

Transcript of the Hearing of

Date: July 17, 2014 Volume: II

Case: Docket No. 448

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## STATE OF CONNECTICUT CONNECTICUT SITING COUNCIL

Docket No. 448 Cellco Partnership d/b/a Verizon Wireless Application for a Certificate of Environmental Compatibility and Public Need for the Construction, Maintenance, and Operation of a Telecommunications Facility Located at 831 Derby Milford Road, Orange,

Connecticut.

Public Hearing held at the Shelton City Hall, City Hall Auditorium, 54 Hill Street, Shelton, Connecticut, Thursday, July 17, 2014, beginning at 7:05 p.m.

Held Before: ROBERT STEIN, Chairperson

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1A p p e a r a n c e s:2Council Members:3ROBERT HANNON, DEEP D4LARRY LEVESQUE, PURA I5DANIEL P. LYNCH, JR.6DR. MICHAEL W. KLEMENS7DR. BARBARA C. BELL8SENATOR EILEEN M. DAIL91010Council Staff:11MELANIE BACHMAN, ESQ.12Executive Director and13Staff Attorney14ROBERT MERCIER15Siting Analyst161717For Cellco Partnership, d/b/a Veri18Wireless:19ROBINSON & COLE LLP20280 Trumbull Street21Hartford, Connecticut 06103-322(860)275-820023By: KENNETH C. BALDW	1THE CHAIRPERSON: Good2evening, ladies and gentlemen. I'd like to03call to order this hearing before the04Connecticut Siting Council, today Thursday,5July 17, 2014, approximately 7:05.S6My name is Robin Stein. I'm7Chairman of the Siting Council. OtherY8members of the Council present are9Mr. Hannon, designee from the Department of10Energy and Environment Protection; Mr.11Levesque, designee from the Public Utilities12Regulatory Authority; Mr. Lynch; Dr. Klemens;13Dr. Bell; and Senator Daily. Members of the14staff present are Attorney Bachman, our15Executive Director and Robert Mercier, siting16analyst.17This is a continuation of a18hearing that began today at 3 p.m. Copies of19the hearing program and the Council Citizen20Guide to Siting Council Procedures are235972121table for members of the public on the22table in the back.
25	25 Connecticut General Statutes, and of the
UNITED REPORTERS, INC. info@unitedreporters.com (866) 534-3383 www.united	UNITED REPORTERS, INC. dreporters.com info@unitedreporters.com (866) 534-3383 www.unitedreporters.com
July 17, 2014 Pag A p p e a r a n c e s:(cont'd) For the Intervenors, Albert Subbloie Jacqueline Barbara, Glenn MacInnes Jill MacInnes: BERCHEM, MOSES, AND DEV 1221 Post Road East Westport, CT 06880 (203)227-9545 By: MARIO F. COPPOLA, ES By: MARIO F. COPPOLA, ES	<ul> <li>S, 3 Verizon Wireless, for a certificate of</li> <li>4 environmental compatibility and public need</li> <li>7 Iocated at 831 Derby Milford Road in Orange,</li> <li>8 Connecticut.</li> <li>9 This application was received</li> <li>10 by the Council on May 13, 2014. This</li> <li>11 application is also governed governed by</li> <li>12 the Telecommunication Act of 1996, which is</li> <li>13 administered by the Federal Communications</li> </ul>
15 16 17 18 19 20 21 22 23 24 25	14Commission. This act prohibits the Council15from considering the health effects of16radio-frequency emissions on human health and17wildlife, to the extent the emissions from18towers are within the federal acceptable safe19limits standard, which standard is also20followed by the State Department of Public21Health.22The federal act also prohibits23the Council from discriminating between and24amongst providers of functionally equivalent25services. This means that if one carrier

