

STATE OF CONNECTICUT
SITING COUNCIL

Homeland Towers and
New Cingular Wireless PCS, LLC : DOCKET # 445
Application for a Certificate of Environmental
Compatibility and Public Need for the construction,
Maintenance, and operation of a telecommunications
Facility located at
Old Stagecoach Road, Ridgefield, Connecticut.

: MAY 23, 2014

UPDATED INTERVENOR WITNESS AND EXHIBIT LIST

Intervenor intends to call the following witnesses and present exhibits as follows:

1. Maxime Francis (pre-filed testimony submitted)
 - A. Historic Register application for Ridgebury
 - B. Alternative technology description.
2. Lauren Salkin
(Pre-filed testimony submitted); No Exhibits
3. David Maxson, WCP, Isotope (pre-filed testimony submitted)
 - A. Coverage maps
 - B. CV of David Maxson
4. Michael Dow (prefiled testimony submitted); No Exhibits.
5. Christopher Glidden, (prefiled testimony submitted); No Exhibits.
6. Ian Dow, (prefiled testimony submitted)
 - A. Photo of Old Stagecoach Road
 - B. Map of Fairfield County
 - C. Excerpt from "Revolutionary Soldiers of Redding, Connecticut and a Record of Their Services"
 - D. Ridgefield Revolutionary War Map
7. Mark Gasparino, (prefiled testimony submitted); No Exhibits
8. Steven Danzer, PhD, Danzer & Associates, LLC, (prefiled testimony submitted)
 - A. CV of Dr. Steven Danzer
 - B. Supplemental testimony relative to testimony submitted On April 16, 2014.

9. Maureen Culhane, (prefiled testimony submitted); No Exhibits
10. Andreas P. Vezos, (prefiled testimony submitted); No Exhibits
11. Lori J. Schwartz, (prefiled testimony submitted); No Exhibits

Respectfully Submitted,

By 

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WETLAND BOUNDARIES • POND & LAKE MANAGEMENT • CONSTRUCTION FEASIBILITY CONSULTATIONS • ENVIRONMENTAL STUDIES

Date: May 21, 2014

To: Connecticut Siting Council

From: Steven Danzer PhD

Soil Scientist, Nationally Certified – SSSA; Registered - SSSSNE

Professional Wetland Scientist (PWS)

Certified Professional in Erosion and Sediment Control (CPESC)

Arborist, CT DEP Licensed.

Re: Docket 445 – Ridgefield, Old Stagecoach Rd & Aspen Ledges Road – Telecommunications Facility

The following testimony is submitted for the consideration of the Siting Council. Previous testimony (exhibit 3) was submitted on April 16, 2014. Subsequent to that submission, I have reviewed all application materials submitted to date of this report, and have viewed the site from the adjacent properties. My testimony is as follows:

1. The flagged wetlands as depicted on the application materials do not fully delineate the actual extent of the on-site (or the offsite) wetland resources.

The Applicant omits depiction of the complete wetland system within the subject property (on-site). The application materials depict the mapped southwestern boundary as abruptly terminating without reaching the property boundary. This obscures the actual areal extent of the on-site wetlands. Furthermore, the graphic “hatching” depicted within the application materials also obscures the extent of the wetlands, which extends in greater length and width both on and off site.

2. The on-site wetland system is a headwaters wetlands system, and as such is especially sensitive to small changes in subsurface hydrology such as that being proposed.

The wetland resources on-site consist of the headwaters to three interlocking intermittent stream corridors, along with sloped wetlands in between.

The on-site wetland headwaters are part of a greater wetland system which extends downstream offsite though gently sloping wooded terrain. The drainage system passes underneath Ledges Road and connects directly into the relatively more open environment of the Titicus River, located along the southern side of the road.

The understory to the on-site wetland system is abundantly vegetated by herbaceous plant life, including but limited to skunk cabbage, jack in the pulpit, and false hellebore. These dominant understory species require seasonal soil saturation and/or seasonal flooding for their continual propagation and maintenance.

It should be noted that the Applicant's Wetland Investigation Report, dated 10/20/2013, did not reference this significant herbaceous understory, probably because the Applicant's wetland investigation was conducted in the late fall after these plants had already withered for the season.

These plants require seasonal soil saturation or flooding. There are two ways this could occur:

First, the soils could be seasonally flooded (i.e. under water for the spring season) due to overland flow runoff from the above upland.

Or alternatively, the wetland soils could be seasonally saturated (i.e. the soils are kept hydrated by the seasonal seepage of groundwater from the adjacent upland). It is my belief that this second explanation is the more accurate explanation.

