

1
2 STATE OF CONNECTICUT
3 CONNECTICUT SITING COUNCIL
4

5 Docket No. 456

6 Application from Cellco Partnership d/b/a
7 Verizon Wireless for a Certificate of
8 Environmental Compatibility and Public Need
9 for the construction, maintenance, and
10 operation of a telecommunications facility
11 located at Plymouth Tax Assessor Map
12 054/065/0161A-1, 33 Keegan Road, Plymouth,
13 Connecticut
14

15 Public Hearing held at the Plymouth Town
16 Hall, Downstairs Community Room, 80 Main
17 Street, Terryville, Connecticut, Tuesday,
18 April 21, 2015, beginning at 7:00 p.m.
19

20 H e l d B e f o r e:

21 ROBIN STEIN, Chairperson
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ROBERT G. DIXON, CVR-CM
Court Reporter, Notary Public

1 A p p e a r a n c e s :

2 Council Members:

3 SENATOR JAMES J. MURPHY, JR.,
4 Vice Chairperson
5 DR. BARBARA C. BELL
6 COMM. MICHAEL CARON, PURA Designee
7 ROBERT HANNON, DEEP Designee
8 DANIEL P. LYNCH, JR.

9

10 Council Staff:

11 MELANIE BACHMAN, ESQ.,
12 Executive Director and
13 Staff Attorney
14 MICHAEL PERRONE
15 Siting Analyst

16

17 For Cellco Partnership d/b/a

18 Verizon Wireless:

19 ROBINSON & COLE
20 280 Trumbull Street
21 Hartford, Connecticut 06103-3597
22 By: KENNETH C. BALDWIN, ESQ.

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1 THE CHAIRPERSON: Ladies and
2 gentlemen, I'd like to call to order this
3 meeting of the Connecticut Siting Council,
4 today Tuesday, April 21, 2015, approximately
5 7 p.m.

6 My name is Robin Stein. I'm
7 Chairman of the Connecticut Siting Council.
8 Other members of the Council here are Senator
9 Murphy, our Vice Chairman; Mr. Hannon, who's
10 a designee from the Department of Energy and
11 Environmental Protection; Mr. Ashton;
12 Mr. Lynch; and Dr. Bell. And members of the
13 staff present are Executive Director and
14 Staff Attorney Melanie Bachman and our siting
15 analyst Robert Mercier.

16 This is a continuation of a
17 public hearing that began at 3:00 p.m. this
18 afternoon. Copies of the hearing program and
19 the Council's citizen guide to Siting Council
20 procedures are available for members of the
21 public, I believe, near the podium there.
22 This hearing is held pursuant to the
23 provisions of Title 16 of the Connecticut
24 General Statutes and of the Uniform
25 Administrative Procedure Act upon an

1 application from Cellco partnership d/b/a
2 Verizon wireless for a certificate of
3 environmental compatibility and public need
4 for the construction, maintenance and
5 operation of a telecommunication facility
6 located at 33 Keegan Road in Plymouth,
7 Connecticut.

8 This application was received
9 by the Council on February 13, 2015. The
10 application is also governed by the
11 Telecommunications Act of 1996, which is
12 administered by the Federal Communications
13 Commission. This act prohibits the Council
14 from considering the health effects of
15 radiofrequency emissions on human health and
16 wildlife to the extent the emissions from
17 towers are within the federal acceptable safe
18 limit standard, which standard is also
19 followed by the State Department of Public
20 Health.

21 The federal act also prohibits
22 this Council from discriminating between and
23 amongst providers of functionally equivalent
24 services. This means that if one carrier
25 already provides service for an area, other

1 carriers have the right to compete and
2 provide service in the same area.

3 The applicant published notice
4 of the filing of the application to the
5 Council in the Bristol Press on February 9th
6 and February 10, 2015. The Council's legal
7 notice of the date and time of the hearing
8 was published in the Bristol Press on
9 March 11, 2015.

10 Upon this Council's request
11 the applicant erected a sign at the proposed
12 site so as to inform the public of the name
13 of the applicant, type of facility, the
14 hearing date and location and contact
15 information for the Council.

