

**CERTIFIED
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STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

DOCKET NO. 496
APPLICATION OF TARPON TOWERS II, LLC FOR A CERTIFICATE
OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE
CONSTRUCTION, MAINTENANCE AND OPERATION OF A
TELECOMMUNICATIONS FACILITY LOCATED AT 800 PROSPECT HILL
ROAD, WINDSOR, CONNECTICUT

REMOTE PUBLIC COMMENT HEARING
MARCH 4, 2021
6:30 P.M.
HELD VIA ZOOM VIDEOCONFERENCING PLATFORM

Reporter: Theresa Bergstrand, CSR #406

A P P E A R A N C E S

MEMBERS OF THE COUNCIL:

Robert Silvestri, Member and Presiding Officer
Robert Hannon, Designess for Commissioner Katie Dykes,
Department of Energy and Environmental Protection
Quat Nguyen, Designee for Chairman Marissa Paslick
Gillett, Public Utilities Regulatory Authority
John Morissette
Edward Edelson
Michael Harder

STAFF MEMBERS:

Melanie Bachman, Executive Director/Staff Attorney
Robert Mercier, Siting Analyst
Lisa Fontaine, Fiscal Administrative Officer

APPLICANT:

Tarpon Towers, II, LLC
Jesse A. Langer, Esq., Updike, Kelly & Spellacy, P.C.

INTERVENOR:

T-Mobile
Jesse A. Langer, Esq., Updike, Kelly & Spellacy, P.C.

REPRESENTATIVES OF APPLICANT AND INTERVENOR:

Thomas Johnson
David Archambault
Keith Coppins
Brian Gaudet
Hans Fiedler
Alex Murillo

1 (The hearing was called to order at 6:30 p.m.)
2

3 MR. SILVESTRI: Good evening, everyone. Could
4 everyone hear me okay? Super. Thank you.

5 This remote public hearing is called to order this
6 Thursday, March 4th, 2021 at 6:30 p.m. My name is
7 Robert Silvestri, Member and Presiding Officer of the
8 Connecticut Siting Council. Other members of the
9 Council are Mr. Robert Hannon, Designee for Commissioner
10 Katie Dykes of the Department of Energy and
11 Environmental Protection. Mr. Quat Nguyen, Designee for
12 Chair Marissa Paslick Gillett of the Public Utilities
13 Regulatory Authority. Mr. John Morissette, Mr. Michael
14 Harder and Mr. Edward Edelson.

15 Members of the staff are Ms. Melanie Bachman,
16 Executive Director and Staff Attorney; Mr. Robert
17 Mercier, Siting Analyst and Ms. Lisa Fontaine, Fiscal
18 Administrative Officer.

19 And as all are keenly aware, there is currently a
20 statewide effort to prevent the spread of the
21 Coronavirus, and this is why the Council is holding this
22 remote public hearing, and we, again, ask for your
23 patience. If you haven't done so already, I'll ask that
24 everyone please mute their computer audio and/or
25 telephone at this time.

1 This is a continuation of a remote public hearing
2 that began at 2:00 p.m. this afternoon. A copy of the
3 prepared agenda is available on the Council's Docket
4 Number 496 webpage, along with a record of this matter,
5 the public hearing notice, instructions for public
6 access to this remote public hearing and the Council's
7 Citizen's Guide to Siting Council Procedures.

8 This hearing is held pursuant to the provisions of
9 Title 16 of the Connecticut General Statutes, and of the
10 Uniform Administrative Procedure Act, upon an
11 application from Tarpon Towers II, LLC for a Certificate
12 of Environmental Compatibility and Public Need for the
13 construction, maintenance and operation of a
14 telecommunications facility located at 800 Prospect Hill
15 Road in Windsor, Connecticut. This application was
16 received by the Council on December 4th, 2020. The
17 Council's legal notice was published in the Hartford
18 Courant on February 6th, 2021. Upon this Council's
19 request, the Applicant erected a sign near the existing
20 driveway entering the subject property from Prospect
21 Hill Road, so as to inform the public of the name of the
22 applicant, the type of facility, the remote public
23 hearing date and contact information for the Council.