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1	1 carrier already provides service for an area,		confine his or her statements to the subject		
2	other carriers have the right to compete and	2	matter before the Council and to avoid		
	3 provide service in the same area.		unnecessary repetition so we may hear all of		
4	*		the concerns you and your neighbors may have.		
5	5 of the filing of the application to the		Again, please be advised the		
6	0 11		Council cannot answer questions from the		
7	ŭ ,		public about the proposal. A verbatim		
8	of the date and time of this hearing was	8	transcript will be made of the hearing and		
9	published in the New Haven Register on	9 deposited at the Orange Town Clerk's Office			
10	June 17th of this year.	10	and the Shelton City Clerk Office for the		
11	Upon this Council's request,	11	convenience of the public.		
12	the Applicant erected a sign at the proposed	12	Before I call on the members		
13	site so as to inform the public of the nature	13	of the public to make statements, I'll		
14	of the application, type of facility, hearing	14	request that the Applicant make a brief		
15	date and location, and contact information	15	presentation to the public describing the		
16	for the Council. This afternoon members of	16	facility, where it's located, and why it's		
17	the council staff and public personally	17	necessary.		
18	conducted a field review of the proposed site	18	HARRY ROCHEVILLE: Good		
19	in order to observe firsthand the potential	19	evening. My name is Harry Rocheville. I'm		
20	effects of the proposal.	20	with Centek Engineering, Cellco partnership,		
21	This hearing session tonight	21	which is proposing a wireless		
22	had been reserved first for the public to	22	telecommunications facility at 831 Derby		
23	make sure its statements get into the record.	23	Milford Road.		
24	These public statements are not subject to	24	The facility is located in the		
25	questions from parties or the Council, and	25	southern portion of the parcel, right here.		
info@unite	UNITED REPORTERS, INC. (866) 534-3383 www.unitedreporters.com Docket No. 448 July 17, 2014	UNITED REPORTERS, INC. info@unitedreporters.com (866) 534-3383 www.unitedreporters.com Docket No. 448 July 17, 2014			
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1	members of the public making statements may	1	The partial the parcel is 34.6 acres.		
2	not ask questions of the parties or the	2	Access to the site will be via		
3	Council. These statements will become part	3	a 460-foot gravel access drive that will be		
4	of the record for Council's consideration. A	4 12-foot wide. The drive will be located			
5	sign-up sheet is available for those who	5 within a 20-foot access utility easement with			
6	would like to participate.	6 utilities routed underground all the way up			
7	As a reminder to all,	7 to the compound. The wireless facility will			
8	off-the-record communication with a member of	8	be 50-feet-by-50-feet within a		
9	the Council or a member of the Council's	9	100-foot-by-100-foot lease area, which is		
10	staff upon the merits of this application is	10	better shown on the next page sorry as		
11	prohibited by law.	11 12	you see right down here, 50-by-50-foot		
	I wish to note that parties		compound within a 100-foot-by-100-foot lease area. Centrally located in the compound will		
	and intervenore including their	13	area. Centrality located in the compound Will		
13	and intervenors, including their	1/	he a 100-foot tall monopole tower and it		
13 14	representatives and witnesses, are not	14 15	be a 100-foot tall monopole tower, and it will be painted brown. The tower will be		
13 14 15	representatives and witnesses, are not allowed to participate in the public comment	15	will be painted brown. The tower will be		
13 14 15 16	representatives and witnesses, are not allowed to participate in the public comment session. I also wish to note for those who	15 16	will be painted brown. The tower will be designed for four carriers and will be		
13 14 15	representatives and witnesses, are not allowed to participate in the public comment session. I also wish to note for those who are here and for the benefit of your friends	15 16 17	will be painted brown. The tower will be designed for four carriers and will be extendable by 20 feet.		
13 14 15 16 17	representatives and witnesses, are not allowed to participate in the public comment session. I also wish to note for those who are here and for the benefit of your friends and neighbors who are unable to join us for	15 16 17 18	will be painted brown. The tower will be designed for four carriers and will be extendable by 20 feet. The top of the antennas on the		
13 14 15 16 17 18	representatives and witnesses, are not allowed to participate in the public comment session. I also wish to note for those who are here and for the benefit of your friends and neighbors who are unable to join us for the public comment session that you or they	15 16 17	will be painted brown. The tower will be designed for four carriers and will be extendable by 20 feet.		
13 14 15 16 17 18 19	representatives and witnesses, are not allowed to participate in the public comment session. I also wish to note for those who are here and for the benefit of your friends and neighbors who are unable to join us for	15 16 17 18 19	will be painted brown. The tower will be designed for four carriers and will be extendable by 20 feet. The top of the antennas on the tower will be 103 feet, so they will extend		
13 14 15 16 17 18 19 20	representatives and witnesses, are not allowed to participate in the public comment session. I also wish to note for those who are here and for the benefit of your friends and neighbors who are unable to join us for the public comment session that you or they may send written statements to the Council	15 16 17 18 19 20	will be painted brown. The tower will be designed for four carriers and will be extendable by 20 feet. The top of the antennas on the tower will be 103 feet, so they will extend 3 feet above the tower. There will also be a		
13 14 15 16 17 18 19 20 21	representatives and witnesses, are not allowed to participate in the public comment session. I also wish to note for those who are here and for the benefit of your friends and neighbors who are unable to join us for the public comment session that you or they may send written statements to the Council within 30 days of the date hereof, and such	15 16 17 18 19 20 21	will be painted brown. The tower will be designed for four carriers and will be extendable by 20 feet. The top of the antennas on the tower will be 103 feet, so they will extend 3 feet above the tower. There will also be a 12-foot-by-30-foot equipped shelter located		
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1	Thank you.	1	THE COURT REPORTER: I'm
2	THE CHAIRPERSON: Okay.	2	sorry. Could you spell your name.
3	We'll now call for the people	3	LEONARDO PENA-ABOSAID: Yes.
	4 who have signed up on the list. Please come		L-e-o-n-a-r-d-o, the last name, P-e-n-a,
5			dash, A-b-o-s-a-i-d.
б	1 1 2 2		THE COURT REPORTER: Thank
7	you can give us your address.	7	you.
8	I'm going apologize in	8	LEONARDO PENA-ABOSAID: You're
9	advance. A number of people have made it	9	welcome.
10	slightly difficult for me to read, and I	10	I will say that my biggest
11	apologize if I mispronounce your names.	11	concern is they have the fact that that
12	The first person it's Paul	12	tower can have on our neighbors. I have an
13	is it Bun?	13	eight-year-old, and in the summertime he's
14	Again, I apologize.	14	always playing in the playground in the
15	PAUL BUU: Thank you, Council.	15	backyard. And I went to the Town, and the
16 17	My name is Paul Buu. I live at 920 Rainbow	16 17	tower is going to be about 550 feet from my
18	Trail, Orange. I'm strongly opposed to the	17	property, which is extremely close, so of course I am very worried about that.
18	construction of this cell tower for the	18	Second, I I would like to
20	following reasons: Number one, I do have a	20	know if any other areas because he just
20	cell phone with Verizon as a carrier, and at	21	said it here there is 34, 35 acres of land
22	home, I do have a very strong signal, so I	22	on that farm. Any other areas we think the
23	don't know why you want to construct another	23	farm has been considered for the placement of
24	cell tower nearby; I have a 14-year-old	24	this tower?
25	daughter at home, and I'm very concerned	25	I read the the proposal,
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	Page 130		July 17, 2014 Page 132
1	Page 130 about the health issue as a result of this	1	July 17, 2014 Page 132 and I didn't see that in any any they
2	Page 130 about the health issue as a result of this number three, the whether there's any	2	July 17, 2014 Page 132 and I didn't see that in any any they didn't mention anything about that.
2 3	Page 130 about the health issue as a result of this number three, the whether there's any study about the impact of the wildlife as a	2 3	July 17, 2014 Page 132 and I didn't see that in any any they didn't mention anything about that. Of course, another concern
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2 3 4	Page 130 about the health issue as a result of this number three, the whether there's any study about the impact of the wildlife as a result of this cell phone construction. We have some endangered species living close by to the proposed construction site, such as	2 3 4	July 17, 2014 Page 132 and I didn't see that in any any they didn't mention anything about that. Of course, another concern that I have is the property value of our houses. I believe because I've been living there for only four years. I believe
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Page 130         about the health issue as a result of this number three, the whether there's any study about the impact of the wildlife as a result of this cell phone construction. We have some endangered species living close by to the proposed construction site, such as box turtles, and I'm concerned about the impact to the wildlife and whether any study been done on this.         Mad my property is within a quarter-mile from the proposed construction site, and I'm very concerned about my property value. This study showing the property value probably going to be dropped 20 percent, and I'm very concerned on the the proposed construction.         Man My property is within a quarter-mile from the proposed construction site, and I'm very concerned about my property value probably going to be dropped 20 percent, and I'm very concerned on the there are some of my brief points.         Man My property is within a function of the searce some of my brief points.         Man My property solution of the very concerned about my property value probably going to be dropped 20 percent, and I'm very concerned about my property value. This study showing the property result.         Man My property is within a function of the very concerned about my property value.         Man My property is within a function of the very concerned about my property value.         Man My property is within a function of the very concerned about my property value.         Man My property is within a function of the very concerned about my property value.         Man My property is within a function of the very concerned about my property value.         Man My property value.       The charne function of the very	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Duly 17, 2014 Page 132 and I didn't see that in any any they didn't mention anything about that. Of course, another concern that I have is the property value of our houses. I believe because I've been living there for only four years. I believe they sold those properties back on 2001, the land. The farmers sold the land for a good price, and now he's putting the tower at 500 feet from our houses, decreasing the value of our properties. So I wanted to know, you know, I want to have an answer regarding that, if they've been considered that you know, if the farmer consider that. Is the farmer here? Is the owner of the property here that we can speak to and we can get answers from him? There is a lot of questions that I would like to ask, you know. THE CHAIRPERSON: The owner is not required to LEONARDO PENA-ABOSAID: I have

