And then as you get  
20 towards the bleachers, you know, it goes around,  
21 it looks like a little metal fence, and then  
22 behind the bleachers you'll be clearing out some  
23 shrubs in that area to install the line?

24 THE WITNESS (Bhembe): That is correct.  
25 You actually go right underneath the back of the

1 bleachers; that's correct.

2 MR. MERCIER: Let me just go back one,  
3 photo, please, and that's more of a landscape view  
4 of a little bit of the field and the bleachers,  
5 and you can see the light poles the light  
6 stanchions there. Does anybody know the height of  
7 those light poles that exist along the south edge  
8 of the playing field?

9 THE WITNESS (Befera): I believe they  
10 are 80 feet.

11 MR. MERCIER: Thank you. And I'm  
12 scrolling through again of the fiber line. I see  
13 a picnic table in one of the photographs. Again,  
14 is that just along that boundary there and the  
15 stone wall won't be touched?

16 THE WITNESS (Bhembe): That's correct.

17 MR. BALDWIN: Could you repeat that,  
18 Mr. Bhembe?

19 THE WITNESS (Bhembe): That's correct,  
20 yes.

21 MR. MERCIER: Okay. Thank you. And  
22 then I can see some new construction, like a new  
23 lawn area, you know, that kind of goes along the  
24 edge of the forest. And then I believe the second  
25 to the last photograph, you know, it kind of shows

1 the fiber line ending pretty much at the edge of a  
2 field. So what happens after that? Because I  
3 think there's like another 700 feet or so where  
4 there's a wooded area adjacent to those buildings.  
5 I think those are essentially campus housing, I  
6 believe. But anyway, the 700 feet or so back to  
7 the road, so what's going to happen from the edge  
8 of this field down to the road?

9 THE WITNESS (Bhembe): So there will be  
10 trenching, you know, a small trench, about one and  
11 a half feet wide, going to what's the road,  
12 Jefferson Street. There will be some trees that  
13 are a little larger than 6 inches that will be  
14 removed, but that's basically the course to the  
15 actual point of handoff.

16 MR. MERCIER: Okay. Just so I  
17 understand, so that remaining distance I was  
18 talking about, the 700 feet or so, it will be  
19 going kind of through like a wooded terrain and  
20 you'll be chopping down, you know, 15 or so trees  
21 to make way for the fiber line. Is that what you  
22 were stating?

23 THE WITNESS (Bhembe): That is correct.

24 MR. MERCIER: Thank you. Next, I'm  
25 going to refer to the site plans in the motion to

1 reopen, let's see, on the site plan, Sheet A-1.1.  
2 On the website in the motion to reopen filing it's  
3 PDF page 17 for those using the website. And this  
4 diagram kind of shows a landscape view of the  
5 proposed facility with a shelter. For the poles  
6 shown there, for the three poles that make up the  
7 basic structure of the facility, what's the  
8 anticipated diameter of the poles, is that known  
9 yet?

10 THE WITNESS (Bhembe): We will finalize  
11 on the actual design based on geotech and of  
12 course the full loading, a full complete  
13 structural analysis. It is anticipated at this  
14 point that the diameter of each one of those legs,  
15 tower legs, will be 55 in diameter, 55 inches.

16 MR. MERCIER: Are the poles anticipated  
17 to be uniform, 55 top and bottom --

18 THE WITNESS (Bhembe): That is correct.

19 MR. MERCIER: -- or will they taper?  
20 Okay.

21 Now, I understand you're going to be  
22 mounting, Cellco will be mounting antennas at the  
23 top heights of the poles flush mounted inside some  
24 transparent cylinders. Is there going to be  
25 enough room with the 55 inches to accommodate

1 future technological advances in antennas, whether  
2 they're wider, longer, or is the casing designed  
3 just to cover the antennas that are proposed now?

4 THE WITNESS (Bhembe): That casing is  
5 designed for current condition, current design, so  
6 the future has not been accounted for in terms of  
7 space.

8 MR. MERCIER: Okay. In general, are  
9 antennas getting wider or longer as time goes on  
10 or not?

11 THE WITNESS (Bhembe): I mean, for the  
12 most part they stayed at about a foot wide with  
13 some exceptions going out to about even 18 inches.  
14 With some of the newer technologies they've also  
15 been shrinking also, so it's really hard to  
16 predict the future, but we have seen some of them  
17 that are really much, much smaller.

18 MR. MERCIER: Okay. Thank you.  
19 Looking at the side profile of the tower, there's  
20 a couple of horizontal bars, I guess I'll call  
21 them, that connect -- I believe they connect the  
22 three legs. Is that just a support bar? One is  
23 above the bell, one is, you know, a little bit  
24 below the bell.

25 THE WITNESS (Bhembe): That is correct.



1 MR. MERCIER: Thank you. Now, I see  
2 the bell there. Is that going to be like a real  
3 metal type bell, or is that going to be like some  
4 kind of plastic that's for decorative purposes,  
5 anybody have any idea what is proposed with the  
6 bell?

7 THE WITNESS (Befera): We have been  
8 asked by the university to not include a bell at  
9 all. They've asked us to remove the bell, this  
10 was recently, and I believe it was in light of  
11 comments from the Town of Fairfield. So there  
12 wouldn't be a bell, and there wouldn't be an  
13 insignia on the fiberglass panels that would  
14 shield the antennas that is currently shown with  
15 the Sacred Heart University initials. So neither  
16 the bell -- so no bell and no sign, per se, just  
17 fiberglass shielding to aid in the aesthetics so  
18 that you don't see the raw triangular antenna  
19 arrays like you typically would on a normal cell  
20 phone tower.

21 MR. MERCIER: Thank you for that  
22 clarification. We had a similar project. It was  
23 in Petition 687. It's in our administrative  
24 notice list. And during that project we just  
25 referred to those as RF screening panels, you

1 know, decorative panels, so I'll just call them  
2 those screening panels for future discussion.  
3 Okay. So there's going to be no lettering, not  
4 even facing the field itself, so they want  
5 lettering off all three faces of the panels,  
6 correct?

7 THE WITNESS (Befera): That's what they  
8 asked us to do, yes. And I believe this was  
9 recently. It was recently in response to concerns  
10 about it being a sign or concerns about it being  
11 lit up, none of which was ever in the plan. So it  
12 would just be easier to just have plain fiberglass  
13 RF transparent shielding so that it looks smoother  
14 than having the antennas exposed. The concern for  
15 this design to begin with was for aesthetics.

16 MR. MERCIER: Okay. Thank you. Now,  
17 the structure itself, is it still proposed to be  
18 painted white, you know, the decorative panels,  
19 I'll call them decorative, but the screening  
20 panels, per se, and the pole, is the whole  
21 structure going to be painted white?

22 THE WITNESS (Befera): You know, the  
23 poles themselves could be, I mean, it could  
24 basically be any color, but the idea would be to  
25 keep it a neutral color, white. I imagine

1 certainly for the fiberglass tubular extensions  
2 above the flat panel fiberglass screens, certainly  
3 the fiberglass screens white would be a decent  
4 color in conformance with commonly, you know,  
5 cloudy skies of New England. The poles  
6 themselves, they could be any color. They could  
7 be an off white for a little bit of contrast, but  
8 it's not, you know, color is more something that  
9 we could do whatever is desired.

10 MR. MERCIER: Thank you. When the  
11 facility goes to design mode and, you know, the  
12 poles and the panels are manufactured, are they  
13 painted right at the manufacturing facility or  
14 will these things be painted in the field?

15 THE WITNESS (Bhembe): Typically  
16 they're painted in the shop or at the  
17 manufacturing site.

18 MR. MERCIER: Okay. Was a monopole or  
19 even a monopine discussed at this site? You know,  
20 initially it appeared this would have been like a  
21 little design for the university. Now that it's  
22 not going to have the lettering for the university  
23 on there, was there any consideration of a  
24 monopole or a monopine at this location?

25 THE WITNESS (Befera): Well, when the

1 decision was made by the university to not let us  
2 move forward with the previously approved monopole  
3 off of Jefferson street, we went through some  
4 negotiations and we weren't real sure that the  
5 university was going to be willing to accommodate  
6 us so we kind of reached into our archives and  
7 abilities to do something that may be more  
8 aesthetically pleasing that they would be amenable  
9 to, and this was the best that we could come up  
10 with that they said they could work with.

11 I don't know if the location would  
12 necessarily be a good location for a monopine.  
13 The trees along the edge there are pretty short, I  
14 think, and that might look out of place there.  
15 And a straight monopole I think was just  
16 considered to be too raw to be an acceptable  
17 design for the university aesthetically.

18 MR. MERCIER: Do you recall when you  
19 went to this newer location as part of the motion  
20 to reopen, did a modified light stanchion come up  
21 again? You know, you said they were 80 feet, and  
22 this three-pole structure is 100, so I wasn't sure  
23 if there was any discussion of taking one of the  
24 light poles down and putting a new one up that's  
25 taller to support telecommunication equipment.

1 THE WITNESS (Befera): Yeah, that was  
2 discussed and that was not an option for us. You  
3 know, I have to say, I mean, you know, this  
4 structure as proposed is probably the most  
5 expensive thing that Verizon could do. It was not  
6 our first choice, but it was basically something  
7 like this or nothing, and we certainly didn't have  
8 nothing, not with the existing location going  
9 away.

10 MR. MERCIER: Just going back to the  
11 actual site here at plan A-1, is there going to be  
12 any need for an additional, I can't see on the  
13 line here of the drawing, any type of any new  
14 catch basin or anything like that to control any  
15 impervious surfaces that you're adding or is the  
16 area sufficient to capture water and direct it to  
17 the existing drainage areas?

18 THE WITNESS (Bhembe): So there will be  
19 a silt sock that will be placed along that  
20 southerly borderline of that property next to the  
21 site to control erosion.

22 MR. MERCIER: I'm just asking about  
23 post-construction do you have to add another type  
24 of catch basin or something like that for this  
25 project.

1           THE WITNESS (Bhembe): It is very  
2 level. We are not anticipating to do that. As  
3 you can see the grades, you know, there's only a  
4 variation -- the entire site is actually a one  
5 level grade so there will not be any --

6           MR. MERCIER: Got it. Thank you. And  
7 looking at the plan here, you know, typically in  
8 some of our other projects when a tower is, you  
9 know, in close proximity to a property line  
10 there's a yield point. Does this type of  
11 structure, the three-pole structure, is that  
12 possible with this type of facility to ensure, you  
13 know, the --

14          THE WITNESS (Bhembe): It could be  
15 designed with a yield point. It definitely, it's  
16 possible.

17          MR. MERCIER: Thank you. In one of the  
18 interrogatories -- I don't have it off the top of  
19 my head -- there was discussion that there was  
20 emergency back-up batteries going to be proposed  
21 in addition to the shared generator for Cellco's  
22 equipment. Do you know the capacity of the  
23 battery, is that an hour or four hours or --

24          THE WITNESS (Befera): Typically what  
25 we do when we have an emergency generator like we

1 have proposed here is we have an hour worth of  
2 battery backup. And in situations where we're not  
3 able to place a generator, we typically have an  
4 eight hour set of battery backup. So in this case  
5 with the generator as proposed, we would have a  
6 minimum one hour of battery backup just to make  
7 sure that the site is maintained while the  
8 generator gets up to speed and can take the  
9 transfer of the load.