16 This afternoon members of the
17 Council, staff and public personally
18 conducted a field review of the proposed site
19 in order to observe firsthand the potential
20 effects of the proposal. This hearing
21 tonight has been reserved for the public to
22 make short statements into the record. These
23 public statements are not subject to
24 questions from parties or the Council and
25 members of the public making statements may

1 not ask questions of parties or Council.
2 These statements will become part of the
3 record for Council consideration. A sign-up
4 sheet is available for those who would like
5 to participate, and again, that's over by the
6 podium.

7 As a reminder to all, off the
8 record communication with a member of the
9 Council or a member of the Council's staff
10 upon the merits of the application is
11 prohibited by law.

12 I wish to note for those who
13 are here and for the benefit of your friends
14 and neighbors who are unable to join us for
15 the public comment session that you or they
16 may send written statements to the Council
17 within 30 days of the date hereof and such
18 written statements will be given the same
19 weight as if spoken at the hearing.

20 We ask each person making a
21 public statement in this proceeding to
22 confine his or her statements to the subject
23 matter before the Council and to avoid
24 unreasonable repetition so we may hear all of
25 the concerns you and your neighbors may have.

1 Please be advised that the Council cannot
2 answer questions from the public about the
3 proposal.

4 A verbatim transcript will be
5 made of the hearing and deposited at the
6 Plymouth Town Clerk's office for the
7 convenience of the public.

8 And before I call on members
9 of the public to make a statement, I'm going
10 to request that the applicant make a brief
11 presentation to the public describing the
12 facility, where it's to be located, why it's
13 necessary and what alternatives were
14 investigated. So, Mr. Centore, or whoever
15 is --

16 C A R L O C E N T O R E,

17 recalled as a witness, having been
18 previously sworn by the Executive
19 Director, was examined and testified on
20 his oath as follows:

21 THE WITNESS (Centore): Good
22 evening. I'm Carlo Centore with Centek
23 Engineering. We're the site engineers for
24 this particular project. What Verizon
25 Wireless is proposing here is to construct a

1 wireless communication facility.

2 This particular site is
3 located at 33 Keegan Road approximately
4 500 feet off of the road on an existing
5 parcel that's currently unoccupied. What
6 they'll be building here is a 50-by-50
7 fenced-in compound and a gravel access drive
8 approximately 525, '30 feet off the access
9 road to provide access to the site itself.

10 Utilities to the site are
11 routed underground off the road so there will
12 be no aboveground utilities.

13 And what I'm going to describe
14 for you is what the intention or what the
15 purpose of this facility is. What it is, is
16 the infrastructure that required for Verizon
17 Wireless to be able to provide their signal
18 to it's customers. There's a 50-by-50
19 fenced-in area. Within that area is located
20 a 12-by-30 equipment shelter with the
21 emergency generator so that there's
22 uninterrupted power.

23 On this particular site what's
24 being proposed is a 130-foot monopole tower.
25 You'll see some things mentioned in the

1 application for 140 feet, but there was a
2 correction made. The grade is actually
3 higher, so the tower height is actually
4 130 feet.

5 In addition to the tower are
6 the utilities services that come in. There's
7 power and telephone for communications and
8 powering up their equipment.

9 The tower itself on this
10 particular site is what's called a monopole
11 tower. The coaxial cables that feed the
12 antennas are all routed within the shaft of
13 the tower. It's a tubular structure. It's
14 designed with platforms. Verizon Wireless'
15 location is at the topmost location. It has
16 a platform for mounting their antennas. In a
17 120-degree pattern there's an alpha, beta and
18 gamma sector.

19 There's also provisions made
20 for future carriers to locate on the tower,
21 both on the ground with space so that there's
22 no reconstruction that happens. The only
23 construction that would happen is whatever
24 would be necessary for installing the
25 equipment cabinets and/or equipment shelters.

1 The co-ax cables would be run-up and there's
2 platforms available for three future carriers
3 on this particular site.

4 The design is pretty simple.
5 We try to fit in with the contours of the
6 land. In this particular case we ended up
7 using some retaining walls to provide a level
8 area within -- for the compound. So a pretty
9 basic design.

10 THE CHAIRPERSON: Okay. Thank
11 you.

12 THE WITNESS (Centore): One
13 final thing is that this particular tower is
14 being proposed as a relocation to the
15 existing tower on South Road. That tower
16 will come down. In order for that tower to
17 come down Verizon is proposing this tower
18 here to construct their facility.