24 This remote public comment session is reserved for
25 the public to make brief statements into the record.

1 The deadline for the public to sign up to speak during
2 this public comment session was Thursday, February 25th,
3 2021. No member of the public signed up to speak.
4 Please be advised that written comments may be submitted
5 by any person within 30 days of this public hearing.

6 Now I request that the Applicant make a very brief
7 presentation to the public for those who are watching
8 and those that are listening, that describes the
9 proposed facility. And Mr. Johnson, are you the one to
10 give us that presentation?

11 MR. JOHNSON: Yes, I am.

12 MR. SILVESTRI: Please proceed.

13 MR. JOHNSON: Thank you. Good evening, my name is
14 Tom Johnson. I am an engineer. I work with ProTerra
15 Design Group. Our firm is based in Hadley,
16 Massachusetts, and we are the ones that prepared the
17 site plans as part of this application.

18 I want to give you a very quick, kind of, overview
19 of what the proposal is. Thank you very much, I -- can
20 everyone see the A1 sheet that just came up on the
21 screen here? Can everyone hear me?

22 Okay. What we have here, the existing locus
23 property is located at 800 Prospect Hill Road in Windsor
24 Connecticut. Property is 5.76 acres, and it's on, it is
25 Assessor Map 17, block 135, lot one. Site currently

1 contains five commercial buildings with associated paved
2 parking lots, utilities and landscaping. It is located
3 in mostly rural area and is in within the Town of
4 Windsor's industrial zoning district. Property abuts an
5 agriculture district to the north, and residential zone
6 to the east. Property is located outside of any flood
7 zones and there are no wetlands present in the vicinity
8 of the proposed work.

9 The Applicant, which is Tarpon Towers, II, LLC,
10 which we would refer to as a wireless infrastructure
11 provider, which means they develop, manage and maintain
12 cellphone towers, has leased the 50 by 50 square area
13 within the existing landscaped region northwest of one
14 of the buildings on the site. The area is located on
15 the far side of building number 800, opposite from
16 Prospect Hill Road. The tower owner plans to construct
17 a 135-foot, which is the total height above grade,
18 monopole style telecommunications tower within a gravel
19 covered 48-foot square chain link fenced area. The
20 tower will be located 93 feet from the northern property
21 line, and 46 feet from the building adjacent to the
22 fence.

23 The ground space within the compound of the tower,
24 space on the pole will be allotted for up to four
25 carriers, including T-Mobile, who plans to be the first

1 carrier to install on the pole within the compound area.
2 Each carrier will install their ground-mounted radio
3 equipment and T-Mobile will install an emergency back-up
4 generator, as well. These will be placed on individual
5 concrete pads within the compound area, and then from
6 the ground equipment, the carriers will extend cabling
7 within the tower to their antenna arrays on top of the
8 tower. T-Mobile agrees to install their antennas at
9 130-feet above ground level. This is the height that
10 has been determined by the radio frequency engineers as
11 the elevation required to fill their coverage gap in the
12 area.

13 The tower compound will be graded with a slight
14 pitch from the north to south and will maintain existing
15 drainage patterns on the site. The compound itself will
16 be surfaced with four inches of washed stone over weed
17 block fabric. This will replace the existing mulched
18 landscape area and will not result in an increase of
19 runoff. The 15-foot wide access easement to the tower
20 compound will follow the existing asphalt driveway from
21 Prospect Hill Road, the small gravel parking and
22 turnaround area adjacent to the gate to the compound.
23 Utilities will extend from the existing sources within
24 the Prospect Hill right-of-way, to the compound
25 following a 10-foot wide utility easement along the

1 northern side of the property. The tree line along the
2 northern property line and adjacent to the utility one
3 will be maintained, in addition to the existing
4 landscaping around the compound facility.

