



Transcript of the Hearing of

**Date:** December 4, 2014

**Volume:** I

**Case:** DOCKET NO. 452 - SITING COUNCIL

Printed On: December 15, 2014

UNITED REPORTERS, INC.  
Phone: (866) 534-3383  
Fax: (877) 534-3383  
Email: [info@unitedreporters.com](mailto:info@unitedreporters.com)  
Internet: [www.unitedreporters.com](http://www.unitedreporters.com)

STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

Docket No. 452

Homeland Towers, LLC, and New Cingular  
Wireless PCS, LLC, Application for a  
Certificate of Environmental Compatibility  
and Public Need for the Construction,  
Maintenance, and Operation of a  
Telecommunications Facility Located at  
Salisbury Tax Assessor Map 16, Lot 5, 250  
Canaan Road, Salisbury, Connecticut.

Council Meeting held at the Salisbury  
Town Hall, Upstairs Meeting Room, 27 Main  
Street, Salisbury, Connecticut, Thursday,  
December 4, 2014, beginning at 3:00 p.m.

H e l d   B e f o r e :

ROBERT STEIN, Chairperson

JAMES J. MURPHY, JR., Vice Chairperson

DOCKET NO. 452 - SITING COUNCIL  
December 4, 2014

<p style="text-align: right;">Page 2</p> <p>1     A p p e a r a n c e s: 2         C o u n c i l   M e m b e r s: 3             D R.   B A R B A R A   B E L L 4             D A N I E L   P.   L Y N C H,   J R. 5             C O M M I S S I O N E R   M I C H A E L   A.   C A R O N, 6             P U R A   D e s i g n e e 7             R O B E R T   H A N N O N,   D E E P   D e s i g n e e 8 9 10         C o u n c i l   S t a f f: 11             M E L A N I E   B A C H M A N,   E S Q., 12             E x e c u t i v e   D i r e c t o r   a n d 13             S t a f f   A t t o r n e y 14             M I C H A E L   P E R R O N E 15             S i t i n g   A n a l y s t 16 17         F o r   N e w   C i n g u l a r   W i r e l e s s,   P C S,   L L C,   a n d 18         M e s s a g e   C e n t e r   M a n a g e m e n t,   I n c.: 19             C U D D Y   &amp;   F E D E R,   L L P 20             4 4 5   H a m i l t o n   A v e n u e,   1 4 t h   f l o o r 21             W h i t e   P l a i n s,   N e w   Y o r k   1 0 6 0 1 22             B y:   L U C I A   C H I O C C H I O,   E S Q. 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1                     T H E   C H A I R P E R S O N:   G o o d 2     a f t e r n o o n,   l a d i e s   a n d   g e n t l e m e n.   I ' d   l i k e   t o 3     c a l l   t o   o r d e r   t h e   m e e t i n g   o f   t h e   C o n n e c t i c u t 4     S i t i n g   C o u n c i l   t o d a y,   T h u r s d a y,   D e c e m b e r   4, 5     2 0 1 4,   a t   3   p . m.   M y   n a m e   i s   R o b i n   S t e i n.   I ' m 6     c h a i r m a n   o f   t h e   S i t i n g   C o u n c i l. 7                     O t h e r   m e m b e r s   o f   t h e   C o u n c i l 8     t o d a y   a r e   S e n a t o r   M u r p h y,   V i c e   C h a i r m a n; 9     M r.   H a n n o n,   o u r   d e s i g n e e   f r o m   t h e   D e p a r t m e n t 10    o f   E n e r g y   a n d   E n v i r o n m e n t a l   P r o t e c t i o n; 11    C o m m i s s i o n e r   C a r o n,   d e s i g n e e   f r o m   t h e   P u b l i c 12    U t i l i t i e s   R e g u l a t o r y   A u t h o r i t y;   D r.   B e l l;   a n d 13    M r.   L y n c h. 14                     A n d   m e m b e r s   o f   t h e   s t a f f   a r e 15    E x e c u t i v e   D i r e c t o r   M e l a n i e   B a c h m a n   a n d 16    M r.   P e r r o n e,   o u r   s i t i n g   a n a l y s t. 17                     T h i s   h e a r i n g   i s   h e l d   p u r s u a n t 18    t o   t h e   p r o v i s i o n s   o f   T i t l e   1 6   o f   t h e 19    C o n n e c t i c u t   G e n e r a l   S t a t u t e s   a n d   o f   t h e 20    U n i f o r m   A d m i n i s t r a t i v e   P r o c e d u r e   A c t   u p o n   a n 21    a p p l i c a t i o n   f r o m   H o m e l a n d   T o w e r s,   L L C,   a n d 22    N e w   C i n g u l a r   W i r e l e s s   P C S,   L L C,   f o r   a 23    c e r t i f i c a t e   o f   e n v i r o n m e n t a l   c o m p a t i b i l i t y 24    a n d   p u b l i c   n e e d   f o r   t h e   c o n s t r u c t i o n, 25    m a i n t e n a n c e   a n d   o p e r a t i o n   o f   a</p>
<p style="text-align: right;">Page 3</p> <p>1     A p p e a r a n c e s:(c o n t ' d ) 2         F o r   T h e   T o w n   o f   S a l i s b u r y: 3             J I M   D R E S S E R, 4             S e c o n d   S e l e c t m a n 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 5</p> <p>1     t e l e c o m m u n i c a t i o n   f a c i l i t y   l o c a t e d   a t   2 5 0 2     C a n a a n   R o a d   i n   S a l i s b u r y,   C o n n e c t i c u t.   T h i s 3     a p p l i c a t i o n   w a s   r e c e i v e d   b y   t h e   C o u n c i l   o n 4     O c t o b e r   7,   2 0 1 4. 5                     A s   a   r e m i n d e r   t o   a l l, 6     o f f - t h e - r e c o r d   c o m m u n i c a t i o n   w i t h   a   m e m b e r   o f 7     t h e   C o u n c i l   o r   a   m e m b e r   o f   t h e   C o u n c i l ' s 8     s t a f f   u p o n   t h e   m e r i t s   o f   t h i s   a p p l i c a t i o n   i s 9     p r o h i b i t e d   b y   l a w. 10                    P a r t i e s   a n d   i n t e r v e n o r s   t o   t h e 11    p r o c e e d i n g   a r e   a s   f o l l o w s:   T h e   a p p l i c a n t, 12    H o m e l a n d   T o w e r s   a n d   N e w   C i n g u l a r   W i r e l e s s; 13    A t t o r n e y   C h i o c c h i o   f r o m   C u d d y   &amp;   F e d e r;   a n d   a 14    p a r t y   i s   t h e   T o w n   o f   S a l i s b u r y   a n d   F i r s t 15    S e l e c t m a n   C u r t i s   R a n d. 16                    W e   w i l l   p r o c e e d   i n   a c c o r d a n c e 17    w i t h   t h e   p r e p a r e d   a g e n d a,   c o p i e s   o f   w h i c h   a r e 18    a v a i l a b l e   h e r e.   A l s o   a v a i l a b l e   h e r e   a r e 19    c o p i e s   o f   t h e   C o n n e c t i c u t   C o u n c i l ' s   C i t i z e n 20    G u i d e   t o   S i t i n g   C o u n c i l   P r o c e d u r e s. 21                    A t   t h e   e n d   o f   t h i s   a f t e r n o o n ' s 22    s e s s i o n,   w e   w i l l   r e c e s s   a n d   r e s u m e   a g a i n   a t 23    7   p . m.   T h e   7   p . m.   h e a r i n g   w i l l   b e   r e s e r v e d 24    f o r   t h e   p u b l i c   t o   m a k e   b r i e f   o r a l   s t a t e m e n t s 25    i n t o   t h e   r e c o r d.   I   w i s h   t o   n o t e   t h a t   t h e</p>

2 (Pages 2 to 5)

Page 6

1 parties, including their representatives and  
2 witnesses, are not allowed to participate in  
3 the public comment session.  
4 I also wish to note for those  
5 who are here and for the benefit of your  
6 friends and neighbors who are unable to join  
7 us for the public comment session, that you  
8 or they may send written statements to the  
9 Council within 30 days of the date hereof,  
10 and such written statements will be given the  
11 same weight as if spoken at the hearing.  
12 If necessary, party  
13 presentations may continue after the public  
14 comment session if time remains. A verbatim  
15 transcript will be made of the hearing and  
16 deposited with the Town Clerk's Office in  
17 Salisbury for the convenience of the public.  
18 First, is there any public  
19 official who would like to make a statement  
20 at this time?  
21 MR. DRESSER: Is this the time  
22 for intervenors from the Town of Salisbury?  
23 THE CHAIRPERSON: Yes. Yes,  
24 sir.  
25 MR. DRESSER: I'll be very

Page 7

1 brief. My name is Jim Dresser. I'm a second  
2 selectman in Salisbury. Apologies from  
3 Curtis Rand, our First Selectman who's out of  
4 the country this week.  
5 And I just wanted to say I  
6 think we're registered as an intervenor. And  
7 I just wanted to say on behalf of the Town  
8 that we have no specific comments about the  
9 specifics of the tower, but there is  
10 definitely a need for cell service in the  
11 Taconic region of Salisbury.  
12 Thank you.  
13 THE CHAIRPERSON: Thank you  
14 very much.  
15 I wish to call your attention  
16 to those items shown on the hearing program  
17 marked as Roman Numeral I-D, items 1 through  
18 59. Does the applicant or any party  
19 intervenor have any objection to the item  
20 that the Council has administratively  
21 noticed?  
22 MS. CHIOCCHIO: No objection.  
23 THE CHAIRPERSON: Accordingly,  
24 the Council hereby administratively notices  
25 these existing documents, statements and

Page 8

1 comments.  
2 Okay. Are we ready for the  
3 presentation of the witness now for purposes  
4 of taking the oath?  
5 MS. CHIOCCHIO: Sure. I'll  
6 quickly introduce the panel. Starting with  
7 my far right, Martin Lavin of C Squared  
8 Systems, RF engineer for AT&T; Ray Vergati,  
9 of Homeland Towers, site acquisition  
10 specialist. Moving to my left, Scott Chasse,  
11 All Points Technology, professional engineer;  
12 Dean Gustafson, also with APT, environmental  
13 consultant, soil scientist; and Mike  
14 Libertine, also with APT, environmental  
15 consultant and visual consultant.  
16 SCOTT CHASSE,  
17 MICHAEL LAWTON,  
18 MARTIN LAVIN,  
19 DEAN GUSTAFSON,  
20 RAYMOND VERGATI,  
21 called as a witnesses, being first duly  
22 sworn by Ms. Bachman, were examined and  
23 testified on their oaths as follows:  
24 THE CHAIRPERSON: Now, go for  
25 the verification of the exhibits.