10 MR. MERCIER: Thank you. Now, if this  
11 facility was approved and was constructed -- first  
12 of all, how long do you think a facility such as  
13 this would take to construct if it was approved?

14 THE WITNESS (Befera): Short of getting  
15 the backhaul, you know, leaving however long it  
16 takes to get the backhaul aside, I would say that  
17 something like this, like most raw land sites  
18 would take in the range of four to six months. I  
19 would lean more towards the six-month time frame  
20 on this because it involves us providing for a  
21 replacement for what the university stores in  
22 those containers by way of the two-story garage.  
23 So, you know, that would be additional time as  
24 well. So I would have to say that we, you know,  
25 something like this would be a five to six-month

1 construction period.

2 MR. MERCIER: Okay. Just so I heard  
3 correctly, so what's in the storage containers  
4 will go inside the building you're constructing in  
5 addition to the telecommunication carrier  
6 equipment?

7 THE WITNESS (Befera): No, the storage  
8 containers would be replaced by this garage. It  
9 would be a four-bay garage that the bay closest to  
10 the tower structure would be for the carriers'  
11 equipment. Provision is made for all three  
12 carriers to have equipment space there. And then  
13 three other bays would be for the university's  
14 use. They store a lot of stuff in those existing  
15 containers that have to do with, you know, field  
16 equipment for the various sports on the field  
17 right there, they store excess seating and tables  
18 and stuff in those containers, and basically those  
19 containers would be replaced by this garage which  
20 we would also do a veneer that matches the  
21 exterior of the Pitt Center which is directly  
22 across the driveway from where this would be.

23 MR. MERCIER: Okay. Once this  
24 structure is constructed, is Cellco going to  
25 locate their equipment on the temporary tower and



1 transfer it to this one or are they going to  
2 install new equipment in there and then take off  
3 the old equipment off the temporary tower and use  
4 it elsewhere? I guess what I'm getting at is how  
5 long would the temporary tower be up for all three  
6 carriers after this thing is completed, is there a  
7 timeline?

8 THE WITNESS (Befera): Well, once this  
9 site is completed and all three carriers are  
10 active on this site, then the temporary -- it's  
11 almost instantaneous. The same two-minute span  
12 that this is activated, the site on the temporary  
13 tower gets shut off almost simultaneously. That  
14 doesn't mean that all three carriers will be ready  
15 to activate on the same day and that all three  
16 carriers will shut off. It will probably be a  
17 little bit of a stagger there. But once each  
18 carrier is activated here, they will shut their  
19 stuff off on that temp tower. Once all three  
20 carriers are activated here, all three carriers  
21 would be deactivated on the temp tower and the  
22 temp tower will promptly be removed. So that we  
23 maintain service, we can't turn off the service  
24 without the replacement being active first or at  
25 the same time, so to speak.

1 MR. MERCIER: Understood. I'm just  
2 trying to figure out what the lag time would be  
3 for this proposed tower if it's constructed, being  
4 in the air, maybe operational for Cellco, but is  
5 there a timeline for the other carriers to get off  
6 the temporary tower, is there a fixed time, you  
7 know, they have 90 days once this thing is  
8 completed or 120 days or there is no set timeline?

9 THE WITNESS (Befera): Well, there is a  
10 deadline with the university as to how long that  
11 temp tower can be there, and that started January,  
12 middle of January, and the longest we could have  
13 that temp tower there is 18 months and then we no  
14 longer have an agreement to have it there with the  
15 university. But we do not anticipate needing 18  
16 months if we're fortunate enough to be able to  
17 build this.

18 MR. MERCIER: Thank you. Let's move to  
19 a different subject now. This has to do with  
20 Interrogatory Response Number 9. There was an  
21 attachment to that. It was the Federal Airways &  
22 Airspace summary report. On page 2 of that  
23 document it states there might be -- there may be  
24 a possible impact to a private heliport. So my  
25 question is, is there any other type of studies or

1 notifications required due to the presence of the  
2 heliport in range of this tower?

3 THE WITNESS (Befera): Well, the  
4 heliport is actually, it was part of the GE world  
5 headquarters that was acquired by Sacred Heart  
6 University which is now called their West Campus.  
7 I don't know if the university plans on keeping it  
8 classified as a heliport or not, I don't think  
9 that decision has been made, but there was no  
10 indication on our airspace that any type of  
11 reporting requirements such as an FAA filing would  
12 be required here. And the FAA and Verizon don't,  
13 the FAA in particular, they don't like when you  
14 file for something if the filing is not required.

15 MR. MERCIER: Okay. We did receive  
16 comments from the Connecticut Airport Authority,  
17 and they requested that an FAA 7460 process be  
18 completed for the project. Is that what this air  
19 space summary is or is that something totally  
20 different?

21 THE WITNESS (Befera): Okay. That is  
22 the actual FAA filing that they mentioned. I  
23 wasn't that familiar with the type. But again,  
24 like I said, the FAA doesn't like to get filings  
25 when there's nothing triggered in the air space

1 study that would suggest a filing would be  
2 required, no lighting, no marking, no painting  
3 required at this facility, and it meets all the  
4 slopes and distances from the facilities, so it  
5 wasn't something that we were looking to do an  
6 official FAA filing.

7 MR. MERCIER: So the data provided to  
8 us in Interrogatory 9, summary report, Federal  
9 Airways & Airspace, this is like a screening tool  
10 using FAA criteria, is that what this is?

11 THE WITNESS (Befera): Yes.

12 MR. MERCIER: And also, that jogged my  
13 memory, speaking of lighting, although the  
14 lettering has been removed from the screening  
15 panels on the tower structure, will the tower  
16 structure be lit up at night in any way with  
17 floodlights or anything of that nature?

18 THE WITNESS (Befera): No lighting, no  
19 marking, no signage, no bell, nothing proposed.  
20 You know, maybe there might be a motion light on  
21 the garage for safety purposes, you know, if  
22 someone needs to go into the garage at night there  
23 might be something, you know, so high on the side  
24 of the door side, but nothing, no lighting  
25 whatsoever associated with the tower itself.

1 MR. MERCIER: Thank you. I think I'm  
2 going to move on to some questions about  
3 visibility of the proposed structure.

4 THE WITNESS (Libertine): Mr. Mercier,  
5 could I just interrupt for one moment just to  
6 clarify on the FAA? That 7460 reference is just a  
7 filing notice prior to construction that is  
8 required, but it doesn't change the outcome.  
9 There's no requirements for anything beyond that  
10 in terms of any marking or lighting. So Mr.  
11 Befera is absolutely correct, but there is a  
12 requirement to actually just notify the agency  
13 prior to construction, 45 days prior to  
14 construction.

15 MR. MERCIER: Okay. Just out of  
16 curiosity, is that for any type of tower structure  
17 that we deal with telecommunications or just for  
18 this particular facility?

19 THE WITNESS (Libertine): Not always.  
20 Usually the criteria is if there's a proximity to  
21 some type of a licensed facility and in this case  
22 because of its proximity only. But again, it does  
23 meet all of the, it passes all of the air space  
24 requirements, but it's just basically a  
25 notification.

1 MR. MERCIER: Thank you for that  
2 clarification.

3 THE WITNESS (Libertine): You're  
4 welcome.

5 MR. MERCIER: I'm going to move to the  
6 supplemental submission dated March 14th. This  
7 was the additional response to Interrogatory 13.  
8 And the document really talks about visibility  
9 from Autumn Ridge Road of the proposed facility.  
10 Now, on page 2 of the supplemental submission  
11 towards the bottom it talks about there's a fairly  
12 substantial grade change of approximately 70, 80  
13 feet between the homes along Autumn Ridge Road and  
14 the campus. So when you say "the homes," are you  
15 talking about the actual structures on the  
16 property or are you talking about how the property  
17 raises in the back or are you talking about where  
18 the road is? I understand the road kind of slopes  
19 upward toward the campus so there's a variation  
20 height on the properties.

21 THE WITNESS (Gaudet): Yeah, where the  
22 residences are themselves, the physical  
23 structures, it's a range probably about 10 feet,  
24 give or take, depending on where you're looking at  
25 the structure itself.

1           MR. MERCIER: Now, would this elevation  
2 difference reduce or enhance visibility of the  
3 structure just because, you know, the structure is  
4 at a higher point up on a hill, I guess, compared  
5 to where these houses are, so how would that  
6 affect the visibility?

7           THE WITNESS (Gaudet): There's a few  
8 factors that go into the visibility from that  
9 general area. To first answer your question about  
10 the elevation impact, being down low looking up,  
11 let's say it was a clear path to the bell tower,  
12 certainly it would be visible. With the  
13 intervening trees that you have here and the  
14 separating distance, the tree heights themselves  
15 are going to do enough to substantially block and  
16 screen the tower itself to where you would not see  
17 it above the treeline at all from this area. So  
18 in combination with the intervening trees you've  
19 got some substantial deciduous growth there  
20 between the golf course along the Sacred Heart  
21 property line and along the property lines on  
22 those Autumn Ridge properties, with that increased  
23 elevation and then, again, you know, you're  
24 talking another 380 feet from the Sacred Heart  
25 property line back to the bell tower, so you're in

1 the range of 1,200, 1,100 feet from the tower  
2 looking up through trees, through fairly thick  
3 tree growth. It's going to be near impossible to  
4 spot that tower through the trees even in a  
5 seasonal situation unless you're really looking  
6 for it and trying to pick that out.

7 MR. MERCIER: Going back to the light  
8 poles now and your photo log in the supplemental  
9 submission, you have the distances listed there.  
10 You discuss 380 and then there's a couple others,  
11 the three properties. The light poles are near  
12 the bleachers on the, I guess that's the west  
13 side, as we discussed, as going around the corner  
14 with the fiber line. Now, if folks along Autumn  
15 Ridge Road could see, you know, if they could see  
16 the lights at the top of the stanchions, you know,  
17 when they're on, would that mean they would  
18 possibly see the top of the proposed facility if  
19 it's 20 feet higher than the stanchions?

20 THE WITNESS (Gaudet): So I was out  
21 there. I was the one that took the photos on  
22 March 22nd. I wanted to get my eyes on this as  
23 well. So obviously from the street and not the  
24 residences' backyard, you know, that can change  
25 the viewpoint a little bit. It's pretty difficult



1 during the daytime without lights on to spot those  
2 structures, and those were just the western two  
3 light poles. I could see them, very obstructed  
4 through the trees. I did not see the eastern,  
5 more specifically the southeastern light pole  
6 which is essentially adjacent to where our  
7 structure would be. When we did our visual  
8 reconnaissance here for our balloon float, it was  
9 leaf-on situation so we did not see anything from  
10 Autumn Ridge. I don't think that -- you certainly  
11 won't see it above the treeline from that area,  
12 but you could potentially see portions of the  
13 structure through the trees, again, if you're  
14 looking pretty hard at it.