19 THE CHAIRPERSON: Okay. Thank
20 you.

21 If you go to the podium and
22 then speak into the mic and if you would
23 please spell your last name so we make sure
24 we have it. And if you choose you can give
25 us your address. So the first people on the

1 list are Keith and Joann Basile.

2 SENATOR MURPHY: Could you
3 move the podium over, because we can't really
4 see. That will do the trick.

5 JOANN HASILE: Is that just
6 because I'm short you couldn't see me?

7 KEITH BASILE: So I'm Keith
8 Basile. My mother Joann Basil of 77 Keegan
9 Road just came here today to learn a little
10 bit more about the project. We have
11 concerns. We're actually the property that's
12 right at the foot of the hill of the proposed
13 site.

14 And just hoping that the
15 Council and the Town will consider performing
16 a couple of things for the neighborhood.
17 One, doing a balloon test so we can see how
18 high the towers would be and what that would
19 look like from the neighbors' properties.
20 And the other thing would be we heard
21 something this afternoon about some blasting
22 that would be going on and just concerned
23 about, you know, the geology of the area and
24 what impact that might have on wells or our
25 foundations of our properties. Our house was

1 built in the 1700's. Just concerned about
2 any impact that might have on the area.

3 Let's see. Also just
4 concerned about just general health concerns
5 about the tower. I know there's some
6 information in here about radio waves, et
7 cetera, but just really hoping to get more
8 information that may be distributed to the
9 neighborhood so people know more about what's
10 happening, what could be the effects on their
11 property and home values, et cetera.

12 Yeah, and the quality of the
13 well water.

14 THE CHAIRPERSON: Speak into
15 the mic because otherwise we won't --

16 JOANN HASILE: I was just
17 confirming that my biggest concern is the --
18 any damage that would be imposed on my home
19 being such an old home and also the effect on
20 the well because everybody in that area on
21 that street, I think we all have wells there.
22 Thank you.

23 KEITH BASILE: That's it.
24 Thank you.

25 THE CHAIRPERSON: Thank you.

1 John Christiano.

2 JOHN CHRISTIANO: How you
3 doing? I'm John Christiano. You wanted the
4 spelling of my name? C-h-r-i-s-t-i-a-n-o.

5 And I live right at the bottom
6 of the Keegan Road all the way, you know,
7 going to the bottom of the road. And once
8 you turn onto Todd Hollow I'm the first
9 driveway on the right. We're 311 Todd
10 Hollow.

11 I'm from the city of Waterbury
12 out here about 15 years ago and I built a
13 dream home, a log cabin up in the woods and
14 it's pretty far up in the back, to try to get
15 a rural nested area. And we can see right
16 from our front porch where we try to relax at
17 the end of the day the tower now where it is.

18 And now this is, to me, I
19 don't really want to see the tower, but
20 unfortunately, you know, it got built and
21 it's there. Now it's going to be moved even
22 closer into the public eye. Where it is now
23 it's actually in the woods and you really got
24 to be high elevated to see it.

25 So I'm concerned more about

1 the eyesore of it, but it's going to come
2 across as a benefit to me and it actually
3 would be a benefit to me. But I'm looking at
4 the better of two evils, either me sitting on
5 my front porch at the end of the day eating
6 dinner with my wife and looking at the tower
7 in front of us, or possibly purposing our
8 property. Nobody came to us, but we went on
9 the websites after we saw the sign and our
10 land, we are right in the circle where
11 they're looking for proposed areas.

12 I think it's better for
13 everybody in the area possibly. Our driveway
14 is 1500 feet -- and that's just 1478 to be
15 exact. It's 12-foot wide just like they
16 proposed, 20 foot with the runoffs. Primary
17 power is already up in the woods, because
18 that's where our home is.

19 If you go back another
20 400 feet where he's talking about we have a
21 50 by 50. It's much even larger than that
22 flat area. That would be perfect to build
23 this tower. The elevation on the maps I
24 looked at was 700 feet, which is I think the
25 same as what they're looking at right now,

1 but the benefit would be is it's in the
2 Mattatuck Forest. Most of us won't see it
3 and I just think that that should be
4 considered, versus it's probably -- you can
5 drive a pickup right to the spot because we
6 already logging roads and everything in
7 there.