4 (Pages 129 to 132)

	Docket No. 448 July 17, 2014		Docket No. 448 July 17, 2014	
	Page 133		Page 135	
1	Thank you.	1	reevaluated and is certainly a question that	
2	THE CHAIRPERSON: Okay. Thank	2	I would have for the Council.	
3	you.	3	Thank you.	
4	Christian Bonat.	4	THE CHAIRPERSON: Thank you.	
5			Laura Haker.	
6			LAURA HAKER: Thank you,	
7			Council. My name is Laura Haker, and I live	
8	I want to take this	8	at 911 Rainbow Trail in Orange.	
9	opportunity to express my support to the	9	My property abuts the property	
10	previous comments and underscore my concern	10	of the proposed cell tower at 831 Derby	
11	and my plea to the Council that the site be	11	Milford Road. The distance between the cell	
12	moved further away from the neighbor the	12	tower and my property is approximately 760	
13	neighbors and the homes that are closest by.	13	feet.	
14	As you as you've heard,	14	I'm strongly opposed to the	
15 16	Rainbow Trail 917 Rainbow Trail is my	15	construction of this cell tower and request	
10	address is the most affected neighborhood. We are closest to the site. And as was	16 17	that it's moved further away from residential	
18	previously mentioned, there are we have	18	properties. Excepting the few summer months when the trees are in full leaf and the	
10	35 acres of land to work with here, and yet,	10	foliage is at its maximum height, the trees	
20	my home, which I purchased last year, is now	20	are bare, making the cell tower all the more	
21	some-thousand feet away from a brown,	21	visible from my house and also from other	
22	103-foot tower that's going to go up outside	22	properties in the neighborhood. This is to	
23	my back backyard.	23	mention not only the visible impact, but also	
24	So, as was previously	24	the possible 20 percent property devaluation	
25	mentioned, it seems there's we've got 34	25	of my house.	
UNITED REPORTERS, INC. info@unitedreporters.com (866) 534-3383 www.unitedreporters.com Docket No. 448 Tubr 17, 2014		UNITED REPORTERS, INC. info@unitedreporters.com (866) 534-3383 www.unitedreporters.com Docket No. 448 July 17, 2014		
	July 17, 2014		Docket No. 448 July 17, 2014	
	July 17, 2014 Page 134		Docket No. 448 July 17, 2014 Page 136	
1		1	July 17, 2014	
1 2	Page 134	1 2	July 17, 2014 Page 136	
2 3	Page 134 or 35 acres to work with. A cursory look at the map indicates that they did not center the tower or place the tower furthest away	2 3	As we lose on our property values because of the tower, others are profiting by the installation of it. A major	
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## 5 (Pages 133 to 136)

