

**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 HEARING  
MARCH 4, 2021  
2:00 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, Designee 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 2:00 p.m.)

2  
3 MR. SYLVESTRI: Ladies and gentlemen, good  
4 afternoon. Could everyone hear me okay? Very good.  
5 Thank you. This remote public hearing is called to  
6 order this Thursday, March 4th, 2021 at 2:00 p.m.

7 My name is Rob Silvestri, Member and Presiding  
8 Officer of the Connecticut Siting Council. Other  
9 members of the Council are, Mr. Robert Hannon, designee  
10 for Commissioner Katie Dykes of the Department of Energy  
11 and Environmental Protection; Mr. Quat Nguyen, designee  
12 for Chair Marissa Paslick Gillett from the Public  
13 Utilities Regulatory Authority; Mr. John Morrissey, Mr.  
14 Michael 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, of course, as everyone is keenly aware, there  
20 is currently a statewide effort to prevent the spread of  
21 the Coronavirus, and this is why the Council is holding  
22 this remote public hearing and we ask for your patience.  
23 And if you haven't done so already, I ask that everyone  
24 please mute their audio and/or telephone at this time.

25 This hearing is held pursuant to the provisions of

1 to Title 16 of the Connecticut General Statutes and of  
2 the Uniform Administrative Procedure Act upon an  
3 application from Tarpon Towers II, LLC for a Certificate  
4 of Environmental Compatibility and Public Need for the  
5 construction, maintenance and operation of a  
6 telecommunications facility located at 800 Prospect Hill  
7 Road in Windsor, Connecticut.

8 This application was received by the Council on  
9 December 4th of 2020.

10 The Council's legal notice of the date and time of  
11 this remote public hearing was published in the Hartford  
12 Courant on February 6th, 2021. Upon this Council's  
13 request, the applicant erected a sign near the existing  
14 driveway entering the subject property from Prospect  
15 Hill Road so as to inform the public of the name of the  
16 applicant, the type of the facility, the remote public  
17 hearing date and contact information for the Council.

18 And as a reminder to all, off the record  
19 communication with a Member of the Council or a Member  
20 of the Council's staff upon the merits of this  
21 application is prohibited by law.

22 The parties and interveners to the proceeding are  
23 as follows. The applicant, Tarpon Towers II, LLC; it's  
24 as representative, Jesse A. Langer from Updike, Kelly  
25 and Spellacy, PC. The intervener is T-Mobile Northeast,

1 LLC; its representative is Jesse A. Langer, Esquire,  
2 also Updike, Kelly and Spellacy, P.C.

3 We will proceed in accordance with the prepared  
4 agenda, a copy of view which is available on the  
5 Council's Docket Number 496 webpage, along with a record  
6 of this matter, the Public Hearing Notice, instructions  
7 for public access to this remote public hearing and the  
8 Council's Citizens Guide to Siting Council Procedures.

9 Interested persons may join any session of this  
10 public hearing to listen, but no public comments will be  
11 received during the 2:00 p.m. evidentiary session. At  
12 the end of the evidentiary session, we will recess until  
13 6:30 p.m., for the public comment session. And please  
14 be advised that any person may be removed from the  
15 remote evidentiary session and/or the public comment  
16 session at the discretion of the Council.

17 The 6:30 p.m. public comment session is reserved  
18 for the public to make brief statements into the record.  
19 And I wish to note that the applicant parties and  
20 interveners, including their representatives, witnesses  
21 and members, are not allowed to participate in the  
22 public comment session.

23 I also wish to note for those who are listening and  
24 for the benefit of your friends and neighbors who are  
25 unable to join us for the remote public comment session,

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

6 A verbatim transcript of this remote public hearing  
7 will be posted on the Council's Docket Number 496  
8 webpage, and deposited with the Windsor Town Clerk's  
9 Office for the convenience of the public.

10 And the Council will take a 10 to 15-minute break,  
11 somewhere at a convenient junction around 3:30 p.m.  
12 this afternoon.

13 Now I wish to call to your attention those items  
14 that are shown on the hearing program, marked as Roman  
15 Numeral 1B, items one through 79 that the Council has  
16 administratively noticed. Does any party or intervener  
17 have an objection to the items that the Council has  
18 administratively noticed? Attorney Langer?

19 MR. LANGER: Good afternoon, Mr. Silvestri. No  
20 objection by either the applicant or the intervener.

21 MR. SYLVESTRI: Thank you, Attorney Langer.

22 Accordingly, the Council hereby administratively  
23 notices these items.

24 Now, we have a joint panel with Tarpon Towers II  
25 and T-Mobile Northeast. Will the applicant and

1 intervener please present their witness panel for the  
2 purpose of taking the oath?

3 MR. LANGER: Yes. Again, good afternoon, Mr.  
4 Silvestri. With me today is Mr. Keith Coppins, Thomas  
5 E. Johnson, David Archambault, Brian Gaudet, Hans  
6 Fiedler and Alex Murillo who are here to testify on  
7 behalf have of both of Tarpon and, Tarpon and T-Mobile.

8 MR. SYLVESTRI: Very good. Thank you. Attorney  
9 Bachman could you please administer the oath?

10 MS. BACHMAN: Thank you, Mr. Silvestri. Could the  
11 witnesses please raise their right hand?

12 (Whereupon the witnesses were duly sworn in by  
13 Ms. Bachman.)

14 MR. SYLVESTRI: Very good. I think we got  
15 everybody. Some were on mute, but I saw the heads  
16 nodding, as well, so thank you Attorney Bachman.

17 Attorney Langer, I did not notice any items for you  
18 to administratively notice, however there are exhibits.  
19 So would you kindly present the witness panel to verify  
20 all the exhibits by the appropriate sworn witnesses?

21 MR. LANGER: I would be happy to. Thank you. And  
22 to expedite, you know, these preliminary matters, I'll  
23 just ask the panel to respond collectively to each of  
24 the foundational questions regarding the exhibits.

25 And so, with that, I am going to ask each of you,

1 did you prepare or supervise in the preparation of  
2 Exhibits 2B, 1 through 7, as referenced on the program?  
3 Mr. Coppins?

4 MR. COPPINS: Yes.

5 MR. LANGER: Thank you. Mr. Johnson?

6 MR. JOHNSON: Yes.

7 MR. LANGER: Mr. Archambault?

8 MR. ARCHAMBAULT: Yes.

9 MR. LANGER: Mr. Gaudet?

10 MR. GAUDET: Yes.

11 MR. LANGER: Mr. Fiedler?

12 MR. FIEDLER: Yes.

13 MR. LANGER: Mr. Murillo?

14 MR. MURILLO: Yes.

15 MR. SYLVESTRI: Thank you. Do you have any  
16 additions, clarifications or modifications to make of  
17 either exhibit, of any of the Exhibits 2B, 1 through 7.  
18 Mr. Coppins?

19 MR. COPPINS: Yes. We just have one piece in the,  
20 is that the correct exhibit that we are doing, Jesse?

21 MR. LANGER: Yes, it would be Exhibit 1,  
22 Attachment 8, which is the site selection narrative and  
23 map of rejected sites.

24 MR. COPPINS: So, we just need to add one more  
25 piece that did not make it into the site selection



1 process, and that would be the owner is Winfield  
2 Business Park, LLC. The parcel ID is 12274. The  
3 location is 35 Great Pond Drive, and that property was  
4 deemed unusable due to lack of interest from the owner.  
5 So we just need to add into the site search summary.

6 MR. LANGER: And Mr. Coppins, just for  
7 clarification, it is included in the image, it is just  
8 not in the site summary?

9 MR. COPPINS: That is correct.

10 MR. LANGER: All right. Thank you. And with that,  
11 Mr. Johnson, do you have any additions clarifications or  
12 modifications?

13 MR. JOHNSON: No, I do not.

14 MR. LANGER: Mr. Archambault?

15 MR. ARCHAMBAULT: No.

16 MR. LANGER: Mr. Gaudet?

17 MR. GAUDET: No, I do not.

18 MR. LANGER: Mr. Fiedler?

19 MR. FIEDLER: No, I do not.

20 MR. SYLVESTRI: And Mr. Murillo?

21 MR. MURILLO: No, I do not.

22 MR. SYLVESTRI: Thank you. Are Exhibits 2B, 1  
23 through 7, as depicted in the hearing program, true and  
24 accurate to the best of your knowledge? Mr. Coppins?

25 MR. COPPINS: Yes.

1 MR. LANGER: I should also say, as just clarified.  
2 Mr. Johnson?

3 MR. JOHNSON: Yes.

4 MR. LANGER: And Mr. Archambault?

5 MR. ARCHAMBAULT: Yes.

6 MR. LANGER: Mr. Gaudet?

7 MR. GAUDET: Yes.

8 MR. LANGER: Mr. Fiedler.

9 MR. FIEDLER: Yes.

10 MR. LANGER: And Mr. Murillo?

11 MR. MURILLO: Yes.

12 MR. LANGER: And finally, do each of you adopt the  
13 information contained in Exhibits 2B, 1 through 7, as  
14 clarified, as your testimony here today? Mr. Coppins?

15 MR. COPPINS: Yes.

16 MR. LANGER: Mr. Johnson?

17 MR. JOHNSON: Yes.

18 MR. LANGER: Mr. Archambault?

19 MR. ARCHAMBAULT: Yes.

20 MR. LANGER: Mr. Gaudet?

21 MR. GAUDET: Yes.

22 MR. SYLVESTRI: Mr. Fiedler?

23 MR. FIEDLER: Yes.

24 MR. SYLVESTRI: And Mr. Murillo?

25 MR. MURILLO: Yes.

1 MR. LANGER: Okay. So Mr. Silvestri, I offer these  
2 exhibits as full exhibits and I tender the witness panel  
3 for examination by the Council.

4 MR. SYLVESTRI: Thank you, Attorney. Just one  
5 question before we proceed, Mr. Coppins, just to verify  
6 that location that you mentioned is 35 Great Pond Drive,  
7 do I have that correct?

8 MR. COPPINS: Yes, that is correct.

9 MR. SYLVESTRI: Very good. Thank you. Attorney  
10 Langer, the exhibits are hereby admitted. Thank you.

11 MR. LANGER: Thank you.

12 MR. SYLVESTRI: At this time we will now begin  
13 cross-examination by the applicant and the intervener by  
14 the Council. We will start with more Mercier to be  
15 followed by Mr. Morrissey. Mr. Mercier, please?

16 MR. MERCIER: Yes. Thank you. Mr. Coppins, I just  
17 had a question regarding the exhibit correction you just  
18 made. I just want to make sure I got that right. It  
19 was, the address was 35 Great Pond Drive, and the,  
20 according to the map in Attachment 8 at the back, you  
21 know, it shows a bunch of button items, you know, one  
22 through seven, site locations. Which number was that, I  
23 think I missed that.

24 MR. COPPINS: It would be site number six.

25 MR. MERCIER: Okay. Thank you. And just north of

1 site number six there is one called number seven,  
2 combustion. I didn't see that on the list that was  
3 provided in the narrative to this attachment. Is that  
4 address provided in the narrative portion where it goes  
5 one through five.

6 MR. COPPINS: It should go one through seven and  
7 that one would be Combustion Engineering, and it is 2000  
8 Day Hill Road.

9 MR. MERCIER: Okay. That is number five on your  
10 narrative, I believe, or did Combustion have two  
11 potential sites?

12 MR. LANGER: It is number five.

13 MR. COPPINS: That question -- okay. My, so that  
14 would -- yes, that is correct. That is only one, one  
15 property.

16 MR. MERCIER: Okay. So number seven, you said, was  
17 two, is actually number five on your narrative?

18 MR. COPPINS: I think that is correct, yes.

19 MR. MERCIER: Okay. I am just going to go down the  
20 list, because there is one marked number five on your  
21 map, and I am not sure which one that is. I guess  
22 maybe, maybe somebody could take a few minutes and just  
23 kind of go over those and make sure they correspond.  
24 I'll just come back to that, if you wish.

25 It just seems that the numbers on the map don't

1 really match the narrative, I just want to make sure  
2 those are clear.

3 MR. COPPINS: So we can go, I can go through those,  
4 if you want.

5 MR. MERCIER: If you have the information right now  
6 that would be great. Thank you.

7 MR. COPPINS: Yes. Number, so number one is, let  
8 me just look on my map here. Number one is 825 Prospect  
9 Hill Road, that coincides. Number two, is New Gate  
10 Farms, that coincides. That is number two. Number  
11 three is Banas, which is also located at 630 Prospect  
12 Hill Road. I have number four on the map that shows  
13 that is our site selection that we are hearing on today,  
14 at 780 Prospect Hill Road. Number five is Thrall, and  
15 that is correct on there. Then I have number six is, is  
16 Wingate, which we just added. And then number seven is  
17 Combustion, and that is at 2000 Day Hill Road. That is  
18 according to the map that is attached to the site search  
19 summary. But the one, two, three, coincide, number four  
20 on the map is our existing, so it should go, number four  
21 should be five, we added number five is seven on the  
22 map. And we added six to the, as clarification today to  
23 be added.

24 MR. LANGER: If it would be helpful, we could just  
25 submit a, you know, a corrected filing so that it is all

1 clear for the record at your discretion, of course.

2 MR. SYLVESTRI: Let me see if Mr. Mercier actually  
3 has that in information. Mr. Mercier, are you satisfied  
4 with that answer?

5 MR. MERCIER: Yes. The last list seems to correct  
6 the issue. Thank you.

7 MR. SYLVESTRI: Okay. That is fine. But I do have  
8 a question on it before we continue. Mr. Coppins, when  
9 you were just going through that, your site four that  
10 went to site five, you identified as 780 Prospect Hill,  
11 where our application has 800 Prospect Hill. Could you  
12 clarify that, please?

13 MR. COPPINS: Yes. 780 to 800 is all that same  
14 property. There is different addresses to that.

15 MR. SYLVESTRI: All right. I want to make sure we  
16 are referring to the same property that we have the  
17 application on. As I said, we have 800 for the  
18 application, so just verifying that aspect of it.

19 MR. COPPINS: 800 Prospect Hill Road is our, is our  
20 property that we are on, that is correct.

21 MR. SYLVESTRI: Okay. Thank you. Mr. Mercier,  
22 please continue.

23 MR. MERCIER: Yes. Thank you. Just a quick  
24 question on interrogatory seven, that is actually just  
25 the date of T-Mobile, when they issued their search in

1 March 2020, just trying to clarify if Tarpon Towers did  
2 an initial search in this area prior to T-Mobile  
3 expressing interest in the area, or was it just a  
4 collaborative effort from the start of this application?

5 MR. COPPINS: No, we looked at the, we started  
6 looking at the site in January of 2016, and a lot of  
7 times we will land bank sites that we know there is a  
8 need and then we start marketing them to the carriers.  
9 This happened to be one that T-Mobile showed interest  
10 in, and then finally moved forward with it in March of  
11 2020.