15 MR. MERCIER: In your initial  
16 visibility map in the motion to reopen there was  
17 some area marked as seasonal mainly focused around  
18 I think it's Shadybrook Road and Autumn Ridge  
19 Road, that general area, that small area. Do you  
20 think or would it be possible for someone to see  
21 the actual RF transparent panels, or do you think  
22 any visibility would be limited to the upper  
23 portions of the pole?

24 THE WITNESS (Gaudet): I believe it  
25 would be just the upper portions of the pole.

1 Again, not having the access to the backyards of  
2 these properties, I can't say whether, if you were  
3 really looking for that southeastern 80 foot light  
4 pole, if you could see it or not. So there's  
5 certainly a possibility that you could see maybe a  
6 portion of the top part of the screening, but I  
7 suspect that the visibility there would be the  
8 top, you know, 20 feet of the poles themselves.

9 THE WITNESS (Libertine): Mr. Mercier,  
10 I might add that I think this goes back to Mr.  
11 Befera's response in terms of some type of -- in  
12 terms of the color of this. I personally think  
13 that a neutral color and even really shading more  
14 to the grays would make sense because, if you do  
15 look through those trees, as Mr. Gaudet pointed  
16 out, it's very difficult during the day to see any  
17 of the existing light poles. And again, they're  
18 kind of a matte grey. So I think that kind of  
19 leads to, in terms of a color scheme, to help it  
20 blend in. Again, we don't feel there's a  
21 significant issue from a visibility standpoint,  
22 but if there are concerns, I think the coloring to  
23 more or less kind of have that gradation in with  
24 the intervening trees would make the most sense.  
25 Certainly a stark white, if you're looking for it,

1 you might be able to see it and point it out, but  
2 even that, I think, would be fairly difficult.  
3 But I think the color certainly would lend itself,  
4 if we kept it in that kind of a muted off white or  
5 even, again, going more to a gray color, would  
6 just really eliminate that concern pretty much  
7 altogether.

8 MR. MERCIER: Would that require  
9 approval from the university?

10 THE WITNESS (Libertine): That's a  
11 great question. I'll leave that to Mr. Befera.

12 THE WITNESS (Befera): I'd say every  
13 inch along the way of this project requires  
14 approval from the university. And what color this  
15 ends up being, yes, I'm sure they'll -- they'd  
16 like to see it approved because, you know, they  
17 wanted us off that rooftop initially, they needed  
18 us off that roof, they've allowed the temp tower,  
19 but, you know, they see the value in the service  
20 that these facilities provide both to their campus  
21 as well as the surrounding area. But any color  
22 scheme would need be approved by them, and if it's  
23 a color scheme, as Michael suggests, that would  
24 minimize visibility, my guess would be that they'd  
25 be all for it.

1           MR. MERCIER:  Going back to the initial  
2 site plan A-1, you know, looking at the  
3 orientation of it, was there any type of  
4 discussion to like rotating it slightly so one of  
5 the faces of -- one of the panel faces would face  
6 the athletic field so that way you can have at  
7 least red letters on that face rather than  
8 projected towards the residents to the southwest?  
9 Just a thought.

10           THE WITNESS (Befera):  I think one of  
11 the faces does kind of face the athletic field.  
12 When you look at the two-dimensional profile of  
13 it, we're kind of looking at the back of it.  So  
14 if you picture like --

15           MR. MERCIER:  I see what you mean.  I  
16 guess maybe just rotating it a little bit more to  
17 the east a little bit, I guess, just to turn it a  
18 little bit, but anyway, that's all I have on that.  
19 Thank you.

20           THE WITNESS (Befera):  Well, I think we  
21 may be a little bit restricted there based on, you  
22 know, having the flat, you know -- I think if it's  
23 rotated any different than the way that it is, it  
24 would stick out further into what is currently  
25 like a driveway.  So I think it's designed this

1 way specifically so that it is tucked in as best  
2 as possible. And there was no concern expressed  
3 by the university that one of the faces faces the  
4 field in a, you know, straight on manner.

5 MR. MERCIER: Okay. Thank you. I just  
6 have a quick question for Mr. Gadsu. Excuse me,  
7 I'm sorry.

8 MR. BALDWIN: Gadsu.

9 MR. MERCIER: Now, would coverage from  
10 the proposed facility be an improvement when  
11 compared to the coverage that would have been  
12 obtained from the previously approved site off  
13 Jefferson Street?

14 THE WITNESS (Gadsu): Yes. So the  
15 previously approved site on Jefferson Street, the  
16 monopole, the overall, you know, the elevation at  
17 the monopole was 184, and the centerline we got  
18 approved was 130, so overall we were looking at  
19 314 feet elevation for antennas. But the final  
20 bell tower location is at 295 feet elevation with  
21 the highest centerline of 95. So we're looking at  
22 390. So there's almost a difference of, you know,  
23 like 75 feet, the final bell tower is almost 75  
24 feet higher than the previously approved monopole  
25 on Jefferson Street. So the coverage will be, you

1 know, comparatively higher on the bell tower.

2 MR. MERCIER: Thank you. It makes  
3 sense. I guess that leads to my second question.  
4 You know, you have some antennas at the very top  
5 of the tower, I think it's centerline 95, and then  
6 you have another set of antennas down at 67 or 68,  
7 kind of where it said SHU on the panels. I'm just  
8 trying to determine why you have such a wide  
9 separation between the two levels.

10 THE WITNESS (Gadsu): As we are moving  
11 away from the existing rooftop location, so I  
12 wanted, you know, to have more antennas pointed  
13 towards the street to accommodate the traffic we  
14 are losing as we are moving away from the site.  
15 So the antennas at 95 feet, I mean, not everything  
16 can accommodate the traffic, so I needed two  
17 levels to accommodate the additional carriers.

18 MR. MERCIER: I'm just trying to  
19 determine -- oh, okay, so the other ones are  
20 reserved for the other carriers, so you have to go  
21 at 67, is that what you're saying?

22 THE WITNESS (Gadsu): Yes.

23 THE WITNESS (Befera): It provides more  
24 capacity to have the antennas at for us to get  
25 enough of our frequencies into the site to handle

1 the capacity that's in this area. So the tubular  
2 structures at the top, of course, were limited.  
3 You can only get so many antennas on those.

4 MR. MERCIER: I'm trying to understand  
5 why you went down another 3 feet. That's all.

6 THE WITNESS (Gadsu): I don't think we  
7 have any flat surface between 95 and 67 feet,  
8 correct?

9 THE WITNESS (Befera): Well, the  
10 proposed AT&T antennas are also behind the screen,  
11 and those are the ones that are shown at an  
12 above-ground level of 76 feet, 9 inches  
13 centerline. So we have to --

14 MR. MERCIER: You're just accommodating  
15 the other carriers essentially.

16 THE WITNESS (Befera): We're trying to  
17 do our best to accommodate all three carriers  
18 because, you know, I might need the same thing  
19 from them next month somewhere else.

20 MR. MERCIER: Now, I guess you would  
21 just classify the Sacred Heart University campus  
22 as a high customer use area, would that be a  
23 correct statement?

24 THE WITNESS (Gadsu): Yes, that's  
25 right.

1 MR. MERCIER: I guess I just have a  
2 question for Mr. Lavin, essentially basically the  
3 same question, but in this case would the coverage  
4 from the proposed facility here be an improvement  
5 when compared to coverage from the former rooftop  
6 facility or is it the same or how would your  
7 coverage lay out here?

8 THE WITNESS (Lavin): This is Martin  
9 Lavin. It would be roughly the same, certainly  
10 adequate over the campus for coverage and  
11 capacity.

12 MR. MERCIER: Okay. Thank you. I have  
13 no other questions.

14 MR. MORISSETTE: Thank you, Mr.  
15 Mercier. We'll now continue with  
16 cross-examination by Mr. Silvestri followed by Mr.  
17 Nguyen.

18 Mr. Silvestri.

19 MR. SILVESTRI: Thank you, Mr.  
20 Morissette. And good afternoon, all. Mr. Mercier  
21 did a really good job taking a couple of questions  
22 away from me that I had regarding the purpose of  
23 the bell, the construction of the bell, the sign  
24 itself for SHU, if it would be illuminated. So I  
25 want to go back and basically say that the



1 structure would be triangular, it would still have  
2 the panels that are mounted to it, but again, no  
3 bell and no SHU logo that would be there. So  
4 continuing with that, if I am correct, the height  
5 of the panels would be 26 feet; is that correct?

6 THE WITNESS (Befera): 18 by 26 is what  
7 the plan shows, right, Sylvester?

8 THE WITNESS (Bhembe): Correct.

9 MR. SILVESTRI: So the 18 would be the  
10 distance from, say, pole to pole for the  
11 triangular structure and the 26 would be the  
12 height; is that correct?

13 THE WITNESS (Bhembe): That is correct.

14 MR. SILVESTRI: Okay. With the SHU  
15 logo no longer being applied to the panels, do you  
16 need that same height for the panels or could the  
17 panels actually be shrunk?

18 THE WITNESS (Bhembe): The panels could  
19 be shrunk because there's no carrier below 57  
20 feet.

21 MR. SILVESTRI: So you could reduce the  
22 height of the panels and still hide the ancillary  
23 equipment behind it, if you will, is that correct?

24 THE WITNESS (Bhembe): That is correct.

25 MR. SILVESTRI: Okay. Now, with the

1 panels themselves either being at the height that  
2 was originally proposed or what we mentioned that  
3 they could be shrunk somewhat, is there any  
4 concern with the winds in the area that the panels  
5 could act as some type of barrier, if you will,  
6 that the winds could actually cause damage to the  
7 entire structure?

8 THE WITNESS (Bhembe): Within the  
9 design itself that would be considered how much  
10 wind loads we have, and the materials holding up  
11 the structure will change based on those different  
12 factors and in this case you mentioned the wind.

13 MR. SILVESTRI: Okay. So that would be  
14 part of the design of the whole structure itself?

15 THE WITNESS (Bhembe): That is correct.

16 MR. SILVESTRI: Okay. Then earlier you  
17 also mentioned that a hinge point could be  
18 installed. Where would a hinge point be installed  
19 if that were the case?

20 THE WITNESS (Bhembe): Again, it would  
21 be a full design once the structural has been  
22 established, and we would also consider where, you  
23 know, in terms of other existing structures. In  
24 an actual event, if the structure did collapse, we  
25 would consider how far the collapse would be, and

1 the hinge point would definitely be around past  
2 the half, the midpoint of the tower, the top  
3 section.

4 MR. SILVESTRI: In your estimation  
5 would that be possibly above the panel or below  
6 the panel?

7 THE WITNESS (Bhembe): It would be  
8 above, it would be in the same, in the panel area.

9 MR. SILVESTRI: In the panel area.

10 THE WITNESS (Bhembe): Yes.

11 MR. SILVESTRI: Okay. Thank you. If  
12 you could turn to photo stimulation number 1 that  
13 was provided. This is the proposed, what the  
14 structure would look like next to the William H.  
15 Pitt Health and Recreation Center. Do you have  
16 that on your screen?