Page 137     Page 137       again to think of the negative impact this proposed cell tower will have on headth, views, property devaluation, and the damage to wildlife, and to a beautiful neighborhood. Thank you.     1     would be appreciated.       THE CHAIRPERSON: Thank you.     5     THE CHAIRPERSON: Thank you.       THE CHAIRPERSON: The you.     5     MITCH GOLDBLATT: Chairman       THE CHAIRPERSON: The you.     5     MITCH GOLDBLATT: Chairman       THE CHAIRPERSON: The you.     5     MITCH GOLDBLATT: Chairman       The reside at 291 Drummond Road in Orange. Im also a member of the board of selectinen and a to this property, line of the proposed lower.     10       The the concernse regarding this. The first is that the proposed driveway und the underground utilities are close to the property line, we have several mature to the property line, we have several mature to train sprotery. although following the last spacker, someday 1 will be since my burial plot is next.       The there concernse drata, you any with a whole bunch of dead trees.     1     Anyway, first of all. I will sub torgonery. although following the last spacker, someday 1 will be since my burial plot is next.       The there are all the driveway coming down and where it will enst property.     1     The there are all the driveway coming down and where it will enst property.       The the driveway will come down to goad. that the driveway will come down to goa		Docket No. 448 July 17, 2014	Docket No. 448 July 17, 2014		
2       proposed cell lower will have on health,         3       views, property devaluation, and the damage to wildlife, and to a beautiful neighborhood.         5       Thank you.         6       THE CHARPERSON: Thank you.         7       Erich Hendlin,         8       ERICH HENDLIN: Good evening.         9       President of the O'S halon/BISC Genetery         11       Association, which is the proporty next door         12       to the size of the property line, which is the proporty line of our cemetery, and bordering         16       underground utilities are close to the         17       projenty line, of our cemetery, and bordering         18       the property line, whave several mature         19       true scalar mature         10       prospetty line, of our cemetery, and bordering         10       the property line, shat he ty out         20       know, s. Shor of Oy easn, and that 1 end         21       The second is that the         22       The second is that the         23       The second is that the         24       to the property line is cleared and comes         25       And the third item is - and I         26       And the third item is - and I         27       The second is that the		Page 137	Page 139		
2     proposed cell tower will have on health, to wildlife, and to a beautiful neighborhood.       3     These, sproperty devaluation, and the damage to wildlife, and to a beautiful neighborhood.       4     These, CHAIRPERSON: Thank you.       5     Thank you.       6     THE CHAIRPERSON: Thank you.       7     Eric Hendlin, He-n-d-i-n. I'm the president of the OS halon/BISC Genetery Association, which is the proporty next door       11     Association, which is the proporty next door       12     the the concerns regarding this. The first is that the proporty line, which way and the underground utilities are close to the first is that the proporty line, shat hely don't 22       12     The second is that the 24       13     The second is that the 24       25     The second is that the 24       26     The second is that the area all the 25       26     The second is that the area all the 25       26     The second is that the 26       27     The second is that the 26       28     The second is that the 29       29     And the third item is - and I 25       20     And the third item is - and I 25       26     And the third item is - and I 26       27     The second is that the 20       28     The second is that the 29       29     The second is that the area all the 20       29     The second is that the area all the	1	again to think of the negative impact this	1 would be appreciated.		
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5     Thank you.     5     MITCH GOLDBLATT. Chairman       6     THE CHARPERSON: Thank you.     5     MITCH GOLDBLATT. Chairman       7     ERICH HENDLIN: Good evening.     7     Council, my name is Mitch Goldblat.       8     RERICH HENDLIN: Good evening.     7     Council, my name is Mitch Goldblat.       9     In Eric Hendlin, Hendlin	3				
6       THE CHAIRPERSON: Thank you.       6       Stein, members of the Connecticut Sting.         7       ERIC HENDLIN: Good evening.       Firs Hendlin, He-n-d-H-n. The the       9       also a member of the board of selectmen and a low and to deal, a         10       president of the O'shalom/BISC Centery.       1       and more this the proposed tower.         11       have three concerns regarding this. The the proposed driveway and the underground utilities are close to the       1       more of times, with cell towers.       1         12       have three concerns regarding this, the proposed driveway and the underground utilities are close to the underground utilities are close to the site of the proposed driveway and the time the property line of our centery, and bordering the property line, what we several mature to this spotent, and that you have been there for.       10       Say links we that have been there for.       10       asso a member of the sourd of a low on to go and whare time.         12       up with a whole bunch of dead trees.       1       and therefore, this and ways been there property lines, that have been there left for, you know, sol to dead trees.       1       And I believe this may be been there left for, you know, sol to down and where it will enter a the driveway coming down and where it will enter left.       1       And I believe this may be the 2         11       The second is that the driveway coming down and where it will enter a low bay with de driveway will come down to grade.       1       And I believe this may be the 2	4	to wildlife, and to a beautiful neighborhood.	4 Mitch Goldblatt.		
7       Eric Hendlin.       7       Council, my name is Mitch Goldblart. I         8       ERIC HENDLIN: Good evening.       7       Council, my name is Mitch Goldblart. I         9       Im Eric Hendlin, H-e-n-d-l-in. I'm the president of the Ors Alor Mark The President of the Ors Mitch is the property next door to the site of the proposed driveway and the underground utilities are close to the underground utilities are close to the underground utilities are close to the property line, we have several mature trees. And I'm just concerned that, you know, so we as they'e digging, that root systems don't follow property lines, that they don't grade know, half a dozen trees that have been therefore, kill off, you know, 50 or 60 years, and that I end to work, half a dozen trees that have been therefore, kill off, you whow, 50 or 60 years, and that I end you while whole bunch of dcad trees.       1       The second is that the driveway will come down to go onto either town-owned property or, at the you how, 50 or 60 years, and that I end triveway coming down and where it will enter or hot bery Milford Road, which the driveway will come down to grade.       1       And I believe this may be the first case of an individual resident, be it driveway will come down to grade.         1       The second is that the driveway will come down to grade.       1       And I believe this may be the first case of an individual resident, be it will enter or whore you and may and he driveway and the dr	5	Thank you.	5 MITCH GOLDBLATT: Chairman		
8       ERIC HENDLIN: Good evening.       8       reside at 291 Drummond Road in Orange. Tm         9       First Freding, He-m-d-4-in. The the       9       also a member of the board of selectmen and a         11       Association, which is the property next door       1       number of times, with cell towers.         12       to the size of the proposed tower.       1       1       I am not currently an abutter         13       Should this be approved, we       1       1       I an not currently an abutter         14       have three concerns regarding this. The       1       I am not currently an abutter         16       underground utilities are close to the       10       resident set.       1         17       property line, of our cemetery, and bordering       15       plot is next door to this area.         16       marground utilities are close to the       1       say I share Eric Hendlin's concerns that he         18       just brought up concerning the cemetery. But       10       say I share Eric Hendlin's concerns that he         18       gius prosts, and therefore, kill off, you       20       selectman, it has always been the process of         20       gius prosts, and therefore, kill off, you       20       out off addown and where it will enter         2       drive way coming down and where it will en	б		6 Stein, members of the Connecticut Siting		
