

**In The Matter Of:**  
*STATE OF CONNECTICUT*  
*CONNECTICUT SITING COUNCIL*

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*Docket No: 471*  
*June 13, 2017*

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STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

Docket No: 471

Cellco Partnership d/b/a Verizon Wireless  
Application for Certificate of Environmental Capability  
and Public Need, for the construction, maintenance and  
operation of a telecommunications facility located at  
208 Kirk Road in Hamden, Connecticut.

Hearing held on  
Tuesday, June 13, 2017  
1:00 p.m.  
Ten Franklin Square  
Hearing Room Two  
New Britain, CT 06051

Held Before:  
Chairman Robin Stein  
Senator James Murphy, Vice Chairman  
Melanie Bachman, Executive Director and Staff Attorney  
Dr. Michael W. Klemens  
Robert Hannon  
Daniel Lynch

Reporter: Theresa Bergstrand, LSR #406  
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A P P E A R A N C E S

FOR THE APPLICANT, CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS:

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Witnesses:  
Dean Gustafson  
Mike Libertine  
Dave Weinpahl, P.E.  
Richard Couch, P.E.  
Anthony Befera  
Jaime Laredo

FOR THE PARTY, MS. PATRICIA SORRENTINO:

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Witness:  
Patricia Sorrentino

COUNCIL STAFF  
Robert Mercier

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(The hearing commenced at 12:55 p.m.)

CHAIRMAN STEIN: Ladies and gentlemen, like to call to order meeting of the Connecticut Siting Council. Today, Tuesday, June 13th, 2017, approximately 1:00 p.m.

My name is Robin Stein, I am Chairman of the Connecticut Siting Council. This evidentiary session is a continuation of a public hearing held on May 2nd, 2017 at the Memorial Town Hall, Legislative Council Chambers in Hamden. It is held pursuant to provisions of Title 16 of the Connecticut General Statute, and of the Uniform Administrative Procedure Act upon an application from Cellco Partnership d/b/a Verizon Wireless for Certificate of Environmental Capability and Public Need, for the construction, maintenance and operation of a telecommunications facility located at 208 Kirk Road in Hamden, Connecticut. Application was received by the Council on March 3rd, 2017. Verbatim transcript will be made of this hearing and deposited with the Town Clerk's Office in the Hamden Town Hall for the convenience of the public.

We will proceed in accordance with the prepared agenda, copies of which are available by the door. We will begin with the appearance of the applicants Cellco Partnership d/b/a Verizon Wireless, to verify their new

1 exhibits marked as Roman numeral 2, item B9, 10 and 11,  
2 in the hearing program.

3 Attorney Baldwin, would you please begin by  
4 verifying the new exhibits you filed?

5 MR. BALDWIN: Certainly, Mr. Chairman, thank you.  
6 Just a point of reference, Mr. Chairman, item 11 is a  
7 Supplemental Hearing Submission that I prepared. It  
8 certainly lists the exhibits that the witnesses are  
9 familiar with, and I'll ask them to verify it, but it is  
10 not a document that any of those witnesses prepared. It  
11 was simply a listing of the additional exhibits for the  
12 Council's benefit, for the benefit of the hearing  
13 program. But with that caveat, I'll ask my witnesses;  
14 with respect to Exhibits 9 and 10 listed in the hearing  
15 program, and again those are the applicant's response to  
16 the Second Set of Siting Council's Interrogatories dated  
17 May 23rd, the second set of Patricia Sorrentino's  
18 Interrogatories, dated May 30th. Did you prepare or  
19 assist in the preparation of those responses to those  
20 two exhibits, Mr. Gustafson?

21 MR. GUSTAFSON: Yes.

22 MR. BALDWIN: Mr. Libertine?

23 MR. LIBERTINE: Yes.

24 MR. BALDWIN: Mr. Weinpahl?

25 MR. WEINPAHL: Yes.

1 MR. BALDWIN: Mr. Couch?

2 MR. COUCH: Yes.

3 MR. BALDWIN: Mr. Befera?

4 MR. BEFERA: Yes.

5 MR. BALDWIN: Mr. Laredo?

6 MR. LAREDO: Yes.

7 MR. BALDWIN: And do you have any corrections,  
8 modifications or amendments to offer to any of these  
9 exhibits at this time? Mr. Gustafson?

10 MR. GUSTAFSON: No.

11 MR. BALDWIN: Mr. Libertine?

12 MR. LIBERTINE: No.

13 MR. BALDWIN: Mr. Weinpahl.

14 MR. WEINPAHL: Yes. We have one correction Cellco  
15 Exhibit Number 9, attachments 1, 4 and 5. There is  
16 distance to a residence at the bottom of the drawing,  
17 references to Cornacki(sic) residence; it should be the  
18 Peterkin residence.

19 MR. BALDWIN: That is all, same correction for all  
20 three of those maps?

21 MR. WEINPAHL: Yes.

22 MR. BALDWIN: Thank you. Mr. Couch, any  
23 corrections?

24 MR. COUCH: No.

25 MR. BALDWIN: Mr. Befera?

1 MR. BEFERA: No.

2 MR. BALDWIN: Mr. Laredo?

3 MR. LAREDO: No.

4 MR. BALDWIN: And with those corrections, is the  
5 information true and accurate to the best of your  
6 knowledge, Mr. Gustafson?

7 MR. GUSTAFSON: Yes.

8 MR. BALDWIN: Mr. Libertine?

9 MR. LIBERTINE: Yes.

10 MR. BALDWIN: Mr. Weinpahl?

11 MR. WEINPAHL: Yes.

12 MR. BALDWIN: Mr. Couch?

13 MR. COUCH: Yes.

14 MR. BALDWIN: Mr. Befera?

15 MR. BEFERA: Yes.

16 MR. BALDWIN: Mr. Laredo?

17 MR. LAREDO: Yes.

18 MR. BALDWIN: And do you adopt the information in  
19 those exhibits as your testimony today in this  
20 proceeding? Mr. Gustafson?

21 MR. GUSTAFSON: Yes, I do.

22 MR. BALDWIN: Mr. Libertine?

23 MR. LIBERTINE: Yes.

24 MR. BALDWIN: Mr. Weinpahl?

25 MR. WEINPAHL: Yes.

1 MR. BALDWIN: Mr. Couch?

2 MR. COUCH: Yes.

3 MR. BALDWIN: Mr. Befera?

4 MR. BEFERA: Yes.

5 MR. BALDWIN: Mr. Laredo?

6 MR. LAREDO: Yes, I do.

7 MR. BALDWIN: Mr. Chairman, I offer them as full  
8 exhibits.

9 CHAIRMAN STEIN: Does any party or intervener  
10 object to the admission of the applicant's new exhibits?

11 MR. COHEN: Mrs. Sorrentino has no objection, Your  
12 Honor.

13 CHAIRMAN STEIN: Thank you. We will now begin with  
14 cross-examination, first by staff. Mr. Mercier?

15 MR. MERCIER: Thank you. I reviewed the  
16 supplemental visibility analysis that was in the  
17 responses to counsel's set two interrogatories,  
18 visibility analysis is actually in attachment seven, but  
19 I am actually going to flip to attachment six.

20 MS. BACHMAN: Mr. Mercier, is your microphone on?

21 MR. MERCIER: Attachment six was an areal  
22 photograph showing the now three proposed sites and a  
23 rejected site on the host property. And, Mr. Libertine,  
24 what I was hoping to get from you was your analysis of  
25 the visual impact of the two alternate sites, one and



1 two, from the abutting properties along the south edge  
2 of the host property at Country Club Drive. So looking  
3 left to right, the addresses are 46, number 50, there is  
4 a cul-de-sac and then number 41 and 35. So if you could  
5 just please summarize what your opinion is as to what  
6 the visibility would be for each of the alternate sites.

7 MR. LIBERTINE: Sure. If a Council remembers  
8 during the site walk, where the original proposed site  
9 was located, what we attempted to do was to push  
10 alternate sites as far north on the two-acre property as  
11 far as possible to provide as much separated distance.  
12 At the same time, we were trying to balance not taking  
13 down or minimizing any trees that might need to be  
14 cleared to accommodate the compound.

15 So as we move to alternate site one, that was  
16 pushed a few hundred feet to the northeast of the  
17 original proposed site. That is out of the edge of, I  
18 guess I'll call it the base of the Christmas tree field.  
19 And although there would be some clearing required, the  
20 trees that would have to go are not, would not provide  
21 any screening to the south, and, in fact, they are all  
22 on what I call the north side of the compound. So from  
23 that perspective, it is also at, still at a relatively  
24 low elevation on the site, although it is a little bit  
25 raised from the original site, but the combination of

1 moving it to the north and not having the roadway come  
2 in from what I'll call the, along the southwest portion  
3 of the site which would have required tree cutting,  
4 significant tree cutting, we would instead come in  
5 directly off of Country Club Road, more or less cut the  
6 grade in the open field and then head down towards the  
7 northwest portion of the site to that alternate site one  
8 location.

9 All that being said, it essentially does a couple  
10 of things for all of the properties along the Country  
11 Club Drive area. One, the further distance certainly  
12 provides some more relief in terms of just a direct  
13 distance, but more importantly, again, we are  
14 maintaining all of the vegetation, or primarily all of  
15 the vegetation off of Country Club Drive. It would  
16 require, still, a fairly tall pole. It is 150 feet, as  
17 opposed to the 160 steel pole that was at the originally  
18 proposed site, but we are essentially talking about the  
19 same level in the air.

20 Site one, from my perspective, standing on it and  
21 looking back towards any of those residences, we really  
22 could not see any of them through the field and through  
23 that vegetative buffer. So the real benefit to that  
24 site is the fact that you would not be seeing any of the  
25 compound from any of those properties. There certainly

1 would be views of the upper portions of the pole during  
2 leaf-off conditions, but right now when the leaves are  
3 on the trees, I am fairly confident that you are not  
4 going to see anything. Obviously, I did not have the  
5 opportunity to be on the private property, but from all  
6 the locations along the actual cul-de-sac, you really  
7 had to look to see the balloon in the air. So it's a  
8 fairly effective spot in terms of hiding the vast  
9 majority of the pole and certainly all of the compound.

10 As we move to the east, up the escarpment there,  
11 that basalt ridge, is fairly elevated, so it is almost  
12 at grade when we come in off of Country Club Road.  
13 Ultimately the site two location is elevated a bit above  
14 the Country Club Drive ground elevation. It also has a  
15 fairly decent vegetative buffer between the areas, but  
16 because of the elevated height, I believe that the  
17 compound would require some level of vegetative  
18 screening or landscaping to really cut the views down or  
19 perhaps, I know we discussed privacy slats at the last  
20 hearing.

21 So I think in the case of alternate site  
22 two, certainly more of the facility is going to be  
23 visible. Again, during the, during this time of year  
24 when the leaves are on the tree, it is fairly muted. It  
25 would be a little bit more visible than site one, but

1 certainly when the leaves are off the trees, there would  
2 be an opportunity to look directly in to the site and  
3 see pretty much all of the facility from certain  
4 locations. Obviously, you would still have some  
5 buffering, but without the leaves you would be able to  
6 see through a lot clearer.

7 So from my perspective, when we kind of evaluated  
8 everything in the totality, I felt as though alternate  
9 site one, from my perspective again, aesthetically,  
10 provides the most relief from direct views or direct  
11 lines of site, in particular because we are really  
12 keeping all of the equipment and the lower portion, more  
13 than half of the pole, not really being able to be seen  
14 from those locations.

15 MR. MERCIER: Okay. Just to summarize some of the  
16 things that you just said. For alternate two, would any  
17 portion of that tower be visible above the trees from  
18 any of those abutters, that is number 46, 50, 41 and 35,  
19 do you believe? Or is this going to be some seasonal  
20 views, meaning leaf off?

21 MR. LIBERTINE: What we saw in the field leads me  
22 to believe that it will not eclipse the trees from any  
23 of those locations, that would be seeing the top of the  
24 pole through trees, certainly.

25 MR. MERCIER: Right. But nothing above?

1 MR. LIBERTINE: Nothing above.

2 MR. MERCIER: Looking at photos one and two of your  
3 visibility analysis. I know you had some simulations  
4 there, and there are some fairly large trees obscuring  
5 the tower at points. And once, if it was approved and  
6 the road went off Country Club Drive, say alternate one  
7 or two, there would be some clearing at the end of the  
8 cul-de-sac, would that affect the views that are  
9 presented in these two pictures?

10 MR. LIBERTINE: In the pictures we are showing,  
11 they would be slightly affected. Some of the smaller  
12 trees in that photo, particularly center right in photo  
13 one, if we are looking at site two, it would be  
14 slightly. But the vast majority, certainly the large  
15 trees, we designed the road such that we would not be  
16 touching those.

17 MR. MERCIER: Okay. So looking at photo one, you  
18 know, it is centered between two large trees. So I am  
19 assuming you are stating that the road could fit between  
20 those two large trees?

21 MR. LIBERTINE: That is how we -- and we purposely,  
22 when we were in the field, looked at that and worked  
23 with the property owner or that very issue, because  
24 certainly that was our concern.

25 MR. MERCIER: But all that understorey there, that

1 would be gone?

2 MR. LIBERTINE: A portion of it, not all of it,  
3 because we are creating a serpentine effect. So your  
4 direct line of site would not be right in, unobstructed  
5 to the, to the site area. So if you took an imaginary  
6 line, actually, and you turn to the simulation that goes  
7 with it, you will notice that you tend to lose the  
8 bottom portion of the pole in this shot. I think what  
9 is going to occur is that some of the foreground, what  
10 I'll call the understory, between those two centered  
11 trees that more or less frame the tower, I think in the  
12 immediate foreground you are going to lose some of that,  
13 but what I'll start, maybe 30 or so feet in, a lot of  
14 that is going to be maintained because of the curvature  
15 of the road.

16 So, yes, to answer your question, yes, it will be  
17 affected, but it will not be a direct open shot.

18 MR. MERCIER: I believe in this view, it would  
19 bend, it would go left and then right.

20 MR. LIBERTINE: That's correct.

21 MR. MERCIER: All right. Thank you. One other  
22 thing, I think you mentioned, actually, it is also in  
23 your narrative of the visibility analysis, was that the  
24 alternate site one compound would not be visible from  
25 most locations off the host property. And I am just

1 curious about, this is alternate one again, the  
2 properties at 46 and 50, what would be effectively  
3 blocking their view of the compound, and I guess, lower  
4 portion of the tower if you could see the compound?

