

STATE OF CONNECTICUT

SITING COUNCIL

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THIRD TAXING DISTRICT	*	JUNE 14, 2012
ELECTRIC DEPARTMENT	*	(7:00 p.m.)
APPLICATION FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF AN ELECTRICAL SUBSTATION AT 6 FITCH STREET, NORWALK, CONNECTICUT	*	DOCKET NO. 426

\* \* \* \* \*

BEFORE: ROBIN STEIN, CHAIRMAN

BOARD MEMBERS: Larry Levesque, DPUC Designee  
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1 . . .Verbatim proceedings of a hearing  
2 before the State of Connecticut Siting Council in the  
3 matter of an application by The Third Taxing District  
4 Electric Department, held at Norwalk City Hall, 125 East  
5 Avenue, Norwalk, Connecticut, on June 14, 2012 at 7:00  
6 p.m., at which time the parties were represented as  
7 hereinbefore set forth . . .

8  
9  
10 CHAIRMAN DANIEL F. CARUSO: Good evening.  
11 Ladies and gentlemen, this hearing is called to order  
12 today, Thursday, June 14, 2012 at 7:00 o'clock. And my  
13 name is Robin Stein. I'm Chairman of the Connecticut  
14 Siting Council.

15 This is a continuation of a public hearing  
16 that began at 3:00 o'clock this afternoon. We have  
17 copies of the hearing program on the table to my left.  
18 The hearing is held pursuant to provisions of Title 16 of  
19 the Connecticut General Statutes and of the Uniform  
20 Administrative Procedures Act upon an application from  
21 The Third Taxing District Electric Department for a  
22 Certificate of Environmental Compatibility and Public  
23 Need for the construction, maintenance, and operation of  
24 an electrical substation located at 6 Fitch Street here

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1 in Norwalk.

2 The application was received by the  
3 Council on April 10, 2012. And notice of this proposed  
4 facility has been published in the Hour. And as you  
5 probably know, the Applicant erected a sign at the  
6 proposed property so as to inform the public of the name  
7 of the applicant, the type of facility, and today's  
8 hearing date and location.

9 This afternoon members of the Council and  
10 staff conducted a field review of the site where the  
11 Applicant seeks to develop the substation in order to  
12 observe firsthand the potential effects of the proposal.

13 The hearing session tonight has been  
14 reserved for the public to make short statements into the  
15 record. These statements are not subject to questions  
16 from parties or the Council. And members of the public  
17 making statements may not ask questions of the parties or  
18 the Council. These statements will become part of the  
19 Council's consideration. A sign-up sheet is available  
20 for those who wish to participate.

21 So while we don't have direct cross-  
22 examination in this part, if you do have questions, you  
23 can ask them, we'll note them, and at the end we'll try  
24 to get the answers.

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1                   From -- from my memory of the faces I saw  
2                   this afternoon, it seems that most of those are in  
3                   attendance and are either the Applicant or the party, but  
4                   we do welcome those from the public. And I do have a  
5                   list of two people who have asked to speak. The first  
6                   one is Vincent Scicchitano. Would you -- where is -- oh,  
7                   I'm sorry -- would you come up please. Spell your name  
8                   and if you wish your address and -- it's all yours.

9                   MR. VINCENT SCICCHITANO: Hello. My name  
10                  is Vincent -- (mic static) --

11                  COURT REPORTER: You're not on the record.

12                  MR. SCICCHITANO: Vincent Scicchitano, S-  
13                  c-i-c-c-h-i-t-a-n-o. I live in Norwalk, Connecticut, 56  
14                  Winding Lane. I am the owner of 8 Fitch Street, which is  
15                  a commercial piece of property next -- located next door.  
16                  And I also am the owner of 9 Fitch Street, which is a  
17                  residential side of the street.

18                  Now if you'll bear with me, I'll be as  
19                  brief as possible, but I'm going to give you a quick  
20                  history of the neighborhood as it applies to myself and  
21                  the rest of the people, and once again, I will be as  
22                  brief as possible, and I assure you there is a point to  
23                  this.