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Intowinitedreporters.com (800) 534-3385 www.unitedreporters.com Intowinitedreporters.com (866) 534-3385 www.unitedreporters.com	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	The second is that the driveway coming down and where it will enter Derby Milford Road, at that site and that part of the property, there's an elevated ridge of rock and and probably ledge, and that the driveway will come down to grade. But I want to make sure that the area all the way to the property line is cleared and comes down to grade with Derby Milford Road, which will improve the sight line to come in and out of both that driveway and the driveway for our cemetery and avoid any any potential traffic problems or accidents that could occur. And the third item is and I believe it is on the plan is that while, as was previously stated, during the summer there's trees are full and and the base of the tower will be surrounded by by shade and trees. During the winter months, it won't. So if there could be, you know, evergreens planted or, you know, shrubs planted around the base to improve the the view from, you know, from our property so	Page 1401And I believe this may be the2first case of an individual resident, be it3farmer or whomever, where there would be a4cell tower in the Town of Orange. And for5that, I think we set a dangerous precedent.6We have, in our small town, at least five,7six cell towers already. It's kind of8unbelievable that we are seeing more cell9tower proliferation, at this time, based on10the fact that we know about this application11and, according to our first selectman, at12least two to three others that are in the13wind coming forward.14So it makes me very concerned15that we're seeing this happening and possibly16ending up on private property and not and17there's never a desirable location for a cell18tower, but certainly, next to the residents19and in a residential neighborhood area is20certainly objectionable to to many in our21I know you can't answer23questions at this time. I'm going to ask a24number of them, and hopefully, they'll be		
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	Page 141	Page	143	
1	deliberations.	1 homes that are basically on about an acre a	and	
2	The application that you've	2 a half to two acres of property. This is on		
3	received, I hope, is a complete one. I also,	3 34 acres of property, as has been mentione	ed.	
4	hope, as part of that application be	4 I would hope that the tower is		
5	complete, that it also has the transcript of	5 in such an area of that property where it		
6	the town plan and zoning commission meeting	6 might be equidistant from other homes and	d not	
7	that was held a number of months ago on this	7 so close to one side or the other to make		
8	issue, at which I and a few others did appear	8 sure that it is as far away from the existing	5	
9	and asked questions at that time.	9 residences, some of whom bought their		
10	I will say, at that time, I	10 property from the same property owner,		
11	did suggest, as did others, a couple of other	11 ironically.		
12	locations in town nearby that are town owned.	12 And those are my comments. I		
13	I will credit Attorney Baldwin for getting	13 thank you very much for your time and		
14	back to me and telling me that they didn't	14 listening this evening.		
15	feel those areas were necessarily conducive	15 Thank you.		
16	to building a tower, although I would ask	16 THE CHAIRPERSON: Thank y	ou.	
17	that the Siting Council to make sure that	17 Kenneth Lenz.		
18 19	the couple of spots that were suggested, one	18 KENNETH LENZ: Thank you, 19 Chairman Stein.		
20	on Short Road, another one up on the Turkey	20 My name is Kenneth Lenz,		
20	Hill Preserve are definitely not conducive to a cell tower, because if they were, at least	20 My name is Kenneth Lenz, 21 L-e-n-z. I live at 382 Ridge Road in Oran	00	
21	that would put this tower on town property.	21 and I, too, am a member of the board of	ge,	
23	Beyond that, I certainly hope	23 selectmen.		
24	that you are looking at and inquiring for	24 Selectman Goldblatt has		
25	other locations of this tower. And along	already mentioned several of the points that	at	
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			144	
1	with that, because we're hearing about and	1 I agree with, and I adopt his concerns. I've		
2	you may not have actual dockets set up yet	2 received a number of communications from	both	
2 3	you may not have actual dockets set up yet because we're hearing about other towers,	<ol> <li>received a number of communications from</li> <li>people who live in the proximity and others</li> </ol>	both	
2 3 4	you may not have actual dockets set up yet because we're hearing about other towers, including one that is not very far from this	<ul> <li>2 received a number of communications from</li> <li>3 people who live in the proximity and others</li> <li>4 in that area of town voicing concern. One of</li> </ul>	both of	
2 3 4 5	you may not have actual dockets set up yet because we're hearing about other towers, including one that is not very far from this location, the Applicant has said tonight that	<ul> <li>2 received a number of communications from</li> <li>3 people who live in the proximity and others</li> <li>4 in that area of town voicing concern. One of</li> <li>5 the concerns is because this is farmland and</li> </ul>	both of	
2 3 4 5 6	you may not have actual dockets set up yet because we're hearing about other towers, including one that is not very far from this location, the Applicant has said tonight that there is room for three other antennas.	<ul> <li>2 received a number of communications from</li> <li>3 people who live in the proximity and others</li> <li>4 in that area of town voicing concern. One of</li> <li>5 the concerns is because this is farmland and</li> <li>6 there is a public policy in Orange to</li> </ul>	both of	
2 3 4 5 6 7	you may not have actual dockets set up yet because we're hearing about other towers, including one that is not very far from this location, the Applicant has said tonight that there is room for three other antennas. I would hope and sincerely	<ul> <li>2 received a number of communications from</li> <li>3 people who live in the proximity and others</li> <li>4 in that area of town voicing concern. One of</li> <li>5 the concerns is because this is farmland and</li> <li>6 there is a public policy in Orange to</li> <li>7 preserve farmland wherever possible, I hop</li> </ul>	both of	
2 3 4 5 6 7 8	you may not have actual dockets set up yet because we're hearing about other towers, including one that is not very far from this location, the Applicant has said tonight that there is room for three other antennas. I would hope and sincerely urge you to make sure that at least one of	<ul> <li>2 received a number of communications from</li> <li>3 people who live in the proximity and others</li> <li>4 in that area of town voicing concern. One of</li> <li>5 the concerns is because this is farmland and</li> <li>6 there is a public policy in Orange to</li> </ul>	both of l	
2 3 4 5 6 7	you may not have actual dockets set up yet because we're hearing about other towers, including one that is not very far from this location, the Applicant has said tonight that there is room for three other antennas. I would hope and sincerely urge you to make sure that at least one of those antennas is conducive to AT&T who's	<ul> <li>2 received a number of communications from</li> <li>3 people who live in the proximity and others</li> <li>4 in that area of town voicing concern. One of</li> <li>5 the concerns is because this is farmland and</li> <li>6 there is a public policy in Orange to</li> <li>7 preserve farmland wherever possible, I hop</li> <li>8 that that's taken into consideration in terms</li> </ul>	both of l	
2 3 4 5 6 7 8 9	you may not have actual dockets set up yet because we're hearing about other towers, including one that is not very far from this location, the Applicant has said tonight that there is room for three other antennas. I would hope and sincerely urge you to make sure that at least one of those antennas is conducive to AT&T who's proposing a tower a very short distance from	<ul> <li>2 received a number of communications from</li> <li>3 people who live in the proximity and others</li> <li>4 in that area of town voicing concern. One of</li> <li>5 the concerns is because this is farmland and</li> <li>6 there is a public policy in Orange to</li> <li>7 preserve farmland wherever possible, I hop</li> <li>8 that that's taken into consideration in terms</li> <li>9 of whether there are reasonable alternatives</li> </ul>	both of l	
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	Page 145		Page 147
1	I know that the board of	1	done by the Israelis? It will tell you
2	selectmen discussed and were considering	2	exactly the limitation and the dangers of