Page 9

1 MS. CHIOCCHIO: The -- the  
2 applicant's exhibits in the hearing program  
3 are identified under Roman Numeral II-B, 1  
4 through 7. So I will ask each of my  
5 witnesses a series of questions with respect  
6 to those exhibits. And I'll start with Mike  
7 Libertine to my left.  
8 Did you prepare and assist in  
9 the preparation of the exhibits as  
10 identified?  
11 THE WITNESS (Libertine): Yes,  
12 I did.  
13 THE WITNESS (Gustafson): Dean  
14 Gustafson, yes.  
15 THE WITNESS (Chasse): Scott  
16 Chasse, yes.  
17 THE WITNESS (Vergati): Ray  
18 Vergati, yes.  
19 THE WITNESS (Lavin): Martin  
20 Lavin, yes.  
21 MS. CHIOCCHIO: Do you have  
22 any updates or clarifications or corrections  
23 to the information contained in the exhibits  
24 as identified?  
25 THE WITNESS (Libertine): Mike

<p style="text-align: right;">Page 10</p> <p>1 Libertine, no. 2 THE WITNESS (Gustafson): Dean 3 Gustafson, no. 4 THE WITNESS (Chasse): Scott 5 Chasse, yes. 6 On detail 1SP3 of the French 7 mattress cross-section, the elevation section 8 that's noted at the top of the detail, it 9 says "Elevation at section line." It 10 actually gave the elevation. And it should 11 have been just the section number, which is 12 station zero plus 30. 13 Also, as a result of the 14 relocation -- 15 MR. HANNON: Can you repeat 16 that, please? 17 THE WITNESS (Chasse): I'm 18 sorry. Yes, detail 1SP3. 19 MS. CHIOCCHIO: It's actually 20 Exhibit Number 4. 21 THE WITNESS (Chasse): 22 Exhibit 4? 23 MS. CHIOCCHIO: In the 24 supplemental submission. 25 This is Exhibit 4, the</p>	<p style="text-align: right;">Page 12</p> <p>1 would amend partially the tree survey to 2 indicate that it's more like 35 trees to be 3 felled, 11 in the 14-plus, 10-plus in the 4 10-14, and 10-plus in the 6 to 10 range. And 5 that will be finalized once the surveyors get 6 a chance to get out there in the next week or 7 two. 8 THE WITNESS (Vergati): Ray 9 Vergati, no corrections. 10 THE WITNESS (Lavin): Martin 11 Lavin, no corrections. 12 MS. CHIOCCHIO: Is the 13 information contained therein true and 14 accurate, to the best of your belief and 15 knowledge? 16 THE WITNESS (Libertine): Mike 17 Libertine, yes. 18 THE WITNESS (Gustafson): Dean 19 Gustafson, yes. 20 THE WITNESS (Chasse): Scott 21 Chasse, as amended, yes. 22 THE WITNESS (Vergati): Ray 23 Vergati, yes. 24 THE WITNESS (Lavin): Martin 25 Lavin, yes.</p>
<p style="text-align: right;">Page 11</p> <p>1 supplemental submission with the updated 2 drawing. 3 THE WITNESS (Chasse): That 4 should be station zero plus 30, instead of 5 elevation 864.75. 6 MR. HANNON: Thank you. 7 THE WITNESS (Chasse): And 8 then, as a result of the archaeological find, 9 we relocated the facility approximately 10 107 feet to the southwest. And as a result 11 of that, at that time, we assessed the 12 existing survey that we had. We had trees 13 picked up as well as the necessary topography 14 from our base mapping in order to do the 15 move, redesign the site. 16 However, based on our field 17 observations and our walk, it's clear that 18 not all of the trees in the 6- to 14-inch 19 diameter or caliber were picked up during 20 that initial survey, as that trees that are 21 shown on the survey were peripheral to where 22 the original location was. 23 I've already been on the horn 24 to have the surveyor go back out and pick 25 them up, but based on my visual count, I</p>	<p style="text-align: right;">Page 13</p> <p>1 MS. CHIOCCHIO: And do you 2 adopt this as your testimony in this 3 proceeding today? 4 THE WITNESS (Libertine): Mike 5 Libertine, yes. 6 THE WITNESS (Gustafson): Dean 7 Gustafson, yes. 8 THE WITNESS (Chasse): Scott 9 Chasse, as amended, yes. 10 THE WITNESS (Vergati): Ray 11 Vergati, yes. 12 THE WITNESS (Lavin): Martin 13 Lavin, yes. 14 MS. CHIOCCHIO: We would ask 15 that the Council accept the exhibits as 16 identified. 17 THE CHAIRPERSON: Does the 18 party intervenor have any objection to the 19 admission of the applicant's exhibits? 20 MR. DRESSER: No. 21 THE CHAIRPERSON: Thank you. 22 (Exhibits II-B-1 through 23 II-B-7: Received in evidence - described in 24 index.) 25 THE CHAIRPERSON: As the</p>

Page 14

1 exhibits are admitted, we'll now begin with  
2 the cross-examination of the applicants,  
3 starting with Mr. Perrone.  
4 CROSS-EXAMINATION  
5 MR. PERRONE: Thank you,  
6 Mr. Chairman.  
7 First, I'd like to start out  
8 with a general question. I understand the  
9 supplemental submission with the revised  
10 location that was filed on the same date as  
11 the first set of interrogatories. Are the  
12 responses to the first set of interrogatories  
13 all based on the revised location or -- or at  
14 least accurate for that location?  
15 THE WITNESS (Libertine): This  
16 is Mike Libertine. From our environmental  
17 perspective, yes, they are. They're -- they  
18 were -- they were done concurrently, so  
19 they -- they do relate to the new location.  
20 THE WITNESS (Chasse):  
21 Scott -- Scott Chasse. On behalf of the  
22 engineering aspects of the project, that,  
23 yes, the new location was considered in those  
24 responses.  
25 MR. PERRONE: Okay.

Page 15

1 Mr. Libertine, did you fly a  
2 balloon today?  
3 THE WITNESS (Libertine): Yes.  
4 There's been a red helium-filled balloon at  
5 the site, at the proposed location of the  
6 site, tethered to 157 feet since about seven  
7 o'clock this morning.  
8 We did lose one balloon early  
9 this morning where it was a little bit  
10 blust -- more blustery then things calmed  
11 down a little bit later on. And by the time  
12 we got to the site walk, it was actually  
13 fairly straight in the air. So we'll keep  
14 that up until four o'clock this afternoon.  
15 MR. PERRONE: Okay. And the  
16 diameter of the balloon?  
17 THE WITNESS (Libertine): It's  
18 a four-foot diameter.  
19 MR. PERRONE: Four foot. And  
20 you said red?  
21 THE WITNESS (Libertine):  
22 It's -- yes, we use red, yeah.  
23 MR. PERRONE: And that's in  
24 the revised location?  
25 THE WITNESS (Libertine): Yes,

Page 16

1 it is. It's at the new proposed location.  
2 MR. PERRONE: Did you fly it  
3 to the monopole height of 150 or the treetop  
4 height of 157?  
5 THE WITNESS (Libertine): What  
6 we do is we actually tether the string to the  
7 full 157-foot height, so the top of the  
8 monopine, and then the four-foot balloon is  
9 actually above that. So it's a little bit  
10 higher than the proposed height.  
11 MR. PERRONE: Okay.  
12 THE WITNESS (Libertine): So  
13 the bottom of the balloon represents the tip  
14 of the faux branching at the 157-foot height.  
15 MR. PERRONE: Okay. To date,  
16 have any other wireless -- wireless carriers  
17 expressed an interest in collocating on this  
18 tower?  
19 THE WITNESS (Vergati): It's  
20 my understanding that Verizon has expressed  
21 an interest for the proposed facility.  
22 MR. PERRONE: Okay.  
23 A VOICE: Has or has not?  
24 Excuse me.  
25 THE WITNESS (Vergati): They

Page 17

1 asked.  
2 A VOICE: Thank you.  
3 MR. PERRONE: Could you give  
4 us the current status of the consultations  
5 with the State Historic Preservation Office?  
6 THE WITNESS (Libertine):  
7 Certainly. There has been a submission made,  
8 approximately two weeks ago, right before  
9 Thanksgiving, for what they consider to be a  
10 Section 106 Review Consultation package.  
11 That is in front of the SHPO. Because of the  
12 location change and some other things, it was  
13 delayed unfortunately, so we have not  
14 received any input yet on their response.  
15 MR. PERRONE: Would the  
16 proposed facility be located within the Upper  
17 Housatonic Valley National Heritage Corridor?  
18 THE WITNESS (Libertine): This  
19 is all part of that corridor, this -- this  
20 general area so, yes, the answer would be,  
21 yes, it is.  
22 MR. PERRONE: How would it  
23 impact the National Heritage area?  
24 THE WITNESS (Libertine): Well,  
25 from our perspective, it won't. The overall

1 visibility associated with the facility is  
2 fairly limited. And in addition to that, we  
3 have used the concealment option of using the  
4 monopine. And because of the setting within  
5 which that site lies, a combination of the  
6 fairly strong amount of conifers, it should  
7 blend in pretty well. Certainly, there are  
8 some areas where it will be visible, but  
9 overall, I believe that it's -- it's not  
10 going to be any kind of an aesthetic  
11 take-away from -- from the corridor.

12 MR. PERRONE: Okay. And I  
13 understand T-arm mounts are proposed instead  
14 of the low-profile platform. Is that because  
15 T-arms would fit easier within the tree  
16 material, or is the T-arm mount standard with  
17 the tree tower?

18 THE WITNESS (Chasse): It's  
19 actually two T-arms that are proposed for the  
20 loading that AT&T has. And being at the top  
21 of the tower, it works best if you can have a  
22 T-arm assembly for the antennas, and then  
23 another T-arm -- with -- with some squid  
24 boxes, and then another T-arm right below it,  
25 within a couple feet, that you can actually

1 for fuel, like a double-walled fuel tank or a  
2 recessed bowl underneath for oil and coolant  
3 spills?

4 THE WITNESS (Chasse): Yes.  
5 The information provided by AT&T indicates  
6 that their diesel belly tanks are  
7 double-walled containment. There's alarm  
8 systems in place, as well as an overflow  
9 block -- box.

10 MR. PERRONE: I understand the  
11 original application had the cost figures.  
12 Do you expect the -- being that the tower  
13 location has changed, do you expect the cost  
14 numbers would still be approximately the same  
15 or would they change?

16 THE WITNESS (Vergati): The  
17 cost figures, in our opinion, would remain  
18 the same. Not much difference.

19 MR. PERRONE: Mr. Chasse,  
20 could you summarize for us how the utility  
21 service would run?

22 THE WITNESS (Chasse): As  
23 proposed, the telephone service, right now,  
24 the nearest demarc is at the maintenance  
25 facility approximately -- one moment,

1 mount all the RHs and additional  
2 appurtenances to. So it's indicated it's  
3 actually on two T-arms.

4 MR. PERRONE: Okay.  
5 THE WITNESS (Libertine): And  
6 in addition to that, I mean, from a purely  
7 aesthetic standpoint, they tend to work  
8 better because they can be concealed a little  
9 bit. It's just less steel.