17 THE WITNESS (Bhembe): I'll defer that  
18 to Brian.

19 THE WITNESS (Gaudet): Yes.

20 MR. SILVESTRI: Mr. Gaudet, you have  
21 that?

22 THE WITNESS (Gaudet): Yes, sir.

23 MR. SILVESTRI: Are the antennas high  
24 enough to not be obstructed by that health and  
25 recreation center, either the ones that are on the

1 legs, if you will, of the triangle structure or  
2 the ones that would be behind the panels?

3 THE WITNESS (Gaudet): You're saying  
4 the lower antennas?

5 MR. SILVESTRI: Actually both. What  
6 I'm looking at is I see the building that's there,  
7 the health and recreation center. It seems maybe  
8 only a couple feet lower in this perspective than  
9 the proposed structure.

10 THE WITNESS (Gaudet): If I can point  
11 you to Photo 3, I think it gives a better vantage  
12 point of the height increase. The Pitt Center is  
13 not a particularly tall building. Photo 3, I  
14 think, gives you a better angle at the height  
15 above the rooftop there. While the campus is  
16 relatively flat, you do start to lose a little bit  
17 of elevation as you go back towards the east. So  
18 I think it's sort of what we were talking about  
19 before where you lower your elevation, your  
20 elevation as a viewer looking up. I think that's  
21 what in Photo 1 is giving you the viewpoint where  
22 it looks like the panels are below the roof level.

23 MR. SILVESTRI: So Photo 1 I might be  
24 looking up, per se, and Photo 3 is more of a  
25 horizon view; would that be correct?

1           THE WITNESS (Gaudet): Exactly. Photo  
2 3 is essentially the exact same ground elevation,  
3 so you're looking at it in kind with the structure  
4 itself.

5           MR. SILVESTRI: And just one other  
6 question on that. With Photo 3 in the foreground  
7 you have some type of tented structure and then  
8 behind that you have the proposed communication  
9 structure. To the left of that is the building.  
10 Is that that health and recreation center?

11           THE WITNESS (Gaudet): Yes, that's the  
12 Pitt Center right there. That corner behind the  
13 light stanchion is the Pitt Center.

14           MR. SILVESTRI: Very good. Thank you  
15 for those clarifications.

16           THE WITNESS (Gaudet): No problem.

17           MR. SILVESTRI: Okay. Changing gears  
18 somewhat, in the response to Council Interrogatory  
19 Number 11 it talks about 100 kilowatt diesel  
20 generator to be shared by three carriers, and that  
21 would have approximately 24 hours of operation at  
22 100 percent load. I have at least three questions  
23 regarding that interrogatory response. The first  
24 one, is natural gas available to run a generator  
25 powered by natural gas?

1           THE WITNESS (Bhembe): I'm not sure if  
2 maybe Tony could answer that.

3           THE WITNESS (Befera): I'm not aware of  
4 there being natural gas. There could be, but we  
5 didn't look at it, if there was natural gas  
6 service in the Pitt Center or available in that  
7 location. I know there's a concern of minimizing  
8 disturbance of existing pavement on the  
9 university's part. So the stand-alone unit was  
10 looked at because there were no environmental  
11 concerns in the area in the past history or  
12 existing conditions that would necessarily prevent  
13 that. And minimizing disturbance of existing  
14 paved areas is kind of a hot button for the  
15 university, so that's why we chose the stand-alone  
16 with the diesel belly tank.

17           MR. SILVESTRI: Thank you for the  
18 response, but here's my concern. The use of a  
19 shared generator, in my opinion, goes a bit  
20 contrary to what I've heard in other applications  
21 that we've had before us. And I have a concern  
22 about reliability that if the generator goes out  
23 in this situation or even with the 24-hour run  
24 time, three carriers are going go out. So the  
25 question I have, can either the emergency run time

1 be extended somehow with a bigger kilowatt  
2 generator and a company tank or could somehow  
3 other generators be employed, possibly one for  
4 each carrier?

5 THE WITNESS (Befera): Well, the tank  
6 can certainly be a special order tank that would  
7 just make the generator taller. It wouldn't  
8 necessarily increase its footprint but it would  
9 increase the run time for that. Now, I understand  
10 the single point of failure issue that you're  
11 raising, but if we were to -- we would have to go  
12 back to the university if we were going to propose  
13 three separate generators for each carrier. We do  
14 have a vigorous maintenance plan with our  
15 generators. We have a great deal of success on  
16 them working when they're supposed to, and we  
17 certainly can extend the run time between  
18 refueling by special ordering a larger tank.

19 MR. SILVESTRI: Thank you, Mr. Befera.  
20 That's a concern I have. Again, based on what  
21 I've heard in other applications that have come  
22 before us, the single point of failure is a  
23 concern either being a single generator or if it  
24 was a single tank that other generators are  
25 drawing from. So I think you can appreciate my

1 concern on that one.

2           The related questions I have. When you  
3 talk about the garage bay and the equipment will  
4 be located in one of those bays, is the generator  
5 proposed to go in one of those bays or would that  
6 be outside?

7           THE WITNESS (Befera): The generator is  
8 proposed on the opposite side of Sacred Heart's  
9 generator to the east, to the east of the -- yes,  
10 in A-1. In A-1 you can see the tower structure,  
11 the existing generator. The green generator that  
12 you see in the photos is right there, that's  
13 Sacred Heart's, and then our generator will be  
14 proposed just to the right of that and making its  
15 connection back to the equipment room basically,  
16 you know, underground behind the existing  
17 generator that Sacred Heart has there to the  
18 equipment room.

19           MR. SILVESTRI: Copy that. Thank you.  
20 But again, looking at A-1 and looking at the  
21 generator you have proposed there, it seems that  
22 there's enough room possibly that you could fit  
23 two other generators in there and not have too  
24 much of a concern, I would think, with the  
25 university. So again, I just want to point that



1 out from my concern on reliability and a single  
2 point of failure.

3 Then the other follow-up I had.  
4 Earlier, Mr. Befera, you mentioned that there's a  
5 one-hour battery backup. Does the one-hour  
6 battery backup extend to all carriers?

7 THE WITNESS (Befera): The one-hour  
8 battery backup is our method of operation when  
9 there's a permanent generator installed. I can't  
10 speak to what the other carriers use for their  
11 interim battery backup capabilities.

12 MR. SILVESTRI: So Verizon would have a  
13 one-hour backup. How about AT&T, would AT&T have  
14 a similar situation here or something else?

15 THE WITNESS (Roberts): Good afternoon.  
16 This is Mark Roberts. So yeah, it would be a  
17 similar situation as Mr. Befera indicated, the  
18 battery backup is carrier specific. It's tied  
19 directly to the equipment in each individual  
20 carrier's space. So AT&T would engineer their  
21 battery solution site specifically. We typically  
22 say two to four hours, but again, it is site  
23 specific based on availability of backup power,  
24 expected traffic, et cetera, et cetera.

25 MR. SILVESTRI: Thank you, Mr. Roberts.

1 And while I have you, do you have a concern with  
2 the single point of failure with one generator?

3 THE WITNESS (Roberts): It is something  
4 we testified to before that it is typically a  
5 concern that we have, but at the same time when  
6 situations dictate, you know, we've happily shared  
7 generators in the past. I think you recently saw  
8 in Bloomfield at Day Hill Road that we are sharing  
9 a generator that American Towers provided for the  
10 site. So it all comes down to the site specifics  
11 and, you know, who has control of the generator  
12 and your confidence in them.

13 MR. SILVESTRI: Okay. I will leave my  
14 concern with both carriers at this point. Thank  
15 you.

16 THE WITNESS (Roberts): Thank you.

17 MR. SILVESTRI: Moving on, when Mr.  
18 Mercier was talking about the existing light poles  
19 and the score board, was there any consideration  
20 to using either the existing light poles or the  
21 score board for some type of telecommunications  
22 facility?

23 THE WITNESS (Befera): It was not an  
24 option available to us with the university.

25 MR. SILVESTRI: Okay. Thank you for

1 that response. Then with the triangular  
2 telecommunications facility that's proposed, could  
3 it be modified somehow in the future to  
4 incorporate additional carriers?

5 THE WITNESS (Befera): It's currently  
6 designed to accommodate all three major carriers.  
7 Now, I imagine it could be initially designed so  
8 that if an additional carrier wanted to go there  
9 that the fiberglass panels could be extended, or  
10 in conjunction with, it could be designed such  
11 that additional cannisters could be added to the  
12 top of the structure as proposed here. So they  
13 are typically a 10-foot section, each additional  
14 cannister level, so there would be, you know,  
15 there would be reviews that would need to take  
16 place to extend the height as an option to add  
17 additional carriers. But another option could be  
18 to expand the size of the fiberglass panels as  
19 well.

20 MR. SILVESTRI: So it could be  
21 technically feasible. And should the project be  
22 approved, would future carrier incorporation be  
23 included in the design structure of that facility,  
24 in other words, would you design it, if it's  
25 approved, for incorporation of other carriers?

1 THE WITNESS (Bhembe): Yes, the  
2 structure will be designed, if approved, will be  
3 designed to incorporate everybody, all the other  
4 carriers, including the future.

5 MR. SILVESTRI: Including future.

6 THE WITNESS (Bhembe): Yes.

7 MR. SILVESTRI: Okay. Thank you. Then  
8 the last couple questions I have are more  
9 curiosity on my part, and I don't know if it's  
10 better posed to Verizon or AT&T. But the first  
11 question I have, has 3G service expired at this  
12 point?

13 THE WITNESS (Gadsu): This is Shiva  
14 Gadsu. 3G service, as far as Verizon is  
15 concerned, is continuing to be deactivated by the  
16 end of this year. So we are doing it on a  
17 site-by-site basis. So by the end of the year all  
18 the 3G service will be turned off.

19 MR. SILVESTRI: So Verizon would be by  
20 the end of this year. How about AT&T?

21 THE WITNESS (Lavin): This is Martin  
22 Lavin. AT&T's official date stated for turnoff,  
23 and I haven't heard anything to contradict it, was  
24 February 27.

25 MR. SILVESTRI: So that passed, okay.

1 The related question I have, do either of you have  
2 any idea on the potential impact to those who are  
3 reliant on 3G service?

4 THE WITNESS (Lavin): It was announced  
5 years ahead of time, extended a few times. And I  
6 think we finally came to the point where you just  
7 have to set a date, which they did, and turned the  
8 service off.

9 MR. SILVESTRI: I don't know anybody  
10 personally that had strictly 3G, so I'm not sure  
11 if there was anybody that I'm aware of that had a  
12 problem. But I'm going to assume that with 3G  
13 service gone or in the event when 3G service goes  
14 that people would obviously have to get a new  
15 phone, either 4G or 5G or something like that, is  
16 that correct, the 3G phones just wouldn't be  
17 viable anymore?

18 THE WITNESS (Lavin): They won't  
19 function at all once 3G is turned off.

20 MR. SILVESTRI: Very good. Okay.  
21 Thank you for answering my curiosity questions as  
22 well.

23 Mr. Morissette, that's all I have, and  
24 I thank you. And I thank the panels.

25 MR. MORISSETTE: Thank you, Mr.

1 Silvestri.

2 Why don't we take a 10 minute break  
3 here, 12 minute break and reconvene at 3:30, and  
4 when we return we will continue with  
5 cross-examination by Mr. Nguyen followed by Ms.  
6 Cooley. We'll see everyone at 3:30. Thank you.