3	offering part of the Turkey Hill Preserve,	3	being closer than a quarter of a mile from a
4	which is town-owned property, for such a	4	tower.
5	location. It's not very far away. I don't	5	Now, you can ignore it by
6	honestly know exactly, but it couldn't be	6	saying I don't live in Israel, I don't live
7	more than a half mile away from this current	7	in Germany. But we need to learn from some
8	location.	8	people what they do. The children in our
9	There are environmental	9	neighborhood will suffer. Will anybody
10	concerns regarding this farmland. It is	10	will anybody write me a letter today and tell
11	against the woods, which is declining.	11	me nothing will happen to my family because
12	The I lived in the Rainbow Trail area for	12	of this tower. Nobody will do it, but we
13	the first 20 years that I lived in Orange,	13	have to buy it. We have to agree with what
14	and there are a significant number of rare	14	you say.
15	wildlife species in that area that are being	15	Thank you, gentlemen.
16	driven away. And as additional development	16	THE CHAIRPERSON: Thank you.
17	goes on, it's going to continue to diminish	17	Dan Chung.
18	the the wildlife species in that area.	18	DANIEL CHUNG: Hello. My name
19	And those are my comments at	19	is Dan Chung. I reside at 914 Rainbow Trail
20	this time. Thank you.	20	just across the street from the homes and my
20	THE CHAIRPERSON: Thank you.	20	neighbors who spoke earlier, who's in the
22	Alexander Haker.	22	closest proximity to the proposed tower.
23	ALEXANDER HAKER: My name is	23	You know, it's I have a
24	Alexander Haker. I live at 911 Rainbow	24	serious question as to whether proper
25	Trail. And I'm totally confused.	25	notification procedures to the public were
			nonneuten procedures to the puene were
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			Docket No. 448
1	July 17, 2014 Page 146	1	Docket No. 448 July 17, 2014
1 2	July 17, 2014		Docket No. 448 July 17, 2014 Page 148
	July 17, 2014 Page 146 Only today we learned that really there's no problem of reception. It's a problem with storing data. Storing data	1	Docket No. 448 July 17, 2014 Page 148 followed. I only learned about this a couple
2 3 4	July 17, 2014 Page 146 Only today we learned that really there's no problem of reception. It's a problem with storing data. Storing data does not require a 120-feet tower. There are	1 2 3 4	Docket No. 448 July 17, 2014 Page 148 followed. I only learned about this a couple weeks ago. I understand that there was something in the newspaper that was posted, but if it wasn't for my neighbors alerting me
2 3 4 5	Dage 146 Only today we learned that really there's no problem of reception. It's a problem with storing data. Storing data does not require a 120-feet tower. There are technologies. They can store data and do it	1 2 3 4 5	Docket No. 448 July 17, 2014 Page 148 followed. I only learned about this a couple weeks ago. I understand that there was something in the newspaper that was posted, but if it wasn't for my neighbors alerting me of the fact, I would not have even known that
2 3 4 5 6	Dage 146 Only today we learned that really there's no problem of reception. It's a problem with storing data. Storing data does not require a 120-feet tower. There are technologies. They can store data and do it nicely. Maybe they cost a little bit more	1 2 3 4 5 6	Docket No. 448 July 17, 2014 Page 148 followed. I only learned about this a couple weeks ago. I understand that there was something in the newspaper that was posted, but if it wasn't for my neighbors alerting me of the fact, I would not have even known that this was all going on.
2 3 4 5 6 7	Donly today we learned that really there's no problem of reception. It's a problem with storing data. Storing data does not require a 120-feet tower. There are technologies. They can store data and do it nicely. Maybe they cost a little bit more money, but it can be done.	1 2 3 4 5 6 7	Docket No. 448 July 17, 2014 Page 148 followed. I only learned about this a couple weeks ago. I understand that there was something in the newspaper that was posted, but if it wasn't for my neighbors alerting me of the fact, I would not have even known that this was all going on. I didn't receive anything in
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<ol> <li>constructed on Rainbow Trail, this is all</li> <li>former farmland of the Bespuda's. So either</li> <li>all of us or our builders purchased the land</li> <li>to construct these homes. And these are</li> </ol>	<ol> <li>So and I know I speak on</li> <li>behalf of this group here, you know, we</li> <li>implore you to just really take a grounded</li> <li>view on this and and help make the right</li> </ol>	
<ul> <li>5 high-end homes.</li> <li>6 Rainbow Trail and Northwood,</li> <li>7 for you to get a perspective, probably</li> <li>8 comprise the highest real estate value in the</li> </ul>	<ul> <li>decision on this issue important issue.</li> <li>Thank you.</li> <li>THE CHAIRPERSON: Those are</li> <li>all the people that have signed up. Is there</li> </ul>	
<ul> <li>9 Town of Orange. You can see some of the</li> <li>10 resales in the recent year or so, probably</li> <li>11 about a million dollars in sales of real</li> <li>12 estate.</li> </ul>	<ul> <li>9 anyone who hasn't spoken before who would</li> <li>10 like to like to speak at this point?</li> <li>11 Yes, sir.</li> <li>12 JAMES ZEOLI: Good evening.</li> <li>13 Lim Zooli for splactness of the Term of the</li></ul>	
13And I can tell you, from where14I reside, as I come down my driveway, full15front and center, I will see the tower above16the tree line at all time of the year.17And17And	<ul> <li>Jim Zeoli, first selectman of the Town of</li> <li>Orange.</li> <li>I've heard many good questions</li> <li>and concerns here tonight with this tower.</li> </ul>	
<ul> <li>And and I think it will be naive to think</li> <li>that there won't be a significant drop in</li> <li>real estate value to my home and the homes of</li> <li>all of our neighbors.</li> <li>And so it's if you if</li> </ul>	<ul> <li>And it has gone through quite a process over</li> <li>time. The books have been available. I've</li> <li>offered them to several people, actually.</li> <li>One person copied the entire book. I believe</li> <li>they copied the entire book with all the maps</li> </ul>	
<ul> <li>21 And so it's if you if</li> <li>22 you kind of multiply that with the most</li> <li>23 expensive homes in Orange, you're probably</li> <li>24 talking about the greatest appreciation in</li> <li>25 real estate value you can have, okay, so</li> </ul>	<ul> <li>and all.</li> <li>One question I do have that</li> <li>goes to that, in this book, on one of the</li> <li>particular maps, it shows, the location, a</li> </ul>	
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1and and if there is any doubt, you know,2if if they can ever get this balloon in3the right location directly above where4they're supposed to build it because I5think that didn't work out today in the6proper place, you know, I I suggest take a7look. That tower, hundred-foot tower8ugly, metal tower will be in plain sight of,9I think, everyone in that area.10So we're working with a1135-acre property. If there isn't an12alternate, better location that would benefit13the town revenues from the lessee going to14the town, you know, I would think that there15are multiple locations. Just move it a16thousand foot away from one end.17You have a you have a18family or a business that's profited from19selling the land at high prices in 2001,2002, 2003. And for them to benefit from,21you know, selling this, and in some way22selling out to the people that were their23customers years ago, just seems unfair,24unjust. It just doesn't seem to be the right25thing to do.	<ul> <li>proposed location of the tower. And the</li> <li>it states that the closest resident to the</li> <li>tower is the Bespuda home at 850 feet. I ask</li> <li>that that be checked and measured to be</li> <li>certain that that is correct.</li> <li>I did do it with a ruler on my</li> <li>own desk, but I'm not an engineer, and the</li> <li>houses were further away than that. But I</li> <li>would just ask that the engineering</li> <li>department that's handling this be certain of</li> <li>that.</li> <li>But I'm Jim Zeoli. I'm the</li> <li>first selectman for the Town Orange. And I</li> <li>have to say, first, next time you need a</li> <li>hearing involving something in the Town of</li> <li>Orange, I ask that you please call the first</li> <li>selectman's office if you're told there's no</li> <li>room for you at the inn, because we will find</li> <li>room for you in Orange. I don't know how</li> <li>that happened, but a couple of us do have a</li> <li>pretty good idea of what transpired there.</li> <li>But the board of selectmen</li> <li>have heard about this tower and potentially</li> <li>four other towers coming forward in the Town</li> <li>of Orange, three times so far.</li> </ul>	