10 THE WITNESS (Chasse): And a  
11 follow up on that, the point of having the  
12 two is because of the branching. You can't  
13 put all of the knee bracing and the bigger  
14 platform there, it just physically isn't  
15 enough space. You didn't fear with the  
16 ability to put the branches in for the tree.

17 MR. PERRONE: Would the  
18 monopole and foundation be designed to  
19 accommodate a future expansion?

20 THE WITNESS (Chasse): As  
21 proposed, it's a six carrier, 150-foot  
22 structure, but they could be designed to  
23 accommodate more.

24 MR. PERRONE: Would the  
25 proposed backup generator have containment

1 please -- approximately 1400 feet away, plus  
2 the 510 foot of the road. So it's about a  
3 1900-foot run for the utilities from the  
4 maintenance garage along the curb line. It  
5 was suggested that perhaps we reroute the  
6 utilities to go along the north side of the  
7 access road instead of the south side, which  
8 will put it further away from the wetlands to  
9 the south.

10 And then, there's an existing  
11 primary high-voltage line that runs  
12 underground on the west side of the existing  
13 service road that goes down to the boathouse,  
14 and we have consulted with the power  
15 authorities and they've indicated that we can  
16 put a silo tap at that point, right in front  
17 of where the proposed access drive up into  
18 the woods is, and run the utilities up there.  
19 So the power run is about a 500-foot.

20 MR. PERRONE: All right. I  
21 saw the silo on the drawing. How -- how tall  
22 is that?

23 THE WITNESS (Chasse): Two and  
24 a half, three feet.

25 MR. PERRONE: Okay.

Page 22

1 Mr. Gustafson, in general, how  
2 does the revised tower location affect  
3 wetland buffer distances?  
4 My understanding is the  
5 closest distance to the access road would  
6 still remain at 8 feet, but it would change  
7 with respect to the compound?  
8 THE WITNESS (Gustafson):  
9 That's correct. I mean, it's a fairly minor  
10 change. It increases the buffer to the more  
11 northern wetland system, identified as  
12 Wetland 1.  
13 The -- the nearest point for  
14 Wetland 2, from the compound, is 113 feet.  
15 And for the most part, it -- it doesn't  
16 change all that significantly from the  
17 original location. So it doesn't change any  
18 of our conclusions with respect to wetland  
19 evaluation or impact analysis.  
20 MR. PERRONE: And then,  
21 turning to the Department of Energy and  
22 Environmental Protection letter in the  
23 application, the August 10, 2014, it mentions  
24 a state-listed bat species. Would that be an  
25 endangered, threatened or a special-concern

Page 23

1 species?  
2 THE WITNESS (Gustafson): It  
3 wasn't identified specifically by the natural  
4 diversity database, but based on our  
5 experience with other projects, including  
6 other previous telecom projects that have  
7 been before this Commission, we expect  
8 they're a state listed, special-concern  
9 species.  
10 If the Commission remembers,  
11 for Docket 438 for Voluntown, a Verizon  
12 application, we had red bat and silver-haired  
13 bat, a special-concern species. So provided  
14 the Council approves this project, we would  
15 implement our recommendations to avoid tree  
16 clearing between November 1st and  
17 March 30th -- or sorry -- to recommend tree  
18 clearing be performed between the period of  
19 November 1st and March 30th to avoid any  
20 potential impact with a bat species. And we  
21 would implement that on the development  
22 management plan.  
23 MR. LYNCH: Mr. Chairman?  
24 THE CHAIRPERSON: Excuse me.  
25 Mr. Lynch has a follow-up question.

Page 24

1 MR. LYNCH: Yeah, yeah.  
2 Mr. Gustafson, I remember  
3 reading -- I maybe read it in the New York  
4 Times or something -- that there is a virus  
5 or some type of thing that is attacking bats,  
6 and is -- would that have any implication  
7 here?  
8 I don't know if it's a virus  
9 or a disease, or whatever it is, that it's  
10 affecting the -- the bat community.  
11 THE WITNESS (Gustafson):  
12 Yeah, it's a white nosed -- it's called "the  
13 white-nose syndrome" and it's affecting a lot  
14 of the -- the native bat species that inhabit  
15 Connecticut and -- and the surrounding  
16 Northeast.  
17 Some of -- some of the effects  
18 of -- of that have resulted in -- in  
19 diminished populations, significant  
20 diminishment in populations in certain bat  
21 species, one of them being the northern  
22 long-eared bat, which is a candidate species  
23 for federal listing that has the potential  
24 for utilizing this part -- part of Salisbury.  
25 The measures that we're

Page 25

1 putting in to protect the state-listed  
2 species would also be equally protective of  
3 that potential federal species bat.  
4 MR. LYNCH: Thank you. I was  
5 just curious. That's all.  
6 THE WITNESS (Gustafson): Yeah.  
7 You're welcome.  
8 MR. PERRONE: And also  
9 mentioned in the DEEP letter is about  
10 retaining large diameter trees. Were the  
11 larger trees maintained, to the extent  
12 possible?  
13 THE WITNESS (Chasse): Yes,  
14 they were.  
15 MR. PERRONE: Also,  
16 Mr. Gustafson, were there any consultations  
17 with the U.S. Fish and Wildlife?  
18 THE WITNESS (Gustafson): We  
19 have reached out to the New England division  
20 of U.S. Fish and Wildlife regarding our --  
21 the recommendations from DEEP. We haven't  
22 received consultation back. But based on our  
23 experience working with the northern  
24 long-eared bat, that provided that we  
25 implement this restrictive period for tree



1 clearing, that will be equally protective of  
2 the species. But upon receipt of that  
3 consultation, we'll forward that information  
4 to the Council.

5 MR. PERRONE: Okay.

6 Now, turning to some RF  
7 questions. I understand the interrogatories  
8 are based on the revised location, however  
9 the -- the coverage plots in the application,  
10 would those still be approximately correct  
11 for the revised?

12 THE WITNESS (Lavin): Pretty  
13 much correct.

14 MR. PERRONE: Okay.

15 THE WITNESS (Lavin): They  
16 would be very much correct. Yeah, it's a  
17 de minimus type of move. Yeah, there are.

18 MR. PERRONE: Okay.

19 Would the proposed tower  
20 provide any coverage to portions of the  
21 Appalachian Trail or is that trail too far  
22 south?

23 THE WITNESS (Lavin): I don't  
24 know where it's located offhand, so I  
25 couldn't say exactly.

1 THE WITNESS (Libertine): Just  
2 for your information, it's about a mile and  
3 three quarters to the south of the school  
4 property itself, just on the west side of the  
5 Housatonic River.

6 THE WITNESS (Lavin): It's  
7 possible. We -- we can verify that.

8 MR. PERRONE: Mr. Libertine,  
9 would there be much of a visibility change  
10 between the two locations? Would it be  
11 negligible or would it drop slightly because  
12 of the ground elevation?

13 THE WITNESS (Libertine): It's  
14 going to really be a mostly negligible --  
15 negligible change. It's -- it's not  
16 significant enough of a move. It's within  
17 about a hundred feet or so, so we didn't see  
18 that there was a real big difference.

19 We did run an in-house  
20 visibility map based on the new location and  
21 it was essentially the same footprint as what  
22 we have gotten before. So I don't anticipate  
23 it's going to be much different than what we  
24 portrayed from the original site.

25 MR. PERRONE: So the -- the

1 acreages would be pretty close?

2 THE WITNESS (Libertine):

3 Yeah, it would be very comparable.

4 MR. PERRONE: Okay. Would the  
5 monopole or tree trunk have the standard gray  
6 galvanized color?

7 THE WITNESS (Chasse): That is  
8 what's proposed right now.

9 MR. PERRONE: Okay.

10 THE WITNESS (Chasse): It can  
11 be painted brown.

12 THE WITNESS (Libertine):

13 And -- and one thing that if -- if there is  
14 some interest in considering painting, I  
15 would say that the -- really, the upper  
16 portions would be probably the most important  
17 because, again, because of where it's  
18 located, it's very difficult to really see  
19 that, even this time of year there's fairly  
20 good cover. So I'm not sure that the -- and  
21 I'm not sure that can be done, you know, if  
22 it's a matter of the manufacturer of painting  
23 just a portion of the pole or whether the  
24 whole pole. That -- that part, I don't know  
25 how that works.

1 MR. PERRONE: Okay.

2 And lastly, I understand we  
3 were given the distance of the closest  
4 inhabited building, the trustee house. Is it  
5 fair to say that the tower would be more than  
6 250 feet from any building that students  
7 would occupy?

8 THE WITNESS (Chasse): Yes.

9 The -- yes, the closest occupiable building  
10 would be the maintenance garage that you saw  
11 there, and that was 775 feet away.

12 MR. PERRONE: Okay.

13 THE WITNESS (Chasse): The  
14 nearest off-site residence is over 2180 feet  
15 away, 2,180 off-site.

16 MR. PERRONE: Does -- does the  
17 Town of Salisbury have any plans to collocate  
18 on the tower for emergency services antennas?

19 THE WITNESS (Vergati): When I  
20 initially sat down with First Selectman Rand,  
21 we discussed public safety. He had put me in  
22 touch with the Fire Chief, Mr. Wilson, and  
23 their emergency coordinator, Ms. Jacquie  
24 Rice. I spoke to both of them. They have  
25 both let -- let me know that there is a need

1 for public safety, especially down toward the  
2 lakes.  
3 In addition, I have spoken to  
4 LCD, Litchfield County Dispatch, Dan Soule.  
5 And Dan is in the process of running  
6 propagation maps. He'll have them next week.  
7 But he told me, as early as yesterday, that  
8 the site looks excellent for them and that  
9 they would foresee that they would have the  
10 same antenna setup as they did in our  
11 Washington site, which would basically be  
12 three whip antennas, two at the top and a  
13 third located further down. And that would  
14 help their three-county channels that they  
15 have for repeaters in the area.  
16 MR. PERRONE: Thank you.  
17 That's all I have.  
18 THE CHAIRPERSON: All right.  
19 Thank you.  
20 We'll now proceed with  
21 questions from the Council.  
22 Senator Murphy.  
23 SENATOR MURPHY: Thank you,  
24 Mr. Chairman.  
25 In follow up to the last

1 question, apparently there is an interest in  
2 the town. And you're prepared to allow the  
3 town to go on the space free of charge, if  
4 the space is available?  
5 THE WITNESS (Vergati): Yes,  
6 we would agree to that.  
7 SENATOR MURPHY: Mr. Lavin,  
8 what do you consider the minimum height to  
9 service AT&T at this height, at this  
10 location?  
11 THE WITNESS (Lavin): I think  
12 we -- we -- we, in our interrogatory  
13 responses, we showed some loss in the area of  
14 coverage, some road coverage and population  
15 coverage. Given the difficulty building out  
16 here, we really wanted to make this cover as  
17 much as we can. I don't know if we'd ever  
18 have another site to pick up what we lost  
19 from 146. I think that's our -- our minimum  
20 that we would consider.  
21 SENATOR MURPHY: So the  
22 proposed height at which you're coming on  
23 this pole, you consider to be the minimum  
24 to --  
25 THE WITNESS (Lavin): Yes.