7 (Whereupon, a recess was taken from  
8 3:23 p.m. until 3:30 p.m.)

9 MR. MORISSETTE: Okay. We'll continue  
10 with cross-examination by Mr. Nguyen and then  
11 followed by Ms. Cooley.

12 Mr. Nguyen.

13 MR. NGUYEN: Good afternoon. Thank  
14 you, Mr. Morissette.

15 There was discussion regarding the  
16 yield point or the hinge point, just a quick  
17 follow-up on that. What would be the incremental  
18 cost to install a yield point or hinge point on  
19 this structure?

20 THE WITNESS (Bhembe): So the yield  
21 point which is part of the design so it would  
22 not -- basically the tower itself has to be  
23 designed right at the beginning stage with the  
24 yield point if the yield point is needed.

25 MR. NGUYEN: But in terms of having a

1 yield point, do you know what would be the cost,  
2 approximate cost to have it?

3 THE WITNESS (Bhembe): No, it generally  
4 would be part of the tower design. It wouldn't  
5 necessarily be an additional cost.

6 MR. NGUYEN: And also a follow-up  
7 regarding the backup generator. First of all, I  
8 apologize if I missed it. A clarification,  
9 whether it is 100-kilowatt diesel generator or is  
10 it a 60-kilowatt diesel generator because the  
11 motion on page 4 said 60.

12 THE WITNESS (Befera): The generator  
13 proposed is a 100-kW to provide for all three  
14 carriers and potentially a future carrier. We've  
15 done some recent load tests where we've had other  
16 carriers having interest in tying into our  
17 generators, and we're finding that with the  
18 additional technologies, the addition of the  
19 radios associated with 5G deployment, that a 60-kW  
20 isn't necessarily large enough for two carriers to  
21 share, it's borderline.

22 Now, another thing is, is when you talk  
23 about how much amperage that you rely on, you take  
24 a generator and if, say, for arguments sake the  
25 generator produces 100 amps of back-up power when

1 it's running, we consider that 80 amps. So if we  
2 require 50, we can't necessarily put someone else  
3 on there that requires more than 30 because you  
4 never want to have a draw -- and maybe one of you  
5 may have experienced this when you're running your  
6 home on a back-up generator where the tone of the  
7 generator, it starts wining. We don't want to run  
8 a generator at 100 percent capacity, so we use 80  
9 percent as the rule. And based on data that we've  
10 been receiving with the addition of the 5G and  
11 everyone adding 5G, the 100-kW seems necessary at  
12 least for the initial three carriers.

13 MR. NGUYEN: Okay. And thank you for  
14 the clarification, more than I needed. I just  
15 want to clarify that it is now a 100-kilowatt  
16 generator, that's what's before the Council; is  
17 that right? I believe it is.

18 THE WITNESS (Befera): Yes,  
19 100-kilowatt generator is what we're proposing.

20 MR. NGUYEN: Okay. Thank you.

21 THE WITNESS (Befera): There may have  
22 been an error with the 60-kW being mentioned at  
23 some point, but that wouldn't be big enough to  
24 provide dependable backup for all the carriers.

25 MR. NGUYEN: Thank you for that



1 clarification. Also, there was a discussion about  
2 the possibility of each carrier having its own  
3 back-up generator, and I believe the information  
4 provided was that you would consult with the  
5 university; is that right?

6 THE WITNESS (Befera): Yes. We  
7 wouldn't be able to do that without the  
8 university's consent.

9 MR. NGUYEN: I'm curious as to why  
10 would you need to consult with the university, do  
11 they design the system here or is it because of  
12 the space, of the leasing space?

13 THE WITNESS (Befera): Well, I guess  
14 the best way to put it is every bit of this design  
15 needs to be approved by the university. I don't  
16 know how else to -- every aspect of what we want  
17 to do on their property, they are extremely  
18 diligent. And it's a beautiful campus. They want  
19 to keep it that way. I totally respect that and  
20 understand that. But every aspect of what we're  
21 proposing needs to be approved by them, and this  
22 would be no different. And, you know, adding --  
23 you know, saying we want to do three generators  
24 instead of one, I don't know how that would go  
25 over.

1           MR. NGUYEN: Yeah, I mean, there was a  
2 concern about the single point of failure and  
3 other than that you would consult with the  
4 university, and I understand that. But in terms  
5 of technical feasibility, that would not be a  
6 problem having each carrier have its own back-up  
7 generator?

8           THE WITNESS (Befera): If there was no  
9 objection to it, there could possibly be space  
10 there. It appears that there's space there when  
11 you look at a 2D drawing. If you're actually  
12 there and you see how that area of ground between  
13 the driveway and the treeline kind of gets thinner  
14 as you get further away from the proposed tower  
15 facility, you know, it might be tight, but it  
16 probably, you know, it probably could be done.  
17 It's just that I don't have the authority to say  
18 we could do that until the university approves  
19 something like that. That's all. I can't, you  
20 know --

21           MR. NGUYEN: Understood. Understood.  
22 Thank you. Now, go back to the shared use of this  
23 back-up generator. Who would maintain this  
24 back-up generator, which entity would maintain it  
25 on a regular basis?

1                   THE WITNESS (Befera): Verizon  
2 currently contracts with a company called FM  
3 Generator, a very reputable company. They have  
4 our contract nationwide, they have for some time.  
5 We've worked with them for about as long as --  
6 we've worked with them as long as I've been with  
7 Verizon, and that's over 32 years. And in  
8 addition to doing routine maintenance at a minimum  
9 of once a year, any time that the generator runs  
10 24 hours or longer, the same type of maintenance  
11 is done on that unit. We also exercise them  
12 regularly to make sure that they start when we  
13 need them and that they're in good condition. We  
14 typically run them about 20 to 30 minutes twice a  
15 month.

16                   MR. NGUYEN: In terms of fueling,  
17 refueling for it absent commercial power, would  
18 that contractor be responsible for that as well?

19                   THE WITNESS (Befera): They are one of  
20 the resources that we use for refueling. We have  
21 a number of resources for refueling. We like to  
22 keep the tanks topped off at a minimum of 80  
23 percent capacity. Following an event of  
24 commercial failure they get topped off again. But  
25 during an extended power outage situation like we

1 experienced maybe with the October snowstorm or  
2 just before that in the same year Hurricane Irene  
3 where the power outages extended up to ten days,  
4 we basically have multiple teams out there on the  
5 road just going around the clock refueling  
6 generators that are running to keep sites up and  
7 running.

8 MR. NGUYEN: Okay. Now, you mentioned  
9 earlier that there's a battery that lasts about an  
10 hour. Is there a lag time for the back-up  
11 generator to activate in the event of a commercial  
12 power failure?

13 THE WITNESS (Befera): There is a very  
14 short time period. When the commercial power  
15 cuts, the power failure sends, basically sends a  
16 signal to the automatic transfer switch that we  
17 need the backup activated, and that triggers the  
18 generator to start-up. Now, you first start the  
19 generator, you know, it's an engine, it takes a  
20 few minutes for it to warm up. So having those  
21 batteries there keeps the site running at full  
22 power at optimum level during that transition  
23 period to once the generator gets up and running  
24 at full power then the transfer switch transfers  
25 that load over. But we're talking about probably

1 a minute or less.

2 MR. NGUYEN: And to the extent that,  
3 would there be a built-in alternator that once the  
4 back-up generator is running that would charge the  
5 battery itself?

6 THE WITNESS (Befera): The generator  
7 would do everything that commercial power does  
8 which is maintain the batteries at full charge.

9 MR. NGUYEN: And one last question  
10 regarding the 100 percent load condition. What  
11 does that mean?

12 THE WITNESS (Befera): On the  
13 generator?

14 MR. NGUYEN: Yes. Well, you talk about  
15 that this generator would last 24 hours if there  
16 were 100 percent loading condition. Are you  
17 talking about the electrical load? What does that  
18 mean?

19 THE WITNESS (Befera): That's basically  
20 saying we consider 100 percent load 80 percent of  
21 the generator's capacity.

22 MR. NGUYEN: Okay. Thank you for all  
23 the clarifications. And that's all I have, Mr.  
24 Morissette. Thank you.

25 MR. MORISSETTE: Thank you, Mr. Nguyen.

1 We'll now continue with cross-examination by Ms.  
2 Cooley followed by Mr. Quinlan.

3 Ms. Cooley.

4 MS. COOLEY: Thank you, Mr. Morissette.  
5 Good afternoon.

6 MR. MORISSETTE: Good afternoon.

7 MS. COOLEY: Most of my questions have  
8 been well covered by Mr. Mercier and my fellow  
9 Council members, but I do have a couple of  
10 questions I just wanted to get some clarification  
11 on. The first one has to do with the U.S. Fish  
12 and Wildlife Natural Data Base compliance status  
13 report that was included. I think this might have  
14 been Exhibit 8, is that correct, 7? And I just  
15 wanted to note that this report says that in the  
16 area northern long-eared bat habitat has been  
17 found, although it's unlikely that this project  
18 will disturb those bats. It does say in the  
19 report that Verizon would consider voluntary  
20 conservation measures as encouraged in the April  
21 29, 2016 FCC notice. And that would be limiting  
22 tree removal activities between June 1st to July  
23 31st and active season April 1st to October 31st.  
24 It doesn't like seem like there is very much tree  
25 removal but there is some, especially in that last

1 700 feet of area. Are these limitations that  
2 you're willing to consider or would limiting your  
3 activities during those times create a hardship  
4 for this project?

5 THE WITNESS (Gustafson): Dean  
6 Gustafson. I'll jump in real quick because I was  
7 the author of that document. And so any trees  
8 greater than 3-inch DBH are considered potential  
9 northern long-eared bat habitat in Connecticut,  
10 State of Connecticut. There aren't any documented  
11 hibernaculum in the project area, and there are no  
12 roost trees, maternity roost trees that have been  
13 documented in proximity of the project either. So  
14 considering that and the relative high level of  
15 human activity on the campus, it's probably pretty  
16 highly unlikely that northern long-eared bat are  
17 using any of the trees for habitat in proximity to  
18 the project. So there's probably very limited  
19 potential for any type of adverse impact to the  
20 northern long-eared bat.

21 That being said, we include the FCC  
22 public notice for conservation measures just to  
23 reiterate that if it works with the project  
24 schedule to try to minimize a potential impact,  
25 you know, obviously the FCC and U.S. Fish and

1 Wildlife recommend those measures. In this  
2 particular case I don't think it's necessary, but  
3 I'll leave it to Mr. Befera whether Verizon would  
4 entertain that. But as a wildlife biologist, as a  
5 biologist doing those reviews, it doesn't seem  
6 like it's all that necessary, but if it works with  
7 the project schedule, then great, it provides a  
8 possible conservation opportunity.