5 I think that is just a brief overview. Thank you
6 very much.

7 MR. SILVESTRI: Thank you, Mr. Johnson. Just a
8 note on remote public hearings, if you will. As many
9 have come to realize, remote public hearings are quite
10 different from in-person public hearings. For the
11 latter, members of the public could sign in, step up to
12 the podium and offer their comments. For remote public
13 hearings, the process is different, in that the public
14 is required to sign up to speak prior to the published
15 deadline for doing so. And that is in order to provide
16 Council staff with the time necessary to facilitate
17 connection precautions to prevent interruption, or in
18 common terms, bombings, of the proceedings. So there is
19 protocols, procedures and consistency measures that are
20 followed as part of the remote public hearing process.
21 But I do wish to note, that while no member of the
22 public signed up to speak this evening, written comments
23 may be submitted within 30 days of this public hearing.

24 And I do have a housekeeping note. Attorney
25 Langer, I inadvertently cut you off earlier this

1 afternoon regarding the clarification.

2 MR. LANGER: Yes.

3 MR. SILVESTRI: My apologies, sir.

4 MR. LANGER: No, none required whatsoever. Thank
5 you, Mr. Silvestri. I was just hoping that Mr. Coppins
6 could make one point of clarification regarding interest
7 in the tower, and that should be a very short
8 clarification. Thank you.

9 MR. SILVESTRI: Very good. Thank you.

10 MR. COPPINS: So during our session we spoke about
11 the different carriers, and I neglected to say that we
12 have been in, we have been contacted by Dish Network, as
13 well, to install a site on this facility if it is
14 approved. So I wanted to make clarification that we are
15 getting inquiries, now, from a fourth carrier, and that
16 is Dish. So I just wanted to clarify that and put it on
17 the record.

18 MR. SILVESTRI: Very good. Thank you, Mr. Coppins.
19 And thank you, Attorney Langer.

20 MR. LANGER: And thank you very much.

21 MR. SILVESTRI: So before closing the evidentiary
22 record of this matter, the Connecticut Siting Council
23 announces that briefs and proposed finding of fact may
24 be filed within the Council by any party or intervener
25 no later than April 3rd, 2021. The submission of briefs

1 or proposed findings of fact are not required by this
2 Council, rather we leave it to the choice of the parties
3 in the interveners. Anyone who has not become a party
4 or intervener, but who desires to make his or her views
5 known to the Council. May file written statements with
6 the Council within 30 days of the date hereof.

7 The Council will issue draft findings of fact and
8 thereafter parties and interveners may identify errors or
9 inconsistencies between the Council's draft findings of
10 fact and the record. However, no new information, no
11 new evidence, no argument and no reply briefs without
12 our permission, will be considered by the Council.
13 Copies of the transcript of this hearing will be filed
14 at the Windsor Town Clerk's Office.

15 I hereby declare this hearing adjourned. I thank
16 you all for your participation, and I wish you a good
17 evening. Thank you.

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19 (Whereupon the hearing adjourned at 6:40 p.m.)
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1
2 STATE OF CONNECTICUT

3 I, THERESA BERGSTRAND, a Certified Professional
4 Reporter/Commissioner within and for the State of
5 Connecticut, do hereby certify that I took the hearing
6 before the Connecticut Siting Council, on March 4, 2021,
7 Held via Zoom Videoconferencing Platform.

8 I certify that the within testimony was taken by
9 me stenographically and reduced to typewritten form
10 under my direction by means of computer assisted
11 transcription; and I further certify that said
12 deposition is a true record of the testimony given by
13 said witness.

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

20 WITNESS my hand and seal the 11th day of March,
21 2021.

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23
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25


Theresa Bergstrand, CSR.
My commission expires 3/31/2021