



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

[www.ct.gov/csc](http://www.ct.gov/csc)

Hearing Program  
Docket No. 471  
Tuesday, June 13, 2017  
1:00 p.m.  
Ten Franklin Square  
Hearing Room Two  
New Britain, CT 06051

### I. Opening by Council

- A. Statement read by Chair.
- B. Comments by Public Official(s) (if any)
- C. Motions
- D. Administrative Notice taken by Council

### **FEDERAL**

1. OFFICE OF ENGINEERING AND TECHNOLOGY, FEDERAL COMMUNICATIONS COMMISSION, QUESTIONS AND ANSWERS ABOUT BIOLOGICAL EFFECTS AND POTENTIAL HAZARDS OF RADIOFREQUENCY ELECTROMAGNETIC FIELDS, OET BULLETIN NO. 56 (August 1999), *available at* [http://www.fcc.gov/Bureaus/Engineering\\_Technology/Documents/bulletins/oet56/oet56e4.pdf](http://www.fcc.gov/Bureaus/Engineering_Technology/Documents/bulletins/oet56/oet56e4.pdf)
2. OFFICE OF ENGINEERING AND TECHNOLOGY, FEDERAL COMMUNICATIONS COMMISSION, EVALUATING COMPLIANCE WITH FCC-GUIDELINES FOR HUMAN EXPOSURE TO RADIOFREQUENCY ELECTROMAGNETIC FIELDS, OET BULLETIN NO. 65 (August 1997), *available at* [http://www.fcc.gov/Bureaus/Engineering\\_Technology/Documents/bulletins/oet65/oet65.pdf](http://www.fcc.gov/Bureaus/Engineering_Technology/Documents/bulletins/oet65/oet65.pdf)
3. Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation, Federal Communications Commission's Report and Order, 62 Fed. Reg. 3232 (September 12, 1997), *available at* <http://www.epa.gov/fedrgstr/EPA-AIR/1997/January/Day-22/ga1350.htm>
4. Telecommunications Act of 1996, as amended, Pub. L. No. 104-104, 110 Stat. 56 (codified as amended in scattered sections of 47 U.S.C), *available at* <https://transition.fcc.gov/Reports/tcom1996.pdf>
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7. Enhance 911 Act of 2004, as amended, 47 U.S.C. § 942 (2010).
8. Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, §6409 Wireless Facilities Deployment (2012), *available at* <http://www.gpo.gov/fdsys/pkg/PLAW-112publ96/pdf/PLAW-112publ96.pdf>.
9. Actions That May Have a Significant Environmental Effect, for Which Environmental Assessments (EAs) Must be Prepared, 47 C.F.R. § 1.1307 (2010).
10. Radiofrequency Radiation Exposure Limits, 47 C.F.R. § 1.1310 (2010).
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12. Presidential Order No. 13616, Accelerating Broadband Infrastructure Development, 77 Fed. Reg. 119 (June 14, 2012), *available at* <http://www.gpo.gov/fdsys/pkg/FR-2012-06-20/pdf/2012-15183.pdf>
13. DIVISION OF MIGRATORY BIRD MANAGEMENT, UNITED STATES FISH & WILDLIFE SERVICE, UNITED STATES DEPARTMENT OF THE INTERIOR, *Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance and Decommissioning* (last updated August 2016), *available at* <https://www.fws.gov/migratorybirds/pdf/management/usfwscommtowerguidance2016update.pdf>
14. National Park Service, United States Department of the Interior, *National Register of Historic Places*, *available at* <https://www.nps.gov/nr/research/index.htm>
15. FEDERAL AVIATION ADMINISTRATION, UNITED STATES DEPARTMENT OF TRANSPORTATION, OBSTRUCTION MARKING AND LIGHTING, ADVISORY CIRCULAR AC NO. 70/7460-1L (December 4, 2015), *available at* [https://www.faa.gov/documentLibrary/media/Advisory\\_Circular/AC\\_70\\_7460-1L.pdf](https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_70_7460-1L.pdf)
16. Stephen J. Blumberg, et al, *Wireless Substitution: Early Release of Estimates from the National Health Interview Survey, January – June 2010*, Division of Health Interview Statistics, National Center for Health Statistics, U.S. Center of Disease Control, December 21, 2010, *available at* <http://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless201012.pdf>
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## STATE

### *Connecticut Siting Council*

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23. STATE OF CONNECTICUT SITING COUNCIL, STATEWIDE TELECOMMUNICATIONS COVERAGE DATABASE, available at <http://www.ct.gov/csc/cwp/view.asp?a=895&Q=248312&cscNav=|>
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25. **DOCKET NO. 442** – New Cingular Wireless PCS, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 284 New Canaan Avenue, Norwalk, Connecticut. Memorandum from Siting Council Acting Executive Director to Parties and Intervenors, Daniel Forrest and Todd Levine of SHPO, dated February 11, 2014, available at [http://www.ct.gov/csc/lib/csc/pendingproceeds/docket\\_442/442shpomemo.pdf](http://www.ct.gov/csc/lib/csc/pendingproceeds/docket_442/442shpomemo.pdf)

### *Department of Energy and Environmental Protection*

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32. STATE OF CONNECTICUT, DEPT. OF PUBLIC UTILITY CONTROL, Docket No. 08-06-19, DPUC Investigation into the Deployment of Distributed Antenna System (DAS) in the Public Rights of Way, September 29, 2010.
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**Department of Transportation**

