

In The Matter Of:

*Application from Cellco Partnership d/b/a Verizon
for a Certificate of Environmental Compatibility*

*Siting Council Public Hearing
October 6, 2016*

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1 STATE OF CONNECTICUT
2 CONNECTICUT SITING COUNCIL

3
4 Docket No. 469

5 Application from Cellco Partnership d/b/a Verizon
6 for a Certificate of Environmental Compatibility
7 and Public Need for the Construction, Maintenance,
8 and Operation of a Telecommunications Facility
9 Located At 520 Bailey Hill Road, Killingly,
10 Connecticut

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12 Siting Council Public Hearing held at the
13 Killingly Town Hall, Town Meeting Room, 172 Main
14 Street, Killingly, Connecticut, Thursday, October
15 6, 2016, beginning at 7 p.m.

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

18 ROBIN STEIN, Chairman
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1 A p p e a r a n c e s :

2 Council Members:

3 JAMES J. MURPHY, JR.,
4 Vice Chairman

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6 ROBERT HANNON,
7 DEEP Designee

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9 CHENCHAO LU, ESQ.
10 PURA Designee

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12 DANIEL P. LYNCH, JR.
13 PHILIP T. ASHTON
14 DR. MICHAEL KLEMENS

15
16 Council Staff:

17 MELANIE BACHMAN, ESQ.,
18 Executive Director and
19 Staff Attorney

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21 MICHAEL PERRONE
22 Siting Analyst

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1 THE CHAIRMAN: Good evening, ladies
2 and gentlemen. First of all, if anybody would
3 like to speak on this, there's a sign-up sheet
4 over there, so please sign up.

5 I'd like to call to order this
6 meeting of the Connecticut Siting Council, today
7 Thursday, October 6, 2016, at 7 p.m. My name is
8 Robin Stein. I'm Chairman of the Siting Council.
9 Other members of the Council present are
10 Mr. Hannon who's designee from the Department of
11 Energy and Environmental Protection; Mr. Ashton;
12 Dr. Klemens; and Mr. Lynch.

13 Members of the staff; Melanie
14 Bachman, our Executive Director Staff Attorney;
15 and Michael Perrone, our siting analyst.

16 This is a continuation of a public
17 hearing that began at 3 p.m. this afternoon.
18 Copies of the hearing program and the Council's
19 citizen guide to Siting Council procedures are
20 available for members of the public.

21 This hearing is held pursuant to
22 the provisions of Title 16 of the Connecticut
23 General Statutes and of the Uniform Administrative
24 Procedure Act upon an application from Cellco
25 partnership d/b/a Verizon for a certificate of

1 environmental compatibility and public need for
2 the construction, maintenance and operation of a
3 telecommunications facility located at 520 Bailey
4 Hill Road in Killingly, Connecticut.

5 The application was received by the
6 Council on July 26, 2016. This application is
7 also governed by the Telecommunication Act of 1996
8 which is administered by the Federal
9 Communications Commission. This act prohibits the
10 Council from considering the health effects of
11 radiofrequency emissions on human health and
12 wildlife to the extent the emissions from towers
13 are within the federal acceptable safe limit
14 standards, which standard is also followed by the
15 State Department of Public Health.

16 The federal act also prohibits this
17 Council from discriminating between and amongst
18 providers of functionally equivalent services.
19 This means that if one carrier already provides
20 service for an area, other carriers have the right
21 to compete and provide service in the same area.

22 The applicant published notice of
23 the filing of the application to the Council in
24 the Bulletin on July 21 and July 22, 2016. The
25 Council's legal notice of the date and time of

1 this hearing was published in the Bulletin on
2 September 6, 2016.

3 Upon this Council's request, the
4 applicant erected a sign at the proposed site so
5 as to inform the public of the of name of the
6 applicant, type of facility, hearing date and
7 location and contact information for the Council.

8 This afternoon members of the
9 Council, staff and public personally conducted a
10 field review of the proposed site in order to
11 observe firsthand the potential effects of the
12 proposal.

13 This hearing session tonight has
14 been reserved first for the public to make short
15 statements into the record. These public
16 statements are not subject to questions from the
17 party or Council, and members of the public making
18 statements may not ask questions of the party or
19 Council. These statements will become part of the
20 record for the Council's consideration.

21 As I mentioned before, there's a
22 sign-up sheet next to the door for those who would
23 like to speak.

24 As a reminder to all,
25 off-the-record communication with a member of the

1 Council or a member of the Council's staff upon
2 the merits of this application is prohibited by
3 law.

4 I also wish to note for those who
5 are here and for the benefit of your friends and
6 neighbors who are unable to join us for the public
7 comment session, that you or they may send written
8 statements to the Council within 30 days of the
9 date hereof and such written statements will be
10 given the same weight as if spoken at this
11 hearing.

12 Again, I ask each person making a
13 public statement to confine his or her statements
14 to the subject matter before the Council. Please
15 be advised the Council cannot answer questions
16 from the public about the proposal.

17 A verbatim transcript will be made
18 of this hearing and deposited at the Killingly
19 Town Clerk's office for the convenience of the
20 public.

21 Is there any public official who
22 wishes to speak?

23 (No response.)