Regarding the first explanation (seasonal flooding), it is unlikely that the herbaceous plants within this headwater wetlands are biologically sustained by overland flow runoff from the upland above. The immediate upland area is not large enough to create runoff long enough for the duration of the spring season. Overland flow off from the upland is likely to be temporary, a result of specific storm events. Even if such runoff could be continually generated for the course of the season, the slopes in the wetland are too steep for the water to collect.

Based upon field observation of the seepage and by the type vegetative cover, it is my conclusion that the second explanation is a better interpretation of the hydrological regime of this wetland area. The headwater wetland system is primarily sustained by seepage through the soils from above, rather than by overland flow from above.

Seepage wetlands are dependent upon the ability for their upland recharge zone to provide a level of storage capacity. As such, the wetlands are sensitive to changes to that storage capacity.

3. The compound for the telecommunications facility is proposed in the primary recharge zone to the on-site headwater wetlands.

The recharge area to these headwaters wetlands is located in close proximity to the wetlands, in the deeper soils of the plateau where the telecommunications facility will be located. The short segment of slope beneath this plateau also aids in the recharge of the wetland system.

The recharge area is important to the maintenance of the on-site wetlands. It provides the area above the wetland system unto which water can collect, infiltrate, and then travel slowly through the soil during the entire spring season. The recharge zone is the slow sustaining source of the groundwater which weeps back out to the surface in the headwaters wetland area.

The recharge area, under existing conditions, is well suited for this function. The area, as viewed from offsite, is only gently sloping, promoting infiltration and storage of runoff from the hills to the north. The ground surface of the recharge zone, under existing conditions, is irregular with numerous micro-depressions that likewise encourage infiltration and groundwater storage. There appears to be no rock outcrops within the proposed compound area, and other than the small existing dilapidated structure, no significant impervious features.

No soil test field data was offered by applicant for the recharge area, now proposed for the compound. The area is mapped by the NRCS at a very gross scale as the Hollis-Rock outcrop soil mapping unit. The Hollis series, which include not only shallow Hollis soils but other, more deeper soils as well depending on micro-topography, are typically 15-80 inches deep to bedrock (as documented in the NRCS Soil Survey).

4. The construction of the compound will alter the existing hydrological relationships with regard to the on-site headwaters wetlands.

Under existing conditions, the on-site headwaters wetland area is dependent upon the slow seepage of ground water from the recharge zone above over the course of the spring to early summer. Under proposed conditions, the ability of this zone to store groundwater, and the ability of the soils to slowly mete out this groundwater will be greatly diminished.

The proposed drainage alterations will result in the export of runoff as overland flow, which, due to the small catchment area, will likely be temporary (a few days to week after runoff event) rather than for the duration of the spring and early summer season.

The drainage report for the applicant states that runoff rate and volume from the compound area will be equal or less than under existing conditions. My opinion, based on an understanding of the wetland hydrology, is that their drainage analysis is inapplicable and therefore irrelevant for the following reasons:

First, as explained above, what sustains that on-site headwater wetland is not temporary overland flow but seasonal recharge and seepage. The applicant's drainage analysis only discusses overland flow.

Second, the compound area (the recharge zone) itself will be converted to a system where seasonal storage of groundwater underneath will be significantly diminished. No schematic detail was provided regarding the construction of this surface. A detail was provided for the gravel road, and it is therefore assumed that the compound surface will be similar (gravel over a

compacted sub-base or granular fill), since the area will likewise require grading and preparation for structures. This compacted sub-base will impede infiltration into the underlying soils. Any runoff within the compound area, rather than infiltrating, will likely travel laterally with a more rapid velocity (as compared to existing conditions) through the course voids within the gravel particles to the western edge of the compound, to be outlet as overland flow across the top of the graded slope above the wetlands.

No details were provided regarding the swale proposed around the sides of the compound, but it is reasonable to assume that the disturbance to the compound location itself would similarly preclude subsurface flow through the compound area, channeling the water to a single point of surface and subsurface discharge, located near the west corner of the compound. Flows from this point would be expected to be temporary rather than seasonal.

It should be noted that the 35 foot long graded slope below the compound will not provide for significant recharge either. This engineered slope will reduce the effective natural recharge zone to the on-site headwaters wetlands to a 60 foot wide zone directly adjacent to the wetlands. The reduced size will be insufficient to maintain the existing subsurface hydrology in light of the above disturbances, in my opinion.

5. Since the on-site headwater wetlands are dependent upon seepage, and since this hydrology will be interrupted, it would be expected that the proposed activities will lead to a diminishment of coverage by those plant species that rely upon seasonal seepage.