9 MS. COOLEY: Okay. Thank you. My next  
10 question actually has to do with the other report  
11 about historic resource determinations. And I'm  
12 noticing in the map that is included, reported  
13 archeological sites, there is a nice big green  
14 circle over a large part of the campus which does  
15 not include the area where the site will be nor  
16 does it include the area where the cabling would  
17 reach all the way to get to Jefferson Avenue. But  
18 I noticed in the pictures that a large part of the  
19 pathway for that fiber cable will be just next to  
20 a lot of stone walls. This document says that the  
21 SHPO report has not yet been returned. Are they  
22 aware of the path of the cable and have you heard  
23 anything from SHPO about that or possible  
24 disturbance to those walls?

25 THE WITNESS (Gaudet): I'll defer to



1 Mr. Befera on that as Verizon was handling that.  
2 But my understanding is that the process has been  
3 completed and the SHPO has made a no, whether it  
4 be no effect or no adverse effect determination,  
5 but Mr. Befera can speak to that.

6 THE WITNESS (Befera): We haven't heard  
7 back from SHPO yet. They've had no comment. Our  
8 NEPA report was cleared. There are time frame  
9 windows for which that they're supposed to provide  
10 comment and those were long, have long been  
11 exceeded, and we have not received any response.

12 MS. COOLEY: Okay.

13 THE WITNESS (Befera): In situations  
14 like that we deem it no issue. It's deemed no  
15 issue when there's no response in the statutory  
16 time constraints.

17 MS. COOLEY: Okay.

18 THE WITNESS (Libertine): Maybe I could  
19 just clarify that a little bit for Ms. Cooley.

20 MS. COOLEY: Thank you.

21 THE WITNESS (Libertine): Both Mr.  
22 Gaudet and Mr. Befera are both correct. But just  
23 for clarification, because there are no historic  
24 resources that are listed or eligible for listing  
25 within what they call the area of potential

1 effect, which is a half mile around the site, the  
2 regulations from the FCC as promulgated through  
3 the National Programmatic Agreement which governs  
4 these builds stipulates that the SHPO has 30 days  
5 in which to make some type of determination.

6 In the event that you don't have any of  
7 these resources within that APE, and I'm talking  
8 historic, so it does include archeological in the  
9 sense of kind of cultural resources as a larger  
10 body of work, in those instances if the 30 days  
11 passes, then you can assume that the SHPO has no  
12 interest and/or any concern over historic  
13 resources being impacted. If we did have a  
14 resource within that area of potential effect,  
15 then we would be obligated to track down some type  
16 of a formal response, but in this case we don't,  
17 so we are cleared from a NEPA perspective.

18 MS. COOLEY: Very good. Thank you.

19 THE WITNESS (Libertine): You're  
20 welcome.

21 MS. COOLEY: And just to completely  
22 clarify, you earlier, I heard testimony that  
23 there's no intention of disturbing any stone walls  
24 at any time anyway, so there shouldn't be an  
25 issue.

1 THE WITNESS (Befera): We're not going  
2 to be disturbing the walls.

3 MS. COOLEY: Very good. Okay. And I  
4 think that does cover the questions that I had  
5 remaining. Thank you.

6 MR. MORISSETTE: Thank you, Ms. Cooley.  
7 We'll now continue with cross-examination by Mr.  
8 Quinlan followed by Mr. Collette.

9 Mr. Quinlan.

10 MR. QUINLAN: Again, it looks like a  
11 lot of my questions have been answered, but I do  
12 have another follow-up on the backup generator.  
13 I'm just wondering what size fuel tank is planned  
14 for the generator at this time.

15 THE WITNESS (Befera): Mr. Bhembe, do  
16 you know that? 210?

17 MR. QUINLAN: 210 gallons?

18 THE WITNESS (Befera): I think so. I  
19 think you're frozen, Mr. Bhembe.

20 THE WITNESS (Bhembe): Yes. So it's  
21 about 200. So the actual active size is 192  
22 gallons.

23 MR. QUINLAN: I'm just wondering. Is  
24 there any problem with going up to a bigger size  
25 fuel tank to make it maybe three days of back-up

1 power?

2 THE WITNESS (Befera): We have no  
3 problem with that.

4 THE WITNESS (Bhembe): No, there  
5 shouldn't be a problem.

6 MR. QUINLAN: Okay. Thanks a lot.  
7 That's all my questions then.

8 MR. MORISSETTE: Thank you, Mr. Quinlan  
9 We'll now continue with cross-examination by  
10 Mr. Collette followed by Mr. Lynch.

11 Mr. Collette.

12 MR. COLLETTE: Thank you, Mr.  
13 Morissette. I have no further questions.

14 MR. MORISSETTE: Thank you, Mr.  
15 Collette. We'll now continue with  
16 cross-examination by Mr. Lynch.

17 Mr. Lynch.

18 MR. LYNCH: I have a couple of  
19 questions. I'm losing my voice so excuse me.  
20 It's probably a good thing.

21 I don't want to beat this back-up  
22 generator any more than it has been, but I have  
23 two clarifying questions. Did I hear correctly  
24 that the backup generator was actually a cold  
25 start, it has to get warmed up, and what was that

1 time frame? I didn't catch that.

2 MR. BALDWIN: Did you hear that, Mr.  
3 Lynch?

4 THE WITNESS (Befera): I'm sorry. I  
5 might have been muted. It's less than a minute,  
6 Mr. Lynch.

7 MR. LYNCH: Repeat that again, please.

8 THE WITNESS (Befera): It's less than a  
9 minute.

10 MR. LYNCH: Okay. You mentioned the  
11 time before, but I didn't hear it, I'm sorry.

12 The other question I have is, the size  
13 of the tank was what, what's the size of the  
14 propane tank?

15 THE WITNESS (Bhembe): It's actually,  
16 the generator tank is actually 192 gallons.

17 MR. LYNCH: And when it's filled how  
18 much propane is actually in the tank?

19 THE WITNESS (Bhembe): So because it's  
20 a diesel tank, it will actually be the same  
21 amount, the capacity, which is 192.

22 MR. LYNCH: Are you sure?

23 THE WITNESS (Bhembe): There's also  
24 what you call a diesel exhaust liquid which is 8  
25 gallons that's in there, but 192 is the active

1 capacity.

2 MR. LYNCH: Now, the regulator on the  
3 tank, how far away is that from the actual  
4 generator?

5 THE WITNESS (Bhembe): I would say that  
6 all the units are actually within the tank itself.  
7 So you have the tank at the base and then the  
8 engine is at the top, and it's within the same  
9 unit.

10 MR. LYNCH: I didn't get that. Say  
11 that again. Where is regulator on the tank?

12 THE WITNESS (Bhembe): So you have the,  
13 so the tank itself is at the bottom and everything  
14 at the top with the generator and everything is at  
15 the top. So you have the base, which is the tank,  
16 and you have the top.

17 MR. LYNCH: And that top distance is  
18 how far from the generator?

19 THE WITNESS (Bhembe): I would be  
20 estimating. At this point I would say probably 2  
21 feet. It's a guess. It's an estimation based on  
22 just what I'm looking at for dimensions.

23 MR. LYNCH: You may want to check that  
24 distance.

25 THE WITNESS (Bhembe): Okay.

1 MR. BALDWIN: Mr. Lynch, if I could, I  
2 think this is a diesel generator. This is not a  
3 propane generator. This is a diesel generator, so  
4 the tank is actually a part of the unit itself.

5 MR. LYNCH: Sorry, Attorney Baldwin, I  
6 didn't catch that.

7 MR. BALDWIN: This is a diesel  
8 generator. Some of your questions sound like  
9 you're referring back to some questions we dealt  
10 with before regarding propane generators.

11 MR. LYNCH: Okay.

12 MR. BALDWIN: But this is a diesel  
13 generator but the tank is actually a part of the  
14 generator unit.

15 MR. LYNCH: I got it. Thank you. Now,  
16 I've got to take a line from Mr. Silvestri and ask  
17 a couple curiosity questions just for myself. In  
18 looking at -- I'm going to take you back to the  
19 thrilling days of yesteryear when, looking at your  
20 coverage maps, back in the old days it was "can  
21 you hear me now." Let's fast forward 20 years  
22 here, and what are you really covering in those  
23 gaps? It's not "can you hear me now." What type  
24 of data, and if you could prioritize it, are you  
25 bringing with this fill in the gaps and offloading

1 to other sites?

2 THE WITNESS (Gadsu): Mr. Lynch, this  
3 is Shiva Gadsu. So this is a replacement  
4 facility, so we are just replacing the original  
5 site with the new bell tower.

6 MR. LYNCH: Okay. Mr. Libertine.

7 THE WITNESS (Libertine): Yes, sir.  
8 Good afternoon.

9 MR. LYNCH: I've got to tell you, I'm a  
10 little discouraged, I can't find my Chippewa  
11 friends.

12 THE WITNESS (Libertine): (Laughter) It  
13 was not included in this particular filing.

14 MR. LYNCH: I noticed.

15 THE WITNESS (Libertine): Sorry to  
16 disappoint.

17 MR. LYNCH: And Mr. Gaudet, your mother  
18 wouldn't happen to be Jennifer, would she?

19 THE WITNESS (Gaudet): I can neither  
20 confirm nor deny.

21 MR. LYNCH: What was that?

22 THE WITNESS (Gaudet): I can neither  
23 confirm nor deny.

24 MR. LYNCH: Thank you. Just one last  
25 question. Never mind, I'm all set, Mr.



1 Morissette.

2 MR. MORISSETTE: Thank you, Mr. Lynch.  
3 I'd like to thank Mr. Mercier and the other  
4 Council members for their detailed discussion this  
5 afternoon. I do have a couple of follow-up  
6 questions and some questions that probably have  
7 not been asked so far.

8 It appears to me, Mr. Befera, that the  
9 original proposal at the Jefferson Street site was  
10 about 425,000, if I understand that correctly, and  
11 for the tower at this particular site, as  
12 proposed, just for the tower and some of your  
13 equipment is about a million. Is that accurate?

14 THE WITNESS (Befera): I think the  
15 million figure is for all of it. So when you look  
16 at, there is a breakdown. When you look at,  
17 you've got the bell tower and foundation at  
18 525,000, say, right, because when you look at it,  
19 it's like three monopoles, right?

20 MR. MORISSETTE: Uh-huh.

21 THE WITNESS (Befera): So, you know, if  
22 a regular monopole costs 70,000, three of them is  
23 going to cost at least three times that, and then  
24 you're looking at the cannisters, the special  
25 order stuff to have the fiberglass RF

1 transparency, the cross bracing would be all  
2 additional to a traditional monopole.

3 Incidentally, like Sylvester has mentioned how the  
4 tower would be designed, it will be designed to  
5 withstand, you know, the wind loads based on the  
6 design of those panels and everything like that,  
7 but logistically thinking it just makes sense that  
8 it would be a more sturdy structure than a single  
9 pole and more expensive.

10 MR. MORISSETTE: Certainly. Certainly.

11 THE WITNESS (Befera): And then there's  
12 the two-story equipment shelter to accommodate all  
13 three carriers and also to accommodate the  
14 replacement aspect of Sacred Heart's existing  
15 storage cans that they have in this area that the  
16 garage is proposed, and we've got that at 300,000.  
17 Now, the cell radio equipment runs about 50,000,  
18 you know, maybe not including installation. But  
19 the generator would be about 25,000. And then  
20 your miscellaneous site prep and construction,  
21 you're talking about foundation for the garage,  
22 you're talking about footings, you know, caissons,  
23 and most likely for the tower you're talking about  
24 running utilities underground, fiber quite a ways,  
25 power not as far away, and this is a million

1 dollar project all day long.