1 SENATOR MURPHY: -- adequately  
2 service?  
3 THE WITNESS (Lavin): Uh-huh.  
4 SENATOR MURPHY: Which leads  
5 me to my follow-up. I really don't really  
6 have a problem with this application.  
7 There's certainly in need out here. But  
8 there's a need for other carriers, and  
9 that's my concern about, not today, but  
10 what's -- what's down the road here.  
11 In response to the initial  
12 questions from staff, Mr. Chasse, you  
13 indicated that the tower could be designed  
14 differently. I thought he was driving at how  
15 you were designing the base. Is it being  
16 designed so that it can go higher than  
17 150 feet?  
18 THE WITNESS (Chasse): As it  
19 stands now, no. It's being designed as a  
20 150-foot monopine. However, it could be  
21 designed to be taller and have additional  
22 carriers.  
23 SENATOR MURPHY: Well, if we  
24 approve it, the design is going to come  
25 pretty quick. What's it going to be? Is it

1 going to be more design?  
2 THE WITNESS (Vergati): We  
3 would look to the Council, as far as what  
4 your wishes were, for future collocation if  
5 you felt that it was appropriate to have a  
6 design in place for extension.  
7 SENATOR MURPHY: Well, I don't  
8 know what the wishes would be of everybody  
9 here, but it's, you know, my reaction is, if  
10 AT&T feels that they're up there where it's  
11 the lowest spot they could go to, it's not  
12 going to be all that attractive for other  
13 carriers coming along and they're going to be  
14 looking to be higher. And I think this is,  
15 kind of, the time to talk about it. And  
16 well, we'll start with Mr. Libertine.  
17 If it were to go up 15 or  
18 20 feet, what's the effect on the visibility?  
19 I mean, this is not like the big residential  
20 area, I realize, but still let's --  
21 THE WITNESS (Libertine):  
22 Right. It certainly would -- if we're  
23 talking about another 20 feet, we're  
24 certainly going to start to open up some new  
25 areas. Most likely, my guess is that we're

1 probably going to look at the areas that you  
2 now -- where we've either seen it with  
3 balloon or had predicted you would see it,  
4 those areas will certainly expand.

5 So, for instance, if we have  
6 an area that might be an eighth of a mile  
7 long along a road, that's probably going to  
8 open up. And it could conceivably double the  
9 visibility in some -- some of those isolated  
10 areas.

11 My bigger concern, again, I  
12 don't think it's going to be an overall large  
13 acreage for a footprint that we're talking  
14 about. I would start to question the use of  
15 a monopine when we start talking about a  
16 height of 170 feet or that neighborhood. I  
17 think now we're -- honestly, we're -- we're  
18 probably pushing the height of a monopine  
19 when you're talking 157, 160 feet. That's  
20 probably about the maximum that you'd want to  
21 really consider that. I think, at that  
22 point, what happens is, if we go higher with  
23 a faux tree, it starts -- it starts to really  
24 not do the job of what the concealment is  
25 really designed for. So, in that case,

1 perspective, monopines can be extended. It  
2 certainly could be extended as a monopine.  
3 However, now -- now we get into the aesthetic  
4 issue, which is a separate discussion.

5 THE WITNESS (Chasse): Which I  
6 wanted to dovetail off of as well.

7 If it's going to be a  
8 truncated pole or a monopine at this point,  
9 say, it's designed for 180 foot, and we build  
10 150 for now and waiting for someone to come,  
11 the extent of the branching and the  
12 receptors, where they're going to be located,  
13 some of them are perpendicular, some of them  
14 are -- are hinged down at a certain angle,  
15 the length of them, you're basically going to  
16 have a branching scenario at the top of the  
17 tree, a little hat sitting on the top, that's  
18 not going to look as aesthetic, because  
19 you're basically -- it looks like you've  
20 topped the tree. You put a little topper on  
21 it, when you really need that other 30 feet  
22 or 20 feet to feather in the branchings to  
23 give it the true --

24 SENATOR MURPHY: So, in  
25 essence, if it goes up any higher, it's a new

1 because it's broader and it -- it can  
2 actually draw the eye more, so I would be a  
3 proponent, if we were going to consider that,  
4 you might want to consider a monopine -- a  
5 monopole.

6 One of the challenges we may  
7 have -- and Mr. Vergati may want to jump  
8 in -- is that I know there have been  
9 discussions all along from the beginning of  
10 this being a monopine, and I know that that  
11 may be driven by the landlord.

12 SENATOR MURPHY: You mean a  
13 monopole, not a monopine?

14 THE WITNESS (Libertine):  
15 We've always lead with a monopine here --  
16 excuse me -- yes. And I think that was  
17 because of some discussions early on with  
18 either the landlord and/or the town.

19 SENATOR MURPHY: Well, kind  
20 of, my next question was going to be, if  
21 someone comes along and said, we want to go  
22 up, what are you guys going to? And I guess  
23 you've been thinking about it.

24 THE WITNESS (Libertine):  
25 Well, just to close the loop from our

1 ballgame, so to speak?

2 THE WITNESS (Libertine):

3 Yeah. I mean, again, these can be  
4 retrofitted in the field. But, I think, to  
5 Scott's point, that it would -- it would be  
6 in addition to going, let's -- I was going to  
7 throw 20 feet out there -- if later on  
8 someone came and said, we want the 20 feet, I  
9 think, as Scott indicated, we're probably  
10 talking about reestablishing 50 feet of that  
11 tree faux branching to really make it look  
12 like a tree or at least to resemble a tree.

13 It -- it can be done. I don't  
14 want to give the impression it can't be done,  
15 but there are some logistical considerations.

16 SENATOR MURPHY: And I guess  
17 my last question, kind of, goes back to the  
18 bats. I guess, is your intention, once the  
19 Council, if it approves this, to go right  
20 ahead and build it right away or --

21 THE WITNESS (Gustafson):  
22 Well, at the -- at very least, we would get  
23 the trees cleared so the area is ready for  
24 construction.

25 SENATOR MURPHY: That was my

1 next question. So the -- the trees are going  
2 to be cleared by the end of March, those that  
3 need to be cleared, from the soon-to-be 2015.  
4 THE WITNESS (Gustafson):  
5 Yeah. And the --  
6 SENATOR MURPHY: Because I'm  
7 really, you know, I'm really sort of  
8 thinking, if you don't, you've got to wait  
9 until next year to put this up, and these  
10 people have been waiting for -- here for a  
11 long time.  
12 THE WITNESS (Gustafson): And  
13 with Docket 438, that's what we ended up  
14 doing, is we directed Verizon to do the tree  
15 clearing in advance, even though they weren't  
16 ready to start construction. They started  
17 construction three to six months after that  
18 effect, so that way, essentially, the area is  
19 prepped and we're fine to construct without  
20 affecting the bat -- bat habitat.  
21 THE WITNESS (Libertine):  
22 Right. And to your point, it maintained --  
23 they didn't lose that -- that construction  
24 season.  
25 SENATOR MURPHY: All right.

1 I have no other questions,  
2 Mr. Chairman.  
3 Thank you.  
4 THE CHAIRPERSON: Thank you.  
5 Dr. Bell.  
6 DR. BELL: Thank you  
7 Mr. Chair.  
8 Mr. Lavin, I have a couple of  
9 questions about the network in this area.  
10 And they -- the questions go to the map and  
11 the table in the application behind Tab 1, on  
12 pages 8 and 9. So the map is on page 8 and  
13 the table is on page 9.  
14 So the map is supposed to be  
15 showing potential handoff sites, which you  
16 say in one of your responses to the  
17 questions, they are sources of coverage used  
18 for the coverage maps. Right?  
19 THE WITNESS (Lavin): Uh-huh.  
20 DR. BELL: But there are a  
21 couple of towers that aren't on the map. And  
22 we'll start with Connecticut 2435F, which is  
23 apparently a planned site and which is on the  
24 table, but for some reason, you haven't  
25 illustrated it on the map. So just, we'll

1 hold onto that, and we'll go to the other  
2 example, so you can see what I'm talking  
3 about.  
4 Then, there's  
5 Connecticut 2413, which is not on the map or  
6 the table, but is mentioned in another part  
7 of the application. I don't have to include  
8 the source. That's a tower that we know  
9 about. It's the Verizon Tower that's on  
10 Route 7, close to Beebe Lane.  
11 THE WITNESS (Lavin):  
12 Docket 360?  
13 DR. BELL: And -- yeah. Yes.  
14 It's close to the intersection of Route 7 and  
15 Route 63. It's a little south of there.  
16 So -- okay. So those are the  
17 two towers. I'm wondering why they're not on  
18 this map. And so let's go back to 2435F.  
19 This tower actually is -- if you're looking  
20 at the map, it's in between the  
21 Connecticut 1134, which is illustrated on the  
22 map, and the proposed tower we're talking  
23 about today.  
24 THE WITNESS (Lavin): Yes.  
25 DR. BELL: So that would be,

1 in terms of what you're talking about, in  
2 terms of coverage, wanting to get coverage  
3 into this area, it -- it would provide, one  
4 would think -- I understand the terrain is --  
5 is the problem here.  
6 THE WITNESS (Lavin): Yes.  
7 DR. BELL: One would -- I'm  
8 wondering why is that tower not on the map?  
9 And what was it? Was it just an oversight?  
10 Are you actually using it in the coverage  
11 maps when you show existing coverage or what?  
12 THE WITNESS (Lavin): In the  
13 coverage maps in the original submission, it  
14 is -- it is used for coverage, yes. I  
15 believe it's been deferred -- it's not on the  
16 neighboring map, no. Because it's not an  
17 existing site, yes. But it was -- the  
18 coverage from it was used -- I believe, it's  
19 been deferred since the original plots were  
20 put together.  
21 DR. BELL: It is on your  
22 coverage map.  
23 THE WITNESS (Lavin): Yes.  
24 DR. BELL: But it's -- it's  
25 showing on the coverage map. So I'm assuming

Page 42

1 that you actually did use it to -- to show --  
2 THE WITNESS (Lavin): Yes.  
3 DR. BELL: -- existing and  
4 proposed coverage?  
5 THE WITNESS (Lavin): Yes,  
6 it's included in the stats. It was deferred  
7 in the meantime, but it's consistent. The  
8 stats on coverage are consistent all the way  
9 through with using the coverage from 2435, at  
10 the different heights, and for all the  
11 different technologies. That coverage is  
12 included.  
13 DR. BELL: Okay. Does it --  
14 so it is providing some coverage or it  
15 will --  
16 THE WITNESS (Lavin): Yes.  
17 DR. BELL: -- provide it, but  
18 would it potentially provide --  
19 THE WITNESS (Libertine): Yes.  
20 DR. BELL: -- coverage into  
21 this area that we can -- we can see. Okay.  
22 Now, let's ask about 2413, the  
23 one on Route 7. From your figures, where it  
24 appears and in another part of the  
25 application, it's actually less distant