5 MR. LIBERTINE: And if you don't mind, if you could  
6 just -- I don't have the addresses on my --

7 MR. MERCIER: Go back to attachment six. And 46 is  
8 the far left.

9 MR. LIBERTINE: Okay.

10 MR. MERCIER: And 50 is right next to that.

11 MR. LIBERTINE: Right. The reason I use that  
12 language is I hate to use absolutes to say no one can  
13 see it. I did not have an opportunity to go and step  
14 over the property lines and look back to make absolutely  
15 sure, you know. Certainly there is an opportunity if  
16 you know what you are looking for during leaf-off  
17 condition and looking through both the buffer and the  
18 Christmas tree farm that is there today, it is possible  
19 that you could see a portion from those two properties.  
20 Maybe at the back rear lot line, that type of thing.

21 I think it is highly unlikely, again, we leaves  
22 were starting to come out, we flew on May 5th, so some  
23 of the early leaves were already out, as you can see in  
24 the photographs. But from what I could see, it was, I  
25 could not see either of the structures on those

1 properties standing at the closest spot, I guess the  
2 Southern portion of where we had staked out or were  
3 planning to stake out the compound for alternate site  
4 one. So I am fairly confident that that location  
5 provides the screening that I think we were lacking when  
6 we had originally proposed the site further to the west,  
7 particularly because we were bringing down trees.

8 So I'm confident that if there are views, they are  
9 going to be very, very selective. And, again, you would  
10 really have to look through that area to see it.

11 MR. MERCIER: Okay. Thank you. Now when you are  
12 traveling north from Bear Path Road up Country Club Road  
13 towards the site, what is your sense of visibility of  
14 straight-on shots above the tree line, if any.

15 MR. LIBERTINE: There will be, there will be an  
16 opportunity to see a very top portion of the tower, and  
17 I just wanted to orient myself, particularly with  
18 respect to site two. If you look at photo number four,  
19 that is right at the intersection of Bear Path and  
20 Country Club Drive. It would be the southern extent of  
21 the cul-de-sac. And again, it is perspective, because  
22 you are set back a little bit and you have an  
23 opportunity to see it just eclipse the trees. You don't  
24 necessarily get that same perspective with site one,  
25 just because its orientation on the site, it's



1 effectively blocked by some of that vegetation that is  
2 there, and it does sit just slightly lower overall.

3 So, I guess I characterize it that there would be  
4 the opportunity year-round to see it just above the  
5 treeline, certainly at site two. Alternate site two.

6 MR. MERCIER: So as you come around the corner and  
7 go up to the cul-de-sac, you are stating that, you know,  
8 some portions of antenna array at the very top could be  
9 visible.

10 MR. LIBERTINE: There would be from a --

11 MR. MERCIER: Going up the road. All right.

12 MR. LIBERTINE: And as you know, as you come down  
13 Country Club Drive, that tends to lose a little bit of  
14 elevation, so that changes that perspective pretty  
15 dramatically.

16 MR. MERCIER: Let's see. At the previous hearing  
17 there was some talk about, for the original proposed  
18 site, a tree tower design. Do you believe any tree  
19 tower design in any of these two sites would be  
20 beneficial? Given that one of them, I guess, is 130  
21 feet now, and the other one we are 150.

22 MR. LIBERTINE: Yeah, we have 150 alternate site  
23 one and then, I believe, alternate site two came down to  
24 120.

25 MR. MERCIER: 120, excuse me.

1           MR. LIBERTINE: I have thought long and hard about  
2 this on this site. My personal feeling is that at site  
3 one, I am not sure, with the exception of the potential  
4 for being able to see through during the wintertime,  
5 there might be some benefit in having a monopine there,  
6 but for the most part I don't see that.

7           For site two, I have been going back and forth in  
8 my mind about how to really address this, because one  
9 part of me says, well, there is probably going to be  
10 more visibility associated with something at alternate  
11 site two, so perhaps using a monopine would work.  
12 However, I am not sure, you know, in this particular  
13 setting, the only conifers we really have are the  
14 Christmas trees at, you know, six to eight feet tall, so  
15 everything else is deciduous. It is, or the vast  
16 majority of them are deciduous trees in that area. So  
17 the context is a little bit inconsistent. But overall,  
18 would there be some benefit? Yes, there would be  
19 certainly some benefit. I don't know if it puts it over  
20 the top to have to go down that road, but that's just my  
21 own opinion.

22           MR. MERCIER: Thank you. One other question I had  
23 was on your visibility mapping at the end, it was  
24 topographic map and areal photograph, that is with the  
25 yellow and orange colors that denote seasonal and

1 year-round visibility. But for year-round visibility it  
2 kind of centered around the tower sites, alternate one  
3 and two. I just notice that to the north of the site  
4 there was actually quite a bit of year-round visibility  
5 marked but that was kind of a wooded area, so I wasn't  
6 sure as to why that was marked as such, given that the  
7 southern area was marked similarly.

8 MR. LIBERTINE: Well, that's computer modeling,  
9 partly. It is taking into account the fact that if you  
10 go to the north and off the property, that particular  
11 wooded block does not have an enormous amount of  
12 understory in it. It is not quite as robust as to the  
13 south. I don't know why that is, but that just happened  
14 to be. So I believe that is probably the most likely  
15 reason why we are getting a little bit more showing to  
16 the north. Basically because, again, the model predict  
17 whether or not you can see any portion of that through  
18 these trees. We are assuming that, in the, in that  
19 case that we would have that ability to see through it.  
20 That is the only reason I could see for that type of  
21 display on this.

22 MR. MERCIER: Does elevation play in to your  
23 modeling at all?

24 MR. LIBERTINE: Certainly, yes.

25 MR. MERCIER: Okay.

1           MR. LIBERTINE: That tends to rise there too, a  
2 little bit, so that may be another reason why the model  
3 picked that up.

4           MR. MERCIER: Now regarding the access road off the  
5 cul-de-sac, I understand there was a chain gate  
6 proposed, with two bollards on the side supporting the  
7 chain. It is possible that such as a decorative wood  
8 fence could be installed there, a wood gate, for that  
9 matter.

10          MR. BEFERA: Absolutely.

11          MR. MERCIER: And I had one other question on  
12 Council's responses. The responses, set two of  
13 Council's interrogatories, response 32. That had to do  
14 with downlink speeds and coverage needs of the site.  
15 Let me just flip to that. That's on page six.

16                 There was a table three, called LTE data  
17 performance. Looking at the table, I understand, you  
18 know, only one of the six surrounding sectors there meet  
19 Cellco's download speed criteria. The top one there,  
20 Hamden east. Once this site is operational, proposed  
21 site, assuming it was approved, would all five of the  
22 deficient sectors meet Cellco's downlink speed criteria  
23 or could that be determined or not?

24          MR. LAREDO: It is too early to determine the exact  
25 amount of improvement, but definitely it will yield

1 great amount of improvement because it opens  
2 opportunities for us to optimize the entire area and  
3 that always brings better downlink performance.

4 MR. MERCIER: Okay. So it, if this site was  
5 operational Cellco would go out and optimize the site?

6 MR. LAREDO: Correct.

7 MR. MERCIER: So it would boost the downlink speed,  
8 but maybe not to the threshold you are looking for, but  
9 maybe one or two, but you wouldn't know until the site  
10 is operational, is what you are stating?

11 MR. LAREDO: There's correct.

12 MR. MERCIER: Okay. I have no other questions at  
13 this time. Thank you.

14 CHAIRMAN STEIN: Thank you. We will now proceed  
15 with questions from members. Starting with Senator  
16 Murphy.

17 MR. MURPHY: Mr. Libertine, on the alternate map of  
18 alternate locations one and two, there is also a three.  
19 Did you do any work at all on three? It is there and, I  
20 mean, why is it there if you didn't do anything?

21 MR. LIBERTINE: Well, at one point, and I am not  
22 sure who brought it up, we were asked to take a look at  
23 that location. Alternate site three, which is in red on  
24 that particular exhibit, that goes up on another height  
25 of land in the northeast corner of the property owner's

1 parcel. And in speaking with him during the site walk,  
2 we were out there for several hours, it became clear  
3 that that particular location is going to be converted  
4 for cultivation of another cash crop. And so, because,  
5 because it is the most arable land on the property he  
6 would like to reserve that for that to have some  
7 diversity in his agricultural endeavors.

8 So, although we did take a hard look at it, we  
9 spent several, well, spent quite a bit of time up there,  
10 looking at access, looking at the lay of the land,  
11 although it is technically feasible to construct and to  
12 access that, there are some considerations that would  
13 have to be taken. One would be access coming off of  
14 Kirk Road. It's a very steep assent into that area. So  
15 it would require quite a bit of grading. And it does  
16 push the location away from Country Club Drive, but we  
17 start picking up some other nearby residences to the  
18 east and to the south. I believe RF could live with  
19 about 100 feet there, so it is less steel in the air,  
20 but because of its higher elevation, we are still  
21 talking about a line of sight.

22 MR. MURPHY: So you still end up with the same.

23 MR. LIBERTINE: Right. And from my perspective,  
24 although we didn't fly a balloon there, certainly  
25 standing up there and then driving the area and being

1 familiar with that location, it became clear to me that  
2 it is such a prominent spot, that although we would have  
3 a shorter tower overall, I think it may actually be  
4 somewhat more visible to more folks just because of its  
5 actual location.

6 MR. MURPHY: Okay. You answered my question when  
7 you said you didn't fly --

8 MR. LIBERTINE: We did not. The property owner  
9 rejected the --

10 MR. MURPHY: But your estimate is it is more  
11 viewable than either of the other three.

12 MR. LIBERTINE: Right. And honestly, when we were  
13 on the site and we had the other balloons up, alternate  
14 site one really seemed to solve a lot of the challenges  
15 that we were faced with coming out of the first hearing.  
16 And so, because the property owner just felt as though  
17 alternate three was really not anywhere close to his  
18 first, second or third preference, we decided at that  
19 point, well, let's just focus on these others and make  
20 sure something works.

21 MR. MURPHY: So, independent of the what the land  
22 owner might have thought, in your opinion that was not  
23 as good as say, alternate one.

24 MR. LIBERTINE: Yes. Absolutely. I would agree  
25 with that.

1           MR. MURPHY: Okay. Thank you for that. When we  
2 were in Hamden, I asked the question about willing to  
3 cap this tower at the 160 feet and agree that it would  
4 not be extended. And now we have two alternatives, one  
5 at 150 and one at 120. Is the same agreement available  
6 on either or both of those.

7           MR. BEFERA: Absolutely.

8           MR. MURPHY: So if the Council were to pick any one  
9 of these three, they would be agreeable to it being part  
10 of the decision that that would be the maximum height of  
11 this tower?

12          MR. BEFERA: Yes, sir.

13          MR. MURPHY: Okay. Thank you. Turning to the  
14 charts on page five, which is kind of thing that I  
15 talked about when we were at the first hearing. How did  
16 Verizon arrive two percent?

17          MR. LAREDO: Sorry, just want to clarify, you are  
18 referring to table one, stats for Hamden northeast --

19          MR. MURPHY: Well, the standard -- excuse me -- is  
20 0.75, right, two percent -- I am sorry. How did you  
21 arrive at the 0.75?

22          MR. LAREDO: First of all, I would like to correct  
23 information that I misspoke during last hearing. It is  
24 about the 0.5 percent drop call rate target that we had.  
25 I spoke with my manager and my peers about, collectively



1 as a group, and as a market, we are actually using 0.75  
2 percent for the sector level drop call rate stats that  
3 we are using. We are using many tools in evaluating  
4 problems, and the number that I mentioned in the  
5 previous hearing is based from that. And the company  
6 envisions to improve our service further.

7 MR. MURPHY: Okay.

8 MR. LAREDO: Based from --

9 MR. MURPHY: The 0.75 percent as your standard, is  
10 that a standard for just Connecticut or standard  
11 elsewhere, as well?

12 MR. LAREDO: It is a standard for New England.

13 MR. MURPHY: New England.

14 MR. LAREDO: Yes.

15 MR. MURPHY: Okay. So for some of the states with  
16 locations where it's quite level, it is a different  
17 standard, would that be correct? Depends on the terrain  
18 and some other factors.

19 MR. LAREDO: There are many factors. Most of them  
20 are more stringent then what we are using, actually.

21 MR. MURPHY: Okay.

22 MR. BEFERA: If I may add, Senator --

23 MR. MURPHY: Yes.

24 MR. BEFERA: When looking at these charts, and  
25 seeing both a drop call percentage and seeing an

1 ineffective attempt percentage, right? Now thinking in  
2 terms of the customer experience, the customer doesn't  
3 know that they can't make a call, whether it is  
4 ineffective attempts or a dropped call, and the customer  
5 shouldn't need to know. So you can essentially --

6 MR. MURPHY: But you're upset when it happens.

7 MR. BEFERA: You could essentially add those  
8 percentages together and say, that total percentage is  
9 the inability of the customer to make or maintain a  
10 call. So in terms of the customer experience, these two  
11 percentages can be added. So it is not just one or the  
12 other and those percentages. You know, it is the  
13 percentage of ineffectiveness of the network, I guess,  
14 is the point I am trying to make.

15 MR. MURPHY: Okay. And the other thing I was  
16 interested in, and I think Dr. Klemens kind-of followed  
17 up on that, these statistics that you have given for the  
18 different sectors on these towers, what is, what is,  
19 what are they the percentage of? How many calls are  
20 going through during that week or how many does, on the  
21 top one, the 0.58 percent, represent. I mean, how busy  
22 are these towers.

23 MR. LAREDO: To sum it up, for the entire list of  
24 sectors that I provided in the set of  
25 interrogatories, there is a total of 70,000 voice call

1 attempts for that week of May 7th to May 13th. 152 of  
2 them are ineffective attempts and a total of 1,130  
3 dropped calls were generated. And you can imagine that  
4 any of these --

5 MR. MURPHY: Okay. So the long and short of it  
6 is, the six sectors here, 70,000 calls in a week in that  
7 sector, in those six sectors added together.

8 MR. LAREDO: Those six, yes.

9 MR. MURPHY: That's kind of the information that I  
10 was looking at, to get a picture of, you know, how  
11 serious is the number of dropped calls.

12 Okay. I think right now, Mr. Chairman, that is all  
13 I have. Thank you very much.

14 CHAIRMAN STEIN: Dr. Klemens?

15 MR. KLEMENS: Thank you, Mr. Chairman. I mean, the  
16 whole issue of dropped calls I'll leave to my other  
17 colleagues, because I live in a part of the state where  
18 every call I make gets dropped within two or three  
19 minutes of driving down my road. So I am not the most  
20 sympathetic when I hear about 70,000 calls and a  
21 fractional percent are dropped.