2 MR. MORISSETTE: Yes. I'm not  
3 disputing that.

4 THE WITNESS (Befera): It is certainly  
5 not, it was certainly not what we opened with when  
6 discussions started with the university. This is  
7 where we ended up --

8 MR. MORISSETTE: Very good.

9 THE WITNESS (Befera): -- to maintain  
10 service at this location.

11 MR. MORISSETTE: So essentially you've  
12 doubled, more than doubled your cost from the site  
13 on Jefferson Street?

14 THE WITNESS (Befera): Yes.

15 MR. MORISSETTE: Now, the cell site for  
16 radio equipment at 50,000, that seems a little  
17 light. Is it, or do you think you can do it for  
18 that?

19 THE WITNESS (Befera): Well, what  
20 they've done with the radios is instead of having  
21 radios in cabinets more in the equipment space,  
22 they made the radios remote, remote radios. Per  
23 unit they're a little, you know, they're less  
24 expensive than the radios that used to go in the  
25 cabinets or the full cabinet setup. In addition

1 now, they've made radios, we use radios now that  
2 instead of having to have a single radio for one  
3 frequency they've made radios that combine two  
4 frequencies into one radio. So three, four years  
5 ago we would need, you know, 12 radios to do four  
6 frequencies considering four radios per face on a  
7 three-sector site, right. Well, now to handle the  
8 same frequencies we only need six radios. It may  
9 be a little bit more expensive than the radios  
10 that did one frequency in the past, but they're  
11 not twice as expensive.

12           You know, it might be a little more  
13 money, you know, if you add up installation costs,  
14 stuff like that, but, you know, those numbers, you  
15 know, installation numbers are kind of worked into  
16 this overall cost of construction. But, you know,  
17 would I be surprised at the end of the day after  
18 this is bid out and change order here, change  
19 order there it ends up at 1.2 million? I wouldn't  
20 be surprised in the least.

21           MR. MORISSETTE: Very good. Now, is  
22 the site that was previously approved on Jefferson  
23 Street, is that totally off the table? If this  
24 was not to be approved, could you go back to that  
25 site or has Sacred Heart basically said no way?

1 THE WITNESS (Befera): That site is off  
2 the table and, you know, we can't go back to that  
3 site. You know, at the request of the folks that  
4 live right across the street from Jefferson Street  
5 right there and other factors, Sacred Heart took  
6 that site off the table for us.

7 (AUDIO INTERRUPTION)

8 MR. MORISSETTE: I'm sorry, who is  
9 speaking?

10 (No response.)

11 MR. MORISSETTE: Okay. Let's continue.  
12 I would like to go to the drawing A-1.1, please.  
13 I want to understand. The site is currently  
14 designed for three carriers, but there's a  
15 potential for, that was discussed earlier, to be  
16 designed for four or more carriers possibly. But  
17 I want to understand, of the three carriers that  
18 are currently proposed to be on the facility,  
19 where they're located. So, for example, at the  
20 very top is Verizon's equipment and then you'll  
21 also have Verizon's equipment behind the  
22 decorative screening panel. So those are two of  
23 Verizon's locations; is that correct?

24 THE WITNESS (Befera): Yes.

25 MR. MORISSETTE: Yes?

1 THE WITNESS (Befera): Yes.

2 MR. MORISSETTE: Could you say that for  
3 the court reporter?

4 THE WITNESS (Bhembe): Yes, that's  
5 correct.

6 MR. MORISSETTE: Thank you. So if I go  
7 down the tower, the next level is for a future  
8 carrier. Does that future carrier also get  
9 locations behind the panel or is that one carrier  
10 in the posts, I'll call them, going above the  
11 decorative panel?

12 THE WITNESS (Bhembe): So yes. I'm  
13 just going to start from the top. I think it's  
14 better if I do it that way.

15 MR. MORISSETTE: Okay.

16 THE WITNESS (Bhembe): So Verizon is  
17 going at the top. T-Mobile will be at the  
18 elevation 85 feet.

19 MR. MORISSETTE: Okay.

20 THE WITNESS (Bhembe): And then AT&T is  
21 going to go at 76, 9 inches. And Verizon will  
22 also install at 68 inches, but then there's a  
23 small antenna. I guess that's also on the same  
24 level slightly just below 67, but that's still  
25 basically Verizon's space right in line with the

1 sign.

2 MR. MORISSETTE: Got you. Okay. Great  
3 that's very helpful. Thank you. All right.

4 While we're on the structure itself, given that  
5 it's a triangle or a tubular structure, I would  
6 think that the structural integrity of the  
7 facility would be very high and possibly not need  
8 a yield point. Would that be part of your  
9 analysis when determining whether a yield point is  
10 necessary or not?

11 THE WITNESS (Bhembe): Usually the  
12 yield point is only designed on a tower if  
13 regulations ask us to do so, but we obviously  
14 prefer a tower that does not have a yield point.  
15 The tower itself without a yield point is going to  
16 be strong and it's going to withstand the most  
17 stringent code requirements that are present  
18 today.

19 MR. MORISSETTE: So without a yield  
20 point.

21 THE WITNESS (Bhembe): So without a  
22 yield point it's definitely going to stand and  
23 it's going to have to meet those stringent  
24 requirements that are current today.

25 MR. MORISSETTE: So would you recommend

1 a yield point or not?

2 THE WITNESS (Bhembe): No, I do not  
3 recommend a yield point.

4 MR. MORISSETTE: Given that it has  
5 three supporting legs, it's not a monopole, and  
6 the ability to withstand forces would be much  
7 greater?

8 THE WITNESS (Bhembe): That is correct.  
9 Because of the three legs it's almost like a  
10 self-support tower so the integrity is much more  
11 rigid.

12 MR. MORISSETTE: Right. And it's only  
13 going 100 feet high.

14 THE WITNESS (Bhembe): That's correct.

15 MR. MORISSETTE: Great. Thank you for  
16 that. So let's talk about the sign a little bit.  
17 The town basically said based on the  
18 neighborhood's input that they don't want the bell  
19 and they don't want the signage. I can understand  
20 the bell, but the signage, given that it's not  
21 going to be lit or flashing or anything of that  
22 nature, it doesn't make sense to me that you get  
23 rid of it. I understand based on the town  
24 ordinances that it can't have a sign that high.  
25 What's the university's take on the sign and the



1 bell, has anybody spoken to them about it?

2 THE WITNESS (Befera): Yes. The  
3 university wants to maintain a good relationship  
4 with the town. And they reached out to us after  
5 this was filed, this design was filed, and I think  
6 as a result of receiving the comments from the  
7 gentleman from the Town of Fairfield, I think it's  
8 their town council who sent that letter or the  
9 town planner, they contacted me and said no bell,  
10 no sign.

11 Now, they want us very much to have  
12 this approved. They want us to be able to build  
13 this facility. They want us to be able to take  
14 the temp tower down. They know the importance of  
15 having these services on their campus and for the  
16 surrounding area. They don't want to jeopardize  
17 us being able to gain the approval for this for  
18 the sake of having some letters on the sign -- on  
19 the paneling, I should say. It's not necessarily  
20 intended to be a sign. It's really a fiberglass  
21 RF transparent shield that is intended to smooth  
22 the look of it so you don't see the individual  
23 antenna arrays that you see on a typical monopole  
24 that aren't necessarily as aesthetically pleasing  
25 as something smooth like this.

1           You know, if they wanted -- so we  
2 didn't, they didn't, and neither would we want to  
3 jeopardize the possibility of approval by  
4 insisting that we have letters on this thing or  
5 the school insignia. You know, I don't think  
6 it's -- I don't think it would be a bad thing to  
7 have the school insignia or the school letters on  
8 it. I think it will look fine. But, you know, if  
9 people, you know, people take exception to it  
10 because it's construed as something that doesn't  
11 conform with an ordinance, then the university and  
12 Verizon are more than happy to accommodate and not  
13 have it there.

14           MR. MORISSETTE: Very good. It just  
15 seems to me that, you know, with the sign it kind  
16 of has a purpose, you know, so you have a sign on  
17 it, it doesn't really do much, but it takes away  
18 from, well, what is that monstrosity doing over  
19 there, is it a billboard or what is it, and it's a  
20 cell tower. But if that's what the town wants and  
21 the university agrees, then we'll let it stand as  
22 it is, but it certainly, I don't think the sign  
23 did any harm except it was outside of an  
24 ordinance.

25           THE WITNESS (Libertine): Mr.

1 Morissette?

2 MR. MORISSETTE: Yes.

3 THE WITNESS (Libertine): If I may.

4 And I don't want to speak for the -- we can't  
5 speak for the university. I think everyone agrees  
6 that having the university lettering gave it much  
7 better context. However, Mr. Silvestri made an  
8 observation earlier that if that height was  
9 reduced that may also help to allay some of these  
10 concerns that it's potentially a sign. And if it  
11 worked in the design, that may be another avenue  
12 for just, again, it kind of works more from an  
13 aesthetic standpoint, kind of takes away from the  
14 look of it being potentially something that could  
15 be used for advertising. So that's just another  
16 consideration that might be in the mix here. I  
17 would just make that as an observation.

18 MR. MORISSETTE: Very good. Thank you,  
19 Mr. Libertine. Okay. That pretty much wraps up  
20 my questions for today. We have a little bit of  
21 time left. So what I'll do is I'll go back  
22 through the team to see if anybody has any  
23 follow-up questions based on our discussion this  
24 afternoon. So we'll go back quickly with Mr.  
25 Mercier starting off.

1           Mr. Mercier, any follow-up?

2           MR. MERCIER: No follow-up. Thank you.

3           MR. MORISSETTE: Thank you. Mr.

4   Silvestri, anything?

5           MR. SILVESTRI: I don't have anything,

6   Mr. Morissette, but I thank you for the

7   opportunity.

8           MR. MORISSETTE: Thank you, Mr.

9   Silvestri.

10          Mr. Nguyen, any follow-up?

11          MR. NGUYEN: No, I don't have any.

12   Thank you.

13          MR. MORISSETTE: Thank you, Mr. Nguyen.

14   Ms. Cooley, any follow-up?

15          MS. COOLEY: No. Thank you very much.

16          MR. MORISSETTE: Great. Thank you.

17   Mr. Quinlan any follow-up?

18          MR. QUINLAN: No follow-up. Thank you.

19          MR. MORISSETTE: Thank you. Mr.

20   Collette?

21          MR. COLLETTE: It's not really a

22   question or a follow-up. I just wonder if we

23   should be receiving a Late-Filed exhibit which

24   would represent the structure without a sign with,

25   you know, decreased height of the panels and

1 potentially, you know, the different color to  
2 really get a -- you know, I mean, I'm thinking of  
3 that Photo 3, in particular, which shows the view  
4 from sort of the athletic field itself just to get  
5 an idea of what we're really talking about because  
6 that's not how it's portrayed in the record.