12 MR. MERCIER: For this particular area, just  
13 curious, what was the basis for doing a site search in  
14 this region, did you have your own internal type of  
15 radiofrequency analysis, or maybe initial carrier  
16 expressed interest a long time ago and then pulled out.

17 MR. COPPINS: That is, that is what it was. Is, we  
18 had some initial intel that said that there was a site  
19 that was needed in that area. I guess AT&T was looking  
20 in the area, because I found out by speaking with one of  
21 the, one of the other properties that we looked at, AT&T  
22 has expressed interest. That is why we moved forward  
23 with the, with the site.

24 MR. MERCIER: Okay. Thank you. For the tower  
25 itself, if it's approved to construct it, would it be

1 constructed with, to accommodate an extension, and if  
2 so, what height of extension, 20, 30 feet or some other  
3 one?

4 MR. COPPINS: When we designed them we typically do  
5 the, do accommodate for extensions. More than likely  
6 that site could be extended probably 30 feet, if  
7 necessary. We usually leave that up to the carrier to  
8 prove their need on that.

9 MR. MERCIER: Right. I am just wondering, when  
10 you, through the initial install, will it be the  
11 foundation and tower structure itself be able to  
12 support, in this case, a 30-foot extension, I guess that  
13 is what you are going to do, is that correct?

14 MR. COPPINS: Yes, that is what we will do.

15 MR. MERCIER: All right. Thank you. Staying with  
16 the tower for a moment, you know, reading through the  
17 application on page 12 it is stated the State Historic  
18 Preservation Office requested that the tower be painted  
19 to match adjacent materials. Then later on page 19 of  
20 the application it basically stated that the tower be a  
21 noncontrasting gray or a color of the Council's  
22 choosing. I wasn't sure if Tarpon or anyone else, had  
23 any discussions with the State Historic Preservation  
24 Office regarding what actual color they are looking for  
25 here. Do you have any insight on that?



1 MR. LANGER: Mr. Gaudet, do you have any insight  
2 that you could add?

3 MR. GAUDET: There were no colors discussed between  
4 the State Historic Preservation Office, to my knowledge.

5 MR. MERCIER: Okay. So what would Tarpon Towers do  
6 to conform with their recommendation? Or do you plan on  
7 painting the tower, would it be like a color, sometimes  
8 there is a two-tone color scheme with a light blue on  
9 top and brown on the bottom, or do you think the gray  
10 galvanized finish is sufficient to blend in with  
11 existing materials?

12 MR. GAUDET: I think in this location, since there  
13 is not a lot of tree coverage, you know, to the north  
14 there, doing that two-tone, sort of, brown base, sky  
15 blue top, might not be as effective as just keeping it  
16 the gray steel color.

17 MR. MERCIER: Just out of curiosity, after, you  
18 know, a galvanized tower goes up, how long does it take  
19 typically for it to kind of weather a bit to become more  
20 of a duller gray.

21 MR. GAUDET: I don't, I don't know offhand. I  
22 think, you know, obviously depends on the location.  
23 Certainly towers down by, you know, salt water, along  
24 the sound will weather a little bit quicker. To put a  
25 time frame on that, I am not sure.

1 MR. MERCIER: Now if, if the Council chose the  
2 color of the tower, let's say a dull gray, just for  
3 example, is that type of finish applied at the factory  
4 at the time of order, or is that something that is done  
5 once the tower is delivered to the site, you know,  
6 possibly laying on the ground, is the paint applied at  
7 that point, does anybody know?

8 MR. COPPINS: Any time that we apply paint it is  
9 applied in the, at the manufacturer.

10 MR. MERCIER: Based on your experience with the  
11 manufacturer's painting of towers, is there any type of  
12 maintenance issue going forward with the paint peeling  
13 off or any other type of issue?

14 MR. COPPINS: As it, as time goes on, you  
15 typically, they will send us a color swatch for it and a  
16 touch up gallon of paint when we put the towers in. But  
17 we maintain them, we look at them three times a year,  
18 each one of them. And if we see something that is  
19 needing some maintenance, we immediately go and do it.  
20 So, we will keep an eye on anything that is painted and  
21 if it needs to be repainted, we will hire a contractor  
22 to go out and paint the tower.

23 MR. MERCIER: Are the manufacturer applied paints  
24 typically durable, you know, I am talking a number of  
25 years, like five, ten years, or is it a problem you know

1 within two, three years.

2 MR. COPPINS: No, they are usually really durable.  
3 I think they use an epoxy-type paint on the tower, so  
4 they are pretty durable.

5 MR. MERCIER: Okay. Thank you. Switching gears to  
6 the Application, Attachment 10. This was the natural  
7 diversity database letter. You know, reading through  
8 the letter, you know, the first paragraph basically said  
9 that, the letter referenced a replacement of two wooden  
10 pedestrian bridges at Day Pond State Park in Colchester,  
11 and that the Eastern Hog Nose Snake and the Eastern Box  
12 Turtle was found in the project boundaries. So I wasn't  
13 sure if that was an error by DEEP, by stating that this  
14 project occurs within the boundaries of knowing those --

15 (Lost audio connection.)

16 MR. GAUDET: -- known populations of either the Box  
17 Turtle or the Hog Nose Snake within the project  
18 boundaries. I think they are just referencing that  
19 within that quarter mile radius they are known to exist.

20 MR. MERCIER: Right. But just the preamble  
21 basically said it was Day Pond State Park in Colchester,  
22 which is probably, you know, 50 miles away. But I  
23 wasn't sure if this letter actually was an error since  
24 the site is next to a building?

25 MR. GAUDET: Is that the original letter from the,

1 I want to say 2018 or the updated 2021 one we  
2 resubmitted at the beginning of January, as NE DEEP  
3 buffer areas had been updated in December. And I am  
4 not, at a quick glance, seeing that reference on here.  
5 But it might be on the older letter.

6 MR. MERCIER: Okay. I'll go back and review that.  
7 Thank you. Now regarding the response to interrogatory  
8 33, this is had to do with visibility in the area of the  
9 tower. And the response it basically said, you know,  
10 there is 23 residences would have, potentially have some  
11 year-round views of the proposed sites. I am trying to  
12 determine if the 23 residences are year-round visibility  
13 within the 0.35 mile, within the 0.35 miles of the site  
14 that is referenced in the interrogatory.

15 MR. LANGER: Mr. Archambault, I think that is the  
16 question for you, please.

17 MR. ARCHAMBAULT: Sorry. I my mute was off there.  
18 Could you repeat the question? I apologize. I was  
19 looking at something else.

20 MR. MERCIER: Sure. In interrogatory 33 it states  
21 that there would, there is residential areas within 0.35  
22 miles of the site. That was a revision based on recent  
23 developments in the area. Now, the interrogatory goes  
24 onto say that there are 23 residences that would have  
25 potential year-round views of the proposed site. So I

1 am just trying to determine if the 23 residences are  
2 within the 0.35 miles of the site, or does it go beyond  
3 that 0.35 miles that was referenced.

4 MR. ARCHAMBAULT: All the residential homes that  
5 would potentially have a view are very close to the  
6 site, and really only include that 0.3 mile area. Once  
7 you get past that first neighborhood to the north, we  
8 don't show any visibility. Mic still on mute?

9 MR. MERCIER: Okay. Thank you for that response.  
10 I just got a follow-up regarding, the response further  
11 references 15 residences along Huckleberry road and  
12 Morello Court.

13 MR. ARCHAMBAULT: Yes, those residents that are  
14 just to the north on those two roads and right on the  
15 main road, right across from the site and up to that  
16 first little neighborhood, are the only residential  
17 homes that are going to have any potential visibility.

18 MR. MERCIER: Right. There was a photo simulation  
19 of visibility analysis. It was number six that was  
20 taken, it looks like, at the end of Morello Road, Court,  
21 excuse me, like at the northeast end, or north end, for  
22 that matter, looking southward towards the tower.

23 MR. ARCHAMBAULT: Yes. Correct.

24 MR. MERCIER: The visibility analysis basically  
25 said the most significant views would be from

1 Huckleberry Road and the two residences that are closest  
2 on Morello Court, that are closest to the tower. But  
3 however, you know, most of that photograph shows kind of  
4 open land with no intervening trees blocking the views.

5 MR. ARCHAMBAULT: I am just trying to -- go ahead.  
6 Sorry.

7 MR. MERCIER: I just want to determine what you  
8 determine as significant views if all of the homes in  
9 that street generally have the same view, if you could  
10 just clarify whether all the residents in that general  
11 area would have that view. That is Photo 6.

12 MR. ARCHAMBAULT: Yes. I am looking at Photo 6.  
13 That is the end of that Morello Circle Road, which is a  
14 dead end. The houses on either side of that road, from  
15 their houses, themselves, are going to have a lot of, a  
16 lot of it blocked, the views block from the houses in  
17 front of it. The house that is right in front of you at  
18 the end of Morello, and the ones that are on that road  
19 are going to have the significant views because the back  
20 of their yard is open until you get to the tree line  
21 that you can see that blocks the bottom third of the  
22 tower and all the base equipment.

23 MR. MERCIER: Okay. Thank you. Now based on that  
24 view there, is there any type of painting scheme that  
25 you can think of that would kind of blend the tower in,

1 beyond the regular gray galvanized steel finish?

2 MR. ARCHAMBAULT: From my perspective, we really  
3 don't normally make determinations of what is going to  
4 look better or worse. We more make a determination of  
5 what it is you want, how it would look. You know, that  
6 is an opinion, that's really not what we do.

7 MR. MERCIER: Okay. So you have no opinion  
8 whatsoever?

9 MR. ARCHAMBAULT: I can, my opinion is that the,  
10 the dull gray, on average, it blends in with the sky in  
11 most places.

12 MR. MERCIER: Okay. Thank you. Now referring to  
13 Interrogatory Response 13. This was a chart showing  
14 T-Mobile's wireless services that would be offered from  
15 the site. Pull it up here, here we go. The only  
16 question I had pertained to the 5G services for  
17 T-Mobile, you know, I see you have two frequency bands  
18 here, both the 600 and the 2500 megahertz frequency  
19 bands. I am just trying to determine what the  
20 difference between the two is, performance wise, for the  
21 5G services.

22 MR. MURILLO: Yes. So, correct, we have two 5G  
23 frequencies we are going to provide here, the 600, which  
24 is basically our low-band frequency, and the 2500  
25 frequency band for the 5G. The difference is,

1 basically, the 600 megahertz goes out further. It is  
2 just like a regular LTE frequency channel. If you look  
3 at the physics behind it, basically the low band  
4 propagates further. You have a larger wave length,  
5 basically. So just one propagates further. The other  
6 one propagates less. But those two 5G frequencies will  
7 be able to support only 5G data for now, not voice.

8 MR. MERCIER: Now is there any difference between  
9 download speeds for the two frequencies for the 5G?

10 MR. MURILLO: For now, typically our, the low band  
11 has a lower bandwidth, so it will have a lower  
12 throughput speeds, as far as throughput. And the 2500  
13 5G megahertz will have a larger bandwidth, so yes, you  
14 will, but we have some things that we do on the  
15 engineering side, not to get too deep into it, where we  
16 have a, we are able to combine some of these frequencies  
17 to make throughputs faster, faster speeds, they are  
18 called carrier aggregation. But that is what we are  
19 doing right now.

20 MR. MERCIER: Okay. Thank you. I have no other  
21 questions at this time. Thank you.

22 MR. LANGER: Mr. Mercier, I think Mr. Gaudet would  
23 like to provide an additional clarification to your  
24 question regarding the DEEP letter, if that would be  
25 okay.



1 MR. MERCIER: Yes, please. I was trying to look  
2 for it online so.

3 MR. GAUDET: Yeah, I pulled it up. It's the NDDB  
4 letter from January of 2019, and I see the reference  
5 there to the Day Hill Pond bridges. The revised letter  
6 that we received in February removed that notation.

7 MR. MERCIER: Okay. Thank you.

8 MR. SYLVESTRI: Very good. Thank you, Mr. Mercier.  
9 And thank you Mr. Gaudet for the clarification on that,  
10 too.

11 Like to continue cross-examination by Mr.  
12 Morissette, followed by Mr. Harder. Mr. Morissette?

13 MR. MORISSETTE: Thank you, Mr. Silvestri. Can  
14 everybody hear me okay? Great. Thank you.

15 I would like to start with Attachment One, drawing  
16 A-2, which is basically a drawing of the compound and a  
17 side view of the tower itself. It appears that the  
18 compound is very close to the building, so my question  
19 is relating to the yield point, which I understand you  
20 are going to build into the project. At what height  
21 will the yield point be built in, and will there be a  
22 mechanism with the yield point that if the tower was to  
23 fail, that it would fail away from the building?

24 MR. LANGER: I don't know if Mr. Johnson is the  
25 engineer of record, might want to comment as well as Mr.

1 Coppins, based on your experience.

2 MR. JOHNSON: Sorry. I can comment on that right  
3 now. The proposed tower is 46 feet away from the, from  
4 the edge of the building. The tower itself is proposed  
5 to be a 135 feet in total height above the ground. That  
6 includes a one foot for the foundation at the base. The  
7 plan with the tower, if the Council would like it this  
8 way, would be to design, the tower itself gets designed  
9 based upon all the applicable codes and then at the  
10 point we're referring to as a yield point, from that  
11 point down, an additional 10 percent of capacity would  
12 be built into the design at the lower portion of the  
13 tower.

14 So everything is, everything meets the codes and  
15 then they add an additional factors onto that. The  
16 plan, as currently set up, would be for that to happen  
17 up to the 95-foot level. So that top, say, 40 feet of  
18 that tower, in the event that, I would say the very rare  
19 event that it was ever an issue, would be designed to  
20 fold. And as such, would not fold onto the tower, it  
21 would fold just short onto the building. It would fold  
22 short of that.

23 I don't know that it's, as to the second part of  
24 that question, whether it could be done directionally, I  
25 don't know that it gets that involved. I think it is

1 more of a vertical, and I don't think we would control  
2 which direction the wind would blow it, but I do think  
3 that the idea is that it is designed, if it were to  
4 fold, it folds short of that distance to the edge of the  
5 building.

6 MR. MORISSETTE: If I could follow-up with some  
7 questions. So the building is 46 feet from the tower  
8 but the yield point is 95 feet, height on the towers, so  
9 theoretically if it fell, it could hit the building  
10 because of the distance.

11 MR. JOHNSON: Yes. But the yield point would mean  
12 that the top 40 feet, if there was to be, at some point,  
13 on yield, it would be the top 40 feet of the tower would  
14 yield over. So the 40 plus the 95 --

15 MR. MORISSETTE: Yeah, you are right. I was  
16 looking at it backwards, but thank you. I understand  
17 now. Okay. Great. Thank you.