22 But I want to talk to you about some, I am going to  
23 want to talk to you about your alternate sites. And the  
24 first is a comment. I mean, looking at alternates one  
25 and two, and I don't know where alternate three came

1 from in the hearing either, because I know we talked in  
2 the field about moving it into, on the basalt ridge or  
3 way out of the woods. I don't know where alternate  
4 three came from. But looking at this, and this is a  
5 comment, I mean, we spent a lot of time, you spent a lot  
6 of time designing this proposed site and it is so clear  
7 by looking here, that there was a much better location  
8 for these, for this tower than the proposed site. There  
9 is less road building, there is less grading, there is  
10 less tree clearing. I am kind of bemused that we  
11 actually went forward with this one and hadn't actually  
12 brought those forward to us initially.

13 Having said that, I have got a couple of questions  
14 about the alternate sites one and two. Alternate site  
15 two is going to require the least amount of grading and  
16 road building; is that correct?

17 MR. WEINPAHL: That is correct.

18 MR. KLEMENS: Alternate site two is going to  
19 require the least amount of steel.

20 MR. WEINPAHL: Correct.

21 MR. KLEMENS: So alternate site two is probably, if  
22 you talk about the actual cost of erection, if you are  
23 going to have a tower, this is probably the most cost  
24 effective site to put this tower.

25 MR. WEINPAHL: Agreed.

1           MR. KLEMENS: Okay. Alternate site number  
2 three, which we have never saw, can someone explain to  
3 me how the soils there are different from what I saw on  
4 the site? Because I saw Christmas trees basically dug  
5 into, it was a traprock ridge, in little wells. Can you  
6 tell me, Mr. Libertine or Mr. Gustafson, what that soil  
7 is that has been represented as much more arable, can  
8 you describe that for the record, please?

9           MR. GUSTAFSON: Yeah, it is deeper glacial till, so  
10 the depth to bedrock --

11          MR. COHEN: We cannot hear him.

12          MR. GUSTAFSON: The location of the property  
13 identified as site three, has deeper glacial till soils.  
14 So it is a greater depth to bedrock, significantly  
15 deeper than where site two is located or where the  
16 access along that basalt ridge line where you actually  
17 have some exposed rock, bedrock. So it contains more,  
18 higher quality arable soils in relationship to site two.

19          MR. KLEMENS: All right. Now, we have had a lot of  
20 discussion in the record about if the tower were to fall  
21 down, and then hit trees and then go on the neighbor's  
22 property. I would certainly, I understood some of the  
23 arguments on the proposed site. But if, let's just for  
24 argument sake, the tower was to fall down in one or two  
25 toward the neighborhood, would it fall totally within

1 that open field, more or less?

2 MR. BEFERA: Yes.

3 MR. KLEMENS: Not that I necessarily think it will,  
4 but that was brought up as a concern that it, if you  
5 remember, that it would fall and then it would fall on  
6 trees and the trees would end up going toward Mrs.  
7 Sorrentino's house. So this whole issue there, if it  
8 were to fall, it would fall into an open area, it  
9 wouldn't have a domino effect on trees?

10 MR. BEFERA: No. And alternate site one, I am  
11 looking at Richard's measurements here, the distance  
12 from the proposed tower location at alternate site one  
13 and two, the Sorrentino residence is 347 feet and the  
14 distance to the closest -- yes, it is in excess from  
15 any, it is in excess of 300 feet from any residence at  
16 alternate site one. And I also did the research that  
17 you asked me to do last time on any history of towers,  
18 cell towers collapsing --

19 MR. KLEMENS: Yes.

20 MR. BEFERA: -- in New England. Would you like me  
21 to tell you what I found?

22 MR. KLEMENS: I would welcome that, please.

23 MR. BEFERA: Okay. Well, just to preface that,  
24 just to preface that, Verizon, or any of our legacy  
25 names that we operated under beforehand, you know, we

1 have been building towers in New England since around  
2 1981, '82, so about 35 years. We own or are tenant on  
3 over 2000 towers in New England. Now, a cellphone  
4 tower, in my opinion, is a tower that was built for  
5 cellular companies to use. But we also go on existing  
6 towers that might be owned by TV stations, radio  
7 stations, those kinds of things.

8 Well, I didn't find not one occurrence in New  
9 England where a cellphone tower collapsed at the base  
10 and fell its full height. What I did find, were two  
11 instances of tower failure. One was a cellphone tower,  
12 a monopole, similar to our proposal, whether it is a  
13 tree or it is a monopole, a fake tree or a monopole, it  
14 is a monopole. It is just a monopole with branches on  
15 it. There was about 100-foot monopole in Wellesley,  
16 Mass in 2009 -- now, because when these poles are  
17 designed, they are designed with such a level of  
18 conservatism, that even if it was a three-carrier pole,  
19 where there are three locations of ports for the coaxes  
20 to come out of the pole because they run the coax, for a  
21 clean look you run the coax inside the pole, and you  
22 come out at the three locations on the three-carrier  
23 pole, because they are designed with such conservatism,  
24 sometimes a fourth carrier will come along and say, I  
25 want to go on that pole. Well, the structural analysis,

1 depending upon what the three, first three carriers have  
2 on the pole, a lot of times it works. So what they have  
3 to do is they have to cut with welding materials,  
4 welding tools, cut ports in that fourth slot that they  
5 want to go on. Right.

6 Now, in this instance in Wellesley, they were  
7 cutting ports into a fourth slot because structurally  
8 the tower could handle it. They did not insulate the  
9 coax sufficiently. It is done a lot where ports are  
10 successfully cut into towers for a new location, but in  
11 this instance, they didn't insulate it sufficiently.  
12 The coax caught on fire and, more or less, melted the  
13 steel to the point where the tower did, as I said at the  
14 last, at the beginning of this hearing, it bent into  
15 itself. It did not collapse completely, it just, where  
16 it was melted, they taper up, that weak point where the  
17 fire was, towards the top, melted enough where the tower  
18 just bent into itself, by then the fire is out,  
19 everything is cooled down and nothing else happened.

20 Now, there was another occurrence in 2014. It was  
21 a radio tower up on Florida Mountain in North Adams,  
22 Mass. I don't know the radio station, he is our  
23 landlord, we are a tenant on the new tower that was  
24 replaced here, but there was heavy winds and a rainstorm  
25 up on Florida Mountain in 2014 and Corey Thurston, the



1 owner of this radio station, apparently was remiss in  
2 the maintenance of this lattice tower, not a monopole,  
3 but a lattice-type structure, and one of the legs  
4 sheared off at the anchor plate and caused that tower to  
5 fall into another tower that was there, because it was  
6 kind of like a tower farm there, fell into the guy wires  
7 of the tower next to it and both towers went down.

8 Other than those two instances, I was unable to,  
9 now, and that second one I would not classify as a  
10 cellphone tower, that was a radio station tower that we  
11 just happen, us and AT&T happened to be tenants on.

12 CHAIRMAN STEIN: Thank you. Mr. Lynch, I think has  
13 a follow-up.

14 MR. LYNCH: I have got a follow-up question,  
15 questions. I actually understood most of what you said,  
16 Mr. Befera. But, I have seen towers collapse, mostly  
17 lattice towers, that were also telecom towers. Now, is  
18 there a greater frequency for a lattice tower, guy or  
19 un-guyed, to collapse, than a standard monopole? That  
20 is one question.

21 MR. BEFERA: I was unable to find any data. We  
22 were just looking at New England in our searches, so I  
23 am not sure outside of New England what those statistics  
24 might be. But these were the only failures that I was  
25 able to find.

1           MR. LYNCH: Okay. I can't testify, so I'll just  
2 ask another question. The, I know that the towers are,  
3 monopoles are designed to collapse in, onto themselves,  
4 but my question relates to, not the pole itself, but the  
5 apparatus that are on the pole. If we have a hurricane,  
6 tornado, earthquake, whatever, name something, you  
7 know, what is the likelihood in the high wind, that some  
8 of these antennas will be blown off the tower onto, you  
9 know, they can become projectiles into somebody's house  
10 or around the neighborhood, that is a concern of mine.  
11 And I have been asking this question for 20 years. Mr.  
12 Baldwin will tell you that.

13           MR. BEFERA: I am not aware of an occurrence where  
14 any apparatus attached to a tower, a cellphone tower, a  
15 monopole, because cellphone towers are very rarely over  
16 200 feet, you know. And, of course, the highest winds  
17 are at the highest height. So apparatus falling off of  
18 a TV tower that might be a 1400 foot TV tower, I have no  
19 knowledge of that whatsoever. What I do know is Verizon  
20 wireless sites, which are where our apparatus, antennas  
21 and so forth, are mounted at a height no more than 200  
22 feet above ground in 99.9 percent of the instances, we  
23 have never had a situation where a piece of our  
24 equipment has been installed improperly to the point  
25 where it has flown off in any type of storm.

1           MR. LYNCH: Okay. Well, I was just curious,  
2 actually. I have been asking this question for a while,  
3 so thank you very much.

4           MR. BEFERA: Thank you.

5           CHAIRMAN STEIN: Dr. Klemens.

6           MR. KLEMENS: Thank you for doing that, because  
7 this issue comes up and I am glad to have some research  
8 now that we can point to in a docket about this issue.  
9 I appreciate it. I have no further questions, Mr.  
10 Chairman.

11          MR. BEFERA: Thank you. Mr. Hannon?

12          MR. HANNON: Thank you, Mr. Chairman. I do have  
13 some questions. On the May 23rd submittal, and I don't  
14 know why it came to me at this point in time, but is  
15 there natural gas available in the street?

16          MR. WEINPAHL: Not aware if there is.

17          MR. HANNON: If there is natural gas available in  
18 the street, would you be willing to put in a natural gas  
19 back-up generator, rather than diesel fuel?

20          MR. BEFERA: We would be willing to put in a  
21 natural gas generator, instead of a diesel fuel  
22 generator. It may involve, because it has to be run  
23 underground and we know that the site has some ledge, or  
24 quite a bit of, quite a bit of ledge that we saw on the  
25 site walk, you know, that may involve some noisy

1 construction, but I am sure it can be done. And if it  
2 is a condition of a potential approval, then we are all  
3 for it.

4 MR. HANNON: Thank you. Attachment one, map C3,  
5 talks about the proposed Cellco eight-foot high, tongue  
6 and groove green vinyl fence or other colors, that to  
7 replace the originally proposed chain link fence,  
8 correct?

9 MR. COUCH: That is correct.

10 MR. HANNON: Attachment four, map C-2A. Sort of  
11 the, I guess the western most portion, when you come to  
12 the peak of the driveway, then going down to the  
13 compound, that is a 20 percent slope and it's virtually  
14 all paved, is that correct?

15 MR. COUCH: That's correct.

16 MR. HANNON: So, I am assuming, so I don't want to  
17 assume, therefore I am asking, in terms of what I am  
18 seeing on that map, I think there is a, some of the  
19 storm water detention basins that being proposed just  
20 south of the compound, is that how I am reading it?

21 MR. COUCH: That's correct.

22 MR. HANNON: That ought to be interesting, but  
23 then -- okay. So I'll just go on to the next one, the  
24 attachment five, map C-2B. There we are only dealing  
25 with a seven-foot slope, I believe, so that is

1 relatively modest. So when you are dealing with a seven  
2 percent slope for a driveway, versus a 20 percent, what  
3 kind of problems are you eliminating by going to the  
4 seven percent from the 20? For example, like, with  
5 emergency equipment, things of that nature. I mean, I  
6 am sure the last thing you would want is if there  
7 happened to be a fire at the station, you got a fire  
8 truck coming down a 20 percent grade that is almost all  
9 ice and it can't stop until it goes through the  
10 compound. Those are things that can happen because I  
11 thought most municipalities don't like to see grades  
12 above 12, maybe 15 percent.

13 MR. COUCH: Hamden has a 15 percent driveway slope.  
14 We have certainly designed driveway grades for cell  
15 towers on its occasional use much steeper than  
16 20 percent. The question would be on its, the  
17 likelihood of the fire department going down the slope  
18 or whether it would need to go down the slope to address  
19 the fire or whether it would be able to address the fire  
20 at the top of the slope. But in certain circumstances,  
21 it would be, it would be, it could be problematic.

22 MR. HANNON: And this is just, sort of, a general  
23 question, does the Town have a requirement where the  
24 first 10 feet of a driveway is paved?

25 MR. COUCH: With a driveway.

1           MR. HANNON: Okay. The reason I am asking is,  
2 because I have seen situations in the past where, when  
3 you are not dealing with regular routine day-to-day  
4 traffic, maybe for an emergency entrance to a  
5 site, instead of going in with pavement, what developers  
6 have done is put in, sort of, a hollow checkerboard  
7 concrete where they can backfill with dirt. You grow  
8 grass on it, the structure is strong enough to be able  
9 to support the heavier equipment, but it also doesn't  
10 look like somebody has just run a road through there. I  
11 mean is this something that might be a possibility to do  
12 for a cell tower.

13           MR. COUCH: If the Town of Hamden would be willing  
14 to accept it, it would certainly be acceptable to the  
15 design.

16           MR. HANNON: Thank you. And then this is the  
17 question I have for Mr. Libertine. On map four, I don't  
18 know if you did this deliberately or if it just happened  
19 by circumstance, because I had to look at it a couple of  
20 times to get the full flavor of it. Looking at photo  
21 four, the first one when you identify site two, and that  
22 is what caught my eye, is the little notice for the site  
23 two, when you see the balloon. Okay. If you go to the  
24 second page, when I looked at that, my first reaction  
25 was that cell tower is pretty exposed from the base, all

1 the way up to the top, because you almost lined that up  
2 perfectly so it looks as though the existing telephone  
3 pole, which is wood, is the base for that tower. So I  
4 am just wondering if that was done deliberately or --

5 MR. LIBERTINE: Oh boy, I wish I could say that I  
6 had done that for everybody's entertainment value, but  
7 that was just pure, you know what, luck. Unfortunately.

8 MR. HANNON: Okay. Because the first time I looked  
9 at it, my reaction to that was, holy cow, I can't  
10 believe it is this visible at that location. So I am  
11 glad I went back and looked further.

12 MR. LIBERTINE: Yes, absolutely.

13 MR. HANNON: I have no other questions. Thank you.

14 CHAIRMAN STEIN: Thank you. Mr. Lynch?

15 MR. LYNCH: Just two follow-up questions. One from  
16 a question that Senator Murphy asked about capping the  
17 tower. I believe you said you could cap the tower.

18 MR. BEFERA: We could purchase the tower that, from  
19 the manufacturer, that is not designed for an extension.

20 MR. LYNCH: Okay. Well, thanks for clarifying  
21 that. But my question now is, under the FAA, can't  
22 another carrier come along and request to go on the  
23 tower at a higher height of, you know, I think it is 10  
24 percent higher or something? If you design the tower to  
25 only be 150 feet, how would you get around that problem.

1           MR. BEFERA: Well, if we were the owner of the  
2 tower, we could say no, you can't. You have to go below  
3 us.