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1Unfortunately, they're being driven by usage.2And we have other site I think one just3went through a declaratory hearing down in4the commercial district. I saw paperwork on5it just the other day. But there are still6some others that possibly may be coming7forward.8One possibly may be a9collocator to this site, or this one would be10a collocator to that site. That, I'm not11quite sure.12But we've received three13letters in the first selectman's office on14this. We've had two visits from one nearby15resident, plus staff that came to pick up the16document for copying, three phone calls from17two different people, all abutters, with18concerns that I tried to explain, to the best19that we could. And we did offer the document20out to anybody who requested it, that they21could come and copy it or sit there and read,22review it, whatever they wished. But it was	<ul> <li>the I had heard two of his requests. I</li> <li>didn't hear about the tree one, but that is</li> <li>very valid also for those large maples</li> <li>alongside their boundary line, but they asked</li> <li>if it would be possible to cover the base</li> <li>area with evergreen plantings of some sort,</li> <li>if needed, to disguise and cover up some of</li> <li>that shed, fenced compound there.</li> <li>The other one was actually a</li> <li>benefit. Right next to the entrance/exit to</li> <li>their cemetery is an ancient stone wall,</li> <li>probably was put in when the gate was put in</li> <li>there to retain the rest of the hill that was</li> <li>probably a slope that went to where their</li> <li>driveway is. And I see, on the engineering</li> <li>maps that were shown tonight, the driveway</li> <li>was moved over, or proposed anyhow, at that</li> <li>location, so to remove that stone retaining</li> <li>wall there and excavate that down so that</li> <li>the it would make a much safer</li> <li>entrance/exit into their cemetery if that</li> <li>visual block there was eliminated. So I saw</li> </ul>		
<ul> <li>available both from the town clerk's office</li> <li>and the first selectman's office and in the</li> </ul>	<ul><li>23 that on the maps tonight. So thank you, for</li><li>24 that.</li></ul>		
<ul><li>21 and the first selection is office and in the</li><li>25 zoning office for review.</li></ul>	25 But there's more to this. We		
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1       After the meeting with myself         2       and then at the zoning meeting and some of         3       this is since I'm the last speaker, I         4       guess, backtracks to what others have said         5       but there were two other locations discussed         6       with the Verizon representatives, the Turkey         7       Hill Preserve site, which is about between         8       a half and three-quarters of a mile from this         9       site, and another location called "Short         10       Road," which the Town does own some property         11       there. It sits down, kind of, in a hole         12       across the Street from this property, and it         13       has a sheer rock wall on one side, and it         14       would be closer to the residents of the         15       Quarter Mile Road area if it was pushed         16       across the street onto that site.         17       But they did, I've been led to         18       believe, test both of those locations and         19       review each of those locations, and neither         20       one of them seemed to be suitable.         21       At the zoning meeting, there         22       were concerns raised and three or four of	<ul> <li>hear about health and all. I went today and</li> <li>looked at the balloon flight. I went from</li> <li>Garden Road, Rainbow Trail, Glenbrook Road,</li> <li>in the Bespuda's part, in their farm on</li> <li>several areas.</li> <li>And I I had told my</li> <li>secretary to call me. And I was sitting in</li> <li>Bespuda's property, and my phone did ring.</li> <li>And it did say my office number on it. But</li> <li>then when I tried to talk to my secretary, it</li> <li>was broken up, at best, and she could not</li> <li>communicate with me at that location.</li> <li>However, I do have AT&amp;T service with the</li> <li>town, not Verizon. Sorry. But we did make</li> <li>that attempt as well.</li> <li>But I've heard a lot about</li> <li>health and all, and there are, of course,</li> <li>concerns with that. But I want to tell a</li> <li>little bit, the most important reason that it</li> <li>was brought to light just three weeks ago.</li> <li>So if you can bear with me, a little bit of a</li> <li>story, I think, maybe it'll you'll</li> <li>understand it.</li> <li>I was sitting in my office.</li> <li>It was just after lunchtime three weeks ago</li> </ul>		