18 Going back to the drawing, the actual compound is  
19 48 by 48, and there is one 25kw generation pad,  
20 emergency generation pad. Is there plans for other  
21 carriers to also be able to put emergency generators on  
22 the compound, as well? And is there enough room?

23 MR. JOHNSON: Yes, the tower and compound area, as  
24 currently laid out, would allow for up to four carriers  
25 to place their ground equipment there. In each one of

1 those carriers spaces would allow for them to place the  
2 generator if that is what they decided they needed to  
3 do.

4 MR. MORISSETTE: Thank you. Is 48 by 48 a standard  
5 size for a compound? It seems small to me for some  
6 reason.

7 MR. JOHNSON: The 50 by 50 lease area is a standard  
8 number. What we do is offset it one foot to allow  
9 physical space for the fence to be placed. So 48 by 48  
10 is the actual fenced measure.

11 MR. MORISSETTE: Okay. I am looking at the virtual  
12 field review pictures, specifically photo 6, and it's,  
13 48 by 48 certainly will fit in that area, but it seems  
14 like it is a pretty small triangle that you are cramming  
15 this facility in, that is surrounded by a parking lot.  
16 Are you concerned about constraints with such a small  
17 site?

18 MR. JOHNSON: No. It, I reviewed the photo that  
19 you are mentioning there. I think there is maybe an  
20 additional couple of, I am not sure you are seeing all  
21 of the corners in that photo, but one side of this fence  
22 is actually going to be parallel to the building, and it  
23 will be rotated kiddy-cornered to the, where the, if you  
24 are looking at that A2 sheet, runs a little bit  
25 kiddy-cornered, it doesn't run parallel with the parking

1 on that site. It stays, the compound itself stays  
2 parallel to the building.

3 I do think that as we have it laid out, those are  
4 kind of standard lease area sizes and it allows some  
5 pace between carriers and it allows for a good flow  
6 through the compound area. So I do feel confident that  
7 that 50 by 50 lease area and the 48 by 48 fenced area is  
8 sufficient space. We do run it up against the parking  
9 area to the south. And what we are doing is converting  
10 what is kind of an existing landscaped area, now, to  
11 this fence compound that as, it will be a washed stone  
12 surface. It is about four inches thick. So we have  
13 basically taking out the mulch in the compound, or the  
14 landscaping and putting in a washed stone.

15 MR. MORISSETTE: Okay. Thank you. Going back to  
16 the A-2 drawing, I read, I believe I read that there is  
17 going to be a microwave dish on the tower, but I don't  
18 see it on the drawing. Did I misinterpret that?

19 MR. JOHNSON: If you are looking at that A-2 sheet  
20 on the elevation view, all the way in the top left  
21 corner there is a small circle.

22 MR. MORISSETTE: Oh, yeah, I see it.

23 MR. JOHNSON: And that, I believe, is the vent that  
24 is needed for the back hall, and it is a small,  
25 typically a small dish. It is not, maybe what you and I

1 would think of when we talk about microwave dishes, it  
2 is small.

3 MR. MORISSETTE: Okay. I see it now. I was  
4 looking for a larger microwave dish. So the link, so  
5 the link for this tower is going to be through a  
6 microwave dish and not fiber?

7 MR. JOHNSON: Maybe the T-Mobile folks could  
8 correct me here, but I believe it is there as an option  
9 in the event that it is needed. Generally, it would be  
10 through fiber, unless there is some reason the fiber  
11 couldn't be --

12 MR. FIEDLER: Yes, it is exactly that. We would  
13 prefer to have a hard line fiber optics to the facility.  
14 I don't foresee a problem here, there is a lot of  
15 industrial, you know, warehouses here and there is a lot  
16 commercial use, but we have the microwave in there so in  
17 the event that we can't get it, or let's say there is a  
18 duration of time, it may take longer than six months to  
19 do it, we can do the microwave immediately and then have  
20 service while we wait for the fiber to come. So this is  
21 just preventing any additional permitting that needs to  
22 take place downstream.

23 MR. MORISSETTE: Okay. That is a good idea. It is  
24 there for back-up, as well if the fiber goes down, as  
25 well, correct?

1 MR. FIEDLER: Yes, sir.

2 MR. MORISSETTE: Great. Concerning -- I am glad  
3 you brought the building up because it reminded me, is  
4 that building a warehouse, or is there some other use  
5 for that building?

6 MR. COPPINS: I am not sure what all the buildings  
7 are being used for. Some of these buildings our owner  
8 has offices in, some are warehouses. I am not  
9 particularly sure what that particular one is. But they  
10 are multiple, it is a multiple building, different types  
11 of offices and things in that.

12 MR. MORISSETTE: Okay. Okay. Concerning  
13 Attachment 2, which was a no hazard letter from the FAA,  
14 that basically said it was no hazard. But the letter  
15 that the Council received from the FAA said that you  
16 should follow the 74/60 process, or file the 74/60  
17 process. Is that merely a notification of start of  
18 construction, or is there anything more to it than that?

19 MR. COPPINS: So we, when we start construction,  
20 yes, that becomes, we let them, we let the FAA know, and  
21 that becomes part of it. And then we have also, we will  
22 file an FCC on that, as well. So all our information is  
23 in the database.

24 MR. MORISSETTE: Okay. That is all it is all  
25 right. Great. Thank you.

1 MR. COPPINS: Correct.

2 MR. MORISSETTE: And my last round of questions has  
3 to do with Attachment 6, which is relating to the  
4 existing adjacent towers. Now based on the testimony I  
5 heard earlier today, is that AT&T has expressed interest  
6 in also coming onto this tower. Has Verizon interest,  
7 as well?

8 MR. COPPINS: I have reached out to each of the  
9 carriers, AT&T definitely had a ring here in 2015, I  
10 believe, and I know that because our neighboring, or  
11 adjacent property owner had a lease with AT&T, which  
12 didn't go anywhere, and I think that was during the time  
13 that AT&T redesigned and shut down. So in speaking with  
14 them, they still have an interest, they don't know when  
15 they are coming, but they do have an interest.

16 Verizon, I have had multiple conversations with  
17 Verizon on this project, as well. At this point, they  
18 are not interested. I can't tell you when and if they  
19 are in the future, but there has been dialog with  
20 Verizon on the site, as well.

21 MR. MORISSETTE: Okay. Thank you. Going back to  
22 the exhibit, there is a tower that was identified as  
23 monopole facility on 2627 Day Hill Road in Bloomfield.  
24 Is AT&T on that tower?

25 MR. COPPINS: What site was that again? I am



1       sorry.

2               MR. MORISSETTE:   Okay.   That is 2627 Day Hill Road  
3 Bloomfield.   Monopole facility.

4               MR. COPPINS:   I would have to check and see if AT&T  
5 is on that.   I believe Verizon is definitely on that  
6 one.

7               MR. MORISSETTE:   Okay.   My follow-up question is  
8 that, is that, you know, is there room on this tower for  
9 AT&T, instead of building this tower?   And if there  
10 is, why isn't it being utilized?

11              MR. SYLVESTRI:   Mr. Morisette, excuse me, just to  
12 clarify, you are looking to see if there is room for  
13 T-Mobile, correct?

14              MR. MORISSETTE:   I am sorry, T-Mobile.   Thank you.  
15 Thanks for clarifying.

16              MR. LANGER:   Perhaps Mr. Murillo, if you would like  
17 to, perhaps, discuss why this site is part of the  
18 objective, as opposed to 2627 Day Hill Road, or  
19 otherwise, please.

20              MR. MURILLO:   Sure.   If I am putting the address  
21 correct here, 26 Day Hill Road would not meet our  
22 objectives.   It's too far from the search ring, or from  
23 the location where we are today.   And we currently have  
24 a site right, literally right next to it.   So.

25              MR. MORISSETTE:   Is that the 1 Griffin Road, is

1 that what that, is that your site?

2 MR. MURILLO: That would be ours, it is 482 Pigeon  
3 Hill Road, Windsor.

4 MR. MORISSETTE: 482 Pigeon Hill Road. Oh, there  
5 it is. That is away on the other side. That is closer  
6 to Route 75.

7 MR. MURILLO: It is -- correct, it is right next to  
8 that address you just specified, 26 Day Hill Road.

9 MR. MORISSETTE: No, 2627 Day Hill Road.

10 MR. MURILLO: 2627?

11 MR. MORISSETTE: Yes.

12 MR. MURILLO: Okay. Sorry. One second.

13 MR. FIEDLER: Yes, so I think --

14 MR. MURILLO: So, yes, it falls right next to our  
15 CTHA068 on the other side, correct. Which is right near  
16 our site.

17 MR. FIEDLER: So ironically that building, the  
18 address you just referenced, 2627 Day Hill Road. It  
19 lands right in that vicinity of Griffin Road South. Our  
20 engineering office is right there on 35 Griffin Road  
21 South, and we used to have antennas on top of our  
22 building and Verizon put antennas on top of our  
23 building, as well, because of some customers in that  
24 area. Verizon did zone the facility, that if you look  
25 at our propagation map, we identified as CTHA068, Alex?

1 MR. MURILLO: Yes.

2 MR. FIEDLER: And that was a monopole that was  
3 built just down the road from this entire area, Verizon  
4 is on that, we are on that. I am not aware of AT&T and  
5 that was primarily built for the Hartford building  
6 location, there. There is a corporate building there,  
7 there is another corporation to the left of it, as well  
8 as our facility. So this was a, this was a purposeful,  
9 to get off of this smaller rooftop that was about  
10 30 feet, now we are on a full-fledged tower facility.

11 So that started the process of, okay, that is one  
12 bookend and then we go to the other bookend, which is  
13 more down towards Route 91, which is on our propagation  
14 map for T-Mobile is CT11-227, and that is where, you  
15 know, you now can see that we are moving directly in  
16 between those two facilities to compliment that  
17 coverage. So with regard to being, you know, any tower  
18 in the area that we are not on, that we could be on, I  
19 don't see that, and maybe that is where the  
20 clarification is.

21 MR. MORISSETTE: Okay. So essentially your  
22 proposed facility is right in the middle of your other  
23 facilities to make up for that coverage gap.

24 MR. FIEDLER: Yes.

25 MR. MURILLO: That is correct.

1 MR. FIEDLER: That's correct. Thank you, Alex.

2 MR. MORISSETTE: Thank you. Thank you, Mr.  
3 Silvestri, that is all the questions that I have.

4 MR. SYLVESTRI: Thank you Mr. Morissette. I would  
5 like to continue cross-examination with Mr. Harder to be  
6 followed by Mr. Hannon. Mr. Harder, please?

7 MR. HARDER: Yes, thank you. My questions, I  
8 guess, it's follow-up to the last issue that was being  
9 discussed by Mr. Morissette. It has to do with the, the  
10 location or locations, I guess, of other facilities and  
11 also other properties that have been evaluated or may  
12 not have been evaluated.

13 I first, I just want to be clear on the correction  
14 or corrections that were made to the, to the map or to  
15 the list in the map, I guess, associated with  
16 Attachment 8. My understanding is that the list in the  
17 narrative, in attachment 8, what should be listed as  
18 number 4 in that list is the proposed site, is that  
19 correct?

20 MR. COPPINS: Yes, that is correct.

21 MR. HARDER: Okay. And what is listed as number 4,  
22 but should be number 5, is the site that's pegged on the  
23 map as the Thrall site?

24 MR. COPPINS: The list that is pegged as number  
25 five --

1 MR. HARDER: No, the list in the narrative that is  
2 shown as number 4, should be number 5 -- that should be  
3 number 5, correct?

4 MR. COPPINS: That is correct.

5 MR. HARDER: And on the map that is shown as the  
6 Thrall site?

7 MR. COPPINS: That is correct.

8 MR. HARDER: So then number five, in the narrative,  
9 which is 2000 Day Hill Road, that is number 6 on the  
10 map.

11 MR. COPPINS: No, that would be number 7 on the  
12 map.

13 MR. HARDER: Okay. What is number 6?

14 MR. COPPINS: Number 6 on the map is the  
15 clarification that I made earlier, being 35 Great Pond  
16 Drive.

17 MR. HARDER: Okay. So that is the Wingate Site.

18 MR. COPPINS: That is correct. And that is not in  
19 our list.

20 MR. HARDER: Okay. All right. All right. Thank  
21 you for going over that again.

22 You indicated in the discussion for the corrected  
23 number 5, the Thrall site, I guess, 903 Day Hill  
24 Road, that the property would overlap with the existing  
25 site at 482 Pigeon Hill Road. When you say overlap, I

1 assume that means there would be some interference or  
2 some other problem because of the proximity of the two?

3 MR. COPPINS: I think Alex would probably be the  
4 one to answer that best, as I sent that information over  
5 to him and that is the information that I got back from  
6 T-Mobile.

7 MR. MURILLO: Sorry. Go ahead. One more time, the  
8 question?

9 MR. HARDER: Yes, the information provided for the  
10 corrected site five, which is the 903 Day Hill Road  
11 indicates that the property would overlap with another  
12 existing site at 482 Pigeon Hill Road, and that is  
13 apparently the reason for rejecting that site. And my  
14 question is, when you indicate that it would  
15 overlap, does that mean that there would be some kind of  
16 unacceptable interference or other problem associated  
17 with that other site?

18 MR. MURILLO: Yes. So 227 is CT11227 is two miles  
19 to the east from the proposed site. So that site,  
20 CT11227 would not give us or meet our coverage  
21 objectives from what the proposed site is trying to do.

22 MR. HARDER: I am sorry, I am not sure what you  
23 were referring to by numbers there, could you use the  
24 addresses, please?

25 MR. MURILLO: Sure CT112 -- 482 Pigeon Hill Road

1 will not meet our coverage objectives. It is too far to  
2 the east. It is two miles to the east from the proposed  
3 site location.

4 MR. HARDER: That wasn't my question, though. My  
5 question was, you are apparently rejecting 903 Day Hill  
6 Road. And the reason, apparently, is that the property  
7 would overlap with 482 Pigeon Hill Road, and it is the  
8 overlapping, apparently, that is the problem. And my  
9 question is, does that mean that at that 903 Day Hill  
10 Road, that would create an interference problem with 482  
11 Pigeon Hill Road?

12 MR. MURILLO: Okay. Sorry. I am looking at the  
13 map here. It would not create an interference -- the  
14 site location at 903 Day Hill Road, I did not take a  
15 look at that, actually. I would have to go back and  
16 take a look at that. So yeah, I would have to analyze  
17 that, actually.

18 MR. SYLVESTRI: I want to interject for a second.  
19 I think Mr. Harder is asking for what do you mean by,  
20 overlap?

21 MR. HARDER: Right. Yes. Thank you.

22 MR. MURILLO: Yeah, it would, it would not -- I  
23 mean, the purpose of that location right now, is we have  
24 a coverage gap in that area. We have a coverage hole.