4           MR. LYNCH: All right.

5           CHAIRMAN STEIN: You know, that is contrary though  
6 to both Connecticut policy, where we prefer to have  
7 sharing rather than a separate tower. And also, I am  
8 not sure whether there is, how the FCC would --

9           MR. LIBERTINE: It is actually the FCC, not the  
10 FAA.

11          MR. LYNCH: Oh, sorry. Excuse me.

12          MR. LIBERTINE: I think you are correct, that there  
13 is that --

14          MR. LYNCH: The gang of five.

15          MR. COUCH: Well, you know, I am trying to  
16 accommodate one request, while at the same time, you  
17 know, what I really should consider is to not be  
18 contrary to the policy knowing that, should another  
19 carrier want to put an extension on this tower, they  
20 would have to come before you for approval. So you  
21 would ultimately have the decision on whether or not you  
22 would allow this two to be extended or not. So I still  
23 could put a tower that is, has the ability to be  
24 extended, and the decision would still be in your hands.

25          CHAIRMAN STEIN: I think you should really check



1 the FCC law on this. It is not a discretionary, and it  
2 is Federal Law. It is not something that we are making  
3 up, so you, before you make these statements, which I  
4 think are only partially correct, somewhat misleading, I  
5 think, but maybe I'll -- since I am not an attorney, not  
6 get into hot water. Let me ask our executive director  
7 to comment. We didn't say, I didn't say it was a  
8 requirement. But I just said, I don't think we have the  
9 discretion.

10 MS. BACHMAN: Thank you, Mr. Chairman. In  
11 October 2014, the FCC issued a report a report and order  
12 regarding eligible facilities requests modification to  
13 existing facilities that are nondiscretionary to state  
14 and local authorities, if they meet certain criteria.  
15 An extension of the height, by either ten percent or 20  
16 feet, whichever is greater, if it's less than that, it  
17 is not a substantial modification to the height and the  
18 tower, and therefore it is nondiscretionary.

19 If AT&T comes along, I understand Mr. Befera that  
20 you represent Verizon and you are perfectly amenable to  
21 the fact that you don't want the tower to be any higher.  
22 Unfortunately, if AT&T comes to us with an eligible  
23 facilities request, and even though you say no, they can  
24 come to us and ask for a feasibility proceeding and say,  
25 we want to share the tower, we want to go at 170 feet,

1 under the FCC rules, it is an eligible facilities  
2 request, it is nondiscretionary and we come to you,  
3 Siting Council, and say; A, determine that it is  
4 feasible for AT&T to increase the height of the tower  
5 and go at 170 feet; and B, issue the favorable ruling on  
6 the eligible facilities request for AT&T that they can  
7 accomplish this under the FCC rules.

8 So I think that is where there is a little bit of  
9 misunderstanding. I think Mr. Lynch really pointed it  
10 out. We understand that Verizon would be willing to cap  
11 the height of the tower. It is just that there is a  
12 possibility that Verizon could be forced to increase the  
13 height of the tower by AT&T or someone else coming to us  
14 and making that request under the eligible facilities  
15 request.

16 MR. BALDWIN: Just to be clear, and I agree with  
17 everything that Attorney Bachman said, but at the end  
18 off the day it would be AT&T who would be increasing the  
19 height of the tower, certainly not Verizon. And I think  
20 what Mr. Befera was saying, which he was simply  
21 responding to Senator Murphy's statement that, you  
22 know -- maybe the easier way to answer the question  
23 would have been, Verizon needs the height it needs, at  
24 160 feet or 150 feet or 120 feet, that is all it has  
25 interest in. If some carrier comes along in the future,

1 we don't want to speculate about what may or may not  
2 happen, but I think you're right. As far as the federal  
3 law requiring approval of those eligible facilities  
4 requests, that is out of our hands, it is out of the  
5 Council's hands.

6 MS. BACHMAN: Thank you, Attorney Baldwin. I  
7 certainly didn't want the residents in the room under  
8 the impression that the tower height would be absolutely  
9 capped and never increase in the future.

10 MR. BALDWIN: Understood.

11 MR. LYNCH: And I want to thank the Chairman and  
12 Attorney Bachman and Attorney Baldwin for clearing up my  
13 questions.

14 MR. COHEN: Excuse me, Mr. Chairman, I have no  
15 objection to Attorney Baldwin commenting or testifying.  
16 I think it is clear that before this Council, on behalf  
17 of Mrs. Sorrentino, it is pretty clear that whatever  
18 tower, assuming that the tower is approved by this  
19 Council, that there has to be an understanding and  
20 assumption by those of you who are making this decision,  
21 that there is a possibility that the tower could be  
22 increased by 10 feet or 20 percent. Thank you.

23 CHAIRMAN STEIN: Mr. Lynch?

24 MR. LYNCH: I have two other questions. I think  
25 they are both for Mr. Laredo. You were talking earlier

1 about dropped calls and being in the certain area. My  
2 question is, is it more, is it more of a problem for you  
3 to have a dropped call or to have a customer within  
4 those areas not being able to generate a call?

5 MR. LAREDO: It actually works both ways, because  
6 as a measure of reliability, we --

7 MR. LYNCH: Then let me ask it this way; where do  
8 you get more customer complaints?

9 MR. LAREDO: Oh -- it is actually both, from  
10 dropped calls and low -- or downlink speed.

11 MR. LYNCH: Okay. All right. I'll take that. And  
12 my next question is, has nothing to do with this docket,  
13 it is an overall question on telecommunication. And  
14 that is, I understand that Google is coming out with  
15 their new phone that will, while people are driving,  
16 will stop them from texting. Now, is this something  
17 that a service like Verizon can also implement?

18 MR. LAREDO: It is actually a service that Google  
19 implements. They just use our channel to enable that  
20 service to be implemented on the user side. So we don't  
21 have any discretion whether it should be implemented or  
22 not.

23 MR. LYNCH: So -- okay. Thank you very much. No  
24 more questions, Mr. Chairman -- oh, I do have a question  
25 on Mrs. Sorrentino, on her testimony, but it hasn't been

1 introduced as testimony yet. So I'll wait.

2 CHAIRMAN STEIN: We haven't gotten to that yet.

3 Okay. I have a question, I guess, relating to traffic  
4 impacts. How long is the construction period for one of  
5 these towers, roughly.

6 MR. WEINPAHL: Two to three months.

7 CHAIRMAN STEIN: Two to three months. And --

8 MR. WEINPAHL: With all the inspections required by  
9 the codes, you know. Drilling, prepping the road. I  
10 don't want to shortchange the timeline. It may go a  
11 little quicker than that, but it, there is a process to  
12 it.

13 CHAIRMAN STEIN: Roughly. So during that period  
14 there, would it be both vehicles of tradesman or trade  
15 going there, as well as construction equipment; is that  
16 correct?

17 MR. WEINPAHL: Yes.

18 CHAIRMAN STEIN: Okay. Now once construction is  
19 completed, what is the traffic generation on a daily,  
20 weekly, monthly basis?

21 MR. WEINPAHL: The latest we have from, I'll let  
22 Tony correct this if I misstate it, but I believe  
23 Verizon now, for their field operations group, requires  
24 them to go to the project at least once every quarter,  
25 unless there is an alarm or something that goes off and

1 they have to go out on the equipment. But, so maybe  
2 only four times a year someone may go to the Verizon  
3 facility. Everything else will just basically run  
4 itself. There is a refueling that has to take place,  
5 that will get also handled, but this isn't a daily or  
6 weekly traffic facility.

7 MR. BEFERA: Cell technicians are required to go  
8 not less than once a quarter in a passenger vehicle,  
9 typically an SUV. Normal size SUV.

10 CHAIRMAN STEIN: Okay.

11 MR. BEFERA: Not less than once a quarter, never  
12 more than once a month, unless, of course, there is an  
13 alarm of sorts. Now, say natural gas is 600 feet away  
14 and it is going to cost us half a million dollars to  
15 bring natural gas to the site, I wouldn't expect us to  
16 be required to do that. Say we end up back at the  
17 diesel generator. The diesel generator, unless there is  
18 a case of a power outage where it runs continuously for  
19 a day or two, we run the generator, no matter what type  
20 of fuel type, on a maintenance program, a half hour  
21 every two weeks. In the case of this proposed  
22 generator, 20 kilowatt generator, say it is the  
23 diesel, unless there is a power outage, that exercising  
24 won't require refueling of that generator more than once  
25 a year.

1           Now, if there is a power outage, it can run  
2 continuously for up to 67 hours under 75 percent load.  
3 In those cases, it may need to be refueled more often.  
4 But short of the power outage, once a year. And let's  
5 just say, once a month for a passenger vehicle for  
6 routine site maintenance.

7           CHAIRMAN STEIN: And I assume it can be refueled by  
8 one truck.

9           MR. BEFERA: Yes. Yes.

10          CHAIRMAN STEIN: I am sure it's somewhere in the  
11 file, but maybe somebody can answer, what is the zoning  
12 of the parcel? I just don't remember.

13          MR. BEFERA: R3, I believe.

14          CHAIRMAN STEIN: Which allows --

15          MR. BEFERA: It allows this stuff by special  
16 permit. I read that in the write-up.

17          CHAIRMAN STEIN: No, but is that, basically, a  
18 residential zone?

19          MR. BEFERA: R3 is residential. It is residential  
20 3 and wireless telecommunication facilities permitted in  
21 all zones subject to approval of special permit --

22          CHAIRMAN STEIN: Well, you are going ahead. My  
23 question is, this site that could also be developed for  
24 single family houses; is that correct?

25          MR. BEFERA: Oh absolutely, yes.

1           CHAIRMAN STEIN: And the single family,  
2 construction of a single family house, roughly two,  
3 three, four months depending on --

4           MR. BEFERA: At least, mine took longer than that.

5           CHAIRMAN STEIN: And single family house, I used to  
6 remember, but I don't anymore, about the average, I  
7 believe it is daily trip, about two. I think it is two.

8           Okay. So in other words, I guess the question is,  
9 traffic would also be generated if this was developed  
10 for single family homes; is that a correct statement?  
11 Just have to answer yes or no.

12          MR. BEFERA: Yes. Daily traffic, I would assume.

13          CHAIRMAN STEIN: Okay. Now we have appearance by  
14 the party, Mrs. Sorrentino.

15          MR. COHEN: Thank you, Mr. Chairman. On behalf of  
16 Mrs. Sorrentino, Burt Cohen, Murtha Cullina, along with  
17 Bridget D'Angelo, Murtha Cullina. And I assume we are  
18 in to cross-examination?

19          MS. BACHMAN: Attorney Cohen, you can take that  
20 table so that the two of you would be more comfortable.  
21 And Attorney Baldwin, perhaps, could cross-examine  
22 from --

23          MR. COHEN: This is fine. If you want to stay  
24 there, Ken.

25          MR. BALDWIN: This is cross of Verizon witnesses,



1 that where we are?

2 MS. BACHMAN: We got ahead of ourselves.

3 MR. COHEN: Are we okay?

4 MS. BACHMAN: Yes, when we swap out --

5 MS. D'ANGELO: Good afternoon. My name is Bridget  
6 D'Angelo, and I represent Patricia Sorrentino.

7 Referring to the first attachment of the supplemental  
8 prefile testimony, we filed on June 6th, 2017, and  
9 specifically reference pages 22 and 23. Referencing  
10 page 23, where it indicates -- referencing page 23 where  
11 it indicates that call fail rates below two percent are  
12 excellent, can you explain for the record why you  
13 justify relaying on a 0.75 percent drop call rate as the  
14 basis for you needing this facility.

15 MR. BALDWIN: Mr. Chairman, I am going to object to  
16 the question. The information that is being referred to  
17 as the basis of the question is not an exhibit in this  
18 proceeding.

19 MR. COHEN: Well, we could, we could introduce Mrs.  
20 Sorrentino and have her adopt all these exhibits, but if  
21 Mr. Baldwin wants to stand on that, we have no objection  
22 to doing that. But it seems a little silly at this  
23 point to do that.

24 MR. BALDWIN: Well, it is not silly, it is not an  
25 exhibit in the record. It is also not an exhibit -- we

1 will object, even if Mrs. Sorrentino accepts the  
2 exhibit, it is not an exhibit that she prepared, nor is  
3 it something that she can testify to. So I am not sure  
4 why we need these exhibits in the record after all.  
5 These were attachments to supplemental testimony. I  
6 think, if the question is, where did Verizon come up  
7 with the 0.75 standard, that question has been asked and  
8 answered by senator Murphy.

9 CHAIRMAN STEIN: I'll ask Attorney Bachman to  
10 comment.

11 MS. BACHMAN: Attorney Cohen, the document that  
12 Attorney D'Angelo is referencing is attached to the  
13 interrogatories that were submitted to Verizon from your  
14 client, Mrs. Sorrentino, correct.

15 MR. COHEN: To clarify, it was the prefile  
16 testimony, Attorney Bachman. And prefile testimony  
17 indicates that my client found this on the internet.  
18 And it is out there. By the way, it is a pretty  
19 favorable exhibit to Verizon just from a PR perspective.

20 CHAIRMAN STEIN: I mean, I think if everybody is  
21 aware of that, I think I am going to allow continuation  
22 for whatever, what it's worth. So if you have, one of  
23 your experts want to comment.

24 MR. COHEN: Thank you, your Honor.

25 MR. LAREDO: So, basically Verizon, as a company,

1 stands behind our drop call rate threshold, which is  
2 0.75 percent. I understand, based from the attachment  
3 submitted in the interrogatories relating to the two  
4 percent drop call rate threshold that RootMetric is  
5 using, basically they use that number to compare  
6 different operators. We have our own criteria's. I  
7 mean, each company have their own criteria's.

8 RootMetric has to come up with a unified way to compare  
9 us. The methods that they are using to collect their  
10 data is not supervised by Verizon Wireless.

11 So, in short, that's their data and we evaluate our  
12 own and we based the 0.75 percent from what we see our  
13 network, based from our internal statistics. The  
14 methods on how that data is presented, as well, is  
15 different from how we look at our, the performance of  
16 our network, basically.

17 MS. D'ANGELO: Okay. So is your standard for  
18 Hamden higher than the rest of the New England region?

19 MR. LAREDO: Like what I stated previously, we are  
20 trying to achieve 0.75 percent in the entire New England  
21 and basically, based from the performance of all the  
22 surrounding sectors, through this proposed vicinity, it  
23 is actually 1.61 percent. If I, referring to dropped  
24 call rate for all of those six sectors that are going to  
25 be improved by placing this facility in this section of

1 Hamden. So that's --

2 MS. D'ANGELO: Thank you.

3 MR. LAREDO: Just want to say, it is way above our  
4 threshold.

5 MS. D'ANGELO: Thank you. Referring to the first  
6 page of the second attachment of the supplemental  
7 prefile testimony we filed on June 6th, it was the same  
8 exhibit that I just referred to. It indicates that  
9 Verizon customers report only 1.5 percent of calls being  
10 dropped. Again, I ask the same question, why are you  
11 relying on 0.75 percent of dropped calls as the basis  
12 for your need for the tower.