Page 43

1 than -- than sites you are saying -- you are  
2 using to construct your coverage maps, which  
3 two of them are 1007 and 1180, which are  
4 roughly in the same direction, that is south.  
5 Connecticut 2413, the one I'm citing, is a  
6 little bit southeast, but -- and it's closer  
7 to the tower we're looking at today.  
8 So I'm wondering, did you or  
9 did you not use that in constructing your  
10 coverage maps?  
11 THE WITNESS (Lavin): I  
12 believe that site backs to a mountain that  
13 doesn't have coverage into this area and  
14 wouldn't affect the overall new coverage to  
15 be provided by the proposed site.  
16 DR. BELL: So are you saying,  
17 actually, that Connecticut 1180, which is on  
18 this map, is -- is not obstructed to -- to  
19 this site?  
20 THE WITNESS (Lavin): 1180  
21 down at this -- at the southern end of the --  
22 1180 is at the southern end of the --  
23 DR. BELL: Of the map. The  
24 coverage -- of this map we're looking at on  
25 page 8, which is showing -- again, it's

Page 44

1 supposed be showing the towers that you've  
2 used --  
3 THE WITNESS (Lavin): Yes.  
4 DR. BELL: -- to -- to show  
5 coverage into the area that -- that is being  
6 covered by the proposed tower.  
7 THE WITNESS (Lavin): The --  
8 the zoom level there is much greater. That  
9 site would be off. It's coverage is  
10 included, but it's off the bottom of the  
11 plots with the coverage. The coverage --  
12 DR. BELL: But coverage from  
13 it is included?  
14 THE WITNESS (Lavin): Yes.  
15 DR. BELL: Yes. I mean, I  
16 know we don't see the site on the coverage  
17 maps. I know that.  
18 THE WITNESS (Lavin): Yes.  
19 DR. BELL: But -- but we see  
20 it on this map, which is supposed to show all  
21 the sites that you've used to construct the  
22 coverage maps.  
23 THE WITNESS (Lavin): Yes.  
24 Uh-huh.  
25 DR. BELL: And it's -- and

Page 45

1 it's a lot farther away than 2413, and it's  
2 roughly in the same direction. So what I'm  
3 asking is, how come, then, 2413 is -- is --  
4 THE WITNESS (Lavin): In terms  
5 of including it as on the neighbor map, I  
6 think that's -- that is an omission. But the  
7 coverage from it does not affect the area  
8 where the proposed site is. It doesn't cover  
9 that.  
10 DR. BELL: Okay. But the  
11 coverage from 1180 does affect it?  
12 THE WITNESS (Lavin): It is --  
13 it is included. I don't know if it ends up  
14 making any difference, but it is included in  
15 here. Yes. Uh-huh.  
16 DR. BELL: Okay. I'm just --  
17 I'm trying to get a sense of what is and what  
18 isn't included in these --  
19 THE WITNESS (Libertine): Yes.  
20 DR. BELL: -- for the -- for  
21 us to see the coverage that's existing.  
22 THE WITNESS (Lavin): Uh-huh,  
23 yes.  
24 DR. BELL: Okay. I do have  
25 another question about -- to you about the --

Page 46

1 the statement that -- that you make that has  
2 to do with other possible coverage  
3 technologies. On page 11 of the application,  
4 you have boilerplate which has appeared in  
5 other documents. And you say, in paragraph 2  
6 on the page, you say: "Closing the coverage  
7 gaps and providing reliable wireless services  
8 in Eastern Salisbury requires a tower site  
9 that can provide reliable service over a  
10 footprint that spans blank."  
11 Now, on other dockets that  
12 we've seen, what appears there in that blank  
13 is thousands of acres, several thousands of  
14 acres. And I asked you about that one time.  
15 THE WITNESS (Lavin): Yes.  
16 DR. BELL: We had the New  
17 Milford docket and we had the Redding Ridge  
18 docket that -- where, in that blank, it says  
19 several thousands of acres.  
20 THE WITNESS (Lavin): Yes.  
21 DR. BELL: Now, I note you  
22 have changed to several hundred acres in this  
23 docket, on page 11.  
24 THE WITNESS (Lavin): Yes.  
25 DR. BELL: It says: "A

Page 47

1 footprint that spans several hundred acres."  
2 I'm wondering why such a large  
3 change in the -- what is obviously  
4 boilerplate?  
5 THE WITNESS (Lavin): It would  
6 be between a thousand, I think, and -- it  
7 could still be several thousand. I don't  
8 know why the boilerplate was changed.  
9 There's 640 acres in a square mile, and we  
10 have 5.38 square miles of incremental  
11 coverage, which would be about 3200 acres.  
12 So several -- several hundred  
13 would be an understatement compared to  
14 several thousand of the incremental coverage.  
15 DR. BELL: So this is -- this  
16 must be something that you put in. Is that  
17 correct, this -- this boilerplate?  
18 THE WITNESS (Lavin): Not  
19 myself personally. I don't put that in the  
20 application, no.  
21 DR. BELL: But that's an RF  
22 statement. Correct?  
23 THE WITNESS (Lavin): Yes.  
24 DR. BELL: It has to do with  
25 RF?

Page 48

1 THE WITNESS (Lavin): Yes.  
2 I -- I had not changed it. I -- I don't know  
3 why it went from thousands to hundreds.  
4 DR. BELL: Okay.  
5 But you -- you -- for the  
6 purposes of our understanding, I still don't  
7 -- then, from your point of view, it should  
8 read several thousands of acres rather than  
9 hundreds.  
10 THE WITNESS (Lavin): We can  
11 see over 3,000 acres of incremental coverage,  
12 so that would be several thousand.  
13 DR. BELL: Okay.  
14 Mr. Libertine, on the  
15 monopine, in the simulations that you have in  
16 the application, the monopine, I think it's  
17 fair to say -- could I characterize it -- it  
18 looks, sort of, cylindrical as opposed to a  
19 cone, more like a cone Christmas tree.  
20 THE WITNESS (Libertine):  
21 It -- it does in the photos where we had some  
22 visibility. It may be that it is intended to  
23 be conical, but it's built from the models of  
24 trees that have been built before by the  
25 manufacturer, so it's fairly representative.

Page 49

1 I think, if you look at  
2 Photo 6, where you have a closer view, you  
3 tend to get a little bit more of the -- what  
4 I'll call "taper at the top", and more or  
5 less the what I'll call the -- "the more  
6 traditional conical look."  
7 I think, as you start to get  
8 away from it at distance, because it's not a  
9 Christmas-tree shape necessarily, it tends to  
10 look a little bit more uniform at distance,  
11 especially when we're only looking at the  
12 upper, you know, 20 or 30 feet of the -- the  
13 facility.  
14 So depending upon the view,  
15 View 8 shows a good amount of the tree above  
16 the treeline from the property itself, and  
17 it -- it does taper. It is conical, but it  
18 is -- it's not a traditional, I guess, what  
19 everyone considers to be, kind of, that, you  
20 know, Christmas-tree triangular shape.  
21 So -- but these are -- these  
22 are based on trees that have been constructed  
23 as opposed to something that's in a design  
24 format.  
25 DR. BELL: Okay. I -- the --

1 the drawing that I would cite as being the  
2 other kind, the more conical kind, is on SP2  
3 behind Tab 4, which I think that's fair to  
4 say that's more of what I would call the  
5 conical Christmas-tree shape. Would that be  
6 correct, Mr. Chasse?

7 THE WITNESS (Chasse): That is  
8 correct. That is drawn with more of a cone  
9 shape, as you've indicated.

10 Typically, at the top of a  
11 monopine, the receptors, which are the  
12 cavities that the branches actually stick  
13 into, they -- they range from six to  
14 eight feet. And then, as you further go down  
15 the tower, you're going to start getting into  
16 some tens and twelves. You really don't go  
17 too, too much. So if you get two 12s on both  
18 sides, you've a 24-inch span that's going  
19 across. So, structurally, you've got  
20 limitations as to -- you can't start at the  
21 top with the 24-foot span and come down. So  
22 the relativeness of going from 6 to 12 when  
23 you're this high above the tree line may look  
24 as though it's cylindrical but, in actuality,  
25 it is going 6s, feathering to 8s, to going to

1 3D models of -- if you remember some of  
2 the -- I don't know. Well, it's been a while  
3 since there's been a monopine, I guess. But  
4 in -- in some of the -- I'm trying to think  
5 which site it was. I know the Council had  
6 asked for the actual manufacturer's drawing.  
7 It actually breaks out each piece, almost  
8 like a Tinkertoy, so you can see each of  
9 those pieces come together. That's what we  
10 based it on, those type of shop drawings. So  
11 that it's -- it's much more realistic to what  
12 can be built in the field.

13 DR. BELL: I think, wouldn't  
14 you -- wouldn't you agree that the towers  
15 that we've actually -- that several of the  
16 towers that we've seen, like the Winchester  
17 Tower, and so forth, are more like your  
18 illustrations --

19 THE WITNESS (Libertine): And  
20 again --

21 DR. BELL: -- more cylindrical  
22 than like this picture in SP2?

23 THE WITNESS (Libertine):  
24 Absolutely. And, again, it goes back to what  
25 Mr. Chasse was saying. That in the -- in the

1 10s, to going to 12s. It's just that the  
2 differential between the 6 and the 12 over  
3 the 60 feet that's shown above the treeline  
4 isn't as obvious as it is to hear the number.

5 THE WITNESS (Libertine): And  
6 the other thing that probably is -- this  
7 always seems to create some confusion, at  
8 least for me, is that the site plans that are  
9 developed, at this point, from a siting  
10 standpoint, where we're depicting the  
11 monopine is really just that. And that it's  
12 a -- it's a -- I won't say it's a cartoon,  
13 but it's more of a schematic as opposed to  
14 really trying to represent the look of -- of  
15 the tree itself. So that -- that may be  
16 another reason why it looks a little bit  
17 inconsistent between those two, the photos  
18 and the site plan itself.

19 DR. BELL: Well, I guess my  
20 comment as --

21 THE WITNESS (Libertine):  
22 Yeah. That was a good point. Thank you,  
23 Mr. Gustafson.

24 We do not use these design  
25 plans for a simulation. We're using actual

1 actual field or in the conditions, you have  
2 those limitations from a structural  
3 standpoint, and that -- that's how they --  
4 they more or less end up just because they --  
5 they do the job of actually doing the  
6 concealment. And, to a great degree, you  
7 know, ever since we started doing this, I  
8 take a great interest in looking at natural  
9 pines in environments because you get some --  
10 you get some fir trees that are, you know,  
11 your classic beautiful Christmas trees where  
12 they're out in an open area. But when you  
13 get into an area like we're talking, where  
14 you have woods, they do tend to grow in a  
15 much more conical shape.

16 So they -- they actually do  
17 look more like a -- what I'll call a natural  
18 pine in its setting, but I think we all, kind  
19 of, in our mind, think, oh, you know -- you  
20 know, beautiful, symmetrical trees. And that  
21 it's -- it's almost impossible.