25 MR. FIEDLER: I guess if we could, why don't we

1 try, if I, a different perspective. And maybe if we go  
2 to the propagation map. And Jesse, forgive me, I don't  
3 know which exhibit that is. But Council Member Harder,  
4 this may be a better way to overlay the addresses that  
5 you are referencing.

6 MR. LANGER: Mr. Fiedler, are you referring to  
7 Attachment 2 in the interrogatories, where you have the  
8 directional arrows from the neighboring sites?

9 MR. FIEDLER: Yes.

10 MR. LANGER: Yes.

11 MR. FIEDLER: So if you have that handy, if not I  
12 could attempt to share my screen. But what that is  
13 demonstrating there, and I think this goes to the root  
14 of your question, is the 903 Day Hill Road moves us more  
15 towards the Pigeon Hole facility. So you would find  
16 that an overlap of coverage would be, would be  
17 overshadowed by the Pigeon Road. So we are going too  
18 close to the pigeon Road, as opposed to getting directly  
19 in the center of these two facilities, which is the one  
20 that we just discussed over by 2627 Day Hill Road. And  
21 then we have the Pigeon Hill Road. The proposed site is  
22 putting us a little bit north of where 903 is, and  
23 allows our sectorization to go to the northern half of  
24 this portion of town, and also allows for continuity for  
25 congestion matters that may take a place, based on all



1 the development that is taking place there. You have  
2 got the Amazon Distribution Center. They have got a  
3 brand new facility that they have built, I don't know  
4 how many units, but these are apartment complexes to  
5 support all of this growth of these warehouse  
6 facilities. So the positioning of that is where we  
7 would potentially create a larger hole to the north of  
8 the proposed facility, and therefore 903 was discounted  
9 because it is negating that objective. And it wouldn't  
10 go in alignment with proliferation of towers if we  
11 weren't organizing it correctly. So hopefully that  
12 visual gives a little bit better presentation on that.  
13 At least that is from our perspective as to why we are  
14 investing the capital in this facility, as opposed to  
15 903.

16 MR. HARDER: Okay. That does help. But let me, I  
17 guess I'll explain a little bit about, you know, what  
18 the point is I am getting at. In looking at the  
19 existing and proposed coverage maps. It appears that a  
20 fairly significant chunk of the additional coverage that  
21 would be provided by the proposed location would be to  
22 the west where there is a large swath of forested land,  
23 undeveloped land. Now I, for some reason I am thinking  
24 that at least some of that is preserved open space. I  
25 am not sure if that is true or not. But so, if you know

1 what the, what the plan is for that property, please let  
2 us know. But my, I guess the point I am getting at is,  
3 is there something between 903 Day Hill Road, and the  
4 proposed site, which would get away from the overlap  
5 issue, which I assume it would since you are moving  
6 further away from Pigeon Hill Road. Because along the,  
7 I guess, the kind of northeast side of Day Hill  
8 Road, there are several office buildings, some  
9 industrial buildings that, at least from reading of your  
10 application, doesn't look like you evaluated. Now maybe  
11 you did, you just didn't say anything about them. But I  
12 am wondering if any of those sites would provide, you  
13 know, adequate coverage and meet your needs, and perhaps  
14 avoid some of the visibility problems associated with  
15 the proposed site, which, at least for those houses that  
16 are within that, you know, one-third of a mile or so,  
17 are fairly significant.

18 MR. FIEDLER: Yes. I don't know that I have as  
19 much background as the Tarpon Tower folks will have, but  
20 in traditional situations, it is landlord willingness  
21 and size of parcels that can support the compound size  
22 that was also discussed on this current parcel. But I  
23 yield to the Tarpon Tower team on that.

24 MR. COPPINS: So, yes, we did look at it, and the,  
25 if I, if I put on my list that the property had lack of

1 interest, it is absolutely true they had lack of, they  
2 have had lack of interest. I can find the e-mail. And  
3 Alex, I am not, I know you look at hundreds and hundreds  
4 of sites every day, but I did send some coordinates out  
5 to, to T-Mobile, and it did come back that the site was  
6 too far, that would create duplicate coverage and that  
7 the site was much better, that our site was much better,  
8 as far as the propagation goes.

9 MR. HARDER: Which site are you talking about, now?

10 MR. COPPINS: I am talking about our site and the  
11 903 Day Hill Road site, the Thrall site, that was, that  
12 was, that was being questioned earlier.

13 MR. HARDER: Yeah, my question was, is there  
14 anything between 903 and the proposed site that you did  
15 evaluate that you may not have described in your  
16 application? Or if not, I wonder why you didn't,  
17 because there is several, I don't know -- you can't  
18 tell, you know, if it is all of one parcel, if there is  
19 several parcels with multiple owners, but there is  
20 commercial and, you know, office buildings, there is  
21 healthcare facilities. There is, appears to be a fairly  
22 heavy manufacturing facility, if you look at the Google  
23 maps, which I assume is fairly up-to-date. So, you  
24 know, my question is, what about those sites, wouldn't,  
25 would they prevent some of the visibility problems at

1 the same time as you would get away from the overlap  
2 problems associated with 903?

3 MR. COPPINS: The sites that I, that I definitely  
4 looked at were sites that I felt, in my experience, were  
5 the sites that were going to be good. And yes, there is  
6 a large, there is a lot of places to choose from. There  
7 may have been some other reasons why I didn't pick a  
8 site, maybe the size of the property, this particular,  
9 this was not the first one I looked at and chose.

10 So, to answer your question, you know, the ones that I  
11 did look at were larger properties and things that I  
12 could mitigate some visual impact on it. And this one,  
13 I thought, was one of our better ones. I didn't  
14 particularly like the farm because there was nothing  
15 there to hide the site itself.

16 MR. HARDER: When you say, farm, are you talking  
17 about the 825 --

18 MR. COPPINS: Newgate Farms, that was --

19 MR. HARDER: Oh, okay. Yeah, 630?

20 MR. COPPINS: 740 Prospect Hill Road, which is  
21 adjacent to our, to our site.

22 MR. HARDER: Okay. Yeah, I guess I am curious,  
23 maybe you don't have the answer or the information, but  
24 like I said, it kind of sickens out like a sore thumb, to  
25 me, that area between 903 Day Hill Road, and, and the

1 proposed site. As, you know, I mean, just from a, you  
2 know, an areal view on Google maps, it looks like there  
3 are some potential areas that, you know, that are  
4 certainly no worse than the proposed site. So, and I  
5 just, I would wonder, you know, why not them? I mean,  
6 there is a lot of, apparently a fair amount of wooded  
7 land between those buildings and a lot of the  
8 residential areas to the north and the east, which would  
9 provide some screening, maybe more screening than is  
10 provided on your proposed site. So, I mean, if you  
11 can't answer the question, you can't answer it. But it  
12 is something that looks like an obvious place, or area  
13 to look at to me.

14 MR. LANGER: Mr. Harder, if you would like, I could  
15 have Mr. Archambault perhaps at least address the  
16 visual, potential visual impact from those areas, if  
17 that is something that would be helpful to you in your  
18 assessment?

19 MR. HARDER: Sure, you mean the areas that I am  
20 talking about now, between 903 and the proposed site?

21 MR. LANGER: Yes.

22 MR. HARDER: Yes. Sure.

23 MR. ARCHAMBAULT: If I am correct in understanding,  
24 you are looking at the industrial buildings that are  
25 between Prospect Hill Road, where it connects with Day

1 Hill Road heading east on Day Hill Road.

2 MR. HARDER: Yes.

3 MR. ARCHAMBAULT: Correct. So the way the  
4 topography of this land is, and again, I can't be 100  
5 percent accurate until, or if, we were to actually do  
6 the study, but most of those properties would be  
7 separated by about the same tree line, as we're  
8 separated from now, from the houses to the north, to  
9 many more homes to the north, that whole neighborhood,  
10 consisting of Lock View Drive and Meadow View Drive and  
11 then all those condos that are just a little bit further  
12 east, would probably end up with views of, at least, the  
13 top portion, if not as, almost as much as we are now  
14 with just 15 or 20 houses, we would potentially be  
15 giving views to multiple homes.

16 MR. HARDER: Yeah, I see what you are saying. And  
17 I agree as you go further east or southeast along Day  
18 Hill Road, if you look at some of these properties and  
19 those buildings, it is, kind of, a similar line of  
20 trees, kind of a band of trees, I guess.

21 MR. ARCHAMBAULT: Correct.

22 MR. HARDER: But the first properties you come to,  
23 as you, as you head down Day Hill, it is an, appears to  
24 me, anyway to be a wider forested area. There is a  
25 pond, and there is probably, a wetland area just south.

1 MR. ARCHAMBAULT: Correct. However, those first  
2 properties are on a bit of a hill, where those first  
3 properties, the ground elevation is actually raised from  
4 where we are in those other commercial units further to  
5 the east. It is kind of a small rise there. So  
6 anything at those first couple of buildings would be  
7 elevated.

8 MR. HARDER: Okay. Okay. I guess just one other  
9 question for clarification, more than anything, or maybe  
10 more just of interest. On Attachment 6, the map that  
11 shows other facilities. It does show the facility at  
12 482 Pigeon Hill Road, and then there is also, actually,  
13 two facilities fairly close by, a monopole at 99 Day  
14 Hill Road, and then a utility pole on Poquonock Avenue.  
15 Is the issue of overlap not a problem in those  
16 situations or are we, am I kind of mixing apples and  
17 oranges here, are they different types of service?  
18 Because those are much closer than the, than the 903  
19 facility would be.

20 MR. FIEDLER: Yeah, to answer your question from a  
21 T-Mobile perspective, we are not on that other monopole  
22 that is in close proximity. So therefore, we don't see  
23 that overlap from our side. That is a facility that  
24 Sprint is on, and that is a facility that we are  
25 evaluating as to whether that will remain, or whether it

1 will be consolidated down. So therefore, that, those  
2 two facilities in that area, from T-Mobile's  
3 perspective, that is our view.

4 MR. HARDER: Okay. So there may be some  
5 combination of service from one or both of those  
6 facilities near 482 Pigeon Hill Road to the new  
7 location, you are saying?

8 MR. FIEDLER: No, not to the new one. No. No.  
9 This is the, perhaps I don't know that I have Exhibit 6  
10 that I am looking at correctly. So I think that is what  
11 I need.

12 MR. MURILLO: You are looking at 227 in conjunction  
13 with the Sprint site next to it?

14 MR. FIEDLER: Yes CT54XC.

15 MR. MURILLO: Yeah, we are still analyzing that to  
16 see how we are going to do that, but that is Sprint keep  
17 site, or that sprint site looks like it is too far from  
18 our proposed facility, it would not meet the appropriate  
19 objectives.

20 MR. HARDER: Okay. That is fine. It was, it is  
21 probably getting off the track here a little bit any  
22 way. So, but my main question was about that area  
23 between 903 and the proposed site, you know, why that  
24 wasn't really looked at. But I think you answered that.  
25 So that is all the questions that I have, Mr. Silvestri.



1 Thank you.

2 MR. SYLVESTRI: Thank you, Mr. Harder. Like to  
3 continue cross-examination at this time with Mr. Hannon,  
4 to be followed by Mr. Nguyen. Mr. Hannon, please.

5 MR. HANNON: I have got just a couple. In looking  
6 at on the Executive Summary, page iii, and then also  
7 looking at photo number 11, and I bring it up for this  
8 reason. So you say, utility connections would extend  
9 underground from Prospect Hill Road. But in looking at  
10 photo 11, I can't tell if that is to the right of the  
11 sidewalk, there is like a light for the side walk or is  
12 that a phone or cable box? And the reason I am asking  
13 is because I am curious if there has been any  
14 underground inspection associated with existing  
15 utilities in this area where you are proposing the  
16 tower?

17 MR. LANGER: Mr. Johnson, perhaps in conjunction  
18 with Mr. Gaudet --

19 MR. JOHNSON: We don't anticipate that there are  
20 utilities in the vicinity of the tower compound area.  
21 On the C1 sheet of the, of the overall packet of site  
22 plans, there is a detailed survey that, that includes  
23 location. It includes the locations of the utilities in  
24 the project, including the underground utilities. Did  
25 that answer the question?

1 MR. HANNON: I just want to make sure that what you  
2 are talking about is the underground utilities for the  
3 existing building, that is what is in the other diagram?

4 MR. JOHNSON: Yes. Yes. The existing, all the  
5 utilities on the property that service the existing  
6 buildings are shown on that survey plan, and we have  
7 laid the compound out to avoid any interference with  
8 those.

9 MR. GAUDET: And Mr. Hannon, to address the small  
10 post there in photo 11, you can see it in Photo 12 --  
11 sorry, 11A, as well. They are just probably very, very  
12 small voltage lights just to illuminate the sidewalk  
13 there.

14 MR. HANNON: Okay. On the first page of the  
15 petition it talks about the facility would consist of a  
16 135 foot tower with a lightening rod attached. In going  
17 through some of the diagrams, I think I found something,  
18 but the lightening rod is four feet high, is that  
19 correct? Because I think I saw in one of the diagrams,  
20 it said the total height, including that attachment, was  
21 139 total. I just wanted to make sure that I have got  
22 that correct.

23 MR. JOHNSON: That is correct, yes. On the A2  
24 sheet of the drawing set, it shows that small lightening  
25 rod. It's kind of on the side of a piece of rebar.

1 MR. SYLVESTRI: Mr. Johnson there was some  
2 interference -- yeah, I didn't quite pick that up, Mr.  
3 Johnson, could you repeat that? There was some  
4 interference.

5 MR. JOHNSON: Yeah, sorry about that. On the A2  
6 sheet of the drawing set, on the elevation view, we show  
7 the lightening, a representation of the lightening rod  
8 on the top of the tower. It is supposed to be four feet  
9 tall, and extend up to the 139 foot elevation.

10 MR. HANNON: On page 10, it kind of struck me  
11 because I think this is, sort of, a change in protocol  
12 but in the second paragraph it talks about a balloon  
13 float consisting of a three-foot diameter balloon and my  
14 recollection is most of the time we have been dealing  
15 with five foot, and it may have been some four foot  
16 diameter, now we are down to three. Is there a reason  
17 why we are reducing the size of these balloons over  
18 time.

19 MR. ARCHAMBAULT: I'll answer, the three-foot is  
20 the standard that our company has used for several  
21 years. There was no request for us to use a larger  
22 balloon. That is what our, that is what we normally do.

23 MR. HANNON: Okay. Thank you. In looking at map  
24 C1, you have the proposed 15-foot wide access easement,  
25 and then independent of that there is the utility

1 easement, is there a reason why the 10-foot wide utility  
2 easement is not incorporated into the roadway easement?