13 MR. BALDWIN: Could you just clarify for us, on  
14 that page are you talking about customer reports of that  
15 percentage?

16 MS. D'ANGELO: So under the bold heading, dropped  
17 calls.

18 MR. BALDWIN: What page are we on, again?

19 MS. D'ANGELO: The first page of the second  
20 attachment. It is called Change Wave Research. The  
21 first page of that.

22 MR. BALDWIN: And so, again, same objection as to  
23 the exhibit, Mr. Chairman. But in the interest of  
24 moving things along, are we talking about the top table  
25 on page two?

1 MS. D'ANGELO: We are talking about the dropped  
2 calls heading that is bolded. The first sentence there.

3 MR. BALDWIN: On page two?

4 MS. D'ANGELO: No, the first page.

5 MR. KLEMENS: What page are we looking at, please?

6 MS. D'ANGELO: So it's the --

7 MR. KLEMENS: I have it, but you are on page two or  
8 three?

9 MS. D'ANGELO: The first page.

10 MR. KLEMENS: Thank you.

11 MR. BALDWIN: But again, that paragraph, I think,  
12 talks about customer reporting, correct? I am just  
13 trying to get the witnesses the right question.

14 MS. D'ANGELO: Correct.

15 MR. BALDWIN: And just to clarify, again, this is  
16 the April 27th, 2010 Change Wave Research report that we  
17 are talking about?

18 MS. D'ANGELO: That's correct.

19 MR. LAREDO: So, basically, if I read it correctly,  
20 it's, that data is based from April 27th of 2010.  
21 During that time we don't, we still don't have, voids on  
22 LTE 700, which is the actual data that was presented, so  
23 we cannot compare this.

24 And second, the 1.5 percent dropped call number  
25 that they use here, that, this is reported by Verizon

1 Wireless customers, definitely there are a lot more  
2 customers that weren't reporting those incidents.  
3 So, it is something that we cannot, basically, use.

4 MS. D'ANGELO: Thank you.

5 MR. BEFERA: It was a different voice service in  
6 2010. It wasn't even the voice service we have now.

7 MS. D'ANGELO: Referring to your response to  
8 question 37 of set two of the Council interrogatories  
9 from May 23rd, 2017. In your response you indicated  
10 that refuelling contractors are required to utilize  
11 temporary spill prevention measures during all  
12 refuelling operations. Describe for the record to what  
13 extent said spill measures are temporary.

14 MR. BALDWIN: Are temporary?

15 MS. D'ANGELO: That was the language used in the  
16 response.

17 MR. BALDWIN: I am just trying, you kind of faded  
18 off there, the last two words of your question were  
19 temporary --

20 MR. COHEN: Do you want to read back the question  
21 for us, please.

22 CHAIRMAN STEIN: We don't have to read it back.  
23 Why, don't you just tell us what the question was.  
24 Something about temporary.

25 MS. D'ANGELO: So, in your response, you indicated

1 that refuelling contractors are required to utilize  
2 temporary spill prevention measures during all  
3 refuelling operations. Describe for the record to what  
4 extent said spill measures are temporary.

5 MR. WEINPAHL: As it pertains to the generator in  
6 the diesel tank, there is a two-gallon spill containment  
7 system, you know, at the top of the tank, which is  
8 connected to an alarm that if, for some reason, the  
9 diesel was left running, it would be notified with an  
10 audible alarm would alert the technician that he has  
11 left the pump running.

12 The other comment that you are referring to, I  
13 don't know if I made that statement, but maybe Tony can  
14 describe what else they are going to do out there for  
15 refuelling.

16 MR. BEFERA: I don't know where she is referring  
17 to.

18 MR. LIBERTINE: It is actually question 37.

19 MR. BEFERA: Well, the generator set itself has  
20 that two and a half gallon spill prevention measure. I  
21 am not aware of refuelling contractors utilizing any  
22 types of berms or anything during the course of a normal  
23 refuelling because that built in spill prevention is  
24 part of the gen set itself. There are berms, there are  
25 refill procedures that we have at diesel sensitive sites

1 that include using berms in a temporary fashion when  
2 deploying portable generators at diesel sensitive sites  
3 since most portable generators are diesel. So I don't,  
4 but I don't think that that is what we are talking about  
5 here. I think what we rely on, on the majority of our  
6 sites, especially those that are not diesel sensitive,  
7 on the spill prevention inherently built in to the  
8 machine itself.

9 MR. LIBERTINE: That may just be an awkward use of  
10 the term. I am not sure what temporary really means.  
11 And I am not sure who was responsible for writing this.  
12 I do know that the fuel contractors do have absorbants  
13 and other materials if there were to be some type of an  
14 overfill that actually went beyond the two gallon  
15 additional capacity. There, these are things that they  
16 have in all cases of home residential heating oil, folks  
17 have the same thing. So I think that is probably what  
18 that is referring to, but I just think the word  
19 temporary should be struck. Because it is awkward and I  
20 am really not sure if it has any bearing. If that helps  
21 any.

22 MS. D'ANGELO: Thank you. In your response to  
23 number, question 5A of your Second Set of  
24 Interrogatories from Mrs. Sorrentino filed on May 30th.  
25 As I read your response, small cells are an alternative.



1 A technically feasible alternative. While it may not be  
2 your preference, it is still an alternative. Why  
3 haven't you presented that to the Siting Council as one  
4 of the alternatives to the cell tower?

5 MR. LAREDO: Basically because of the size of an  
6 area that we want to improve. It is not feasible to  
7 place so many small cells just to be able to cover that.  
8 And as part of our intent to optimize the entire  
9 cluster, it will come down to so many small cells, but  
10 not actually giving the coverage benefit that we  
11 entirely want to propose for this entire area.

12 CHAIRMAN STEIN: Mr. Lynch, a follow-up?

13 MR. LYNCH: Just one follow-up question. If you  
14 utilized smaller cell sites as in your  
15 interrogatories, or their interrogatories, the, would  
16 that still have to report back to a, one master base  
17 site?

18 MR. LAREDO: Yes. Basically there are some  
19 equipment that is located on macro site where the small  
20 cells are going to be linked to. So it would require  
21 that, yes.

22 MR. LYNCH: So the small sites would all be linked  
23 to one, for lack of a better word, master site?

24 MR. LAREDO: Correct. We call it --

25 MR. LYNCH: Thank you.

1           CHAIRMAN STEIN: I think Dr. Klemens.

2           MR. KLEMENS: Yeah, I have a follow-up on this  
3 also. As I am reeding this, is it possible to replicate  
4 the level of service or gap coverage using these small  
5 cells, or is there a disconnect between the amount you  
6 could use and the coverage and the effectiveness versus  
7 the tower? I hope I am being clear.

8           MR. LAREDO: Yes. If we talk about effectiveness,  
9 definitely. Nothing compares to placing one single  
10 tower at the right height, penetrating better inside  
11 homes which we want to achieve ultimately in the end.  
12 As opposed to placing multiple small cells on utility  
13 poles, for example, with limited height and various  
14 susceptible to attenuation because of surrounding  
15 structures, like trees and all sorts of residences as an  
16 example, and especially the topography of the area. So  
17 it is going to be, it is going to cost us a lot,  
18 basically, from that standpoint. And in terms of  
19 network performance, having the right capacity for the  
20 facility that we are deploying is still the most  
21 effective way.

22           MR. KLEMENS: Thank you.

23           MS. D'ANGELO: Mr. Laredo, given what you just  
24 testified, are you modifying your response that was  
25 indicated in 5A that said, technically it is possible

1 that a series of small cell installations could provide  
2 wireless service to the area around the Hamden 8  
3 facility?

4 MR. LAREDO: So technically, if we were given the  
5 chance to place small cells on spots where we really  
6 need them, it is, it is going to work. But the problem  
7 here is not every area in that section of Hamden has  
8 utility poles. So we are, kind of, limited to that  
9 extent.

10 MS. D'ANGELO: Mr. Laredo, have you done an  
11 analysis on what you just mentioned, and on the cost  
12 differential?

13 MR. LAREDO: Can you please repeat your question?  
14 Just want to make I completely understand.

15 MS. D'ANGELO: Have you performed an analysis on  
16 the cost differential of small cells versus the cell  
17 tower proposed in this proceeding?

18 MR. LAREDO: No, I don't.

19 CHAIRMAN STEIN: Excuse me. I have a follow-up  
20 question. So if you don't have a utility pole, what  
21 would you place the cell tower on? Would you have to  
22 have a small tower or something? How do you, how do  
23 you, because obviously you -- I am just trying to  
24 understand how you would handle it if we were to go the  
25 route of the small sell.

1           MR. BEFERA: Mr. Laredo was answering the question  
2 that it is possible assuming that there are utility  
3 poles where we would need them without equipment  
4 conflicts that bar us from using them. There are  
5 equipment conflicts that exist on the utility pole  
6 infrastructure, such as transformers, utility pole  
7 owners don't allow us to go on sites with those.  
8 Risers, utility pole owners don't allow us to go on  
9 poles with those. Junction poles where you have got  
10 lines going this way and you got lines ninety degrees  
11 going this way, we can't use those. So even though we  
12 do deploy small cells in areas where it is appropriate,  
13 this is not an appropriate area for such a solution.  
14 But even if we were to explore that possibility, it is  
15 not going to allow us to provide the ubiquitous coverage  
16 that we need for a large area like this, because there  
17 are going to be equipment conflicts. There are going to  
18 be areas where utilities are run underground and we  
19 don't have utility poles to choose from. So it would be  
20 a complex design leaving smaller holes within the large  
21 area that we can take care of with this one facility.  
22 And we are talking years. Our coverage issues exist  
23 today. Our corresponding capacity deficiencies and  
24 demand for our services in this area, exist today. We  
25 are looking to try to accomplish this solution over the

1 next 12 months. For us to pursue alternative utility  
2 poles from start to finish, through the process recently  
3 reinstated by the Public Utilities Regulatory Authority,  
4 we are talking years for us to even come close to  
5 duplicating half of what we are looking to accomplish  
6 here with this one facility.

7 CHAIRMAN STEIN: I think Mr. Lynch, do you have --

8 MR. LYNCH: Yeah, I have one follow-up question.  
9 In Verizon's network in the past few years, you have  
10 been using smaller cells, but not on, attached to poles  
11 or, that you were talking about Mr. Befera, but they are  
12 on buildings. And they, would that be, my question  
13 then, first part of it, would that be a different  
14 scenario then putting them on the poles if you could  
15 find buildings that would be adequate for your needs and  
16 your network?

17 MR. BEFERA: If there were a 12-story building on  
18 this property, we would go on this 12-story building  
19 that isn't on this property.

20 MR. LYNCH: All right. Let me back up. Because  
21 these small facility, towers that you have been doing,  
22 have been in much smaller buildings, you know, one or  
23 two stories, and, you know, they have been utilized, and  
24 they are actually in your network right now. We have  
25 approved the, Mr. Baldwin has been out there, we know.

1 That is what I am talking about, not something that is  
2 on, that you see all the time on 12-story buildings with  
3 the antennas. That is what I am talking amount.

4 MR. BEFERA: Yes, there are other areas where those  
5 have been appropriate and satisfied the objective. This  
6 is not one of these areas.

7 MR. LYNCH: Well, that was what I wanted to hear,  
8 if it was or wasn't.

9 MR. BEFERA: This is not one of those areas.

10 MR. LYNCH: All right. Now, with regards to the  
11 small cells that I am talking about that you have used  
12 in the past, what's their limit of capacity, how many  
13 sectors did they have in, within each one, and, as  
14 comparable to what you are putting on the tower.

15 MR. LAREDO: Basically one standard small cell  
16 comprises of one radio head, so it's capacity is,  
17 equates to single carrier sector.

18 MR. LYNCH: Could you just repeat that? I just  
19 didn't hear it.

20 MR. LAREDO: Actually equates to one sector in a  
21 single carrier.

22 MR. LYNCH: Okay. Thank you very much. That is  
23 all, Mr. Chairman.

24 MS. D'ANGELO: I have a follow-up question, Mr.  
25 Befera, have you done an analysis of utility poles and

1 the commercial buildings or street lights or any other  
2 structures that small cells could be placed on in this  
3 area?

4 MR. BEFERA: We did. We did do a search. We did  
5 not do an analysis of utility poles, because that is not  
6 the solution for this objective. But we did do an  
7 extensive search. We looked at a number of sites that  
8 are called out in our initial submittal. We looked at  
9 some Town properties to the northeast of the target  
10 location. Those were not sufficient. They were too  
11 chose to an existing site that we have, I believe Hamden  
12 2. We looked at another Town property, at 905 Shepherd  
13 Avenue and that was a deficient location based on a  
14 couple hundred feet in a difference in elevation and the  
15 parcel was too small. We went to, you know, at the  
16 suggestion of the Town, to explore further their  
17 properties. We looked at the golf course. Now the golf  
18 course would have been acceptable, but then the Town  
19 changed their mind and said it wasn't available to us.  
20 We looked at the heavily wooded parcels to the north of  
21 our subject property, but for us to get a facility in  
22 there, would have been an exponential difference in  
23 environmental disturbance to build an access road and a  
24 compound and a tower site in this densely wooded area to  
25 the north of the subject parcel. So we did look at the

1 possibilities. You can't, you know, to, when you are  
2 surrounded by seven existing macro cells, the circle  
3 that you need to be in gets smaller. Because you are  
4 too close in one way, you are not satisfying the  
5 objective in the other way. So you are somewhat  
6 limited.

7 MS. D'ANGELO: Mr. Befera, those are all tower  
8 sites that you mentioned.

9 MR. BEFERA: Yes.

10 MS. D'ANGELO: So it didn't really seem to answer  
11 my specific question about the small cells. If you have  
12 a small cell site, in particular, that you observed,  
13 please submit that into the record.

14 MR. BEFERA: This was not an application for a  
15 small cell. This objective cannot be solved with a  
16 small cell.

17 MS. D'ANGELO: I am sorry, I misspoke. Did you  
18 have a study, you said you performed an analysis and I  
19 would assume there is a study going along with that.

20 CHAIRMAN STEIN: I thought he already answered the  
21 question that they did not do -- however you define a  
22 study of small cells because they determined that was  
23 not feasible.

24 MR. COHEN: That's my mistake, Mr. Chairman. I  
25 thought I heard him say he did an analysis. If I am in



1 error, then I apologize.

2 CHAIRMAN STEIN: Well, I guess the definition, it  
3 depends on what you define -- but why don't you -- is  
4 the question as to whether they did a study, whatever a  
5 study means, of small cell sites, other than what they  
6 have just been telling us for the last half hour?