24                  When I opened by auto repair business and

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1 I purchased the building 13 years ago, the City of  
2 Norwalk turned me down initially. It had been a  
3 contractor's yard and I wanted to turn it into an auto  
4 repair, which was a lesser impact on the neighborhood.  
5 But in the name of what was called East Norwalk Village  
6 at the time, the mixed use of commercial and residential  
7 was kind of a tricky situation there. So they were very  
8 -- very selective as to which type of business was going  
9 to operate there all in the name of the residents. I had  
10 applied for several -- several variances because of the  
11 church across the street and the residents across the  
12 street, which all showed up and voiced opposition.  
13 After making a number of concessions, I was allowed to  
14 operate my business, only Monday through Friday, no  
15 evenings, no weekends. I can't have a tow truck. I  
16 can't a dumpster. When it snows, I have to remove the  
17 snow via backhoe and dump truck. And the point to this  
18 is that the impact it has on the residential  
19 neighborhood, for which I own across the street.

20 So this -- this substation I understand is  
21 on the commercial side of the street. And as far as a  
22 commercial -- as far as the commercial aspect, I would  
23 have to say that I'm not really opposed to it, it is the  
24 commercial side of the street. However, unfortunately

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1 owning the home across the street as well, it's going to  
2 have a very negative impact upon that house and that  
3 home. I'm probably going to have a very difficult time  
4 selling it. I'm definitely going to have a difficult  
5 time renting it. As far as substations go and power  
6 plants, whether a real problem or a perceived problem, it  
7 really doesn't matter, someone is going to buy a home or  
8 rent a home, you know, and no one is going to go to the  
9 effort of looking into studies to see if it's dangerous  
10 or not. Pretty much without even knowing the facts,  
11 people just automatically assume that.

12 So I'm just here to urge this group to  
13 think very strongly upon the impact that it has on the  
14 residential side of the street, not so much the  
15 commercial side. I'm sure you've all -- those of you  
16 that have gone and seen it, it's kind of a funny  
17 neighborhood there. And the point to the story is that  
18 many years ago when I purchased these properties, I was  
19 of the understanding that it was going to maintain a  
20 village feel or a village part of Norwalk, which  
21 certainly has changed considerably. With traffic  
22 patterns changing on Fitch Street and everything involved  
23 with that, it's no longer a -- half residential, half  
24 commercial.

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1                   So once again, I'm just here to urge the  
2 power company that, you know, when this gets passed  
3 through and it gets built, that they take very careful  
4 care and consideration regarding the residents across the  
5 street as to how to make it at least look like it's part  
6 of the village feel.

7                   Now just one little tidbit, unfortunately  
8 in a funny irony, I also own 10 Grant Street, which is  
9 right next door to Connecticut Light and Power, which  
10 plowed down a fence about three years ago. It took me  
11 about three years to get them to stand the fence straight  
12 up. So I've had a very poor track record with relations  
13 with the power companies as far as how they affect my  
14 properties next door just to give you a little history.  
15 But I'm sure that this is a different situation.  
16 However, it still is a big impact on the residents across  
17 the street. So I hope that the planning phase of this  
18 definitely includes a serious aesthetic makeover so that  
19 it doesn't look like a power plant.

20                   That's really all I have to say. Thank  
21 you very much for your time.

22                   CHAIRMAN STEIN: Even though we only have  
23 -- and I know you were here earlier -- but we only have a  
24 couple of people. I think I should give the Applicant



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1 just a couple of minutes to make a brief presentation of  
2 the project. I'm sorry, I went a little bit out of  
3 order, but if -- if you -- I think it would be helpful.

4 MR. GEORGE LEARY: My name is George  
5 Leary. I'm the General Manager of the Third Taxing  
6 District. And tonight we have -- Paul Poke (phonetic) is  
7 here, who is the Chairman of the Third Taxing District  
8 Commission.