8 The impact on the wildlife
9 would be very little and there wouldn't be
10 any blasting that I could foresee. And I'm
11 talking a little bit of experience with -- I
12 don't have an engineering degree, but I do --
13 I supervise a fleet of mechanics, 27 of them
14 for 16 years now. I built my own house, so I
15 have a pretty good idea of what we're looking
16 at out there.

17 So I just think that you maybe
18 take a look at some other options before we
19 go with this one putting it where it's going
20 to be in everyone's vision. That's all.

21 THE CHAIRPERSON: Thank you
22 very much. That's all that I have on the
23 sign-up list. Is there anybody else who
24 would like to speak?

25 If so, please come up. Say

1 and spell your name.

2 JEFF DESCAULT: How you doing?
3 I'm Jeff Descault. I live with my mom,
4 Theresa Descault on 181 Keegan Road.

5 I don't know anything much
6 about it besides the sign that was there
7 also. My concern would be the service, you
8 know, that if we would get interruption
9 because of the amount of calls and waves that
10 would be coming into the airwaves.

11 We have, you know, very bad
12 for satellite service as it is now over
13 there. And you know, I don't know if there
14 could be too many waves, you know, too many
15 calls going through the airwaves that are
16 going to hurt our service that we have now,
17 you know, on what's --

18 I don't know what they're
19 going to allow for other companies to serve
20 on the tower, but that would be one of my
21 concerns, and also the eyesore of it, also.
22 Okay? That's about all I have to say.

23 The last name is Descault,
24 D-e-s-c-a-u-l-t. And that's 181 Keegan Road.
25 Thank you.

1 THE CHAIRPERSON: Is there
2 anybody else?

3 (No response.)

4 THE CHAIRPERSON: Okay. Just
5 a couple things. One is there was a balloon
6 flown today. So I'm sorry if people missed
7 it, but there was a balloon at the height
8 flown today. And the other thing is, I asked
9 the applicant -- we gave you a couple of
10 homework assignments, so that's over dinner
11 assignments. So if you could respond?

12 MR. BALDWIN: Yes,
13 Mr. Chairman. Thank you.

14 There were two that we had
15 listed in our notes, first with respect to
16 wells on adjacent properties, and maybe for
17 the benefit of some of the folks who
18 mentioned it tonight Mr. Centore could
19 reiterate some of his comments from this
20 morning regarding concerns for blasting and
21 impact on wells -- or this afternoon, I'm
22 sorry.

23 And then the second related to
24 alternative, potential alternative road
25 access, we did have the opportunity to speak

1 with the landlord after the afternoon
2 session. And I'll ask Mr. Centore to comment
3 on those conversations, and a plan we'd like
4 to propose to the Council.

5 THE WITNESS (Centore): Thank
6 you all. I was able to confirm that the two
7 adjacent properties to our parcel do have
8 wells. One is to the -- the southeast of the
9 house, to the property due east of our --
10 excuse me, due south of our proposed tower.
11 The property due north there's a -- there's a
12 well just opposite the house on that one on
13 northwest of the house. Approximately 180 to
14 200 feet is my guess, is just based on
15 conversations with the -- with the property
16 owner.

17 The blasting that's proposed
18 is not going to be -- it won't be deep
19 blasting. It's just to be able to do the
20 gradings that's necessary, but as part of any
21 blasting plan we would propose that
22 monitoring be conducted for those wells to
23 make sure that there's no negative impact.

24 Okay. With -- with regard to
25 the road access we did -- after the -- after

1 the previous meeting we did approach the
2 property owner and discussed a couple of
3 alternatives. He's not to amenable about
4 access on his property, but there was a
5 section of his property -- I'm going to get
6 my bearings -- the southerly most property
7 line of 41 Keegan Road. The lawn area.

8 He was amenable to accessing
9 in that area, but not -- not totally. He
10 wants to try to keep off of his property as
11 much as possible. His concern is he has a
12 neighbor on that side that would be impacted
13 by it and it would be visible and he'd see
14 access coming through his property because
15 that's where his views are from this house.

16 But -- yes, and in addition to
17 that the location that he -- he did want us
18 to consider is right through a wetland, so
19 it's probably not the most opportune location
20 to put an access road.