3 MR. JOHNSON: Yes. The proposed access easement is  
4 going to follow the pavement and the paved driveway just  
5 about all the way to the compound area. We also need to  
6 bring in new and separate underground electric and fiber  
7 from the street. So the separate 10 -foot wide utility  
8 easement is the area where we would trench that and bury  
9 those conduits over to the site and that area follows an  
10 existing grassed area. So part of it is to pull from  
11 the street in the location where the poles are, and the  
12 other reason is to trench through the grass instead of  
13 pavement.

14 MR. HANNON: Okay. Thank you. In the  
15 interrogatories, looking at number, sort of, 22 and  
16 23, talk about bringing in a portable 25-kilowatt  
17 generator, but it is a diesel, but yet number 23 says  
18 natural gas is available on the property, so why aren't  
19 you tying into the natural gas for the back-up  
20 generator?

21 MR. JOHNSON: I believe that is a, the diesel is  
22 the preference of T-Mobile. Natural gas is available  
23 there, however it would be to need to be extended over  
24 to the compound area, as well. So I believe that diesel  
25 was the first preference for, but perhaps T-Mobile could

1 comment on that.

2 MR. HANNON: And the reason I am asking is because  
3 that it would seem that if you were able to go with  
4 natural gas, then you don't have to worry so much about  
5 getting a truck out there maybe every two or three days  
6 to refill a diesel generator, so this way you would,  
7 pretty much would have the service most of the time. So  
8 I was just kind of curious as to why we were going with  
9 the diesel, when you actually have natural gas on site?

10 MR. JOHNSON: You know, I know they have contracts  
11 in place with generator folks that, that are, that are  
12 used to, not only maintaining but, you know, filling up  
13 the diesel. I don't, I just believe it's their  
14 preference based upon consistencies with the majority of  
15 the generators that they operate within their network.

16 MR. HANNON: Okay. In looking at trying to, and I  
17 am not seeing any specific page on it, but there's a  
18 general photo which shows where the photo locations were  
19 taken, so it identifies year round visibility, seasonal  
20 balloon was not visible, but yet in looking at that, I  
21 did not see any photos taken at some of these other,  
22 like, large open space areas. Northwest Park, JCC  
23 Camp, there is some activities along the Farmington  
24 River. Is there a reason why nothing was taken in those  
25 locations?

1 MR. ARCHAMBAULT: We may have taken pictures from,  
2 from those locations. I am not sure where exactly those  
3 locations are you are talking about. We generally take  
4 in the nature of 200, 300 photos when we do do this.  
5 Our interpretation of, of what is the overall view of  
6 the towers is what we are trying to get across, not  
7 every location where it is visible from, or not visible  
8 from. If there were any specific places within the  
9 search area, we can certainly go do those, but our goal  
10 is to try to get a good overview of the area within the  
11 search frame.

12 MR. HANNON: Yeah, no, the reason I was asking,  
13 because it doesn't look like there is much in the way of  
14 anything, I think other than maybe where you got  
15 location number 13, it doesn't really look like there  
16 was much taken on the west side of where the proposed  
17 tower is. So, everything is skewed to the eastern side  
18 of where the tower is proposed, that is why I am kind of  
19 curious. Because it just seems like is there a big void  
20 area where there are no pictures submitted.

21 MR. ARCHAMBAULT: If there, I can tell you if there  
22 were along Day Hill Road, something visible from there,  
23 we probably would have put it in. There is a lot of  
24 woods to the east, so it certainly enlarges the area  
25 that it looks like there is no pictures from. There is

1 no particular reason, we didn't have views that we could  
2 see from there and we just did not add in pictures from  
3 there that were just not visible.

4 MR. HANNON: Okay. And my last question deals  
5 with, again, the interrogatories, number 28. And if I  
6 am reading this correctly, you talk about the DB level,  
7 sort of, from the agriculture, to the agricultural zone  
8 area, and the residential district, and it is so many  
9 feet from this location, so many feet from that  
10 location, but was anything done to analyze what this  
11 unit would do for the existing buildings where this unit  
12 is being proposed? I mean, I don't see anything giving  
13 me, you know, some sort of warm fuzzy feeling that it is  
14 not going to be a problem on site, because this is not  
15 an isolated site. It is a developed commercial site, so  
16 I am just curious as to whether or not any evaluation  
17 was done on noise as it relates to the existing  
18 buildings on site?

19 MR. JOHNSON: To answer that, no, I don't believe  
20 that there has been. Is folks getting some feedback  
21 still from when I talk?

22 MR. HANNON: It is not you, it is me.

23 MR. JOHNSON: Okay. Great. But presumably the  
24 tower owner, or the tower owner has entered into an  
25 agreement with the property owner on an industrial

1 property and they understand the, what type of equipment  
2 that will installed here, and come to an agreement as to  
3 that being, you know, part of what they signed on for  
4 here. The regulations do have noise limitations once  
5 you hit on those adjacent property lines, particularly  
6 when you change to different zones. And that is kind of  
7 what these numbers in this, kind of, run-on paragraph  
8 here are talking about. The primary producer of the  
9 noise on this site would be the generator. The closest  
10 property line here is the, is to the north and that is  
11 the agricultural, where the agricultural zone is. We  
12 have that as a 97-foot dimension, I believe from the  
13 generator, that line. So that with this specs from the  
14 generator, the noise obviously drops off as you as you  
15 get further from the producer of that noise. And what  
16 we were trying to summarize here is that we believe that  
17 by the time that noise makes it to that northern  
18 property line, we would be, you know, the noise would be  
19 enclosed within with the requirements of the DEP noise  
20 -- but specific to your question, no it is an industrial  
21 zone and the property owner has signed that agreement  
22 that an understanding of the use that is going to be  
23 installed there.

24 MR. HANNON: Okay. And I was asking because it  
25 specifically states that an acoustical study was not



1 performed and I wasn't so much concerned about some of  
2 the other properties that are far away, but more  
3 concerned about, like, for example, the building that  
4 this tower is going to be right next to. And there has  
5 not been an analysis done as it relates to noise for  
6 those buildings within that parcel of land, so that is  
7 what I am understanding.

8 MR. JOHNSON: Yes, and the, and as I mentioned, the  
9 primary noise, the day-to-day facility does not produce  
10 significant amounts of noise, but the generator when the  
11 power goes out, will kick on and presumably other folks  
12 in the neighborhood, if you have an extended power  
13 outage would also be turning on their generator. So it  
14 is, it also, I should say, does run a test just to make  
15 sure it's operating properly, that can be timed and that  
16 can be scheduled with, you know, the property owner to  
17 go on at a time that perhaps wouldn't cause any concern  
18 with the folks on site, but generally when that noise is  
19 produced, it is when there is an issue and the power is  
20 out everywhere and folks are more concerned about  
21 getting power on and also --

22 MR. HANNON: Okay. Thank you. Mr. Silvestri, I  
23 have nothing else.

24 MR. SYLVESTRI: Thank you, Mr. Hannon, just want to  
25 make sure you got a satisfactory answer on the noise

1 part. Are you all set with that one?

2 MR. HANNON: I understand where they are coming  
3 from.

4 MR. SYLVESTRI: Very good. Thank you, Mr. Hannon.  
5 We are just a minute past 3:30, so why don't we take a,  
6 actually, a 14-minute break. We will come back here at  
7 3:45 to continue cross-examination. And at that time we  
8 will start that with Mr. Nguyen. So we will see folks  
9 at 3:45. Thank you.

10  
11 (Whereupon a short recess was taken.)

12  
13 MR. SYLVESTRI: All right, ladies and gentlemen, I  
14 have 3:45. I just want to make sure our court reporter  
15 is back.

16 COURT REPORTER: I am here.

17 MR. SYLVESTRI: Super. Thank you very much. Okay.  
18 Like to continue cross-examination of the Applicant and  
19 the Intervener at this time with Mr. Nguyen, please.

20 MR. NGUYEN: Thank you, Mr. Silvestri. Good  
21 afternoon.

22 MR. SYLVESTRI: Good afternoon.

23 MR. NGUYEN: Let me start with some questions  
24 regarding the yield point that was discussed, that was  
25 asked by Mr. Morrissey. There was a, there was

1 information provided by the Company that the yield point  
2 would be at 95 feet, is that right?

3 MR. JOHNSON: Yes, that's correct.

4 MR. NGUYEN: Now with respect to the property  
5 line, the application, Attachment 1 -- A1, drawing A1,  
6 and I'll give you a minute to go there. With respect to  
7 that attachment, it shows that the nearest property is  
8 93 feet north, is that yield point for within the  
9 subject property line -- I mean, the subject property?

10 MR. JOHNSON: So the purpose of that yield point  
11 was more geared towards concern with the potential for  
12 it to fall towards the building, but I do understand  
13 what you are getting at here with the, there is a  
14 two-foot difference. I can tell you that the base of  
15 the tower, the steel itself, sits on a concrete  
16 foundation and the concrete foundation extends above  
17 grade a little bit, as well. And then there is some  
18 anchor bolts that extend above that. So the steel  
19 itself actually starts above the top of the concrete.  
20 But we are, I guess what you are pointing at here is  
21 really close to the remaining 95 feet touching if it  
22 were to fold at the base to fall towards that.

23 MR. NGUYEN: With respect to the  
24 coverage, Attachment 5 in the application, it shows lack  
25 of coverage to the north area, of the tower. Are there

1 any plans to cover the north area.

2 MR. MURILLO: Okay. At this point T-Mobile does  
3 not have any plans to cover the north of that area.

4 MR. NGUYEN: To the extent that there were any  
5 other carriers that may be on the tower in the  
6 future, would the north area, theoretically, could be  
7 expended?

8 MR. MURILLO: T-Mobile is always looking to expand  
9 its service and coverage. At that moment, we would have  
10 to, it basically comes down to funding. So, in the  
11 future we would be needing something there eventually,  
12 but not at this point.

13 MR. NGUYEN: But my question is that, to the extent  
14 if any other carriers that would be on this tower in the  
15 future, would the coverage area possibly be, have more  
16 coverage to the north area?

17 MR. MURILLO: I cannot speak for other carriers,  
18 what their propagation or what the coverage needs are,  
19 or would be.

20 MR. NGUYEN: Has the Town requested to install or  
21 express interest to install its emergency service  
22 antenna on the tower?

23 MR. COPPINS: So I have spoken with the Town on  
24 more than one occasion and spoke with the Town Emergency  
25 Services Person, and they have no need of coverage in

1 that area of town at this point in time. However I did  
2 allow them to, if they needed it in the future, we would  
3 provide that, we would provide space on the tower for  
4 them.

5 MR. NGUYEN: That's good. I want to follow-up with  
6 a question that was asked by Mr. Hannon regarding the  
7 diesel generator, how, what is the capacity of this  
8 diesel generator, and how many gallons does it hold?

9 MR. FIEDLER: This particular unit will hold  
10 60 gallons of fuel.

11 MR. NGUYEN: So how long would it last if it runs  
12 continuously?

13 MR. FIEDLER: Yes, continuously, based on the  
14 technologies that we are proposing to deploy this  
15 facility, it could run on an average of two days.

16 MR. NGUYEN: And in the event of a commercial power  
17 failure, would that generator kicks in instantaneously,  
18 or is there a delay?

19 MR. FIEDLER: No, it would kick on instantaneously.  
20 We do have a string of batteries that will provide a  
21 bridge if it is required, of time, but that is a very  
22 short window of about, you know, for this facility where  
23 we have a generator in place, it is about a 15 minutes  
24 lag time on the batteries to, if necessary. Because  
25 sometimes you will have a generator and it will cycle

1 and it may have to cycle twice before it comes on, and  
2 therefore that is our back-up system to allow it time,  
3 but these occur seamlessly.

4 MR. NGUYEN: Okay. In terms of maintenance, how  
5 often would you send a technician out to the, to the  
6 cell site?

7 MR. FIEDLER: To the cell site, we do once a year.  
8 We call them preventative maintenance. If any of the  
9 technologies trigger an alarm, we will dispatch a  
10 technician to the facility. So it is all dependent upon  
11 the performance of the gear that is there, as well as  
12 the amount of traffic that a facility takes can  
13 sometimes increase the need of a technician to monitor  
14 the equipment that is there. But for the most part, on  
15 average, we are visiting our sites three to four times a  
16 year, and one of those is a preventative maintenance, so  
17 it is a very limited amount.

18 MR. NGUYEN: And from where does the Company  
19 dispatch the service technicians?

20 MR. FIEDLER: Yeah, so --

21 MR. NGUYEN: Are they in Connecticut?

22 MR. FIEDLER: I am sorry?

23 MR. NGUYEN: Are they in Connecticut?

24 MR. FIEDLER: Yes. So the engineering office is in  
25 Bloomfield, Connecticut. Our switch facility is in

1 Bloomfield, Connecticut. And we have a series of field  
2 technicians that use their home as their office space,  
3 as a base, if you will. They have their trucks, their  
4 equipment and they dispatch accordingly based on the  
5 geographic area that they service. So each field  
6 technician has a cluster of sites, so all of Connecticut  
7 is maintained by Connecticut field personnel and my  
8 organization.

9 MR. NGUYEN: Now one last question regarding the  
10 technology, the Company indicated that it currently  
11 supports only 5G data, is that right?

12 MR. FIEDLER: Correct.

13 MR. MURILLO: That is correct.

14 MR. NGUYEN: Now to the extent is there any growth,  
15 should there be a full, you know, full 5G services, can  
16 this tower accommodate that, and how so?

17 MR. MURILLO: You are talking about voice on the  
18 5G?

19 MR. NGUYEN: Yes. Yes.

20 MR. MURILLO: Okay. So yes, that is VONAR, it is  
21 called, and that is coming down the line probably, I  
22 would anticipate probably within the nine to 12 months,  
23 we are going to have some VONAR.

24 MR. NGUYEN: Thank you very much. That is all I  
25 have, Mr. Silvestri. Thank you.

1 MR. SYLVESTRI: Thank you, Mr. Nguyen. I would  
2 like to continue cross-examination with Mr. Edelson at  
3 this time. And Mr. Edelson, you are still muted. There  
4 we go.

5 MR. EDELSON: Now, I think I got it. Sorry. You  
6 can hear me okay, though, right?

7 MR. SYLVESTRI: Yes.

8 MR. EDELSON: I want to continue following up with  
9 the natural gas question, or really the interruptible  
10 power. First, when you say batteries, Mr., I think it  
11 is Coppins, are you really talking about an  
12 uninterruptible power supply of batteries that will kick  
13 in instantaneously?