9 We -- we're -- I know I'm preaching to the  
10 choir because everyone knows what I'm going to be saying,  
11 but I'll put it in the record in any event.

12 We're proposing to build a new 115-kV  
13 substation at 6 Fitch Street. The substation is going to  
14 serve the electric customers in the Third Taxing District  
15 only. We're before the Siting Council now in Docket 426.  
16 The project is being proposed by the people of the Third  
17 Taxing District and it will serve only the people of the  
18 Third Taxing District.

19 The Commission has spent the last several  
20 years looking for a place to build this substation.  
21 We've known for a long time we wanted to do it. It was  
22 not easy to find a spot. We did look around very  
23 carefully and tried to weigh all the pros and cons. And  
24 when this 6 Fitch Street property became available, we

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1 made every effort to buy it, and did. The site is next  
2 to the transmission lines that run along the railroad.  
3 And it is adjacent to our East Avenue Substation. So  
4 it's -- for us it's perfect.

5 CL&P owns the transmission lines along the  
6 railroad and they basically are our partners in this  
7 project. They will be building the section of the  
8 project that's up on the railroad and along the  
9 transmission line corridor.

10 The substation is necessary to provide for  
11 load growth in East Norwalk. We have some new businesses  
12 and big customers that will we'll be growing and this  
13 will help us serve them. It will give us more reliable  
14 service and it will stabilize the price we're going to  
15 pay. Actually, we should come out ahead financially.

16 Now in addition to providing safe,  
17 reliable electric power to our customers, the District  
18 owns the firehouse in East Norwalk, we own the library  
19 building, we own the historic cemetery, own and maintain  
20 several parks in East Norwalk, and we've adopted several  
21 traffic islands. So I think we've shown that we can be  
22 good public citizens. All these properties are well  
23 maintained and are an asset to the community. The --  
24 it's safe to say the District has been good stewards and

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1 good neighbors.

2 Now I guess we can all agree an electric  
3 substation is not a thing of great -- well some of us  
4 can't agree, but it's not a thing of great beauty, but  
5 we've made every effort to make this project attractive.  
6 We have the control house out front. We have nice  
7 landscaping in the front. We'll do additional screening  
8 on both sides of the station. So we're going to make it  
9 as attractive as we can for the neighborhood and make it  
10 an asset to the neighborhood. So this project will be  
11 well maintained, it won't generate any traffic, it will  
12 make no noise, and it will make no odors. So I think an  
13 industrial site like this, this is about as good as it  
14 gets in my opinion.

15 So I think we'll be good neighbors and --  
16 and we'd be happy to answer questions later if anyone  
17 wishes. Thank you.

18 CHAIRMAN STEIN: Thank you. And just -- I  
19 also want to remind people that if you have friends and  
20 neighbors who can't come but would want to send something  
21 in writing or if you want to send us anything in writing,  
22 you have 30 days to do it after the close of this  
23 hearing, so -- and that will be -- become part of the  
24 record. Okay, the next person is Peter Johnson.

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1 MR. PETER JOHNSON: Hello. My name is  
2 Peter Johnson. I live at 46 Gregory Boulevard, East  
3 Norwalk. The last name is J-o-h-n-s-o-n.

4 I just wanted to say that I'm in favor of  
5 this for the reliability. Even though we do have good  
6 reliability now, we'd like to improve it and keep it  
7 better. And that's it, I'm in favor of it.

8 CHAIRMAN STEIN: Thank you. That's the  
9 last name I have on the list, so -- do you want to come  
10 and speak, ma'am? Please give us your name and spell  
11 it.

12 MS. DIANE CECE: Can I speak now and  
13 submit additional comments in writing or is this just --

14 CHAIRMAN STEIN: Yes.

15 MS. CECE: Thank you. Good evening. I'm  
16 Diane Cece, C-e-c-e. I live at 37 Olmstead, O-l-m-s-t-e-  
17 a-d, Place in East Norwalk.