The proposed activities will lead to a new hydrological regime, characterized by short term flashy episodes of overland flow rather than seasonal seepage. This will lead to a decrease in the seepage dependent herbaceous plant cover, diminishing existing physical habitat and food sources for invertebrates, reptiles including bog turtles and box turtles, amphibians including salamanders, and other smaller wildlife.

Under existing conditions, the plant cover functions to slow down surface runoff from above, and serves as microhabitat for invertebrates, reptiles, amphibians, and other smaller wildlife to use.

Under proposed conditions, it would be expected that without the biomass and surface roughness provided by this vegetative cover, the system will more resemble a surface-water driven ephemeral stream channel, which will accelerate erosion further downstream off-site due to the new, flashier flow regime. Portions of the drainage system downstream, vegetated by skunk cabbage, jack in the pulpit, and tussock sedge, similarly require seasonal soil saturation. If the hydrology is perceptibly altered from a groundwater seepage dependent regime to a more ephemeral surface water regime, as is expected by this development proposal, it would be expected that there would be a loss of plant cover downstream off-site as well.

6. During a field visit to view the landscape from offsite, a Phragmites – skunk cabbage community was observed on-site, on a level area on the slope roughly 100 feet NW of Wetland Flag 1-03.

No reference to this area was made in the application materials, and it is unknown if this area was intensively sampled for wetlands. Given that the Wetland Report was dated well after the spring herbaceous season, it is conceivable that the Applicant's soil scientist may have missed this on-site area.

The extent of this probable wetland system needs to be depicted on all application materials before a full analysis of impact can be determined by the Applicant, the Council, or anyone else.

7. Northern Slimy Salamander

In my previous comments I noted that this salamander is found within the region *if habitat is suitable*, and that there have been several projects in nearby Danbury, regulated by Wetland Commission, of which this was an issue of concern.

Subsequent to those comments, I have had opportunity to investigate the off-site habitat adjacent to the site, and do note the drier solar exposure of the landscape, and the absence of dominant Hemlock tree cover. The forest is second growth deciduous, as is most of the forest in the state. Leaf litter is present. But ultimately, once you get out of the wetlands, the habitat appears to be drier than what I would think to be especially attractive to this species.

Respectfully submitted,



Dr. Steven Danzer

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: DOCKET # 445

: APRIL 14, 2014

AFFIDAVIT OF *Maureen Culhane*

I, Maureen Culhane, the undersigned, being duly sworn, do depose and say:

1. I am over the age of eighteen and believe in the obligations of an oath.
2. A true and accurate copy of my pre-filed testimony for use before the Connecticut Siting Council attached hereto as Exhibit A.
3. I am the author of the attached pre-filed testimony and believe the facts contained therein are true and accurate to the best of my knowledge and belief.

FURTHER the deponent sayeth not.

Maureen Jones Culhane

Subscribed and sworn to before me this 14th day of April, 2014.

[Signature]

Commissioner of the Superior Court

Notary Public
My commission expires:

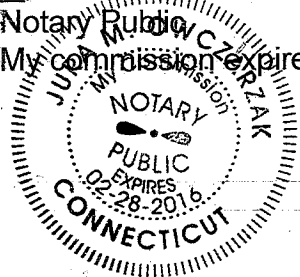


Exhibit A

I moved to Ridgefield for its scenic ridges, family friendly community and a belief that this town is an ideal place to live and raise a family. After living in town for 15 years, I found out that a possible cell tower would be placed approximately 1,000 yards from my front door.

We live in a Homeowners Association and tax district that is adjacent to the Seth Low Mountain state park with all of its hiking trails and includes scenic Pierrepont Lake. This neighborhood takes great pride in being actively involved in preserving the natural beauty of the lake, dam and downstream water flow. A cell tower rising visibly over the hiking trails, lake and schools on the untouched ridge line is not part of why people did or would chose to live in this scenic quiet neighborhood. Being personally involved in the Tax District since 1998, I understand that each homeowner is proud of the natural beauty of this area. Putting a cell tower in this area is not conducive to our lifestyle or our neighbors' property values.

Despite having won a town vote by a margin of 2 to 1 to block the tower from being built on one of the highest points/ridges in Ridgefield in 2011 the issue is back again.