14 MR. FIEDLER: I can address that, and it is Hans  
15 Fiedler with T-Mobile.

16 MR. EDELSON: Okay. Sorry.

17 MR. FIEDLER: That's okay. So the batteries that I  
18 was referring to, is a back-up in case the generator is  
19 not cycling immediately upon commercial power loss. So  
20 it is designed to immediately trigger. But in the event  
21 that the generator does not trigger, the batteries will  
22 supplement to keep up our transport gear so that we can  
23 keep fiber rings connected. It triggers an alarm, and  
24 then therefore we can dispatch that says, the generator  
25 has not functioned, it is running on battery power, and



1 then we go out and then we figure out why the generator  
2 is not working. But the ultimate hardening solution is  
3 the generator, which will cycle once every two weeks and  
4 triggers an alarm to us in the event it doesn't cycle.  
5 So that we can do preventative maintenance, so therefore  
6 it is, its redundancy is fairly significant.

7 MR. EDELSON: Now this seems to be a different  
8 configuration than we have seen from other carriers.  
9 How quickly is this diesel generator going to be able to  
10 kick in once it determines that the commercial electric  
11 supply has gone down?

12 MR. FIEDLER: No interruption to the electronics.  
13 So immediate. As soon as there is a power surge,  
14 right --

15 MR. EDELSON: Okay.

16 MR. FIEDLER: -- the electronics are being  
17 maintained in the battery, the generator kicks on and  
18 the batteries go into charging mode, and then the  
19 generator runs for the duration of time. So there is  
20 zero lapse of connectivity.

21 MR. EDELSON: Okay. Maybe we are just using  
22 different terminology. But in that interim time, it is  
23 the batteries that are really providing the electricity.

24 MR. FIEDLER: For that --

25 MR. EDELSON: Go ahead.

1 MR. FIEDLER: For about a two to five-minute  
2 window.

3 MR. EDELSON: Okay. And that is, okay, what I  
4 refer to as uninterruptible battery supply system or  
5 UBS, such that it allows the generator to get up to the  
6 right speed. And I think it would be good to clarify  
7 that, because in the narrative you did not refer to  
8 batteries, at all. And, which was a concern to me  
9 because I know that is the only way, in my experience,  
10 for computers and things of electronic nature, they are  
11 the only ones that are instantaneous so that you won't  
12 lose continuity.

13 If the, going back to the power supply, though, we  
14 have said over and over that as we find ourselves in  
15 communities which lose power for extended periods of  
16 time, natural gas is preference, preferred fuel, also  
17 from environmental reasons. Would you be amenable and  
18 do you think T-Mobile would be amenable to switching the  
19 power source or the fuel source to natural gas?

20 MR. FIEDLER: We are not adverse to using a natural  
21 gas generator solution. We use it, generally, on  
22 rooftop facilities. I think with regard to this, I  
23 don't know that we have done an evaluation on the  
24 feasibility of extending those gas lines and whether  
25 there is any disruption to do so on the property, but we

1 are not adverse to looking at it, if that is a condition  
2 that wants to be looked at.

3 MR. EDELSON: Okay. I just want to switch gears a  
4 little bit, and again, being, I think the last or next  
5 to last questioner a lot of my questions have been asked  
6 so some of this might seem out of order. But from my  
7 reading of what was submitted, there were no public  
8 comments regarding visibility of the tower itself. Did  
9 I read that correctly, in terms of the public comments  
10 you have received?

11 MR. LANGER: Mr. Johnson, maybe you could respond  
12 to that since I can't testify.

13 MR. JOHNSON: I believe that is correct.

14 MR. EDELSON: Okay. And now just want to turn a  
15 little bit to the visual simulation, and had some  
16 questions about that. So, I am having a problem in the  
17 original visual simulation between the differences of  
18 page nine and ten. And let me bring it up because I  
19 kept looking at them and just maybe it was the way I was  
20 looking at them I couldn't see what the distinction was  
21 between pages nine and ten.

22 MR. ARCHAMBAULT: I will be there in just a second.  
23 So page 39 is photo number four, from 1080 Day Hill  
24 Road, is that the photo you are talking about?

25 MR. EDELSON: I am not, I am talking about

1 page nine, not photo nine. This is the overall  
2 Viewshed.

3 MR. ARCHAMBAULT: So I am on page nine, which is  
4 photo 4. You are talking about the Viewshed --

5 MR. EDELSON: Yes. I am on Attachment 9, Viewshed  
6 Analysis Report, bottom right-hand corner, it says nine.  
7 I assume that is page nine.

8 MR. ARCHAMBAULT: I am sorry. I have that all as  
9 one thing here. Hang on one second. You said  
10 attachment, you said analysis report.

11 MR. SYLVESTRI: Mr. Edelson, that is Viewshed  
12 Imagery, is that correct?

13 MR. EDELSON: Yes, correct.

14 MR. SYLVESTRI: Yeah, okay. So the --

15 MR. EDELSON: Upper left-hand corner.

16 MR. SYLVESTRI: Yes. Upper left of Viewshed  
17 Imagery, and it is page nine.

18 MR. ARCHAMBAULT: Yes. Got it. Give me one  
19 second. It is loading up here. So I am looking at the  
20 same document I just had it in a --

21 MR. EDELSON: Very good.

22 MR. ARCHAMBAULT: Eight and nine. Photo nine and  
23 Photo ten -- page nine and page ten.

24 MR. EDELSON: Correct.

25 MR. ARCHAMBAULT: Correct. So one of the things in

1 here is on page nine, you will see the blue line on  
2 there, that is on the roads.

3 MR. EDELSON: Correct.

4 MR. ARCHAMBAULT: That's our camera geolocates us  
5 as we travel, so it shows the different roads that we  
6 went down to show that we were there. And by doing  
7 that, quite often it covers up information that you  
8 might want to see. So we do the next page with those  
9 lines not there, so that it's more visible to see the  
10 actual Viewshed. We are not covering up stuff.

11 MR. EDELSON: Okay. All right. Well that  
12 clarifies. Now if I understand either of those  
13 diagrams, doesn't matter which one, you have got the  
14 yellow shaded area, which the key tells us is the  
15 predicted visibility year round areas that will have  
16 visibility. And then we have photo location number  
17 three and number nine that are outside of that shaded  
18 area, and they are both indicated to have, even though  
19 they are yellow, photo location as seasonal. So the,  
20 feeling like you have got two different ways of showing  
21 data and they are not, in my mind, consistent, that I  
22 would think if you had the actual data point of, let's  
23 say, number nine, that would take your area shading a  
24 little bit further to the east. Can you help me  
25 understand that?

1 MR. ARCHAMBAULT: Certainly, one of the things  
2 about putting a mark on the maps, such as a circle with  
3 a number in it, is you don't see what is underneath it,  
4 for one thing. So if we were to take that nine off it  
5 is possible that there would be some shading under  
6 there. If you look at nine and actually zoom in a bit,  
7 you will see that right on the word, space, there, where  
8 it says open space, there is some shading there and that  
9 potentially continues onto where the number nine is.  
10 And if you look at the number nine photo, it is very,  
11 very obstructed. And you have the, you are very lucky,  
12 looking through some trees with no leaves on and you can  
13 just barely see it to the point where on number nine, we  
14 had to add an arrow so that you could see where the  
15 simulation was.

16 MR. EDELSON: So based on the shading there, you  
17 are saying if I move to the west or if I move to the  
18 south of photo location number nine, I would not, it  
19 would go from an obstructed view to no view, at all?

20 MR. ARCHAMBAULT: It, yes, there might be a step it  
21 might be five steps. It's very obstructed there. And  
22 same thing with photo number three. It's, again, it's  
23 right on the edge, and we are showing a very dense tree  
24 in the photo, that is why we do both the view shed and  
25 the photo, so that they both predict and show kind of

1 the same thing. And again, here on photo three, it is a  
2 very dense tree that is blocking the view. We can see  
3 it through there, through the tree. It could almost  
4 guarantee you you wouldn't see that during leaf-on  
5 conditions, at all. But there is a lot of branches in  
6 between you and the actual tower.

7 MR. EDELSON: And so if I moved a little bit to  
8 what I could call, 4:00 o'clock on that circle, there  
9 are splotches of yellow down there.

10 MR. ARCHAMBAULT: Correct.

11 MR. EDELSON: So even though we don't have anything  
12 to the east of photo number eight, which shows itself as  
13 being not visible here from number eight, if I move to  
14 the east a little bit, there, sounds like there is a  
15 good chance I would have a full year visibility to the  
16 east, and then along that yellow brush stroke, almost.

17 MR. ARCHAMBAULT: There is definitely a possibility  
18 that there would be some visibility there, yes.

19 MR. EDELSON: Based on your analysis?

20 MR. ARCHAMBAULT: Yes. It could be just the top  
21 couple inches of it, or, you know, it could be more.  
22 But I don't believe there was much visibility there, but  
23 you are right, we did not put a photo in there showing  
24 that area.

25 MR. EDELSON: Okay. I think I kind of understand.

1 But again, as we look to the west, as was pointed  
2 out, there are, as far as I can tell, almost none of  
3 those, kind of, splotches or brush strokes of yellow  
4 because of the tree foliage there, I guess, you are  
5 saying, is, and the topography, basically keeps any  
6 views from that area?

7 MR. ARCHAMBAULT: Correct.

8 MR. EDELSON: And those yellow splotches, that is  
9 not a great word for it, but when you do your area, the  
10 area that is visible, you have included all of those  
11 down there in that, sort of, 4:00 o'clock area?

12 MR. ARCHAMBAULT: I am not sure what you mean.

13 MR. EDELSON: Well --

14 MR. ARCHAMBAULT: Included them, where?

15 MR. EDELSON: I think you calculated a square  
16 footage or a percent of the area where there is  
17 year-round visibility.

18 MR. ARCHAMBAULT: Correct.

19 MR. EDELSON: And those are included, the ones that  
20 are down there.

21 MR. ARCHAMBAULT: Absolutely.

22 MR. EDELSON: Okay. All right. So I think I had  
23 another question about, I might, again, not, just not be  
24 interpreting the diagrams correctly. But page 11 and  
25 12.



1 MR. ARCHAMBAULT: Okay.

2 MR. EDELSON: But page 11 and 12, and again the  
3 differences here are the tracking lines are removed in  
4 12, and you refer to these as topo maps. And I guess  
5 when I see the word topo, I am expecting, I am going to  
6 see topography lines showing elevation, and I don't see  
7 those. So can you help me understand what you mean by  
8 topo?

9 MR. ARCHAMBAULT: Yeah, it does appear that the  
10 topo lines did not transfer well. There are topo lines  
11 there, but you are right, they did not transfer well, at  
12 all. At some point somebody copying it or scanning it  
13 or something like that, the topo lines were, do appear  
14 to be not visible.

15 MR. EDELSON: And I'll defer to Mr. Silvestri, but  
16 maybe we could ask for a late submission of a revised  
17 topo figure from page 11 and 12?

18 MR. SYLVESTRI: I want to defer to Attorney Bachman  
19 on that one, Mr. Edelson.

20 MR. EDELSON: That sounds good.

21 MS. BACHMAN: Thank you, Mr. Silvestri. Mr.  
22 Edelson, do you think the topo maps would be something  
23 that you would want to conduct further cross-examination  
24 on in a continued evidentiary hearing, or just to have  
25 those maps in the record as a late file without any

1 cross-examination?

2 MR. EDELSON: More the latter. The late file  
3 without cross-examination.

4 MS. BACHMAN: Okay. Attorney Langer.

5 MR. EDELSON: Go ahead.

6 MS. BACHMAN: I am sorry, go ahead Mr. Edelson.

7 MR. EDELSON: No, I was just agreeing. You got it  
8 right.

9 MS. BACHMAN: Okay. And Attorney Langer, is that  
10 acceptable? Could you submit that?

11 MR. LANGER: I would be happy to do so. And  
12 perhaps we could try to submit it electronically so the  
13 topo lines don't, aren't eliminated from various  
14 scanning and whatnot if that might be beneficial.

15 MS. BACHMAN: Okay.

16 MR. ARCHAMBAULT: I can take care of that.

17 MR. EDELSON: Okay.

18 MS. BACHMAN: Do you have any idea how long it  
19 would take if you do that, Mr. Archambault?

20 MR. ARCHAMBAULT: We can probably get that out, if  
21 not tomorrow, Monday.

22 MS. BACHMAN: Okay. Very good. Thank you.

23 MR. EDELSON: Thank you.

24 MR. SYLVESTRI: Thank you, all.

25 MR. EDELSON: Okay. So in the interrogatory,

1 number 32, refers to the revised, let's call it the  
2 revised simulation, visual simulation. And it refers to  
3 that you reran it because you had updated data, but I  
4 didn't think I saw what was the nature of that updated  
5 data and if you could point to some of the differences,  
6 because when I look, try to go back and forth between  
7 the two sets of photos, it is kind of difficult and I  
8 was unable to really see a difference.

9 MR. ARCHAMBAULT: The difference is very, very  
10 minute, but it was, the data was updated. So, it was  
11 different. I probably, I probably couldn't, without  
12 doing a study putting them both together and overlapping  
13 them and showing the difference, I probably couldn't  
14 point out the difference. It is very, very small.

15 MR. EDELSON: Can you give me an example, when you  
16 say, updated data, what, I mean, was it pictures, what  
17 was it?

18 MR. ARCHAMBAULT: So when we do a Viewshed, we use  
19 Lidar data that comes from a couple of different places.  
20 And this, in this instance it's the DEEP that we pull  
21 this data from, and we had to update something. And to  
22 do that, we had to rerun the system. And where we get  
23 the data, we don't store the data because it is a lot of  
24 data, so we use new, we use it new, and they had updated  
25 their data. So other than maybe a tree has fallen down

1 somewhere, or a tree has grown six inches or something  
2 like that, it is going to be essentially the same. If  
3 somebody had stripped an area and built a new building  
4 in the meantime, it would have been different. There  
5 was no significant difference.

6 MR. EDELSON: Okay. So in my language, I would say  
7 it was the base data about the land and the topography.  
8 It wasn't about data related to the installation of a  
9 tower, of this tower?

10 MR. ARCHAMBAULT: Correct.

11 MR. EDELSON: The tower and the installation were  
12 all the same.

13 MR. ARCHAMBAULT: Correct.

14 MR. EDELSON: And I was a little confused, in the  
15 interrogatory it referred to updating a quote to reflect  
16 a two-mile radius. But my feeling was the original  
17 visual simulation showed a two-mile radius. So, can you  
18 hep me understand what you meant by updating to reflect  
19 a two-mile radius?

20 MR. ARCHAMBAULT: The original was only showing a  
21 one mile radius.

22 MR. EDELSON: Well the visual simulation, the  
23 Viewshed that we were looking at just a minute ago,  
24 page nine and ten, and then page 11 and 12, those say  
25 two miles. So I am, maybe we are not talking apples and

1 apples, but I, that is the instruction to the original  
2 Viewshed simulation, was a two-mile radius map.

3 MR. ARCHAMBAULT: One second. I was trying to  
4 answer a question, I closed one thing to open this. So  
5 in the one that was originally, it was my understanding  
6 that it was a one mile, one-mile Viewshed. Does this,  
7 this does say two miles on it.