7 MS. D'ANGELO: Yes.

8 CHAIRMAN STEIN: That's the question. But, so can  
9 you just answer, maybe you can answer that yes or no, or  
10 maybe I am not sure.

11 MR. BEFERA: No small cell study because a small  
12 cell is not the solution to our issues in this area. It  
13 is not the answer. It will not satisfy the objective.  
14 So small cells are not consideration for this objective.

15 MS. D'ANGELO: Okay. We understand that is your  
16 position. Refer to page 65 and 66 of your testimony  
17 from the May 2nd hearing. Mr. Laredo indicated in his  
18 testimony that the tower could provide capacity for the  
19 next three or four years. Four years seems like a very  
20 short period of time given the effort undertaken for  
21 this process and to construct the tower; isn't that  
22 true.

23 MR. BALDWIN: Could you repeat the last part of  
24 that question?

25 MS. D'ANGELO: Four years seems like a very short

1 period of time given the effort undertaken for this  
2 process and to construct the tower; isn't that true?

3 MR. BEFERA: No.

4 MS. D'ANGELO: Why not?

5 MR. BEFERA: Because it is, that is not a short  
6 time. Four years is four years. Now, as Jaime has  
7 stated before, until the site is built and all  
8 surrounding sites including the new addition is  
9 optimized, that is an educated guess as to how long it  
10 will be sustained. And whatever new technologies may  
11 come out that we can add to the existing sites in this  
12 one in the future that might provide additional capacity  
13 relief. So four, five years, given our current  
14 frequencies, might be reasonable. But might also be a  
15 conservative guesstimate.

16 MR. LYNCH: Could I just add one follow-up question  
17 to that? Is there, is the, this time FCC, contemplating  
18 another auction for a different band? I thought I heard  
19 that some of the bands that are being used for AMG's and  
20 stuff were going to be utilized; is that true? Or are  
21 they going to have another auction? I guess that is my  
22 question.

23 MR. BEFERA: I do not know.

24 MR. LYNCH: Fair enough.

25 MR. COHEN: All set?

1 CHAIRMAN STEIN: I think that's the answer.

2 MR. COHEN: Okay. Thank you. All right. May I  
3 ask, would you like to take a break?

4 CHAIRMAN STEIN: I didn't say that.

5 MR. COHEN: No, I just asked.

6 CHAIRMAN STEIN: No, I mean, at some point  
7 depending on where we are at about 8:00 o'clock tonight  
8 I might want one.

9 MR. COHEN: It will not be my mention. Gentleman,  
10 my name is Bert Cohen. I have a few questions on behalf  
11 of Patricia Sorrentino. And my guess is, is that since  
12 we are not going to take care of Dr. Klemens coverage  
13 issues, we will move on and focus on the, few of the  
14 proposed sites.

15 And Mr. Befera, Mr. Libertine, I think we are going  
16 to have a little conversation about those. If that is  
17 okay with your gentleman. With respect to alternate  
18 two, can we just go through, maybe alternate one and  
19 alternate two, the access road dimensions again? The  
20 length for each, because it wasn't clear to me. I am  
21 not very good, I am a lawyer, I am not very good at  
22 reading these charts. And I am not going to refer to  
23 any exhibits, I don't have them.

24 CHAIRMAN STEIN: Is there a question?

25 MR. COHEN: There was. The dimensions for the

1 access roads for alternates one and two.

2 MR. BALDWIN: And just for the record, this is  
3 applicants Exhibit Number 9.

4 MR. KLEMENS: What do you mean by dimensions? You  
5 mean, width or length?

6 MR. COHEN: Let's do width and then let's do  
7 length. If you want to do height, that is fine too. I  
8 am more interested in the length and width.

9 MR. COUCH: Alternative site two, the driveways are  
10 12 feet in width, and it has a length of 250 linear  
11 feet. Alternative site one, the same 12 foot width.

12 MR. COHEN: Now, you can understand why I couldn't  
13 quite figure it out either.

14 CHAIRMAN STEIN: In my day we had this little thing  
15 with a wheel and you just did it. I guess that was more  
16 high tech then we are today.

17 MR. COUCH: It is 373 linear feet.

18 MR. COHEN: I am sorry, 373.

19 MR. COUCH: 373 linear feet.

20 MR. COHEN: Okay. And just for the record, I  
21 assume if alternate three were in the mix, it would be  
22 the same width, but you don't have a measurement or an  
23 estimate of what the -- no assessment was made about the  
24 length.

25 MR. WEINPAHL: No.

1           MR. COHEN: Now, both alternate one and alternate  
2 two are assuming that you are going to come in through  
3 the cul-de-sac portion of Country Club Lane; is that  
4 correct.

5           MR. COUCH: Yes.

6           MR. COHEN: So you are going to be cutting into,  
7 there is a curve there on, from what I recall, you are  
8 going to be cutting into that curb?

9           MR. COUCH: Yes, correct.

10          MR. COHEN: Okay. And can you state for the record  
11 what the, how much of that curb you will be removing for  
12 alternates one and two?

13          MR. COUCH: They will be the 12-foot width of  
14 driveway, plus the radius of entrance on either side, so  
15 it would be approximately 22 feet.

16          MR. COHEN: So you are going to be taking out 22  
17 feet of the cul-de-sac curb for that?

18          MR. COUCH: Correct.

19          MR. COHEN: I do recall in one of the exhibits  
20 there was something about a 20 foot easement that  
21 included the driveway, and what was that easement  
22 related to? Was that for utilities to come in, for  
23 power to come in?

24          MR. COUCH: Yes.

25          MR. COHEN: And power would come in through areal,

1 underground?

2 MR. COUCH: It is underground.

3 MR. COHEN: Okay. So there would be further, there  
4 would be further digging that would be -- would be  
5 additional digging that would be required for that or  
6 would that be done in conjunction with the construction  
7 of the access road?

8 MR. COUCH: It would be continuous excavation and  
9 preparation with the driveway and utilities.

10 MR. COHEN: Okay. Explain the drainage situation,  
11 particularly off of alternate two. I know there was  
12 some talk about a storm drain. So, you know, from what  
13 I, what I could see, there would be some water potential  
14 water runoff into Country Club, into the cul-de-sac  
15 portion of Country Club Lane. How would you propose to  
16 make sure that that didn't happen?

17 MR. COUCH: There is storm water that runs  
18 currently from the slopes, down towards, from the north  
19 to the south. The driveways is a gravel driveway, which  
20 is a pervious surface, allows water to permeate into it.  
21 It is not an impervious surface, but a gravel driveway.  
22 And the driveway is pitched from the upgraded side of  
23 the terrain from the west, down slope to the east and is  
24 shedding into property. And the discharge from the  
25 property, the storm water discharge is an increased from

1 a two through 100-year storm.

2 MR. COHEN: So you are guaranteeing to every  
3 resident on Country Club -- Verizon is guaranteeing to  
4 every resident on Country Club Lane, there would be no  
5 storm water runoff that is caused by alternate site two?

6 MR. COUCH: No. What the design says, is there will  
7 be no increase in the storm water runoff as a result of  
8 this construction. There is already storm water runoff  
9 running from the sight.

10 MR. COHEN: Okay. So you are not going to make any  
11 improvements, then, that would benefit any of the  
12 residents on Country Club Lane with respect to storm  
13 water drainage? In other words, you are going to leave  
14 it the way it is and you are not going to do anything to  
15 eliminate the storm water runoff; is that your  
16 testimony, sir?

17 MR. COUCH: The, there will be no increase in storm  
18 water runoff for the two through the 100-year storms.

19 MR. COHEN: Okay. So I'll take that as no  
20 improvement. Thank you. I'll move on.

21 CHAIRMAN STEIN: Dr. Klemens has a follow-up.

22 MR. KLEMENS: Yeah, I do have a question, actually.  
23 I am looking at the plans for alternative one and two.  
24 And Mr. Couch has testified that it was going to be a  
25 22-foot curb cut removal, and yet on your plans, on both

1 our plans, it is very clear that the curb being removed  
2 is just the width of the driveway. So can you clarify  
3 that and be certain which is correct, the plans or your  
4 testimony. Something is not lining up. See a note  
5 there on saw cutting existing curbing at the driveway  
6 limits, and that's different from what you testified to.

7 MR. WEINPAHL: Although I don't have my magnifying  
8 glass with me, I think if you look very carefully at it,  
9 they are very small triangles off of the 20-foot width  
10 of the easement where it actually does show the radius  
11 on the driveway on both sides, at least on map C-2A. It  
12 is very small, but it is there.

13 MR. KLEMENS: Okay. So.

14 MR. WEINPAHL: I am assuming it is the same thing  
15 for alternate site two. I mean, you really need the  
16 magnifying glass now.

17 MR. KLEMENS: Oh, I see what you are saying, the  
18 arrows are not the limit. It is actually the  
19 cross-hatched area that is the area --

20 MR. HANNON: The area is delineating the easement  
21 the width of the easement where the roadway, but the  
22 actual saw cut will be a little bit further because they  
23 do show the radius there. It is difficult to see.

24 MR. KLEMENS: I am seeing it now, Bob, yes.

25 MR. COUCH: If you look at C-2A you have a hatched



1 are that includes a radius at an entrance that goes  
2 beyond the limits of, the extended limits of the  
3 20-foot, sorry, the width of the driveway. And so, the  
4 notes says, saw cut existing curbing at limits of knew  
5 driveway. The apron is not the straight line of the  
6 driveway. The apron is inclusive of the radius of the  
7 driveway.

8 MR. KLEMENS: We are on the same page now. Thank  
9 you. I get it now.

10 MR. COHEN: Okay. Why, while we are on that  
11 subject --

12 MR. COUCH: I am sorry. But it is within the  
13 limits of the easement.

14 MR. COHEN: Okay. Just as a follow-up to Dr.  
15 Klemens' question. Is there a, do you have, is there in  
16 the record, a the percentage of the radius of the  
17 cul-de-sac, the curb that is there in place, versus what  
18 will be removed? So in other words, so that you can  
19 state for the record what percentage of the curb of that  
20 cul-de-sac will be removed as a result if the Council  
21 approves either one of these driveways.

22 MR. COUCH: I have not calculated that.

23 MR. COHEN: Okay. I would like to get that  
24 calculation for the record, Mr. Chairman.

25 CHAIRMAN STEIN: Just for clarification purposes

1 for your question.

2 MR. COHEN: Yes, sir.

3 MR. WEINPAHL: Because part of the cul-de-sac is  
4 actually straight. It is not the typical -- so what  
5 portion are you actually looking at to get a calculation  
6 on.

7 CHAIRMAN STEIN: It will also help this member if  
8 we knew the point of the question.

9 MR. COHEN: I know.

10 MR. WEINPAHL: I just --

11 MR. COHEN: Oh, the point of the question, vis a  
12 vis the -- the point of the question is that we have  
13 proposals here to come off a private resident, a  
14 residential cul-de-sac, there are alternatives, which I  
15 haven't gotten to, Mr. Chairman.

16 CHAIRMAN STEIN: Private -- you mentioned private  
17 --

18 MR. COHEN: It is not private, but it is a purely  
19 residential cul-de-sac that is now going to be extended  
20 anywhere from 150 to 300 feet as a result of, if the  
21 Council approves this application, and there are  
22 alternatives which we will get in to. So it is very  
23 important that the Council have, in the record, you  
24 know, the change that will be occurring to this  
25 neighborhood in the event that it approves the

1 application of either alternate, as to alternate one and  
2 alternate two.

3 CHAIRMAN STEIN: But, Mr. Cohen, if they were to  
4 put a residential subdivision, you would have the same,  
5 you would have the same situation.

6 MR. COHEN: That may be true, Your Honor, but that  
7 is not before you today. What is before you is the  
8 tower proposal, and it is certainly the elected  
9 officials of the Town would have to deal with approving  
10 a residential subdivision. From what we understand, we  
11 are dealing with the future involving the landowner  
12 wanting to grow hops on his property. So I didn't think  
13 that is really in contention here.

14 I claim it, Your Honor. I think it is a fair  
15 question.

16 CHAIRMAN STEIN: Okay. The question is fair, I  
17 just ask a question of --

18 MR. COHEN: Oh, I am sorry.

19 CHAIRMAN STEIN: You have answered the why and  
20 we'll take it for what it's worth. So please, continue.

21 MR. WEINPAHL: We are checking the numbers here.  
22 It is going to be a minimum of 12 feet for the access  
23 road, but as it curves onto the cul-de-sac, it will  
24 probably be another foot, foot and a half on each side.  
25 Approximately 15 feet would be the cut, not much more

1 than that. It will be minimized. It is a pretty much a  
2 straight path coming in.

3 MR. COHEN: Okay. So what is the difference  
4 between the 22 feet and the 15 feet? Now I am confused.

5 MR. WEINPAHL: Let's scrap the 22 feet out right  
6 now.

7 MR. COHEN: Okay.

8 MR. WEINPAHL: So we don't need a 22-foot long curb  
9 cut for either one of these access roads.

10 MR. COHEN: Okay. Will the access, will either  
11 access roads for alternate one or two require any other  
12 street excavation other than the curb.

13 MR. WEINPAHL: At this time, no. The utility pole  
14 is set off the curb. Utilities are plan to come in off  
15 that pole underground and pick up the easement all the  
16 way into the tower.

17 MR. COHEN: Thank you, Mr. Couch -- I am sorry --  
18 Mr. Weinpahl. I apologize.

19 MR. COUCH: The only variable to that would be if  
20 there were the requirement to bring in natural gas.

21 MR. COHEN: Okay.

22 MR. COUCH: If available.

23 MR. COHEN: Now, Kirk Road, I want to talk a little  
24 bit about that, and whoever wants to jump in can answer  
25 the question. At the end of Kirk road, and I am not

1 sure exactly where it ends, where the pavement  
2 ends, there is an unpaved road, isn't that correct? Or  
3 an unpaved access area, whether you call it a road,  
4 driveway, curb.

5 MR. COUCH: Okay.

6 MR. COHEN: Does anybody, have any of you looked at  
7 that? Mr. Libertine, you are shaking your head.

8 MR. LIBERTINE: Yes.

9 MR. COHEN: Okay. And where does that, where does  
10 that access road, where does it end up? Does anybody  
11 know? Isn't there a house at the end of that?

12 MR. LIBERTINE: Are you talking about the property  
13 owner's house or are you talking about the extension  
14 Kirk Road that turns into dirt before it turns into a  
15 driveway.

16 MR. COHEN: Well, there is an extension and then  
17 you can go right up to the top of the hill and there is  
18 a house up there. Is that the property owner's house?

19 MR. BALDWIN: It might be helpful, could you refer  
20 to attachment six, Attorney Cohen? In our second set of  
21 responses to the Siting Council, just so there is a map  
22 reference. Just to put some context in to your  
23 question, I think that might helpful for everybody.