7 MR. MORISSETTE: So you're talking  
8 about a photo sim along with a revised drawing  
9 showing the proposed design at this time.

10 MR. COLLETTE: I think it would make  
11 sense to view it as it is going to actually be  
12 built. If the sign and the bell are off the  
13 table, what we're looking at is not really  
14 representative of what's going to be built, and it  
15 seems different enough that we should see -- it's  
16 not a minor change, I don't think.

17 MR. MORISSETTE: Yes, I agree.  
18 Attorney Baldwin, is that something that your team  
19 can put together for us as a Late-File?

20 MR. BALDWIN: It certainly is, Mr.  
21 Morissette, it's not a problem. I just want to  
22 make sure I understanding exactly what we're  
23 talking about. So it's the tower elevation  
24 drawing without the bell, without the Sacred Heart  
25 logo on it. Mr. Collette also mentioned something

1 about the reduced panel height. I think Mr.  
2 Bhembe testified that it might be shorter, but I  
3 think we'd have to look at the antenna locations.  
4 And just to be clear, my understanding is that it  
5 would pull the bottom of that panel up and not the  
6 top down because the antennas are at the top  
7 portion of that. So it's no bell, it's reduced  
8 panel height, and then the photo simulations would  
9 incorporate a different color. And are we talking  
10 about that faded gray, Mr. Collette, just to be  
11 clear?

12 MR. COLLETTE: Yeah, I don't know if  
13 the color is vital to me, but just seeing the  
14 structure without the signage and any alterations  
15 to the panel that are feasible due to the lack of  
16 a sign. But I mean, it seemed like we were  
17 heading in the direction of something a little  
18 more muted to, you know, decrease visibility  
19 through the trees from the adjacent neighborhood.

20 MR. BALDWIN: Yes. And let me be  
21 clear. We certainly can do that, and I don't  
22 think we have an objection to doing that at all.  
23 My only concern from the perspective is, is that  
24 it tacks on time to the process. We could  
25 certainly do that in the normal course of things

1 if we got through the point where the Council were  
2 taking a straw vote, considering the options, and  
3 then saying to us our preference is, you know,  
4 shorter panel, muted gray color and no letters,  
5 and we'd like to see that as a part of the D&M  
6 plan, that's certainly something we could do. It  
7 might be something I might recommend we do,  
8 otherwise we're getting a Late-File into the  
9 record, you have to reopen the record in order to  
10 get that Late-File in, it delays ultimately your  
11 decision-making process.

12           And the only reason I raise that, I  
13 realize it doesn't delay it long, but the other  
14 issue that we're dealing with at Sacred Heart is  
15 these limited windows of opportunity so that we  
16 are not so disruptive on the normal campus life.  
17 So we are given opportunities to build the  
18 temporary structure, for example, in short windows  
19 while the students are away on break. So we're  
20 sensitive to those timing issues because a small  
21 delay here means a larger delay perhaps later on.  
22 So I'll just throw that out there. We're happy to  
23 do it now if you want us to do it as a Late-File  
24 exhibit. My preference as the lawyer would be to  
25 do it as a part of the development and management

1 plan, but I will take your direction and say no  
2 more.

3 MR. MORISSETTE: Thank you, Attorney  
4 Baldwin.

5 Attorney Bachman, would you care to  
6 comment?

7 MS. BACHMAN: Thank you, Mr.  
8 Morisette. I would certainly like to comment. I  
9 believe what Mr. Collette is requesting is  
10 relevant. Certainly we don't have any  
11 representation of this new structure without a  
12 bell and the sign and any other modifications that  
13 can be accomplished without those features. And  
14 so as the lawyer for the Council, I disagree,  
15 Attorney Baldwin, I think it's important for the  
16 Council and for the public to see what would be  
17 proposed with these features, and I think the  
18 Council and AT&T, if they so choose, should have  
19 an opportunity to cross-examine on the exhibit.  
20 But certainly we can just leave the record open  
21 without scheduling an additional hearing, and upon  
22 receipt of the photo sim and the elevation  
23 drawing, we can put it on one of our regular  
24 meeting agendas and see if we need to supplement  
25 the record with or without an additional hearing



1 and cross-examination. Thank you, Mr. Morissette.

2 MR. MORISSETTE: Thank you, Attorney  
3 Bachman. So therefore we will request that  
4 Verizon file a Late-File exhibit representing what  
5 we've discussed here this afternoon by Mr.  
6 Collette for review by the Council. I do have --

7 Mr. Collette, is there anything else?

8 MR. COLLETTE: No, that's it. Thank  
9 you.

10 MR. MORISSETTE: Thank you.

11 MR. SILVESTRI: Mr. Morissette.

12 MR. MORISSETTE: Yes, Mr. Silvestri.

13 MR. SILVESTRI: Sorry to interrupt you,  
14 but I appreciate Mr. Collette's comments as well  
15 as Attorney Bachman's comments. One thing that's  
16 still bothering me, and if we're going to receive  
17 additional information, I'd like the applicant to  
18 talk with the school and see if there's anything  
19 we can do to mitigate this, in my opinion, the  
20 single point of failure with the generators. I'd  
21 love to see if they could come to some agreement  
22 that they could put more than one generator that's  
23 there. So I'd like to pose that to you as well.

24 MR. MORISSETTE: Very good. Since  
25 we're requesting for Late-Files and accepting

1 Late-Files, we will also request that Verizon talk  
2 to the school about the generator. I would also  
3 like, I want a little bit of clarification on the  
4 color. We here this afternoon talked about  
5 possibly going with a gray. My question is, has  
6 the university weighed in on a color?

7 THE WITNESS (Befera): They have. We  
8 showed them an example of something very similar  
9 to this that we did in the Town of New Hartford,  
10 Connecticut some 20 years ago at a church  
11 location, we showed them a picture of that, and  
12 that had a little -- that was a little off white  
13 with grayish aspects to it, I believe.

14 You're familiar with that when you had  
15 that territory?

16 THE WITNESS (Gadsu): Yes.

17 THE WITNESS (Befera): It's off white,  
18 right?

19 THE WITNESS (Gadsu): It's off white.

20 THE WITNESS (Befera): Grayish?

21 THE WITNESS (Gadsu): Kind of.

22 THE WITNESS (Befera): So we did show  
23 them that. We didn't show them something that was  
24 stark white, completely stark white from bottom to  
25 top, no.

1 MR. MORISSETTE: Very good. And they  
2 were agreeable to that, I take it.

3 THE WITNESS (Befera): That's probably  
4 the only reason we're here today.

5 MR. MORISSETTE: Okay. So therefore if  
6 we could do the photo sim in an off white slash  
7 gray tint to reflect what actually will be  
8 installed and therefore we all know what's being  
9 proposed.

10 Attorney Baldwin, we good?

11 MR. BALDWIN: I think so. And just to  
12 be clear, are we looking at select photo  
13 simulations that you want revised? I mean, I  
14 think it probably would be appropriate, subject to  
15 confirmation, that we would choose a couple of  
16 photographs where as much of the bell tower is  
17 visible as possible. I'm looking at Photo  
18 Simulation 3, for example, as being perhaps the  
19 best one that might help us illustrate what the  
20 modified structure would look like.

21 MR. MORISSETTE: Yes, that would be  
22 fine, a sample of what you think is appropriate is  
23 good for me.

24 MR. BALDWIN: Very good.

25 MR. MORISSETTE: Very good. Thank you.

1                   Okay. We'll now continue with Mr.  
2 Lynch. Do you have any follow-up, Mr. Lynch?

3                   MR. LYNCH: Negative on questions.

4                   MR. MORISSETTE: Very good. Thank you,  
5 Mr. Lynch.

6                   Okay. That concludes our hearing for  
7 this afternoon. The Council will recess until  
8 6:30 p.m., at which time we will commence with the  
9 public comment session of this remote public  
10 hearing. Thank you, everyone, and we'll see you  
11 at 6:30, and have a pleasant dinner. Thank you.

12                   (Whereupon, the hearing adjourned at  
13 4:27 p.m.)

1 CERTIFICATE FOR REMOTE HEARING

2  
3 I hereby certify that the foregoing 100 pages  
4 are a complete and accurate computer-aided  
5 transcription of my original stenotype notes taken  
6 before the CONNECTICUT SITING COUNCIL of the  
7 REMOTE PUBLIC HEARING IN RE: DOCKET NO. 495A,  
8 CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS  
9 CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND  
10 PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE, AND  
11 OPERATION OF A TELECOMMUNICATIONS FACILITY LOCATED  
12 AT 5151 PARK AVENUE, FAIRFIELD, CONNECTICUT,  
13 Reopening of this Certificate based on changed  
14 conditions pursuant to Connecticut General  
15 Statutes, Section 4-181a(b), which was held before  
16 JOHN MORISSETTE, PRESIDING OFFICER, on March 31,  
17 2022.

18  
19  
20 

21 -----  
22 Lisa L. Warner, CSR 061  
23 Court Reporter  
24 BCT REPORTING, LLC  
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PLAINVILLE, CONNECTICUT 06062

1 I N D E X

2  
3 \*\*COUNCIL'S ADMINISTRATIVE NOTICE ITEMS  
4 I-B-1 THROUGH I-B-85: RECEIVED IN EVIDENCE ON  
5 PAGE 8.

6 WITNESSES: (Sworn on page 10)

7 ANTHONY BEFERA  
8 SHIVA GADSU  
9 SYLVESTER BHEMBE  
10 BRIAN GAUDET  
11 MICHAEL LIBERTINE  
12 DEAN GUSTAFSON  
13 MARTIN LAVIN  
14 MARK ROBERTS

15 EXAMINERS:

PAGE

16 Mr. Baldwin (Direct)	12
17 Ms. Motel (Direct)	16
18 Mr. Mercier (Start of cross)	17
19 Mr. Silvestri	48
20 Mr. Nguyen	62
21 Ms. Cooley	70
22 Mr. Quinlan	75
23 Mr. Lynch	76
24 Mr. Morissette	81

1 I n d e x: (Cont'd)

2 CERTIFICATE HOLDER'S EXHIBITS  
3 (Received in evidence)

4 EXHIBIT	DESCRIPTION	PAGE
5 II-B-1	Motion to Reopen and Modify the 6 Decision based on changed conditions 7 pursuant to Connecticut General Statutes, 8 Section 4-181a(b) Cellco Partnership d/b/a 9 Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 5151 Park Avenue, Fairfield, Connecticut, dated February 11, 2022	17
10 II-B-2	Certificate Holder's Responses to 11 Council interrogatories, Set One, dated March 17, 2022	17
12 II-B-3	Certificate Holder's Sign Posting 13 Affidavit, dated March 22, 2022	17
14 II-B-4	Certificate Holder's Supplemental 15 Response to Pre-Hearing Interrogatory No. 13, dated March 24, 2022	17

16 INTERVENOR'S EXHIBITS  
17 (Received in evidence)

18 EXHIBIT	DESCRIPTION	PAGE
19 III-B-1	AT&T Request for Intervenor Status, dated February 23, 2022	17
20 III-B-2	AT&T Responses to Council 21 interrogatories, Set One, dated 22 March 22, 2022	17

23  
24  
25