18 I want to say that I'm here tonight to  
19 speak in general in favor of this application for the  
20 following reasons. (1) I do think that it is necessary  
21 for the capacity not just now but in the future. I  
22 believe there's two significant projects in East Norwalk  
23 coming up in the next couple of years that will require  
24 this capacity. And in the absence of it, I'm not quite

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1 sure how that would be managed and what that would mean  
2 for me as a current ratepayer. Also for service  
3 reliability. We kind of have a saying in the Third  
4 Taxing District that we never lose our power. And we'd  
5 kind of like to keep it that way. In fact, I have  
6 neighbors right across the street from me -- my street is  
7 divided with another utility and they routinely lose  
8 power, but I'd like to see our reliability stay the way  
9 it is. And also for future rate stabilization or even  
10 possibly a decrease in our rates with the way the  
11 distribution would be handled, getting off of the  
12 stranglehold of CL&P.

13           However, I have -- I have a couple of  
14 concerns. (1) I certainly sympathize with the  
15 residential and commercial neighbors of the proposed site  
16 and I want to make sure that everything is being done to  
17 address their needs.

18           I also want to say that I've had some  
19 opportunity in the past to review the engineered plans  
20 for this. And whenever I looked at the drawings, I had  
21 no reservations at all because it seemed that it was  
22 being managed in as friendly -- a neighborhood friendly  
23 project as it could be because the Third Taxing District  
24 is a good corporate citizen here in our neighborhood.

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1 And so the setting of the lines and the big poles that  
2 you see and the house and the landscaping and the buffers  
3 all seem to be if not adequate, even, you know, maybe  
4 overly done to make sure that it was a good fit with the  
5 neighborhood. But I actually see the two dimensional  
6 drawing here tonight. And though the commissioner and  
7 the Taxing District's engineer assure me that what I'm  
8 looking at ends up being an optical illusion compared to  
9 what the real drawings are, it does leave me with a  
10 little bit of concern because in my mind's eye this is  
11 not necessarily what I was thinking. So, I have a  
12 concern about that rendering versus what the plans were  
13 that I first saw.

14 I continue to have some concern over  
15 noise, light, and what may be considered environmental  
16 dangers and having these things in neighborhoods and  
17 would like an opportunity to review that further and then  
18 do a little bit more research and then reserve the right  
19 to send in an additional statement if necessary within  
20 your comment period. Thank you.

21 CHAIRMAN STEIN: Thank you. Is there  
22 anybody else from the public who wishes to speak? If  
23 not, does the Applicant have any rebuttal comments before  
24 we close the hearing?

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1 MR. LORD: We do not.

2 CHAIRMAN STEIN: Does the party CL&P have  
3 any --

4 MR. COCHRAN: We do not have any rebuttal.

5 CHAIRMAN STEIN: Okay. Before closing  
6 this hearing, the Connecticut Siting Council announces  
7 that briefs and proposed findings of fact may be filed  
8 with the Council by any party no later than July 16,  
9 2012. The submission of briefs or proposed findings of  
10 fact are not required by the Council, rather we leave it  
11 to the choice of the parties.

12 The Council also announces that state  
13 agencies desiring to submit comments on the application,  
14 pursuant to the General Statutes, are to submit their  
15 comments no later than June 28, 2012.

16 And again to repeat, any member of the  
17 public who desires to make his or her views known to the  
18 Council or add anything additional to what they said  
19 tonight, may file written comments with the Council  
20 within 30 days of today.

21 The Council will, after all the  
22 information is taken in, issue draft findings of fact.  
23 And thereafter, parties may identify errors or  
24 inconsistencies between the Council's draft findings of

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1 fact and the record. However, no new information, no new  
2 evidence, no new argument or reply briefs without our  
3 permission will be considered.

4 Copies of the transcript of this hearing  
5 will be filed at the Norwalk City Clerk's Office.

6 And I hereby declare the hearing adjourned  
7 and thank you all for your participation, and drive home  
8 safely.

9  
10 (Whereupon, the hearing adjourned at 7:19  
11 p.m.)



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