24 MR. LIBERTINE: It would, because I was if you were  
25 just going directly north, as opposed to turning west

1 toward the property owner's house.

2 MR. BALDWIN: So looking at that exhibit.

3 MR. COHEN: Let me make sure we are on the same  
4 page. Thank you, Attorney Baldwin. Okay. Mr.  
5 Libertine, can I ask you?

6 MR. LIBERTINE: Sure. Sure. I just wanted to make  
7 sure we were talking about apples to apples.

8 MR. COHEN: So let's look at that. We have Kirk  
9 Road designated.

10 MR. LIBERTINE: Right.

11 MR. COHEN: Okay. And now, at some point, we hit  
12 Funaro Road and then it appears that Kirk Road is, the  
13 pavement, it is hard to tell from this designation, but  
14 it appears the pavement stops at that point.

15 MR. LIBERTINE: More or less, yes. More or less it  
16 ends and then picks up again once you get to the  
17 driveway it kind of veers off just to the west or the  
18 left of the property, just onto the property itself at  
19 208. That is kind of a broken pavement. It is pretty  
20 beat up, but it is a driveway.

21 MR. COHEN: Okay. And that, when you follow that,  
22 now I see a line, I don't know if that is the property  
23 line or if that's the access road that goes up beyond  
24 Kirk Road. Let's just call it Kirk Road extension, just  
25 -- although it may not be called that, because I just

1 don't know what it is called.

2 MR. LIBERTINE: Sure. It is a paper street of some sort  
3 on top -- you are talking about that very narrow strip  
4 that has -- yes, the property is shown on the west side  
5 of that as a, kind of, a white dashed line. The rest of  
6 those lines are just, they are the parcel lines from the  
7 assessor's information. So I just wanted to make sure  
8 we are talking about the extension that goes to the  
9 north or if we are talking about coming off that to the  
10 west of the property owner's house. I was just trying  
11 to make -- I just didn't know which one we were talking  
12 about, that is all.

13 MR. COHEN: Well, I can't tell on this map where  
14 the property owner's house is. Could you just state for  
15 the record where --

16 MR. LIBERTINE: Sure. His house is actually, if  
17 you made a triangle between alternate site three and  
18 alternate site two and headed to the south, that is his  
19 house, more or less in the center of the graphic itself.  
20 And that is accessed, you are correct, coming off Kirk  
21 Road. You come off of the, past that intersection with  
22 Funaro Road. It does break up, turn to a little bit of  
23 just gravel, and then his access, or his driveway, then  
24 just veers slightly, it is still going north, but it  
25 actually pops on to his property. So it is to the west

1 of that white and black dotted line. You can see it on  
2 the areal. It is kind of hard to make out but it  
3 essentially follows and parallels what would be the Kirk  
4 Road Extension, and then veers off to the west,  
5 basically almost in line with his house, and then rises  
6 up to his home.

7 MR. COHEN: Okay. Thank you. And, appreciate  
8 that. That was very good. When I visited this site, a  
9 few weeks ago, I stopped my car at the pavement and I  
10 just kind of walked a little bit, and I saw some  
11 commercial trucks that were parked in that Kirk Road  
12 Extension. I assume that's the property owner's  
13 woodcutting business, does anyone --

14 MR. LIBERTINE: He does have a woodcutting business  
15 at the base of his driveway on his property. I have  
16 been up there, there have been chippers and small trucks  
17 for hauling cord wood. So, yes.

18 MR. COHEN: Okay. So other than for his own  
19 personal driveway use, it's, he does use that for the,  
20 for his driveway, as well, does he not, Mr. Libertine,  
21 or does he have another area for his driveway? It is  
22 hard to tell from this exhibit.

23 CHAIRMAN STEIN: Yes, I just want to clarify. That  
24 entire length is his driveway proper. The woodcutting  
25 operation that I have seen was, what I'll call, on the



1 lower end of that driveway, before it starts to turn and  
2 become a fairly steep ascent up to his residence. I  
3 can't speak to whether there are other commercial  
4 vehicles. I have been there half a dozen times over the  
5 last two years and I had seen, as I say, one or two  
6 pick-up trucks and some equipment that is used for his  
7 cord wood operation. But, yes, it is his driveway.  
8 That is his main and only driveway into his property.

9 MR. COHEN: Okay. Thank you. I think you can  
10 understand why some of the residents are, would prefer  
11 to have Kirk Road as, which is used in part, or the Kirk  
12 Road Extension, as, used in part for commercial  
13 purposes. So I'll ask you, have you done an analysis of  
14 an access road from the Kirk Road Extension to alternate  
15 one or alternate two. Let's use alternate two, that is  
16 the closer one, what that driveway would look like, or  
17 access road.

18 MR. BALDWIN: Mr. Chairman, just while the witness  
19 is preparing to answer the question, I would point out  
20 that in our response to Mrs. Sorrentino's questions, set  
21 two, we did respond to a question related to the use of  
22 Kirk Road, and I think what is referred to as feasible.  
23 But beyond that, are you prepared?

24 MR. WEINPAHL: We had walked in that direction and  
25 we walked up his driveway, we walked around all the

1 area. That path coming in off Kirk Road, about a 25  
2 percent grade for a good portion of it. And it is the,  
3 it's very much longer path to get to either of the two  
4 alternates. Based on that, we have just kept our  
5 original plan or proposal off of Country Club drive,  
6 less grading, shorter path.

7 MR. COHEN: Okay. Well, I appreciate that. I  
8 mean, that is obviously much preferable from the  
9 company's perspective, but not necessarily from the  
10 resident's perspective. Would there have been any  
11 objection to producing an analysis of the access road  
12 coming in for alternate site two from the Kirk Road  
13 Extension.

14 MR. BALDWIN: Mr. Chairman, I think we responded to  
15 that question in response to question two of Mrs.  
16 Sorrentino's second set of interrogatories, and I think  
17 we stand by that that response.

18 MR. COHEN: May I have a moment, please, Mr.  
19 Chairman. Okay. I can, I can play with the  
20 interrogatory response and cross-examine them on every  
21 word in there, but the fact is that it is a general  
22 description, a longer result and something about tree  
23 removal. But, and it is more costly. You know what, we  
24 don't care that it is more costly, we just like to know  
25 what the length is and is it feasible and get it into

1 the record.

2 CHAIRMAN STEIN: Okay. Well, you got their  
3 response. You may not like it. It's in the record.

4 MR. COHEN: I understand -- well, I'll ask them the  
5 questions, okay.

6 CHAIRMAN STEIN: Okay.

7 MR. COHEN: In your response to 3B, or 3B of Mrs.  
8 Sorrentino's interrogatories, you said it would result  
9 in more ground disturbance. Do you have any analysis  
10 you can put into the record about that ground  
11 disturbance.

12 MR. WEINPAHL: We are just looking to locate 3B.  
13 Hold on one second.

14 MR. LIBERTINE: Could I just clarify for the  
15 record, the, the term, analysis, it is clear that an  
16 engineering drawing set was not prepared for alternate  
17 site three. So an analysis, per se, has not been  
18 performed. However, when we walked the site and looked  
19 at all of this, it was clear without doing a full  
20 analysis that just based on the topography and the  
21 length alone that there would be an increase in the  
22 amount of disturbance with trying to access either site  
23 one or site two from the Kirk Road side. So I think  
24 that is more or less our position. But to answer your  
25 basic question, an analysis, no, has not been performed.

1 I am not sure it is really necessary when you look at  
2 kind of the lay of the land here, and when we are  
3 comparing the access roads.

4 MR. COHEN: Okay. I'll move on, Your Honor. Can  
5 we take a five-minute break, Your Honor?

6 CHAIRMAN STEIN: Well, how much longer do you, do  
7 you intend to --

8 MR. COHEN: It depends on the witnesses, Your  
9 Honor. Probably 30 minutes.

10 CHAIRMAN STEIN: We'll take a five minute break and  
11 we'll hold you to the 30 minutes.

12 MR. COHEN: Fine. Thank you.

13

14 (Whereupon a short recess was taken.)

15

16 CHAIRMAN STEIN: Okay.

17 MR. COHEN: Okay. Gentleman we are back on the  
18 record. Let's talk a little bit about alternate site  
19 three and hops. Who is the primary contact amongst the  
20 panel with the property owners? All right. Who talks  
21 to Mr. And Mrs. Vignola.

22 MR. LIBERTINE: I think the reason we are all  
23 looking at each other is, that's really been the  
24 acquisition person that has really been the primary  
25 contact person and she is not part of the witness panel

1 here. So we have had all discussions on the site with  
2 the property owner and his wife on several occasions,  
3 but I don't know if any of us could represent that we  
4 are the primary contact. So that's the only reason  
5 for --

6 MR. COHEN: That's fair. That is fine. I just  
7 wanted to know whom I would be speaking.

8 MR. MURPHY: They are all followers.

9 MR. COHEN: I am going to talk about alternate site  
10 three. Okay. So, this cultivation of hops that is  
11 discussed, I have to ask this question, as you  
12 know, hops take three to six years, from what I  
13 understand, to basically develop a crop. Did any of you  
14 personally talk with him about his desire to suddenly  
15 use this property for the cultivation of hops.

16 MR. BALDWIN: Mr. Chairman objection to the premise  
17 and the tone of the question. We answered that in our  
18 response to the interrogatories. That is what our, my  
19 client was told.

20 CHAIRMAN STEIN: Objection is sustained. I think  
21 we have been told that alternate three is off the table.  
22 And since we don't have the owner to testify, I am not  
23 sure, I mean, it is owned -- well, let me just ask who  
24 owns the property.

25 MR. LIBERTINE: The entire property is owned by --

1 I don't know Joe's last name --

2 MR. COHEN: Mr. And Mrs. Vignola. I believe it is  
3 owned jointly, at least according to the lease.

4 CHAIRMAN STEIN: And we do have testimony that they  
5 reject alternative three as the possible site for  
6 whatever reason; is that correct?

7 MR. LIBERTINE: That is my understanding, yes.

8 CHAIRMAN STEIN: Thank you.

9 MR. COHEN: Just to clarify, Mr. Chairman, you are  
10 precluding me from asking questions about alternate,  
11 about their response to an interrogatory about alternate  
12 three.

13 CHAIRMAN STEIN: I am objecting to having a  
14 prolonged discussions about hops.

15 MR. COHEN: Okay. That's fine. May I ask --

16 CHAIRMAN STEIN: If you ask, ask specific questions  
17 and if you can get, if they have answers to, I guess  
18 that's fine. But I don't want to have a long --

19 MR. COHEN: Was there additional consideration  
20 offered to Mr. Vignola for alternates one and two for  
21 your permission to use the, offer those sites?

22 MR. BALDWIN: You mean additional money?

23 MR. COHEN: Additional consideration, sure. That  
24 is what --

25 MR. LIBERTINE: I am not aware of that. Our

1 discussions were basically it would be the same size  
2 compound, so it would be a similar lease agreement.

3 MR. COHEN: Okay. Now, when the issue of alternate  
4 three came up, and I assume since it is directly, you  
5 know, it would be Mr. And Mrs. Vignola, and he indicated  
6 he had some other commercial uses for this particular  
7 site or potential commercial uses, did you say, well, if  
8 the Siting Council wants us to have alternate three,  
9 would you be willing to, if we sweeten the pot a little  
10 bit, would you be willing to allow us to propose  
11 alternate three? Did that conversation ever occur.

12 MR. LIBERTINE: No. Not in this context. We  
13 discussed alternate three, we pitched the site as giving  
14 it pro's and con's. Mr. And Mrs. Vignola both were  
15 vehement in their distaste in even considering it  
16 because they had already spoken to their son, who I  
17 understand had just recently graduated from an  
18 agricultural school, and this is where they wanted to  
19 start the business with the rise of all the  
20 microbreweries. So they that felt as though this was a  
21 great opportunity to keep it in the family. So they  
22 took it off the table. And that is why we showed it as  
23 such. We wanted to show that we at least took a look at  
24 it because it was another high point on the property.  
25 But from my perspective, and I don't want to speak for

1 the entire panel, or certainly for anyone else, but it  
2 was pretty clear to me that they were not going to  
3 consider that as a feasible alternative.

4 MR. COHEN: Maybe two or three more questions on  
5 this, Mr. Chairman. Alternate, is it true that  
6 alternate three is the closest to the Vignola family  
7 residence?

8 MR. LIBERTINE: If we add to split hairs, I would  
9 say it probably is, but it is almost a wash between two  
10 and three.

11 MR. COHEN: Okay. So just want to make sure, and  
12 clarify, I want to go back, and I apologize, Mr.  
13 Libertine, because I don't mean to pick on you.

14 MR. LIBERTINE: That's okay.

15 MR. COHEN: But, so it is pretty clear that -- let  
16 me back up. You, personally, did not have this  
17 conversation with the Vignola's, this was reported to  
18 you or did you participate in the, it is absolutely off  
19 the table.

20 MR. LIBERTINE: I was participant, a participant in  
21 that conversation, yes. It happened on May 5th when we  
22 went back to look at all these sites. We also talked  
23 about other locations that aren't on here. We talked  
24 about that southeast corner that is kind of in the  
25 valley. That was another area where we all felt as



1 thought that didn't really make a lot of sense. So we,  
2 kind of, looked at it holistically trying to, again,  
3 balance the concerns that we heard at the first hearing,  
4 with, kind of, the lay of the land and the fact that if  
5 we start moving substantially, we start, we may solve  
6 Mrs. Sorrentino's concern, but we may raise a whole  
7 other area of concern for other neighbors. So we were  
8 really trying to balance. So when we look at it as a  
9 whole. But, yes, to answer your question, yes, that  
10 location we spent at least 35, 40 minutes  
11 evaluating, and trying to talk through it and it was  
12 clear that that was just something that was not going to  
13 take any hold. And so, that is why we focused on one  
14 and two.

15 MR. COHEN: Okay. And is it your testimony that  
16 your are convinced that no amount of consideration,  
17 increase in consideration in the lease amount would  
18 change Mr. Vignola's mind?

19 MR. LIBERTINE: I can't say that. I can't --  
20 everyone has a price, as they say.

21 MR. COHEN: Yes, they do. Yes. Yes, they do. But  
22 I don't know what that price is.

23 MR. LIBERTINE: Nor I do.

24 MR. COHEN: Forgive me for one second. All right.  
25 Let me go back to alternate two. Just, when you say

1 that the, and again, I am having trouble getting off of  
2 the Kirk Road access issue. How much more costly would  
3 it be for Verizon? Again, you know, just roughly. Is  
4 it, can you give me a percentage? Is this, I don't have  
5 any problem if it is a late file, if you want to put  
6 something in.