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1	on Monday. And as it turned out, they had a	1	Prior to that happening,	
2	secretary leaving Turkey Hill School on	2	Mr. Bespuda, Sr., when I talked to him about	
3	Turkey Hill Road. She was driving her	3	this tower and then talked about possibly	
4			locating it on other town-owned property, was	
5			well, if we get it, we get it; if we don't,	
б			we don't.	
	7 suffered a bunch of cuts and contusions and		After he almost lost his	
8	stitches in her head, ultimately. But her	8	54-year-old son and realizes that there is no	
9	vehicle continued down the driveway, across	9 communication right there, in that particular		
10	Turkey Hill Road, and took out a main power	10	region, he's adamant that there will be a	
11 12	and connection pole for that area.	11 12	tower located somewhere within that area. And I think that need is proven. It's	
13	We had 13,000-volt lines snapping in the street, but the more	13	documented. There's police reports, medical	
14	important part of it was it took out the	14	reports, and hospital reports to back that	
15	phone service for a large the hardwired	15	incident up.	
16	phone service for a lot of that region over	16	So, with all that said, I	
17	there.	17	understand the reasons why people do not want	
18	At the same time, Mr. Bespuda,	18	these. I know there's a question of radio	
19	the son, Stephen, was working at a home near	19	waves with these. I know there's the	
20	his on Glenbrook Road, and his daughter	20	problems with the viewshed from these and all	
21	Lauren, was helping them. Something	21	that.	
22	happened, and she noticed her father wasn't	22	My 89-year-old father tells	
23	right. Well, she got her father in the truck	23	stories of when they were putting telephone	
24	and she got him home.	24	poles and wires up on their streets when he	
25	Well, they didn't have	25	was a child and how now nobody wanted that	
info@unite	UNITED REPORTERS, INC. edreporters.com (866) 534-3383 www.unitedreporters.com	info@unit∈	UNITED REPORTERS, INC. edreporters.com (866) 534-3383 www.unitedreporters.com	
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	July 17, 2014 Page 158		Docket No. 448 July 17, 2014 Page 160	
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<ul> <li>the town to be certain that has been</li> <li>verified.</li> <li>And, at this time, I thank you</li> <li>for your time listening to all of us.</li> <li>LAURA HAKER: If I may speak,</li> <li>Councilor, in order</li> <li>THE CHAIRPERSON: Excuse me.</li> <li>I think you spoke.</li> <li>LAURA HAKER: I did. I want</li> <li>to I want to</li> <li>THE CHAIRPERSON: This is not</li> <li>for a rebuttal session.</li> <li>LAURA HAKER: It was just</li> <li>inaccurate what Mr. Zeoli said.</li> <li>THE CHAIRPERSON: Do you have</li> <li>some new information you want to provide?</li> <li>LAURA HAKER: Yes, I do. I</li> <li>do.</li> <li>We were at the site today.</li> <li>And we received a cell phone call fully and</li> <li>clearly for it lasted for about two</li> <li>minutes. There was no dropping of the</li> <li>coverage at all.</li> <li>Also, as to the health story</li> <li>that Mr. Zeoli just mentioned, I have direct</li> </ul>	1       Tuesday, August 12, 2014, at 1 p.m. I'd also         2       like to note that anyone who has not become a         3       party or intervenor, but who desires to make         4       his or her what are you no, sir.         5       You'll get your opportunity,         6       but not not tonight is for the public,         7       not for the intervenor. I'm let me         8       finish okay who desires to make his or         9       her views known to the Council may file         10       written statements with the Council until the         11       record closes. Copies of the transcript of         12       this hearing will be filed at the Orange Town         13       Clerk's Office and Shelton City Clerk's         14       Office.         15       So I hereby declare the         16       hearing adjourned and thank you all for your         17       participation.         18       (Whereupon, the above         19       proceedings were adjourned at 7:55 p.m.)		
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1       knowledge of what he spoke about. And I         2       spoke to Mrs. Bespuda. And at the beginning         3       of the conversation, she told me that she         4       that there was a medical situation, but she         5       said she couldn't get in touch with her son.         6       And I said I've never had any         7       problem in that area when I've traveled         8       round.         9       At the end of the         10       conversation, she modified the story and said         11       it was her son who couldn't get in touch with         12       her. So there are some inaccuracies in this         13       story.         14       Thank you, Council.         15       THE CHAIRPERSON: We'll take         16       that for what it's worth.         17       I'd like to announce that         18       we're going to continue the evidentiary         19       portion of the hearing. That was the hearing         20       that started at 3 p.m. And at that time, the         21       Intervenors and their attorney will have the         22       opportunity for cross-examination, as well as         23       to present witnesses.         24       And that wi	1       CERTIFICATE         2       Ihereby certify that the foregoing 44 pages are a complete and accurate         3       computer-aided transcription of my original verbatim notes taken of the Public Hearing in         4       Re: DOCKET NO. 448, CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS APPLICATION FOR A         5       CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION,         6       MAINTENANCE, AND OPERATION OF A TELECOMMUNICATIONS FACILITY LOCATED AT 831         7       DERBY MILFORD ROAD, ORANGE, CONNECTICUT, which was held before ROBERT STEIN,         8       Chairperson, at the Shelton City Hall, City Hall Auditorium, 54 Hill Street, Shelton         9       Connecticut, Thursday, July 17, 2014.         10       11         12       13         14       Gourt Reporter         15       Robert G. Dixon, CVR-M 857 Court Reporter         16       UNITED REPORTERS, INC. 90 Brainard Road, Suite 103         17       Hartford, Connecticut 06114         18       19         20       21         21       22         22       23         23       24         25       25		

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