21 So what we did is we went back
22 and we revisited the -- the subject parcel.
23 We have a plan that may -- may eliminate a
24 lot of the -- the cuts in grading. Rather
25 than coming in almost perpendicular to Keegan

1 Road we're going to come in similar to his
2 access drive paralleling the grade lines off
3 of the road.

4 We need to do some
5 investigation. Just walking the site I think
6 it's possible. We've just got to watch what
7 happens with the grades when we dump out onto
8 Keegan Road. It -- it would come off, I'm
9 going to guess, at about a 30-degree angle
10 off of Keegan to the northwest corner of the
11 property and then it would follow the
12 easterly property line coming up and into the
13 compound.

14 We walked it. There looked to
15 be some pretty good grades that could be
16 managed much easier.

17 MR. BALDWIN: What we would
18 propose, Mr. Chairman, is within two weeks
19 from today we would submit a revised road
20 layout plan to the Council. I don't know
21 that -- I don't believe that this is
22 something we need to keep the hearing open
23 for. Normally I would propose that we
24 address this as part of a development and
25 management plan, but in the interim I think

1 I'd like to get you an alternative design as
2 quickly as possible in case the Council has
3 some concern and a desire to perhaps at that
4 point reopen the hearing.

5 I don't think it will be
6 necessary, but I didn't want to ignore the
7 fact that it might be necessary at some
8 point, no pun intended, down the road. But
9 if the new design is something that can work
10 from an engineering perspective we would ask
11 that the Council then consider that as part
12 of it's final decision on this proceeding in
13 this docket, assuming of course that you're
14 amenable to approving the docket.

15 THE CHAIRPERSON: Okay. That
16 would be acceptable. Obviously the location
17 of the compound and the cell tower would not
18 change. It would just be the access, and
19 again it would be on the property of the
20 owner, so it would not impact other
21 neighbors.

22 SENATOR MURPHY: So the
23 beginning of your proposed road, the last one
24 you talked about would not be on the lot upon
25 which his house is. It would be right at the

1 edge of the lot that you're putting the tower
2 on. Is that it? So you would not encroach
3 on his lot at all? Is that what you're
4 telling us?

5 THE WITNESS (Centore): With
6 the alternative that we just discussed?

7 SENATOR MURPHY: What we just
8 discussed. It would be exclusively on the
9 same lot as the tower.

10 THE WITNESS (Centore): Yes.

11 THE CHAIRPERSON: Okay. The
12 Council will now close the public comment
13 session of the hearing. And I'd like to
14 announce that any briefs or proposed findings
15 of fact may be filed with the Council by any
16 party or intervener no later than May 21,
17 2015, and the submission of briefs or
18 proposed findings of fact are not required.
19 Rather we leave it to the choice of, in this
20 case, just the one party.

21 But again, anyone who has not
22 become a party, but who desires to make his
23 or her views known to the Council may file
24 written statements again with the Council
25 within 30 days of today. The Council will

1 then issue draft findings of fact and
2 thereafter parties may identify any errors or
3 inconsistencies between the Council's draft
4 findings of fact and the record. Again,
5 copies of the transcript of the hearing will
6 be filed at the Plymouth Town Clerk's office
7 and I hereby declare the hearing adjourned.
8 And thank you all for your participation.

9 (Whereupon, the above
10 proceedings were adjourned at 7:21 p.m.)

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CERTIFICATE

1
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3 I hereby certify that the foregoing 23
4 pages are a complete and accurate
5 computer-aided transcription of my original
6 verbatim notes taken of the Public Hearing in
7 Re: Docket No. 456, APPLICATION FROM CELLCO
8 PARTNERSHIP D/B/A VERIZON WIRELESS FOR A
9 CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY
10 AND PUBLIC NEED FOR THE CONSTRUCTION,
11 MAINTENANCE, AND OPERATION OF A
12 TELECOMMUNICATIONS FACILITY LOCATED AT
13 PLYMOUTH TAX ASSESSOR MAP 054/065/0161A-1, 33
14 KEEGAN ROAD, PLYMOUTH, CONNECTICUT, which was
15 held before ROBIN STEIN, Chairperson, at the
16 Plymouth Town Hall, Downstairs Community
17 Room, 80 Main Street, Terryville,
18 Connecticut, on April 21, 2015.

19
20
21 -----
22 Robert G. Dixon, CVR-M 857
23 Court Reporter

24 My Commission Expires: 6/30/2015
25

ROBERT G. DIXON, CVR-CM
Court Reporter, Notary Public

I N D E X

WITNESSES

Carlo Centore - Page 7

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