8 MR. EDELSON: Okay.

9 MR. ARCHAMBAULT: Oh, it was, this is a two-mile  
10 diameter Viewshed. The new one is a two-mile radius  
11 Viewshed. There was a miscommunication on what we were  
12 calling diameter. It is two-mile, but the original one  
13 was a diameter. So it was a one-mile radius, so --

14 MR. EDELSON: Okay.

15 MR. ARCHAMBAULT: That was the difference.

16 MR. EDELSON: Those units of analysis will get you  
17 every time.

18 MR. ARCHAMBAULT: Yes.

19 MR. EDELSON: So I think my next question is for,  
20 well, T-Mobile. Mr. Murillo. In the, I think it is in  
21 the interrogatory that number 18, it says that T-Mobile  
22 said the 130 foot tower was needed to meet the coverage  
23 and capacity objectives, or this was Tarpon's, Tarpon  
24 Tower's interpretation of what T-Mobile wanted, to meet  
25 that coverage and capacity objectives. And I was,

1 appreciated if you could say, what were those objectives  
2 that you communicated to Tarpon Towers? What, how did  
3 you describe to them what your coverage and capacity  
4 objectives were, or are?

5 MR. MURILLO: Okay. So well when we look at the  
6 existing coverage list, we start with the coverage in  
7 that area, the biggest purpose of this, of this tower  
8 that we are proposing is, we were lacking in building a  
9 residential and commercial coverage, especially on Day  
10 Hill Road. So we came up with that 130 foot height  
11 because it meets our objective from the site to the west  
12 and the site to the east, it is going to connect. Any  
13 reduction in the height would start to open up that,  
14 especially the in-building commercial and residential in  
15 the area, because there is, that is critical in the  
16 area. We have so many businesses in the area, now.  
17 Well over 20,000 vehicles traveling through that daily.  
18 So that is how we came up with the coverage objective  
19 for that area.

20 And for capacity, for the capacity purposes, we  
21 have two sites we have the site to the west, if I can  
22 get my -- so I can give you the right location. At 2627  
23 Day Hill Road, one of our sectors, the alpha sector, has  
24 low band capacity problems, if you will. So we are  
25 congesting on that sector, so that is why we need that

1 proposed facility. But also --

2 MR. EDELSON: What I am trying to get at is, did  
3 you give Tarpon Towers the objectives, or did you tell  
4 them, we just want, all you need to know is 130 feet?

5 MR. MURILLO: Yeah, we did the simulation, the  
6 study and we told them we need 130 feet, correct.

7 MR. EDELSON: So Tarpon Tower never really had what  
8 your objectives were, they just had what your height  
9 requirement was for where you wanted your antennas?

10 MR. MURILLO: Correct.

11 MR. EDELSON: Okay. Because I was hoping, well, I  
12 was thinking the way I read that interrogatory, that was  
13 a conveyance of what you mean, what your objectives are  
14 for capacity. And I have been having trouble getting  
15 people to clarify how do we know what a, what the  
16 capacity objective is that you are trying to achieve.  
17 And as, in terms of a metric that can be measured. Do  
18 you have such a metric that you use within T-Mobile to  
19 say, we want our capacity objective to be at this  
20 particular level?

21 MR. MURILLO: Yes. So at T-Mobile we have what is  
22 called a five megahertz pipe. So within a five  
23 megahertz pipe, we typically have, we measured 45  
24 maximum peak users. If we go above the 45 peak users on  
25 that five meg pipe, we are basically congesting, and

1 that point is when we trigger, basically, a capacity  
2 issue. So that's the case with the site to the west and  
3 to the east.

4 MR. EDELSON: So, okay, it is based on users in a  
5 certain area, if you will.

6 MR. MURILLO: On the busy hour, correct.

7 MR. EDELSON: Okay. That is very helpful. And I  
8 think this might be for Mr. Gaudet. I just want to go  
9 back to the diagram, I think the A2 diagram. Let me  
10 just see if I can find that for myself. So this is the  
11 A2 diagram in attachment one. And I just wanted to  
12 clarify one thing on that diagram.

13 MR. GAUDET: This may be for Tom, but I'll try my  
14 best.

15 MR. EDELSON: Okay. Well, I apologize for not  
16 being able to keep straight who is who.

17 So on the diagram of the 48 by 48 layout, there are  
18 three areas with dotted lines, three rectangle with  
19 dotted lines, and my assumption is, those are to  
20 indicate the sites for the, the ground installation for  
21 the potential of three other providers. And in addition  
22 to T-Mobile, and that each of them are the same. There  
23 are no figures for them. There is no, you know, nothing  
24 indicating length and width. But are those the three  
25 proposed sites if three other carriers came on site?



1 MR. JOHNSON: Yes, that is correct. We refer to  
2 them as future lease areas.

3 MR. EDELSON: And they are all basically the same  
4 as what T-Mobile has.

5 MR. JOHNSON: Yes.

6 MR. EDELSON: I mean, in terms of laying it out at  
7 this point.

8 MR. JOHNSON: It's, -sorry, just to clarify --  
9 it's, it is shown that way now. It doesn't mean that  
10 it, if a different carrier comes down later on and may  
11 want a slightly different size, but it is a placeholder  
12 for that.

13 MR. EDELSON: All right. Mr. Silvestri, I think  
14 that is all the questions that I have right now. Thank  
15 you.

16 MR. SYLVESTRI: Thank you, Mr. Edelson. I do have  
17 a number of follow-ups from what other Council members  
18 have posed.

19 Let me start first with that, I do support Mr.  
20 Edelson's comments, as well as some other Council member  
21 comments on the potential for natural gas for the  
22 generator. You know, the two days, in my opinion, is a  
23 very, very short time for a run on diesel fuel. So I  
24 think the natural gas would be much more appropriate to  
25 give you longer time and less interruption. So my

1 comment on that one.

2 Next follow-up I had, Mr. Murillo, you had  
3 mentioned about 5G voice and VONAR, if I pronounce that  
4 correctly, does that imply that you will need new  
5 equipment to put on the tower should it be approved?

6 MR. MURILLO: So currently what we are proposing,  
7 and what we had submitted for VONAR, it will, the  
8 hardware will be there, the, for the VONAR, it would  
9 just be software upgrades.

10 MR. SYLVESTRI: So you would have to tune it,  
11 basically.

12 MR. MURILLO: On the software side, correct.

13 MR. SYLVESTRI: Okay. Thank you. Then, Mr.  
14 Coppins and Mr. Fiedler, I do have follow-ups for you on  
15 how many times per year that a technician might visit  
16 the site. Mr. Coppins, you mentioned three times. Mr.  
17 Fiedler, you mentioned three to four times. Mr. Fiedler  
18 mentioned that once a year would be for maintenance.  
19 What would be the other times, and when might that  
20 happen?

21 MR. FIEDLER: That would be based on the  
22 electronics that is transmitting our frequencies would  
23 trigger alarms based on performance issues, and  
24 therefore a technician may have to go to service the  
25 equipment on the ground in the cabinets, where you may

1 have reset some routers, you may have to change some  
2 provisions. In addition would be if there is anything  
3 wrong with the electronics on the top of the tower,  
4 therefore we would have to bring a tower crew to go and  
5 do maintenance on that. But that is truly driven by the  
6 electronics at the site triggering alarms.

7 MR. SYLVESTRI: So no alarm, no maintenance, no  
8 visits, would that be correct?

9 MR. FIEDLER: Except for that one maintenance per  
10 year.

11 MR. SYLVESTRI: Per year.

12 MR. FIEDLER: So we do touch every sight once per  
13 year, and that is the difference between three and four.

14 MR. SYLVESTRI: How about inspections after storms?

15 MR. FIEDLER: You know, it typically it is going to  
16 happen during the storm when we are doing recon efforts.  
17 So as soon as an event occurred, and let's say we have a  
18 series of sites that are running on generator, we will  
19 dispatch to all facilities to confirm what is the  
20 condition. We also get alarms as to whether, if there  
21 is a heavy wind storm, we could have a sector that could  
22 trigger something that came lose and therefore we are  
23 seeing derogation in service. So, the recon efforts  
24 happen within the first 24 hours of any event, and that  
25 is when we would determine whether we have had excessive

1 damage that we would have to trigger additional  
2 resources.

3 MR. SYLVESTRI: Okay. Thank you for your answer on  
4 these. Going back to the Viewshed imagery, which Mr.  
5 Edelson has discussed earlier, with that page nine. Mr.  
6 Archambault, the blue line you had mentioned as the  
7 track log, was the track log performed by vehicle  
8 movement or on foot?

9 MR. ARCHAMBAULT: The track log is actually taking  
10 data from the camera. So if you were to get out of the  
11 vehicle and walk into a field or something like that,  
12 the log would follow you and show that you went there.  
13 We don't typically go on private property unless in  
14 advance we have letter, a signed letter of authorization  
15 to go on private property. So we stay mostly on the  
16 road.

17 MR. SYLVESTRI: So the blue line would be road, for  
18 the most part, as you just mentioned, but would the  
19 camera be on the vehicle taking pictures or do you get  
20 out of the vehicle and take pictures that way.

21 MR. ARCHAMBAULT: We, right now we use a handheld  
22 camera.

23 MR. SYLVESTRI: So you get out of the vehicle?

24 MR. ARCHAMBAULT: Yes.

25 MR. SYLVESTRI: Then saying with that, it is hard

1 for me to describe what looks like a road. But to the  
2 west of the Viewshed that you have, west of dead  
3 center, you have some type of park or wooded area that  
4 has the Great Pond that is there. There looks like a  
5 road or a path that goes from south to north, and it is  
6 just on the west of where it says CT1209, do you see  
7 that?

8 MR. ARCHAMBAULT: It does look like a path there.  
9 I don't know that it is a road.

10 MR. SYLVESTRI: Well the question I had, did  
11 anybody walk down that path with the camera to try to  
12 take pictures form that side?

13 MR. ARCHAMBAULT: No.

14 MR. SYLVESTRI: Why?

15 MR. ARCHAMBAULT: We didn't. I am not sure by  
16 looking at it from here if it was a well-marked path, if  
17 it is a high tension power lines, if it is marshy, I  
18 don't know off the top of my head.

19 MR. SYLVESTRI: But something, it appears,  
20 prevented you from walking down that path to take  
21 pictures?

22 MR. ARCHAMBAULT: It would appear so, yes, that we  
23 didn't go down there. I don't know, maybe there is a  
24 sign at the front that says, private property, or it is  
25 private property. Again, unless it's public, we

1 wouldn't go on it, anyway. I don't know what that  
2 property is.

3 MR. SYLVESTRI: Okay. Thank you. A follow-up, I  
4 have on that, if you follow the blue track line coming  
5 to the west of the whole site that you are intersecting  
6 with the two-mile diameter ring. So I am going west, I  
7 am below the Great Pond, and I have some red lines that  
8 are there, one of them going north. It says a plot --  
9 plat lot line. What is a plat lot line, first of all?

10 MR. ARCHAMBAULT: That would be Town property lines  
11 that are part of a program that we overlay. We don't  
12 necessarily gather all the information about the  
13 property but we do put property lines on so that you can  
14 see them.

15 MR. SYLVESTRI: Okay. So the western most red line  
16 that bisects that diameter, that is just a property  
17 line, that is not a road or anything; is that correct?

18 MR. ARCHAMBAULT: You are going to have to hang on  
19 one second here, my computer has slowed up. I  
20 apologize.

21 MR. SYLVESTRI: Again, just so when it pops up you  
22 can find it, it is to the west of the Great Pond, but  
23 still inside the two-mile diameter circle.

24 MR. ARCHAMBAULT: Yes. I apologize my -- if you  
25 have another question I can answer while I try to get

1 this to come back up, I am going to have to close it for  
2 a second and reopen it.

3 MR. SYLVESTRI: Well I do, but it is going to go  
4 back to another of the photos that you had, so I could go  
5 onto someone else, if need be.

6 MR. ARCHAMBAULT: Why don't you do that, and in two  
7 minutes I'll have this back up, and I can answer your  
8 question correctly.

9 MR. SYLVESTRI: All right. Let me see what else I  
10 have. If we could go to the response to interrogatory  
11 number 20, it has the purpose of the parabolic microwave  
12 dish is to provide backhaul to or from the facility.  
13 Could someone explain what backhaul means in this  
14 sentence?

15 MR. FIEDLER: Yes. Backhaul is basically landline  
16 telephony, if you will. And the -- sorry, go ahead.

17 MR. SYLVESTRI: No, I was going to say, explain  
18 that one further, too.

19 MR. FIEDLER: Well it is microwave, so we are  
20 replicating what we would do from a fiber optic  
21 connection, or if you were using traditional copper,  
22 which we have all moved away from, where it is all fiber  
23 optics, now, that we would use microwave to create that  
24 backhaul of data and voice that is coming through our  
25 wireless frequency bands, right. So your wireless is

1 from your handset, to the closest facility, comes  
2 through our electronics and gets converted into IP  
3 through the fiberoptic network, and we call that  
4 backhaul.

5 MR. SYLVESTRI: Okay.

6 MR. FIEDLER: Microwave would be a substitute if we  
7 could not get fiber optics to the facility.

8 MR. SYLVESTRI: Thank you.

9 MR. FIEDLER: Yes.

10 MR. SYLVESTRI: Mr. Archambault, did your computer  
11 come back?

12 MR. ARCHAMBAULT: It did. So I have up the map  
13 with the Viewshed, two-mile radius showing the property  
14 lines, and your question, again, is?

15 MR. SYLVESTRI: The red line, western most inside  
16 the two-mile diameter ring, that is the west of the  
17 Great Pond, is that a property line or is that a road?

18 MR. ARCHAMBAULT: That is a properly line. I  
19 believe what you are talking about is a property line.

20 MR. SYLVESTRI: Okay. Thank you. Now I want to  
21 move to photo number six on the, the visibility aspect  
22 of it.

23 MR. ARCHAMBAULT: Okay.

24 MR. SYLVESTRI: This is 98 Mordello Circle, some  
25 Council member had asked a question about the views.



1 MR. ARCHAMBAULT: Yes.

2 MR. SYLVESTRI: And if I understood the question  
3 and the answer correctly, it appears that the house that  
4 is located right most in this picture, would not have  
5 views of the cell tower. Did I hear that correctly?

6 MR. ARCHAMBAULT: No. The response that I believe  
7 was questioned would have the most impacted views.  
8 Would be the houses on the road that's in front of you,  
9 which is the Huckleberry Road, that house this is dead  
10 in the middle of this picture. Is actually on  
11 Huckleberry road, not on Mordello circle. So the houses  
12 on Huckleberry Road would have the most impacted. And  
13 the first two houses on Mordello, would have the most  
14 impacted views. The other houses will have views in  
15 that area, but because there is less obstructing them,  
16 there is not houses directly in front of them, those  
17 would have the most impactful views.