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**Other State Agencies**

39. STATE OF CONNECTICUT OFFICE OF POLICY AND MANAGEMENT, *Conservation and Development Policies Plan for Connecticut 2013-2018*, June 5, 2013, available at [http://www.ct.gov/opm/lib/opm/igp/org/cdupdate/2013-2018\\_cd\\_plan.pdf](http://www.ct.gov/opm/lib/opm/igp/org/cdupdate/2013-2018_cd_plan.pdf)
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### **TECHNICAL**

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### **ENVIRONMENTAL**

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### MAPS

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62. CONNECTICUT FOREST & PARK ASSOCIATION, CONNECTICUT WALK BOOK WEST (Ann T. Colson, ed., 19<sup>th</sup> ed. 2006), *available at* <http://www.ctwoodlands.org/blue-blazed-hiking-trails/connecticut-walk-book>
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#### E. State Agency comments

1. Comments from the Council on Environmental Quality, dated March 29, 2017
2. Comments from the Department of Transportation, dated April 17, 2017

#### F. Public Official comments

1. State Representative Mike D'Agostino, dated April 25, 2017

G. Municipal comments

1. Mayor Curt B. Leng, dated May 2, 2017

H. Telecommunications Carrier Comments

1. New Cingular Wireless PCS, LLC (AT&T), dated April 4, 2017

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II. Appearance by Applicant

Applicant: Cellco Partnership d/b/a Verizon Wireless

Representative: Kenneth C. Baldwin, Esq.  
Robinson & Cole LLP

A. Administrative Notice.

B. Exhibits for Identification.

1. Application for a Certificate of Environmental Compatibility and Public Need filed by Cellco Partnership d/b/a Verizon Wireless, received March 3, 2017, and attachments and bulk file exhibits including:

Bulk file exhibits:

- a. Technical Report, dated September 7, 2016
  - b. Town of Hamden Zoning Regulations, effective January 8, 2013
  - c. Town of Hamden Inland Wetlands & Watercourses Regulations, effective October 31, 2007
  - d. Town of Hamden Plan of Conservation and Development, effective September 1, 2004
  - e. Town of Hamden Amendment to the Plan of Conservation and Development, effective October 15, 2009
2. Applicant's Affidavit of Publication, dated March 13, 2017
  3. Applicant's Responses to Council Interrogatories, dated April 6, 2017
  4. Applicant's Sign Posting Affidavit, dated April 21, 2017
  5. Applicant's Pre-Hearing Submission, dated April 24, 2017
  6. Applicant's Responses to Patricia Sorrentino's Pre-Hearing Interrogatories, dated April 24, 2017
  7. Letter from Dawn M. McKay, Department of Energy and Environmental Protection, to Dean Gustafson, All-Points Technology Corporation, regarding the Natural Diversity Data Base Determination and Turtle Protection Plan, dated April 27, 2017
  8. Applicant's Alternate Access Road Site Plan (Sheet C-2), received May 2, 2017
  9. Applicant's Responses to Council Interrogatories, Set Two, dated May 23, 2017
  10. Applicant's Responses to Patricia Sorrentino's Interrogatories, Set Two, dated May 30, 2017
  11. Applicant's Supplemental Pre-Hearing Submission, dated June 6, 2017



C. Swear Witnesses

1. Anthony Befera, Manager-Real Estate & Project Implementation, Verizon Wireless
2. Jaime Laredo, Radio Frequency Engineer, Verizon Wireless
3. Michael Libertine, LEP, Director of Siting and Permitting, All-Points Technology Corp. P.C.
4. Dean Gustafson, Senior Wetland Scientist and Professional Soil Scientist, All-Points Technology Corp. P.C.
5. David Weinpahl, P.E., On Air Engineering
6. Richard Couch, P.E., Martinez Couch & Associates, LLC

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Patricia Sorrentino (Attorney Cohen)

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III. Appearance by Party:

Patricia Sorrentino

Representatives:

Burt B. Cohen, Esq.  
Murtha Cullina LLP

Bridget D'Angelo, Esq.  
Murtha Cullina LLP

A. Administrative Notice.

1. Dave Andersen, *Mobile Network Performance in the U.S.*, February 18, 2016, available at <http://www.rootmetrics.com/us/blog/special-reports/2015-2h-national-us>
2. Andy Golub and Paul Carton, *Changewave Research: Wireless Service Provider Trends*, April 27, 2010, available at [http://www.changewave.com/assets/alliance/reports/cell\\_service\\_20100427/cell\\_service\\_20100427.pdf](http://www.changewave.com/assets/alliance/reports/cell_service_20100427/cell_service_20100427.pdf)

B. Exhibits for Identification.

1. Patricia Sorrentino Request for Party Status, dated March 13, 2017
2. Patricia Sorrentino Pre-Filed Testimony, dated April 25, 2017
3. Corrected Exhibit List and Appearance Addition, dated April 28, 2017
4. Patricia Sorrentino Supplemental Pre-Filed Testimony, dated June 6, 2017
5. Updated Exhibit List and Appearance Addition, dated June 9, 2017

C. Swear Witnesses

1. Patricia Sorrentino

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council

2. Applicant

IV. Continuation/Closing by Connecticut Siting Council.