24 THE CHAIRMAN: Hearing and seeing
25 none. Okay. We'll go right in. We have -- and

1 I'll apologize, Mr. Rzucidlo, If I mispronounce
2 your name, but if you would come up to the podium
3 and spell your last name for the stenographer, it
4 would be appreciated.

5 DAVID RZUCIDLO: Last name is
6 Rzucidlo, R-z-u-c-i-d-l-o. My name is Dave. I
7 live about a half a mile from where the cell phone
8 tower is proposed to be built. I just have a few
9 comments about it.

10 Number one, and I'm sure everybody
11 is aware of it already, but it is a residential
12 area. We built our home there 25 years ago based
13 on the zoning regulations in Killingly which
14 didn't allow any building or structure higher than
15 35 feet. And we recently built a building and
16 they came out and measured it, and it can't be
17 over 35 feet tall. So this cell phone tower is
18 going to be 150 feet tall.

19 I know that -- I did go by the site
20 today. The top of the tower will be visible from
21 the road. The gentleman that was there said that
22 there are some deciduous trees around the
23 cellphone tower, but when all the leaves are down
24 it's definitely going to be noticeable.

25 I walk that road almost every day,

1 especially through the wintertime to get out in
2 the fresh air. And I just -- I don't really see
3 the reasoning for putting it in a residential area
4 and having people in a residential area having to
5 deal with a 150-foot tower.

6 When I got the notice in the
7 mail -- I do know quite a bit about the property.
8 There is 649 acres of land on this property, and
9 I'm sure my testimony is not going to sway anybody
10 or make that big of a difference as to if the
11 tower is built or not, but for the respect of the
12 people in the residential zone, you know, if the
13 Council decided that they thought that there was a
14 need for this cellphone tower on Bailey Hill Road,
15 that there's 649 acres of land available.

16 And it could be -- I've seen plenty
17 of other cellphone towers quite a ways off the
18 road, that you don't see the tower. And I don't
19 see the need of having it 600 feet from the road
20 and everybody that has to go by it and look at it.
21 It's not that -- it might not be a health risk or
22 anything to anybody, but I just don't want to look
23 at it.

24 I mean, I didn't move into a
25 residential area and build my house there to have

1 a 150-foot tower built right down the Street.
2 When I came to the Town and tried to talk to the
3 zoning people they informed me that they had
4 nothing to do with the approval of this cell phone
5 site. It was the Connecticut Siting Council and
6 that it was out of their hands.

7 And their response to me, well, was
8 you've got a cell phone. Don't you? So I don't
9 know what that meant. If maybe I should put up
10 with having a cellphone tower in my neighborhood
11 because I use a cellphone, but -- and my cellphone
12 works fine and I live on Bailey Hill Road. So
13 I've never had any problem with any kind of
14 reception or anything.

15 But my main issue is, is that I
16 really -- I don't know how many other sites these
17 cellphone, LLC, people, how many other sites
18 they've looked at, if there's any other commercial
19 sites. I know there's a couple of towers over on
20 Route 6. I don't really know what the zoning is
21 there, but I really don't see, like, why the tower
22 couldn't be with other towers.

23 Or maybe up on North Road, there's
24 towers up there. Put them where the towers are,
25 or not in the middle of a residential area so that

1 the people in the residential area have to deal
2 with it.

3 Thank you.

4 THE CHAIRMAN: Okay. Thank you
5 very much.

6 Nobody else has signed up, but is
7 there anybody else who would like to speak?

8 (No response.)

9 THE CHAIRMAN: Okay. And we'll
10 certainly take those comments that you made into
11 consideration. The Council will not be acting
12 tonight. We'll take, as I said, comments and also
13 what we heard at the hearing this afternoon, and
14 subsequently we'll go through a process of making
15 a final decision.

16 So before closing this hearing I'd
17 like to announce that briefs and findings of fact
18 may be filed by the Council, I guess, in this case
19 the applicant no later than November 7, 2016.
20 Submission of briefs or finding of fact is not
21 required by the Council, rather we leave it to the
22 choice of the applicant.

23 Again, anyone who has not become a
24 party to this, but who desires to make his or her
25 views known to the Council may file written

1 statements with the Council within 30 days of
2 today's date.

3 The Council will, as I just
4 mentioned, will issue draft findings of fact and
5 thereafter the applicant and, I guess, anyone else
6 can identify errors or inconsistencies, and the
7 Council can then finally make a final
8 determination.

9 Copies of the transcript of the
10 hearing will be filed in the Killingly Town
11 Clerk's office. And I'd like to declare this
12 hearing adjourned. Thank you all for your
13 participation. For those of us who live far away,
14 drive home safely.

15 (Whereupon, the above proceedings
16 were concluded at 7:13 p.m.)

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CERTIFICATE

I hereby certify that the foregoing 11 pages are a complete and accurate computer-aided transcription of my original verbatim notes taken of the Connecticut Siting Council Public Hearing in Re: Docket No. 469, Application from Cellco Partnership d/b/a Verizon for a Certificate of Environmental Compatibility and Public Need for the Construction, Maintenance, and Operation of a Telecommunications Facility Located At 520 Bailey Hill Road, Killingly, Connecticut, which was held before ROBIN STEIN, Chairman, at the Killingly Town Hall, Town Meeting Room, 172 Main Street, Killingly, Connecticut, on October 6, 2016.



Robert G. Dixon, CVR-M 857

Notary Public

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My Commission Expires: 6/30/2020