18 MR. SYLVESTRI: And again with the, I'll call it  
19 the outliers, you know, the ones that would not have the  
20 most impacted views, if you will, it depends on, really,  
21 where you are, either on the house or on the property,  
22 as to how much of a view you are going to have.

23 MR. ARCHAMBAULT: Correct.

24 MR. SYLVESTRI: Okay. Just wanted to clarify that  
25 part.

1           Let me see what else I might have for follow-ups.  
2 All right. Going to the application on page 18, of the  
3 application. We have a chart, if you will, that has  
4 various quoted sections, requirements, and what the  
5 proposed facility might be. In the middle, on page 18,  
6 you have Section 14.2.16C 2(b)(ii), that talks about  
7 screening and landscaping, could you see that? Question  
8 I have for you, has the view of the compound and  
9 security fence would be largely shielded from the road  
10 and surrounding properties by the existing buildings on  
11 site and mature vegetation. The question I have, will  
12 additional screening of, like, vegetation be added to  
13 supplement what is there already?

14           MR. JOHNSON: We don't have, we don't currently  
15 propose any additional vegetation to screen. On the  
16 site plans, I think you can see where the fence line  
17 falls in relation to the building, which would  
18 effectively screen that one side of it. There is also a  
19 tree line just on the other side of the driveway coming  
20 into the north, which would screen another side of it.  
21 And then there is existing landscaping and shrubs within  
22 the, I guess I would call it, the landscaped island,  
23 where we are placing the compound that would screen both  
24 large portions of the Southern and western side of the  
25 fence. So we feel that additional screening would be

1 beneficial.

2 MR. SYLVESTRI: The reason I am asking is, is  
3 should the project be approved, you go ahead, start  
4 construction, to either, you know, grade it to put a  
5 fence in it, or whatever, I don't know if any  
6 landscaping that is existing already might be destroyed  
7 that you might have to replant. That is the reason for  
8 my question.

9 MR. JOHNSON: Yeah. I think you may see that in  
10 the, some of those overall site photos. There are  
11 three, there are large shrubs or, what we refer to as  
12 trees, that will come out and also a lower line of  
13 shrubs that would come out. Then we, that, those three  
14 and one are within the compound area itself. Our plan  
15 is to preserve the remaining, and I think you can see  
16 that on the A2 sheet, the remaining vegetation within  
17 that island around --

18 MR. SYLVESTRI: Okay. Thank you for your answer.

19 Different topic. Somebody had brought up the FAA  
20 determination. And I have that in front of me, and I am  
21 looking at page one of three, the determination of no  
22 hazard to air navigation. Towards bottom of the page it  
23 has, this determination expires on March 19, 2020,  
24 unless, and then it gets into a couple of subsections.  
25 What is the status of that, or has it been renewed, does

1 it need to be renewed?

2 MR. COPPINS: We got it extended, and if you read  
3 further down, we included the extension on that.

4 MR. SYLVESTRI: Okay. Thank you. I have a copy of  
5 a UKS certified mail letter that was dated November 12,  
6 2020. This one happened to go to Newgate Farms Windsor,  
7 LLC in East Granby, kind of discusses what might happen  
8 with the tower. But related to all of this, if I  
9 understand correctly, the public information meeting was  
10 held on January 30th of 2020. And I'll ask the  
11 question, first of all, what was the attendance at that  
12 meeting and did you get any type of responses?

13 MR. LANGER: Mr. Johnson, if you could, please?  
14 Thank you.

15 MR. JOHNSON: Sure. There was a, there was, if I  
16 recall, there were a few folks from the public there,  
17 and there was a few folks from the Town there, as well.  
18 But it wasn't, it wasn't, I would say no more than 10 to  
19 15 total, including, including folks from Tarpon.

20 MR. SYLVESTRI: Okay. So the reason why I am  
21 asking is, I'll say things went, quote unquote, quiet  
22 until the notice of application filing was provided on  
23 November 12th, 2020, along with this letter and other  
24 letters that went out. Did that 2020 filing in November  
25 result in any other questions or comments or concerns

1 from abutters or anybody else?

2 MR. JOHNSON: Not that I am aware of.

3 MR. LANGER: Mr. Coppins, that might be a good  
4 question for Mr. Coppins.

5 MR. COPPINS: Not that we are aware of that we have  
6 heard of anything.

7 MR. SYLVESTRI: All right. Thank you. And, and I  
8 also have in front of me a copy of a November 6, 2019  
9 letter to the Honorable Mayor Donald S. Trinks. Any  
10 comments from the Mayor, either with the initial contact  
11 that you had on November 6, 2019, or anything that might  
12 happen after?

13 MR. COPPINS: We have had, we had conversations  
14 with him. And mostly he was interested in our status of  
15 the project, that was all.

16 MR. SYLVESTRI: Okay. Thank you. I think I went  
17 through the gamete of my questions in follow-ups, but as  
18 everyone knows when you ask questions and you obtain  
19 answers, sometimes that spurs other questions from  
20 Council members.

21 So I would like to take a few moments and regroup,  
22 go back to the beginning and start with Mr. Mercier to  
23 see if he has any follow-up questions?

24 MR. MERCIER: Thank you. I have no follow-up  
25 questions. However, I wanted to ask for two other late

1 files, if possible. One was the DEEP letter that was  
2 mentioned in the previous testimony that was issued, I  
3 believe, in mid to late February. We don't have a copy  
4 of that revised DEEP letter. I would like to have that.

5 And the second item would be just to revise  
6 application Attachment 8. That is the site search  
7 summary, so that the addresses and the map match and we  
8 could have that for the website. Thank you.

9 MR. SYLVESTRI: No, thank you, Mr. Mercier. And I  
10 take it that wouldn't be for cross-examination, that  
11 would be to have and to look at to? Thank you.

12 MR. LANGER: We will so oblige.

13 MR. SYLVESTRI: You beat me to it, Attorney Langer.  
14 Thank you.

15 Mr. Morissette, any follow-ups?

16 MR. MORISSETTE: Thank you, Mr. Silvestri, I have  
17 no follow-up questions.

18 MR. SYLVESTRI: Thank you, also. Mr. Harder, any  
19 follow-up questions?

20 MR. HARDER: Yes, I just have one actually. I  
21 never came back to the question that I was going to ask  
22 about that large wooded area, forested area to the west  
23 of the proposed site. And the reason I was looking at  
24 that -- well, first of all, I guess my question  
25 regarding that area is how critical is it that that area

1 have service? Since there is no buildings, structures,  
2 no public roads in there, and your indication is that  
3 the purpose for this, the main purpose, anyway, for this  
4 new facility, is to provide in-building and in-vehicle  
5 service.

6 MR. MURILLO: You say to the west, along Day Hill  
7 Road, correct?

8 MR. HARDER: No, the west of Prospect Hill Road and  
9 to the east of the Great Pond, I believe it is, but  
10 immediately to the west of Prospect Hill Road there is a  
11 large forested area. And your coverage maps, the  
12 proposed coverage shows that that area would be provided  
13 with coverage that it either doesn't get now or it gets  
14 to a low extent.

15 MR. MURILLO: Correct. Along to, well to the west  
16 along Day Hill Road, it is crucial. We need that, been  
17 trying to cover as much as we can on in-building  
18 commercial residential. I think to the west, where you  
19 have a lot of open land, and also to the north where  
20 Northwest Park is, in that vicinity, we do, we  
21 understand there is not, you know, it is very rural in  
22 that vicinity. But then again, T-Mobile is trying to,  
23 you know, people travel through there, there is still,  
24 we just want to cover as much as we can in that area to  
25 the north and west. It is going to be mostly in-vehicle

1 coverage. It doesn't cover too much in-building  
2 residential or commercial. It would be mostly  
3 in-vehicle.

4 MR. HARDER: All right.

5 MR. FIEDLER: And if I recall, I think the Town had  
6 referenced that the Windsor Bloomfield Landfill, that  
7 they were optimistic that they could get some additional  
8 coverage there. When you look at the propagation maps  
9 that we provided, you can see the sectorization. That  
10 is something that can be optimized once, once we have  
11 launched the technology, as we see as to whether one of  
12 these sectors can be oriented in a more specific manner  
13 to the north, and the we just adjust, based on coverage  
14 and demand. So I think it is something we'll continue  
15 to look at as to, you know, we just happen to be  
16 propagating to the west there, and it just happens to be  
17 that there is just a lot of trees leading into the  
18 Farmington River.

19 MR. HARDER: The point I was wondering about, and I  
20 wasn't sure if this was even feasible or correct to  
21 think about this, but if it wasn't important to provide  
22 coverage in that large wooded area, would it, does it  
23 work to think of coverage being pulled back or if you --  
24 and this goes, this brings in the old 903 Day Hill Road  
25 site where you are concerned about overlap -- if you, is



1 it correct to think of a possibility of using 903 Day  
2 Hill Road but without perhaps without as high a tower to  
3 provide not as much coverage that would go as far west  
4 into that wooded area where it is not really needed?  
5 And would a lower tower height at 903 avoid the overlap  
6 problem with 482 Pigeon Hill Road? Is that clear?

7 MR. FIEDLER: Yeah, and Alex, I'll let you chime in  
8 on this, as well. And I think going back to the 903, if  
9 we were to do a lower facility there, and directionalize  
10 our sectors to where we are covering the Day Hill and  
11 any of the industrial parks that are there or being  
12 developed, we would then draw all of our RF technology  
13 to support that general area and therefore the  
14 propagation distance would be mitigated. So the more  
15 users you have, the more it starts to pull back some of  
16 your coverage objectives. So that in doing so, it would  
17 potentially trigger something in the future that we  
18 would still need to go to the north part of this, moving  
19 us more into the residential homes in that area, as  
20 opposed to the location that we are currently proposing  
21 today. So hopefully that gives a little bit of color,  
22 and Alex, you can chime in on that.

23 MR. MURILLO: Yeah, I mean, I think you said it  
24 pretty well. And I mean, we could go with two towers,  
25 but obviously, one, I think, does the job here at 130.

1 So we are happy with this location.

2 MR. HARDER: So what you were just saying is that  
3 it, by putting a facility at 903 with a smaller coverage  
4 area, it would, at some point, require you to provide  
5 the coverage up north into that residential area, would  
6 require you to construct a new facility up near that  
7 area?

8 MR. FIEDLER: That is correct.

9 MR. HARDER: Okay. All right. That was it -- one  
10 other thing, actually, just a point of clarification.  
11 Mr. Silvestri, you had wondered about that, whether it  
12 was a road or power line right-of-way, or something that  
13 went north off of Day Hill Road. It looks to me, since  
14 that wooded area is actually indicated as being  
15 Combustion Engineering, I think that road is a former  
16 entrance road to the former Combustion Engineering  
17 facility. Because if you look at the Google map  
18 satellite view, it shows a, what looks to be a paved  
19 road, even now, that dead ends, and there appears to  
20 have been buildings along that road that are no longer  
21 there. You know, there is old, what appears to be  
22 parking lot areas that are kind of grown over. But it  
23 look to me like it used to service the Combustion  
24 Engineering property.

25 MR. SYLVESTRI: Oh, thank you, Mr. Harder.

1 MR. HARDER: That was the only question I had.

2 Thank you.

3 MR. SYLVESTRI: Very good. Thank you, again. Mr.  
4 Nguyen, any follow-up questions?

5 MR. NGUYEN: No questions. Thank you, Mr.  
6 Silvestri.

7 MR. SYLVESTRI: Thank you, Mr. Nguyen. Mr. Edelson  
8 any follow-up questions?

9 MR. EDELSON: Yes. Clarification, Mr. Silvestri, I  
10 think I am having a senior moment. But if the applicant  
11 extended the 30 feet that they have designed, or put the  
12 potential in the design for, would that come back to us?

13 MR. SYLVESTRI: I'll have Attorney Bachman refresh  
14 your memory.

15 MR. EDELSON: Appreciate it.

16 MS. BACHMAN: Thank you, Mr. Silvestri. Mr.  
17 Edelson, as you are aware, the FCC has regulations that  
18 do allow for certain tower height extensions, but that  
19 doesn't negate the fact that the applicant would have to  
20 come back to us and indicate that they were going to  
21 increase the height of the tower. It may qualify as an  
22 Eligible Facilities Request, which is different than a  
23 petition for Declaratory Ruling. But if it exceeds the  
24 allowable height increase that is allowed in an Eligible  
25 Facility Request, they would have to submit a regular

1 petition for a declaratory ruling to increase the height  
2 and modify the tower. Is that helpful.

3 MR. EDELSON: I think so. I mean, this has to do  
4 with the visibility analysis, and which obviously is  
5 very tied to the height of the tower, and so we are  
6 seeing the simulations at 130 feet or so, not at,  
7 potentially, at 160 feet. So that's, and I don't want  
8 to take too much time on this, because I am obviously  
9 not prepared. And I am not going to ask for visual  
10 simulations at 160 feet, but I just wanted to understand  
11 better, you know, what we are giving permission to. But  
12 I think I am hearing you say that if they were to go  
13 within that 30 feet they would still come back to us to  
14 request, to request that. Did I get that right?

15 MS. BACHMAN: That's correct.

16 MR. EDELSON: Okay. All right. Sorry. And maybe  
17 we will take that offline. So Mr. Silvestri, no further  
18 questions at this point.

19 MR. SYLVESTRI: Thank you, Mr. Edelson. And again,  
20 the application we have for us is for the 130, 135.  
21 Should it come back, you get your pictures probably at  
22 that time to look at more visibility issues.

23 MR. EDELSON: That is what I wanted to be sure of.

24 MR. SYLVESTRI: Okay.

25 MR. EDELSON: I always want more pictures.

1 MR. SYLVESTRI: Mr. Hannon, I didn't forget you.  
2 Any follow-up questions? I see the box for Mr. Hannon.  
3 I see it is muted, but I don't have a visual either.

4 MR. HANNON: No, I don't. I just wanted to make  
5 sure that you didn't.

6 MR. SYLVESTRI: Oh, I would never forget you Mr.  
7 Hannon.

8 Okay. I have no follow-ups either at this point,  
9 so I think we went through our staff and our -- for  
10 this, for the second time.

11 MR. HANNON: I have no other questions. Thank you.

12 MR. SYLVESTRI: Got you, Mr. Hannon. We are  
13 fighting a little bit of feedback, but we got you.

14 Again, I have no further follow-ups out of this.  
15 So at this time, the Council will recess until  
16 6:30 p.m., at which time we will commenced the public  
17 comment session of the remote public hearing. So we  
18 will see everybody back at 6:30, later today. Thank  
19 you.

20  
21 (Whereupon the hearing adjourned at 4:52 p.m.)  
22  
23  
24  
25

STATE OF CONNECTICUT

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

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

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

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

*Theresa Bergstrand*

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