In 2013, the Conservation Commission wanted to buy the same 28 acres of land but this time the entire land would be safe from a cell tower and be retained in its natural beauty in perpetuity. Thousands of dollars were contributed in the hopes that the Conservation Commission would help win over the Wilton Bank who ~~owned the 3 acre adjoining parcel~~. We believed that the town and the Conservation Commission had heard the 270 people who voted against this—heard that we didn't want the ridge line marred, heard that we didn't want a cell tower in a residential neighborhood and heard that we didn't want the possible environment affects to destroy a beautiful and rugged piece of the ridge.

I also request you ask the Selectmen of Ridgefield why alternative technologies have not been more closely explored to save a neighborhood from blight and protect the ridge line. One of these technologies involved placing devices on telephone poles, which

would actually help provide coverage in areas which currently have poor coverage due to the many ridges and valleys in town. The proposed tower will provide little if any coverage to the people on Ledges and Ridgebury.

I also note over the years that cell coverage at the high school and Scotts Ridge Middle School has already been greatly improved.

Furthermore, I ask you to consider the many who have asked for cell service without the disruption of the ridge line. These alternatives do exist.

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: DOCKET # 445

: APRIL 16, 2014

AFFIDAVIT OF ANDREAS P. VEZOS, P.E.

I, Andreas P. Vezos, the undersigned, being duly sworn, do depose and say:

1. I am over the age of eighteen and believe in the obligations of an oath.
2. A true and accurate copy of my pre-filed testimony for use before the Connecticut Siting Council attached hereto as Exhibit A.
3. I am the author of the attached pre-filed testimony and believe the facts contained therein are true and accurate to the best of my knowledge and belief.

FURTHER the deponent sayeth not.



Subscribed and sworn to before me this 16 th day of April, 2014.



Commissioner of the Superior Court
Notary Public
My commission expires: _____

CHIP KEATING
NOTARY PUBLIC-CONNECTICUT
MY COMM. EXPIRES 12/31/2016

Exhibit A

My wife and I moved to Ridgefield in 1995. We chose to live in the Knolls of Ridgebury for its neighborhood appeal and scenic beauty. We have been raising our three children at 284 Old Stagecoach over the last eighteen years where we have enjoyed a safe, tight-knit community void of commercial facilities.

In the Spring of 2011, I received a flyer in the mail notifying the community of a proposed cell tower site just off Old Stage Coach Road and Aspen Ledges. The notice wasn't from the town -it was from a neighbor. I soon learned of the proposition to purchase 28.8 acres of land for open space by the Ridgefield Conservation Commission and the Town to include the construction of a cell tower on the ridge. On June 22, 2011 the town voted against the resolution to build a cell tower in Ridgebury. The votes were 254 'no' to '108' yes.

At a Town Meeting on December 12, 2012, residents voted overwhelmingly to let the commission proceed with its plan to purchase 28.8 acres of open space off Old Stagecoach Road. We were assured there was no potential for a cell tower in the proposal.

In May of 2013 Wilton Bank sold a three-acre house lot, near the intersection of Old Stagecoach Road and Aspen Ledges Drive to InSite Towers LLC. This house lot, which adjoins open space is the proposed site for a commercial cell tower. Building a cell tower on a residential lot which adjoins other residential lots is a safety hazard for our children who play in the area.

~~For three years my community has been battling the deception of the Ridgefield Selectmen who from day one have been working closely with Homeland Towers. This "partnership" honed in on one location and one technology with blatant disregard for safety in a residential neighborhood.~~

In closing, I would ask that the CT Siting Council reject the proposal to build a telecommunications facility located at Old Stagecoach Road in Ridgefield, CT.

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: APRIL 16, 2014

AFFIDAVIT OF LORI J. SCHWARTZ

I, Lori Schwartz, the undersigned, being duly sworn, do depose and say:

1. I am over the age of eighteen and believe in the obligations of an oath.
2. A true and accurate copy of my pre-filed testimony for use before the Connecticut Siting Council attached hereto as Exhibit A.
3. I am the author of the attached pre-filed testimony and believe the facts contained therein are true and accurate to the best of my knowledge and belief.

FURTHER the deponent sayeth not.

Lori Schwartz
LORI SCHWARTZ

Subscribed and sworn to before me this 16 th day of April, 2014.