22 And a matter of fact, we've  
23 had a lot of tree applications in other  
24 areas, especially in New York, where we've  
25 been asked to remove and stagger the actual

1 branching so it looks like it's been  
2 windblown and weathered over time.  
3 So it's -- I go back to that,  
4 you know, classic, you know, beauty is in the  
5 eye of the beholder. But in terms of trying  
6 to portray it for you folk, we want to be  
7 able to show you something we can actually  
8 build versus something that may be pleasing  
9 to the eye in a photograph, but really, in  
10 the real world, we can't go out there and  
11 actually replicate it.

12 DR. BELL: Okay. Thank you.  
13 I just have one other, sort of, a  
14 housekeeping question.

15 Behind Tab 10, which has to do  
16 with the historic or cultural resources, we  
17 see this circle which has to do with the area  
18 of impact. But we have two terms on the  
19 legend that I just wanted to know what they  
20 mean.

21 THE WITNESS (Libertine): Sure.

22 DR. BELL: Connecticut Trust  
23 Barns HRI 2012 Salisbury HRI 2003. My  
24 question is what does the HRI mean?

25 THE WITNESS (Libertine):

1 case, there aren't any, but we would be  
2 showing National Register properties and  
3 districts or landmarks or any -- any other  
4 nationally significant and listed sites.

5 The SHPO has asked us to  
6 actually break these out for their review.  
7 They like to know what's on -- what's been  
8 documented on a resource inventory at the  
9 state level, so that when they go and do  
10 their review, it helps them understand, well,  
11 is this really significant from their  
12 perspective, does it have the eligibility  
13 criteria that would raise it to a certain  
14 level for them to either, perhaps, come back  
15 and say, you know, we need to be thinking  
16 about mitigation or this could be an adverse  
17 effect, that type of thing?

18 So that's -- it's basically  
19 the same exact graphic just showing two  
20 different elements. We try -- sometimes  
21 we'll do it on one map. In this area, we  
22 probably should have done it on one map. But  
23 sometimes it gets very busy because you'll --  
24 you'll see some locations where you have  
25 individual resource inventory sites up at the

1 Sure. Let me -- let me explain. These --  
2 there are actually two different graphics for  
3 historic resources. To answer your question,  
4 the HRI is actually Historic Resource  
5 Inventory. The State of Connecticut, over  
6 the years, has inventoried, through  
7 consultants, either individual sites or  
8 potential districts that are eligible for  
9 listing on the National Register.

10 And, again, local, when you  
11 hear about a local historic district, that  
12 doesn't necessarily mean that's it's on the  
13 National Register. It can be, but it's a  
14 separate listing. And it doesn't hold the  
15 same regulatory significance that a National  
16 Register site does, but it obviously shows  
17 that it's eligible.

18 So on that first graphic, you  
19 are looking at what we -- we break it out,  
20 and we do this for the NEPA compliance  
21 process, and it helps the SHPO because they  
22 like to see both what's on the National  
23 Register. If you turn to that second page  
24 behind -- or second graphic behind Tab 10 --  
25 excuse me -- we show the national, or in this

1 state level that go up and down an entire  
2 road, and that creates a potential local  
3 historic district. So the graphic can just  
4 get very busy, so that's the reason why we  
5 break it out on to two. But you probably  
6 heard more than you wanted to hear.

7 But the HRI is really a  
8 state-level inventory, that -- that's  
9 really -- just shows that there is a  
10 potential eligibility listing.

11 DR. BELL: Was -- was that  
12 what gave somebody, either you or SHPO, the  
13 clue to do the digging that resulted in  
14 revising the site?

15 THE WITNESS (Libertine): No.  
16 Actually, the -- the process of the  
17 archaeological cultural resource inventory  
18 has evolved, and it's something, actually, we  
19 do that a lot of other consultants don't.

20 What happens is, a lot of  
21 times, because of the process of the NEPA  
22 evaluation that all the carriers have to go  
23 through, they have to consult with the SHPO  
24 and also with tribes. And what we've found  
25 in the past is that a lot of the tribes --



1 and often the SHPO is interested in cultural  
2 resources, the belowground resources, as well  
3 as, you know -- the SHPO usually -- well,  
4 mostly with the historic, but there's also a  
5 cultural aspect. Long story short is, to do  
6 what we had to do on this site is a fairly  
7 exhaustive process when you go through what  
8 we call the Phase 1A and Phase 1B process.

9 The Phase 1A is really the  
10 historical resource. You -- you take a look.  
11 You build the history of the site. You try  
12 to understand has it been manipulated by man,  
13 are there soils that are still intact that  
14 have the potential to have some kind of  
15 culturally significant artifacts.

16 In this case, the Phase 1A did  
17 come back saying, you know, it's close to  
18 some streams. It's on a hillside. And, you  
19 know, if you look around, it's pretty  
20 undisturbed soil. This could be one of those  
21 spots where there's -- there's, you know,  
22 probably intact -- or potential for intact  
23 artifacts. So that's what clued us in to go  
24 to that next level.

25 But I wanted to step back.

1 The -- the tribes in Connecticut, the  
2 Mashantucket Pequots and the Mohegans,  
3 automatically, if there's ground disturbance,  
4 they ask for some form of archaeological  
5 work. Now, in the old days, when this first  
6 started, they just said, go do a full  
7 Phase 1.

8 Well, it's a very expensive  
9 process. And so we came up with the idea of  
10 reaching out to the tribes and asking could  
11 we do a Phase 1A initially, and if the  
12 conclusion is that this really doesn't merit  
13 going the next step, will that be sufficient.  
14 And they said, yeah, let's try it. And  
15 that's -- that's evolved.

16 So to answer your question,  
17 the Phase 1A is done any time we have to  
18 initiate a NEPA. We just recommend that to  
19 our clients and they found that it -- it  
20 really does help the process, because we can  
21 move it much further along much quicker and  
22 not have to expend those monies if it's not  
23 necessary. And we found about 90 to 95  
24 percent of the cases we can just do the  
25 Phase 1A and be able to provide enough

1 information to the tribe and to SHPO, in the  
2 cases where they're interested, so that we  
3 can kind of move forward.

4 In this case, we obviously  
5 found something that made it imperative that  
6 we take a closer look. And then, when we  
7 did, we actually found an isolated site. And  
8 that precipitated the move. So --

9 DR. BELL: Okay. Thank you.

10 THE WITNESS (Libertine):  
11 You're welcome.

12 DR. BELL: Thank you,  
13 Mr. Chair.

14 THE CHAIRPERSON: So what is  
15 it that you found?

16 THE WITNESS (Libertine):  
17 Well, we found a very small area of -- they  
18 were shards that really were interpreted to  
19 be potentially tools and other -- well, other  
20 tools that may have been used by either  
21 Native Americans or even prehistoric. They  
22 were found in, more or less, the upper level  
23 strata of the soils. Once that was  
24 discovered, the archaeologist decided two  
25 things: One, I'm not going to dig any deeper

1 because there could be even something more  
2 significant below that. And you don't want  
3 to start digging that up, at that point. So  
4 what we did is we had them go around  
5 concentric circles around there, total area,  
6 and to define that area, much like you would  
7 contaminated soil, or anything else where you  
8 wanted to find what's clean and what's dirty,  
9 or in this case, what's intact and what's  
10 not.

11 Once we established that area,  
12 we worked with Mr. Vergati and said, look,  
13 you know, this is right in the corner of the  
14 compound. There's no way we would not  
15 disturb this. And if we are going to disturb  
16 it, that creates a whole nother Phase 2  
17 issue, very expensive, very time-consuming.  
18 And we said, well, wait a minute, if we could  
19 keep it intact, let's do that and protect it,  
20 and that precipitated the move.

21 So, essentially, there were  
22 several shards found in about a, maybe,  
23 15-foot, 12-foot radius that were, again,  
24 mostly -- not really arrowheads, but more  
25 stone toolmaking, you know, pestle mortar type

1 fragments. And they determined, in their  
2 studies that it was not necessarily a  
3 permanent residency there. That it was most  
4 likely some type of an encampment or a  
5 temporary area to be working, hunting,  
6 fishing, that type of thing.

7 So that's been recorded. We  
8 have the coordinates. We're going to protect  
9 it. That will also be submitted to the state  
10 archaeologist for recordkeeping. They keep a  
11 database. Actually, our subcontractors keep  
12 the database for them. But that way, it will  
13 be a registered and recorded site.

14 We don't like to mark those in  
15 the field because we don't want people going  
16 out there that are treasure seekers and going  
17 out there and digging them up, but it will be  
18 curated from that process.

19 THE CHAIRPERSON: Okay. Thank  
20 you.

21 I have a whole host of other  
22 questions, but that would be getting us off  
23 on what I think is an interesting but  
24 unrelated tangent, so I will refrain.

25 Mr. Hannon.

1 no reason why. I mean, I think the -- the  
2 point we're trying to make is the -- the need  
3 for the tower outweighs any environmental  
4 impact, and that we've demonstrated, through  
5 our application materials, that any impacts  
6 are not significant or adverse.

7 MR. HANNON: I -- I just  
8 thought you would have included that. I  
9 mean, because if you're talking about it  
10 won't have any substantial adverse effect on  
11 the aesthetics or scenic quality, that the  
12 environment would have been included in that.

13 MS. CHIOCCHIO: And it should  
14 have been. You're right.

15 MR. HANNON: If I understand  
16 it correctly, as far as the national  
17 diversity database information goes, that you  
18 are agreeing to the time limit in terms of  
19 when you can actually go out there and clear  
20 trees. Correct?

21 THE WITNESS (Gustafson):  
22 That -- that's correct.

23 MR. HANNON: Okay.  
24 I can skip that one. Skip  
25 that. Dr. Bell got that one.

1 MR. HANNON: Thank you,  
2 Mr. Chair.

3 Yes, I -- I do have some  
4 questions. On the application, on page 2 in  
5 the introduction, I'm just kind of curious  
6 about the language.

7 The middle of the page, the  
8 paragraph just before Section C, the  
9 applicants, I mean, there's a comment in  
10 there that you're saying that the public need  
11 for the tower here far outweighs any  
12 potential adverse environmental effect. But  
13 yet, when you go on a little bit further,  
14 you're saying you will not have a substantial  
15 adverse effect on aesthetics or scenic  
16 quality, but you don't say anything about the  
17 environment. Is there a reason why?

18 I mean, I would think that if  
19 you're raising the potential of an issue with  
20 the environment, that you would want to  
21 clarify that, that, you know, based on the  
22 evaluation you do not anticipate it?

23 MS. CHIOCCHIO: Perhaps I'll  
24 answer that question, since we've consulted  
25 with the consultants on this text. There's

1 To, I guess, it's Tab 4, Map  
2 SP1, I've got some questions there. It was  
3 hard to find it. I think I found a clear  
4 delineation on another map. But just to the  
5 north of, sort of, that construction apron  
6 that's going in, there's a 12-inch pipe.