Lori A. Plourde, Commissioner of the Superior Court
Lori A. Plourde Notary Public
My commission expires: 4-30-18

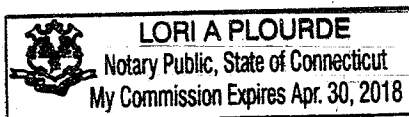


Exhibit A

I have lived in the beautiful town of Ridgefield, Connecticut for a little over 20 years. My husband and I chose this quaint New England town to buy our first home and felt it was the perfect place to raise our family. We loved the charm of this Town – its undisturbed scenic beauty, its lakes, its trees, its rolling ridgeline, its idyllic Main Street, its educational opportunities for our children, its sense of community – it was as close to perfect as we could imagine. We found a home in a quiet neighborhood of modest homes in the Ridgebury area on Aspen Ledges Road, working hard to be able to afford a life in such a quintessential place. While it has been expensive to live here, we felt that our quality of life was worth the cost and knew that owning our home in such a charming location would be a wise financial investment. We have loved our life here in this charming town, and it is unbelievable to me that the erection of a 150+ foot cell tower would even be considered to take place in the middle of this beautiful residential neighborhood.

The proposed cell tower site is within 1000 feet of more than 30 residential homes in my neighborhood and rising far above our pristine ridgeline, threatening to devalue our home and marring our undisturbed natural scenic beauty. Our home is our financial investment, in fact, other than our modest retirement account, it is our only investment. The thought of something we have worked so long and hard to afford being potentially greatly diminished in value because of the placement of a cell tower is devastating to me.

About 2 ½ years ago the Town Selectmen proposed to lease Town owned land in my neighborhood to Homeland Towers for the purpose of erecting a cell tower. (Note that this land is in extremely close proximity to the site that is currently being proposed for a cell tower before the Siting council). A proper town vote was held and the residents overwhelming voted against the town leasing the property for the purpose of a cell tower. The residents of Ridgefield had spoken and felt strongly that a cell tower had no place in

the middle of a quiet, rustic residential neighborhood that would destroy our scenic Ridgeline. Surely there could be an alternative location that a cell tower could be placed that wouldn't place a neighborhood of families and the Town's beauty at risk forever. The Conservation Committee subsequently purchased this property, with the support and funding of thousands of dollars from my neighbors, to protect our environment and the natural beauty of this property. It was stipulated that no cell tower could be built on this land. Unfortunately, that was not the end of the story and the adjacent small 3 acre lot owned by a bank was purchased by Homeland Towers. Since Homeland now owns the adjacent land, they can build a tower there without Town approval, and we find ourselves at the mercy of the Siting Council with no support from our Selectman- a Selectman that appears to personally welcome the tower in this location with open arms despite the Town vote indicating otherwise.

It is my opinion that the Selectman is not acting in the best interest of the residents and the property that he is charged to protect. To the Siting Council it may appear that the "Town" supports the cell tower placement in my residential neighborhood, but it is clear from the recent vote of the town citizens that this is not the case, but rather the Selectmen deciding on their own that they supports a cell tower in this location. If the Selectmen were acting in the interests of its constituents, then why did they not further investigate the location of a cell tower in alternative locations that would be of less impact to its residents? In particular I question why, as stated in the proposal before the Siting Council, Attachment 2, in the list of alternate properties investigated by Homeland Towers, the "Town of Ridgefield was not interested in pursuing a lease with Homeland Towers" for several properties it owns - in particular the High School property on North Salem Road #4 and the properties indicated in #16 and #17 of the proposal. Why is the "Town" not interested in leasing these properties? Why did our Selectmen get to decide this on their own without any input or vote from the residents and not respect the voice of the citizens?

I strongly feel that they have not done their due diligence in protecting our Town and my property.

Additionally, I have serious concern about the potential health effects from the radiation emissions from the cell tower. I am worried of the risks that may be inflicted upon me, my family, and my neighbors by being exposed to this constant radiation 24 hours a day on a cumulative basis

In closing, I ask you to please consider my testimony and the voice of the residents of Ridgefield. I plead with you to consider that alternative viable locations for a cell tower may exist in Ridgefield that are not in the center of a highly populated residential neighborhood, putting the property values at risk, and destroying forever the landscape and ridgeline of my beautiful town.

CERTIFICATE OF SERVICE

This is to certify that a true copy of the foregoing was deposited in the United States mail, first-class, postage pre-paid this 23rd day of May, 2014 and addressed to:

Ms. Melanie Bachman, Executive Director, Connecticut Siting Council, 10 Franklin Square, New Britain, CT 06051 (1 orig, 15 copies, plus 1 electronic) (US Mail/electronic).

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Ray Vergati

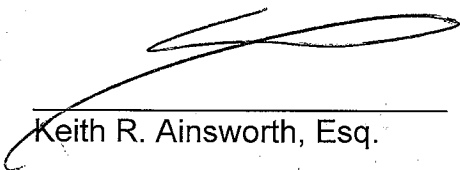
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Keith R. Ainsworth, Esq.