7 THE WITNESS (Chasse): Correct.

8 MR. HANNON: I'm kind of  
9 curious as to what that kind of connects to,  
10 because just a little bit north of that,  
11 you've got a 32-inch metal pipe. So what is  
12 this 12-inch pipe doing there, and where  
13 you've got the apron, is that going to have  
14 any adverse impact on that pipe?

15 THE WITNESS (Chasse): Very  
16 good. If we're looking at the same sheet,  
17 SP1, on the North side of the road where the  
18 apron is coming in, you follow the silt fence  
19 that's there all the way up and you'll see  
20 just a little V on a contour line that's  
21 sitting there, just a little note. That's  
22 the 684 contour line. That's basically the  
23 high point of the swale. Everything that's  
24 to the north of that flows in the opposite  
25 direction.

DOCKET NO. 452 - SITING COUNCIL  
December 4, 2014

Page 66

1 MR. HANNON: Okay.  
2 THE WITNESS (Chasse): When  
3 you then move back towards the apron and away  
4 from the apron, between where the 32-inch  
5 pipe is and the 12-inch, there's another high  
6 point in there. That's another 684.  
7 MR. HANNON: Okay.  
8 THE WITNESS (Chasse): So we  
9 have this little area that's being picked up,  
10 and that 12-inch PVC pipe, if you refer to  
11 the detail I referred to earlier with the  
12 correction, on Detail 1 SP3, we actually show  
13 the 12-inch pipe there. Our flared out  
14 entranceway is going to encroach upon it, so  
15 we've gone and put the belts and suspenders  
16 on it and we're protecting that area, even  
17 though it's kind of outside of our area for  
18 that.  
19 MR. HANNON: Okay. Thank you.  
20 And one of the comments or one  
21 of the questions I had on the site walk was  
22 the possibility of moving the utility trench  
23 to the opposite side of the drive. And I  
24 think you had said that that may be a good  
25 possibility.

Page 67

1 And, again, part of that was  
2 because of the wetlands. But also on that  
3 northern edge of the driveway, there appears  
4 to be a pretty solid, sort of, rock wall, I  
5 guess. So, from that perspective, I'm also  
6 concerned about where you're showing using  
7 silt fence over there, because I'm not sure  
8 that you could put silt fence in on that  
9 side, given where that rock wall is. So I  
10 think you may need to reconsider what you're  
11 using for erosion control measures, at least  
12 on that side.  
13 THE WITNESS (Chasse): Uh-huh.  
14 MR. HANNON: So it may be --  
15 whether it's a silt sock or hay wall,  
16 whatever terminology you want to use for it,  
17 but that may be more appropriate for that  
18 site because you're not trenching down into  
19 rock. So it may work out a little bit better  
20 for the site.  
21 THE WITNESS (Gustafson): Dean  
22 Gustafson. I agree that, you know, use of a  
23 straw wall or a filter, a compost filter sock  
24 barrier, would be better suited for that.  
25 It's the -- it would be the southern side of

Page 68

1 the proposed access route.  
2 MR. HANNON: I don't have  
3 anything else.  
4 THE CHAIRPERSON: Thank you.  
5 Commissioner Caron.  
6 COMM. CARON: No, thank you,  
7 Mr. Chairman.  
8 THE CHAIRPERSON: Mr. Lynch.  
9 MR. LYNCH: Most of my  
10 questions have been answered, but I still  
11 have one or two.  
12 Going back, Mr. Chasse, on the  
13 utility trench that we were just talking to  
14 Mr. Hannon about, that's electrical and  
15 phone?  
16 THE WITNESS (Chasse): Yes,  
17 fiber and -- for telco and power.  
18 MR. LYNCH: Now, this is  
19 just -- is the phone now Frontier or is it  
20 still AT&T?  
21 THE WITNESS (Chasse): I  
22 believe it's Frontier. Yeah, as of August.  
23 MR. LYNCH: Okay. And  
24 Mr. Libertine, I agree with the earlier  
25 questioning by Senator Murphy. If we're

Page 69

1 going up in height -- and from what I  
2 understand, if T-Mobile ever gets back in,  
3 and coming out of Kansas, I guess, Sprint is  
4 going to get -- start getting aggressive, but  
5 they haven't done anything in a while.  
6 They'll probably want to go up in height.  
7 Now, does that, as Mr. Murphy was leading to,  
8 it creates a big problem for a monopine  
9 versus -- and I think you were suggesting  
10 that a monopole may be a better solution.  
11 THE WITNESS (Libertine): If  
12 we're talking about going up in height, then  
13 my personal belief would be that it a  
14 monopine -- excuse me -- a monopole would be  
15 a better solution here, if we start to get  
16 into those heights.  
17 MR. LYNCH: Yeah. Thank you.  
18 In deference to my good friend and colleague,  
19 Dr. "Monopine" Bell down here, I agree.  
20 And if Verizon should go on  
21 the tower, they can go lower. Would they  
22 also be using -- would you make them use the  
23 T-mounts or could they go to a full platform  
24 array?  
25 THE WITNESS (Chasse): As they

18 (Pages 66 to 69)

1 move further down the tower, the branching  
2 receptors are spaced a little differently so  
3 you could use more traditional types of  
4 mounts down there. With the technology  
5 changes and going to RH -- RRH-driven system,  
6 a lot of the appurtenances are making their  
7 way up to the tower. So just like a unipole,  
8 or a flagpole without the flag, is somewhat  
9 prohibitive now because they can't use the  
10 equipment, using a monopine also has its  
11 difficulties because of those receptors in  
12 the way.

13 MR. LYNCH: You led right into  
14 my next question, which I was going to have  
15 for Mr. Lavin here. Can there be, with the  
16 monopine -- I know in previous testimony from  
17 your colleague, Mr. Wells, about flagpoles,  
18 he said, flags can be an interferer with the  
19 -- can -- with a monopine, can some of these  
20 branches or receptors also interfere?

21 THE WITNESS (Lavin):  
22 They're -- they're made to be RF transparent  
23 and they -- they really wouldn't.

24 THE WITNESS (Chasse): It's  
25 more of a physical -- this is Scott Chasse.

1 So they had indicated they  
2 would look to mirror the same type of design.  
3 If this did, in turn, turn out to be a  
4 monopine, they could, in fact, install that.

5 MR. LYNCH: Now, would they be  
6 prohibited from putting in any type of  
7 microwave line of sight equipment?

8 THE WITNESS (Vergati): They,  
9 from a -- no, they would not.

10 MR. LYNCH: And lastly,  
11 Mr. Lavin again. And your C Square  
12 testimony, which I think is behind one --  
13 page 3, you list for -- well, it just happens  
14 just to be 700 frequency, but you list  
15 here -- I don't know if this is population  
16 and then roadway coverage. Is that what  
17 you're focusing on now? I'm assuming  
18 population means residences and businesses  
19 and stuff. Is that the main focus of your --

20 THE WITNESS (Lavin): It's --  
21 it's both. Population is just population.  
22 Just census data, not business data.

23 MR. LYNCH: Okay. But it  
24 would -- assume it's -- it would probably be  
25 more residential then, if you say it's not

1 More of a physical interference than an RF  
2 interference.

3 MR. LYNCH: Okay. And my last  
4 question has to deal with, if the Town comes  
5 onto the tower, and we -- we are in a  
6 monopine design, would the -- I'm assuming  
7 they probably have 14 or 18-foot -- foot  
8 whips coming out the -- would they be coming  
9 out of the top, Mr. Vergati?

10 THE WITNESS (Vergati): In my  
11 preliminary conversations with Litchfield  
12 County dispatch, Mr. Soule had indicated that  
13 they would look to mirror the same kind of  
14 application that was done at a recent site in  
15 Washington Depot, where LCD placed, I  
16 believe, it was two whip antennas coming off  
17 the very top of the tower and then one at a  
18 lower elevation.

19 I believe that particular pole  
20 was 135 with two 7-foot --

21 THE WITNESS (Chasse): Yes.

22 THE WITNESS (Vergati): -- two  
23 7-foot antennas coming off the top. And then  
24 they had a third Yagi, I believe, maybe at  
25 the 60 -- or 72-foot, right at center.

1 business. But isn't that the area you're  
2 looking to bring your data into, you know,  
3 your data services rather than covering gaps  
4 in roadways?

5 THE WITNESS (Lavin): More  
6 population, yes. And in this case, I guess,  
7 we may be -- it's based on census data and we  
8 may -- we may not have captured seasonal  
9 residents at the Twin Lakes area because they  
10 would not have been counted there.

11 MR. LYNCH: That's another  
12 point I didn't think of. Thank you.

13 Those are my questions,  
14 Mr. Chairman.

15 THE CHAIRPERSON: Thank you.  
16 Mr. Perrone.

17 MR. PERRONE: I just had one  
18 final question.

19 Mr. Chasse, the existing  
20 boathouse access, not the logging access,  
21 would that be upgraded with gravel, like,  
22 from the end of the pavement to where the  
23 access to the tower would begin?

24 THE WITNESS (Chasse): Yes.  
25 The existing logging road is going to be

Page 74

1 scarified and improved as a gravel surface  
2 running up through there. And then, at the  
3 very last 90 feet, we radii off of that and  
4 continue the new road up to the -- up to the  
5 facility, but it starts at the existing road.  
6 MR. PERRONE: Okay. In other  
7 words --  
8 THE WITNESS (Libertine): 1900  
9 feet or --  
10 THE WITNESS (Chasse): Oh, no.  
11 MR. PERRONE: That's what I'm  
12 wondering. Yeah, in other words the --  
13 THE WITNESS (Chasse): I'm  
14 sorry.  
15 MR. PERRONE: There was --  
16 yes, from the maintenance area where the --  
17 THE WITNESS (Chasse): I  
18 misunderstood your question. Yes, from the  
19 maintenance area to the proposed improved  
20 road at the logging road, the only  
21 disturbance there will be for trenching for  
22 telco. No road improvements are proposed.  
23 MR. PERRONE: Okay. thank you.  
24 That's all I have.  
25 THE CHAIRPERSON: Okay. I

Page 75

1 have -- I'll try to make this into a  
2 question, at some point. But again, to  
3 follow up Senator Murphy and also Mr. Lynch,  
4 and part of it's really just out of  
5 frustration, my understanding is, when an  
6 application for a cell tower comes in, we do  
7 request that we see if any of the other  
8 carriers are interested. Correct?  
9 And we get usually either no  
10 response -- I'm just checking to make sure I  
11 have the question -- or statement -- to we're  
12 not interested at this time, to actually, in  
13 a few cases, we would be interested in the  
14 future. We may be interested in the future.  
15 It would really help if,  
16 particularly in the area where it's known --  
17 and I can't believe that the carriers don't  
18 know that they really have a coverage  
19 issue -- that we could get a little bit more  
20 helpful response. Obviously, unless I'm  
21 wrong, and the people sitting in the audience  
22 represent Verizon and Sprint and T-Mobile and  
23 whoever else -- so I suspect they're not  
24 here. But AT&T is, so I'll suggest -- and  
25 also to the actual tower applicant -- because

Page 76

1 maybe this is really where you should do some  
2 more work before it gets to us, is to really  
3 check to see what other providers and also  
4 what their needs might be. Because we  
5 wouldn't -- this discussion about whether it  
6 should be 157 feet or 170 feet or 200 feet,  
7 or whether they could go at the lower levels  
8 and still provide some basic coverage, I  
9 mean, I don't -- I mean, somebody said it's  
10 up to us. I don't know how we can answer  
11 that question. That's really -- So I --  
12 it's -- it's a real -- it's a frustration,  
13 certainly to this member of the Council. So  
14 that's the statement part of it, which is  
15 hopefully not a complete exercise in  
16 futility. But based on past responses, it  
17 hasn't been very -- haven't gotten too far,  
18 but it really is -- is a frustration.  
19 So my question on the -- to  
20 Mr. Lavin, if -- if you are not in your seat,  
21 for example, say it was another -- another  
22 provider was proposing this and was sent  
23 whatever the form letter to -- in this case,  
24 you know, got to you and you didn't have any  
25 plans, but you knew that this was an area,

Page 77

1 because I assume the carriers know where they  
2 have coverage and where there's really a  
3 problem, is it either too costly, too  
4 time-consuming, or just something because of  
5 proprietary -- your nature? And I'm  
6 obviously not asking for the model to say,  
7 yes, in the future, we might also be  
8 interested, but we're really going to need X  
9 -- X feet to make it worthwhile, or give  
10 something so that the Council has -- has --  
11 you know, it's a hypothetical question,  
12 obviously, at this point -- has a better  
13 sense of whether -- what -- what the plan --  
14 And this is also for the public, which in  
15 many case is very concerned about the height  
16 because of visibility. And if it's another  
17 10 or 20 feet, they're going to be really,  
18 you know, even that much more concerned.  
19 So I'm just looking to see if  
20 there's -- if there's any way we could get a  
21 little bit more intelligent responses from  
22 not only the applicant, but for those who  
23 were not -- who may have been queried, but  
24 respond in either no response or a very vague  
25 response. So --

1 THE WITNESS (Lavin): Well, I  
2 think anyone's RF engineering department  
3 could tell you, at any point in time, whether  
4 they thought they would need it in the  
5 future. But we're, of course, not the only  
6 group of the carriers and consultants that  
7 have to weigh in on it. And it's also, I  
8 think, mostly a matter of commitment, to some  
9 extent, how much I, as the RF engineer, I can  
10 say, oh, yeah, I -- I think having a tower  
11 there at 180 feet would be great, but I don't  
12 know if the rest of Operator X would be  
13 willing -- leary of committing to doing that  
14 or thinking it was going to be something  
15 they'd be held to.  
16 SENATOR MURPHY: Can I ask a  
17 question?  
18 THE CHAIRPERSON: Sure. And  
19 Senator Murphy.  
20 SENATOR MURPHY: A kind of  
21 follow-up to that -- and I'll ask this  
22 question of the other carrier, if the other  
23 main carrier comes in. When -- let's assume  
24 this was Verizon that came with this  
25 application. And the form letter goes out

1 and your Cuddy & Feder gets the letter, is  
2 AT&T interested in this site. What does  
3 Cuddy & Feder have AT&T do in order to  
4 respond to us with whatever your response is?  
5 How much goes into it? I mean, I think  
6 that's kind of what we're really looking to  
7 find out and, kind of, maybe, going to ask  
8 you we want you to do a heck of a lot more.  
9 But let's start with, what do you do?  
10 MS. CHIOCCHIO: Actually, I  
11 don't think Cuddy & Feder actually gets those  
12 letters. I think they go directly to AT&T.  
13 SENATOR MURPHY: Oh, okay.  
14 MS. CHIOCCHIO: But, you know,  
15 if we did --  
16 SENATOR MURPHY: But I was  
17 curious, AT&T --  
18 MS. CHIOCCHIO: Right. But if  
19 we did we'd forward it along to AT&T, ask  
20 their own consultants to --  
21 SENATOR MURPHY: I think  
22 normally the response, the ones that I've  
23 read come from counsel.  
24 MS. CHIOCCHIO: Right. Right.  
25 SENATOR MURPHY: So --

1 ultimately.  
2 MS. CHIOCCHIO: Right. And I  
3 think, you know, like Martin said, it goes to  
4 RF first because they know where the needs  
5 are and so forth, but that's not the only  
6 consideration. And I think Mr. Vergati can  
7 talk a little bit about, you know, the siting  
8 process.  
9 SENATOR MURPHY: Well, I think  
10 Verizon, in this one, responded that they  
11 could use going on this pole but it's not in  
12 the budget.  
13 MS. CHIOCCHIO: Correct.  
14 Correct. And a lot of times that's the case.  
15 SENATOR MURPHY: Right.  
16 Right. Which -- which --  
17 MS. CHIOCCHIO: Yeah.  
18 SENATOR MURPHY: -- that's  
19 what led me to start asking the question.  
20 MS. CHIOCCHIO: Right. And  
21 the other, you know, in certain areas,  
22 including this area, it's going to take more  
23 than one facility to provide coverage. So  
24 not knowing -- you know, having three or four  
25 search rings in an area, not really knowing,

1 you know, the -- the process or the timing of  
2 how you're going to find a site that works  
3 and working through all of that, there are a  
4 lot of unknowns.  
5 So I would imagine it would be  
6 difficult for Verizon, not knowing their  
7 network in this area, to say, yeah, I could  
8 definitely use X feet, that's my minimum. So  
9 that's another consideration.  
10 THE CHAIRPERSON: Okay. If  
11 there are no further questions from the  
12 Council -- oh.  
13 THE WITNESS (Vergati): I  
14 would just add to that. Obviously, as a  
15 tower developer, it's -- it's our hopes to  
16 take an application forward where have four  
17 co-applicants, obviously. What we can do --  
18 and we do meet regularly with the carriers  
19 and discuss, some of them are very  
20 tightlipped. Obviously, it's proprietary and  
21 very competitive at times, but they do know  
22 our -- our site list that we market to them.  
23 They do know what we -- what we have for RAD  
24 centers available and -- and lat/longs and  
25 locations.

Page 82

1           What we can possibly do on our  
2 end is that when we do send these certified  
3 letters out to the carriers in the market,  
4 that if they do respond with interest to us  
5 or to the Council, to please take the extra  
6 effort to look at a RAD center, run a  
7 propagation map, so we do have a general idea  
8 what their need may be now or in the future  
9 and -- and it can be discussed more at an  
10 intelligent level, I guess, at this point.  
11           SENATOR MURPHY: Thank you.  
12           THE CHAIRPERSON: They seem to  
13 get increasingly tightlipped when we ask  
14 about generators. I hope that's not the sole  
15 reason that they often don't respond to these  
16 letters. So the questions from the counsel  
17 and staff we've completed.  
18           MS. CHIOCCHIO: Chairman, we  
19 do have a response to Mr. Perrone's question  
20 regarding coverage from the Appalachian  
21 Trail.  
22           So, Martin, do you want to?  
23           THE WITNESS (Lavin): Using  
24 the telco map which has the -- at the end of  
25 Section 8, almost at the end, the viewshed

Page 83

1           map topo base. The blue line with the  
2 numbers 11, 12 and 13 on it at the bottom of  
3 the map is apparently the Appalachian Trail.  
4 And based on that, I don't think the -- I  
5 think the proposed site does not improve  
6 coverage that I -- as far as I can tell, on  
7 that stretch of the Appalachian Trail.  
8           MR. PERRONE: Thank you.  
9           THE CHAIRPERSON: I guess the  
10 selectman has left. I don't know if there's  
11 anybody else here from the town, since they  
12 are a party to it. I don't see anybody.  
13 So -- so we'll hold open the -- this portion  
14 of the hearing, the evidentiary, for this  
15 evening to see if Mr. Dresser, if he comes  
16 back, to see if he has any questions. But  
17 until then, the Council will now recess until  
18 7:00 p m. when we'll begin the public comment  
19 session.  
20           (Whereupon, the witnesses were  
21 excused, and the above proceedings were  
22 adjourned at 4:20 p m.)  
23  
24  
25

Page 84

1           CERTIFICATE  
2           I hereby certify that the foregoing 83  
3 pages are a complete and accurate  
4 computer-aided transcription of my original  
5 verbatim notes taken of the Council Meeting  
6 in Re: DOCKET NO 452, HOMELAND TOWERS, LLC  
7 AND NEW CINGULAR WIRELESS PCS, LLC  
8 APPLICATION FOR A CERTIFICATE OF  
9 ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED  
10 FOR THE CONSTRUCTION, MAINTENANCE, AND  
11 OPERATION OF A TELECOMMUNICATIONS FACILITY  
12 LOCATED AT SALISBURY TAX ASSESSOR MAP 16, LOT  
13 5, 250 CANAAN ROAD, SALISBURY, CONNECTICUT,  
14 CONNECTICUT, which was held before ROBERT  
15 STEIN, Chairperson, at the Salisbury Town  
16 Hall, Upstairs Meeting Room, 27 Main Street,  
17 Salisbury, Connecticut, Thursday,  
18 December 4, 2014  
19  
20  
21  
22  
23  
24  
25

Robert G Dixon, CVR-M 857  
Court Reporter  
UNITED REPORTERS, INC  
90 Brainard Road, Suite 103  
Hartford, Connecticut 06114

Page 85

1           I N D E X  
2           WITNESSES MARTIN LAVIN  
3           MICHAEL LIBERTINE  
4           DEAN GUSTAFSON  
5           RAYMOND VERGATI  
6           SCOTT CHASSE       Page 8  
7           EXAMINATION  
8           Mr. Perrone       Page 14  
9  
10           EXHIBITS  
11           (Received in evidence.)  
12           EXHIBIT       DESCRIPTION       PAGE  
13           II-B-1   Application of HT and AT&T   13  
14                   submitted on October 6, 2014  
15  
16           II-B-2   HT and AT&T Bulk filing       13  
17                   submitted on October 6, 2014  
18  
19           II-B-3   Affidavit of Publication of   13  
20                   Legal Notice dated Oct. 27, 2014  
21  
22           II-B-4   HT and AT&T Supplemental   13  
23                   Submission dated Nov. 19, 2014  
24  
25

DOCKET NO. 452 - SITING COUNCIL  
December 4, 2014

Page 86

	INDEX (Cont'd.)		
	EXHIBIT	DESCRIPTION	PAGE
1			
2			
3	II-B-5	HT and AT&T Responses to Siting	13
4		Council Interrogatories dated	
5		November 19, 2014	
6			
7	II-B-6	Affidavit of Sign Posting dated	13
8		November 18, 2014	
9			
10	II-B-7	HT and AT&T Responses to Siting	13
11		Council Interrogatories, Set II,	
12		dated November 25, 2014	
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			

23 (Page 86)