7 MR. WEINPAHL: Quickly, we are looking at about  
8 1,000 foot road now coming off Kirk Road to get to  
9 alternate two. It's got a steep entrance coming up the  
10 hill, then it goes through some valleys, it just didn't  
11 make a whole lot of sense. An analysis didn't really  
12 warrant itself. The alternate two off of Country Club  
13 Drive is 250 feet. So I guess take the access road cost  
14 and multiply it by four and change, because there is  
15 also storm water impacts from the access road coming off  
16 Kirk Road due to the terrain and slope.

17 MR. COHEN: So, go back through, again, I am going  
18 to focus on alternate two, because, I mean, you will  
19 find out when my client takes a stand that alternate one  
20 is not much different from one, for her. But in terms  
21 of, in terms of coming off of the cul-de-sac, so, where  
22 is this, we talked a little bit about a fence, where is  
23 this fence going to go? And what exactly is this fence  
24 going to look like? We talked about a wooden fence or  
25 --

1           MR. WEINPAHL: I think Council staff asked us to  
2 replace a chain gate with a wood fence or wood gate. We  
3 had changed out the compound and the equipment to vinyl  
4 fence instead, to eliminate maintenance on it long term.  
5 I think we had a tongue and groove vinyl fence proposed,  
6 8 feet high. We lowered the equipment feet behind the  
7 fence. We could match a gate at the road, at the  
8 cul-de-sac. We could recess it in 10, 15 feet. We may  
9 want to change the color to it. You don't want to  
10 really see it, but you want it to provide a barrier for  
11 trespassing and going in that way. So --

12           MR. COHEN: So how is the road -- so how is the  
13 access -- so you have the fence, and how is the access  
14 road, is that, is that fenced in, as well?

15           MR. LIBERTINE: No. Typically, no.

16           MR. COHEN: So what is the gate to, exactly?

17           MR. WEINPAHL: It will be just a swing gate.  
18 12-foot wide swing gate, to swing in. We can put it  
19 right at the road. We could recess it in, there is pro's  
20 and con's to the approaches.

21           MR. LIBERTINE: It is designed just to keep  
22 vehicles, unauthorized vehicles out.

23           MR. COHEN: Okay. Okay. The only thing is, are  
24 you, I assume you are willing to stipulate this, but  
25 your attorney would object to that, so I'll ask the

1 question. When you were up there visiting the site, any  
2 of you, can you describe the, the level of commercial  
3 vehicle traffic that you saw on Country Club Drive in  
4 that cul-de-sac area? Did you see any commercial  
5 traffic, other than yourself, obviously?

6 MR. WEINPAHL: I made have noticed a FedEx truck  
7 come and go, but it is a residential area, so --

8 MR. COHEN: Okay. Thank you. I think we are --

9 MR. LYNCH: Just one quick follow-up question. Mr.  
10 Libertine, you mentioned, you know, access you, to  
11 prevent access from unwanted vehicles. Is there any  
12 usage in that area right now of ATV's or dirt bikes or  
13 anything like that, that you know of?

14 MR. LIBERTINE: I am not familiar enough with the  
15 area. I imagine, there is a fair amount of open woods  
16 there, so I would imagine there is some. In this area  
17 itself, I just wouldn't be able to speak to that. I am  
18 just not familiar enough with it.

19 I will say, just to add to the access, we have  
20 talked a lot about this curb cut that would be required  
21 off Country Club Drive. I guess I just want to go on  
22 the record that whatever is being proposed, if we were  
23 to come in from Country Club Drive, would not be  
24 dramatically different than the existing curb cuts that  
25 are there today for those driveways. Only difference is

1 they would not be pavement, it would just be gravel  
2 access.

3 MR. LYNCH: Okay.

4 MR. COHEN: All set. I think we have no further  
5 questions. Thank you for your patience.

6 CHAIRMAN STEIN: You have your client.

7 MR. COHEN: We do. Do you mind if we sit with her,  
8 Mr. Chairman, just so she doesn't --

9 CHAIRMAN STEIN: Okay. I guess you have a witness,  
10 so would you please rise to be sworn in?

11

12 (Mrs. Sorrentino was sworn in by Chairman Stein.)

13

14 CHAIRMAN STEIN: Attorney Cohen, would you please  
15 verify the exhibits you filed?

16 MR. COHEN: I shall. I got to read off the list of  
17 exhibits. The application of Patricia Sorrentino to be  
18 designated a party, March 13th, 2017. Council approval  
19 of Patricia Sorrentino's request to be designated a  
20 party, March 17th, 2017. The objection of Patricia  
21 Sorrentino to the applicant's motion for protective  
22 Order, March 24th, corrected pages four and five March  
23 27th, 2017. Prefile testimony of you, Patricia  
24 Sorrentino on April 25th, 2017. And the supplemental  
25 prefile testimony of you, Patricia Sorrentino, June 6th,

1 2017. Did you prepare or assist in preparing these  
2 exhibits that I just listed.

3 MS. SORRENTINO: Yes.

4 MR. COHEN: Okay. And do you adopt those exhibits  
5 as your sworn testimony in this proceeding today?

6 MS. SORRENTINO: Yes, I do.

7 MR. COHEN: Are there any corrections,  
8 modifications, that you wish to bring to the attention  
9 of the Siting Council today?

10 MS. SORRENTINO: No.

11 MR. COHEN: Presented. Mrs. Sorrentino.

12 CHAIRMAN STEIN: Does any party have any objection  
13 to any of the exhibits.

14 MR. BALDWIN: Mr. Chairman I object to the  
15 inclusion of some of the attachments to Mrs.  
16 Sorrentino's supplemental testimony, which includes the  
17 2010, April 27th, 2010 Change Wave Research Paper and  
18 the other report from the Root Matrix that was included  
19 as an attachment to that testimony. I don't think these  
20 are exhibits that Mrs. Sorrentino can attest to, nor can  
21 she respond to cross-examination regarding those  
22 exhibits.

23 What I might suggest is if Mrs. Sorrentino were to  
24 ask the Council to take administrative notice of those  
25 items, I would not object to that.

1 CHAIRMAN STEIN: Go ahead.

2 MR. COHEN: Form over substance. We are happy to  
3 respectfully request that the Council take  
4 administrative notice of the attachments to Mrs.  
5 Sorrentino's, the exhibits to Mrs. Sorrentino's prefile  
6 testimony, as referenced by Attorney Baldwin.

7 CHAIRMAN STEIN: Okay. With that the exhibits are  
8 admitted.

9 MR. COHEN: I will specify those for the record,  
10 Your Honor. They are Mobile Network Performance in the  
11 U.S., which is readily available on the internet.  
12 Dated, which was pulled off of the internet 6/2/2017;  
13 along with the Change Wave Research Wireless Service  
14 Providers Trends, that, although it is just not a URL  
15 there, I believe it was pulled off of the internet April  
16 27th, 2010. Attached to the prefile, supplemental  
17 pretrial testimony of June 6th.

18 CHAIRMAN STEIN: Okay. So exhibits are admitted.  
19 And we will now start -- welcome -- and  
20 cross-examination.

21 MR. COHEN: Thank you.

22 CHAIRMAN STEIN: First from Mr. Mercier.

23 MR. MERCIER: Thank you. Mrs. Sorrentino I  
24 understand from your prefile testimony that you are  
25 opposed to all three locations; the proposed site, the

1 alternate site, one, that is, and alternate two. Given  
2 that understanding, is there any one of the three that  
3 you find more preferable than the others?

4 MS. SORRENTINO: Yes.

5 MR. MERCIER: And what is that.

6 MS. SORRENTINO: Alternate site two is better.

7 MR. MERCIER: Now, there was previously some  
8 discussion between me and Mr. Libertine regarding a tree  
9 tower design. I don't know if you have seen these  
10 around state at all.

11 MS. SORRENTINO: Yes, I have.

12 MR. MERCIER: Do you think that is an application,  
13 that might be something that you would not mind having  
14 next to your property?

15 MS. SORRENTINO: Alternate site two, yes.

16 MR. MERCIER: Would you, do you like a tree tower  
17 design, I guess?

18 MS. SORRENTINO: Yes.

19 MR. MERCIER: And if the tower was built here, you  
20 would prefer to see a tree tower versus a monopole.

21 MS. SORRENTINO: Yes.

22 MR. MERCIER: Okay. And there was some discussion  
23 in regard to some types of fencing around the compound.  
24 Would you prefer more of a vinyl decorative fence over a  
25 chain link or some other type of fencing that wasn't



1 presented but maybe you might want to present?

2 MS. SORRENTINO: The vinyl is nice. Alternate site  
3 two, the wood would be fine.

4 MR. MERCIER: Okay. And there was some discussion  
5 on an access gates, just to block vehicles from driving  
6 down the driveway into the Vignola property to get to  
7 the site. Originally they proposed a chain-link gate  
8 attached by two bars, connected two bars with the chain.

9 MS. SORRENTINO: Yes.

10 MR. MERCIER: Some sites I have seen a cow fence,  
11 basically a metal bar fence. And also sometimes a wood  
12 fence, is there a type --

13 MS. SORRENTINO: The wood fence would be better.

14 MR. MERCIER: Block the road. Okay. Thank you.  
15 And on May 5th there was a balloon fly for the two  
16 alternate sites. And that one did a visibility  
17 analysis. I don't know if you were home that day.

18 MS. SORRENTINO: I was.

19 MR. MERCIER: Did you have chance to try to go out  
20 and --

21 MS. SORRENTINO: I did. I saw them.

22 MR. MERCIER: Okay. Do you know what colors you  
23 saw from your property? Did you see a red balloon?

24 MS. SORRENTINO: Green.

25 MR. MERCIER: You saw a green balloon.

1           Did you know the green balloon is site two,  
2 alternate site two.

3           MS. SORRENTINO: It was also on alternate site one.

4           MR. MERCIER: Okay. So you only saw a green  
5 balloon.

6           MS. SORRENTINO: On both sites.

7           MR. MERCIER: Okay.

8           MS. SORRENTINO: The day it flew them for the  
9 alternate sites.

10          MR. MERCIER: That's right.

11          MS. SORRENTINO: Not the --

12          MR. MERCIER: I believe in the pictures --

13          MS. SORRENTINO: Because I have seen red, gray and  
14 green.

15          MR. MERCIER: I believe in the pictures there was a  
16 red balloon they flew and a green balloon.

17          MS. SORRENTINO: I did not see a red balloon that  
18 day. I saw two green balloons.

19          MR. MERCIER: Okay.

20          MS. SORRENTINO: I have pictures.

21          MR. MERCIER: You have pictures?

22          MS. SORRENTINO: Yes, I took them with my  
23 cellphone.

24          MR. MERCIER: Okay. And you didn't want to submit  
25 them with the prefile testimony?

1 MS. SORRENTINO: Well they were, they were after  
2 that. These were the pictures I took at the alternate  
3 site balloons. So they were after that meeting.

4 MR. MERCIER: Okay.

5 MR. COHEN: Excuse me. May I? I did not, I was  
6 not aware of that. We can certainly submit that in to  
7 the record if it's material. If that would be helpful.

8 MS. SORRENTINO: I didn't think it mattered. I  
9 took the pictures.

10 MR. MERCIER: I just wanted to know, you know, how  
11 much of the balloon you saw, was it above the trees, was  
12 it through the trees, you know, was it --

13 MS. SORRENTINO: Alternate site two, I could see a  
14 little bit of it when I was up the driveway in the  
15 street. I did not see it from my home, which was --

16 MR. MERCIER: But you believe alternate site one  
17 you saw the balloon.

18 MS. SORRENTINO: Oh, I know I saw it. Alternate  
19 site one is very close to the original site.

20 MR. MERCIER: Okay. I don't have any other  
21 questions. Thank you.

22 CHAIRMAN STEIN: Thank you. Senator Murphy?

23 MR. MURPHY: Just kind of follow-up. You indicated  
24 at alternate site two you would prefer a monopine, which  
25 is a pine?

1 MS. SORRENTINO: Yes.

2 MR. MURPHY: And it is my recollection that Mr.  
3 Libertine testified that it might appear to be out of  
4 place there. And from my being there, I am kind of  
5 inclined to agree with him. And I am just asking  
6 whether you want to rethink that. Not criticizing you  
7 or anything, but --

8 MS. SORRENTINO: No, I saw the balloon from the end  
9 of the road and when I got close to the cul-de-sac, I  
10 wasn't able to see the top of it. But from the end of  
11 Country Club Drive, you know, turning in from Bear Path,  
12 you were able to see the balloon. And I think that the  
13 pine tree look would look like wood, opposed to the gray  
14 metal look, which gives that industrial feel. That  
15 wouldn't be as nice in the neighborhood. But it would,  
16 I don't know, it was stand out a little bit above the  
17 trees in the fall and winter, it would blend in.

18 MR. MURPHY: Do you realize that the monopine  
19 really extends seven feet higher?

20 MS. SORRENTINO: Seven feet higher?

21 MR. MURPHY: Yes. The camouflage takes it seven  
22 feet higher up.

23 MS. SORRENTINO: Really?

24 MR. MURPHY: I don't know. We have this debate  
25 some people have different ideas. But you feel the

1 monopine would be better if the Council decided on --

2 MS. SORRENTINO: Yes.

3 MR. MURPHY: Okay. I have nothing further, Mr.  
4 Chairman.

5 CHAIRMAN STEIN: Dr. Klemens.

6 MR. KLEMENS: I would like to follow-up on what  
7 Senator Murphy was asking, because I am also concerned  
8 that the monopine in that location might be very  
9 noticeable. And I understand, I believe was you were  
10 looking for something that blends more, looks more  
11 organic as opposed to gray steel. There is also, are  
12 you aware there are also treatments where you can have a  
13 brown or rusted look or other types of treatments on the  
14 pole that might achieve that? I am just, I think people  
15 here are interested in trying to assist you in reaching  
16 where you want to go, but I am just, I am concerned  
17 along with Senator Murphy, that when the monopine is up  
18 you may say, oh, no, this is shocking. So if it's the  
19 color, is it the color of the gray steel or is it the --

20 MS. SORRENTINO: Yes. That has an industrial feel  
21 to me. I would like it, if, I mean, if it blends in, if  
22 the trees are, you know, dark gray. If it was dark  
23 gray, that would be better than if it was more like a  
24 silver light color.

25 MR. KLEMENS: Something darker, something brown,

1 something --

2 THE WITNESS: It is either going to blend in with  
3 the sky, I guess, or the trees. I am not sure what  
4 would be best.

5 MR. KLEMENS: Right. Because my concern is the  
6 monopine is, it makes a rather large footprint.

7 MS. SORRENTINO: I did, I just saw one this weekend  
8 but it was on the Merit Parkway. So, it, it looks good  
9 in the middle of the Merit Parkway, you know, I can't  
10 say -- I see your point.

11 MR. KLEMENS: So colorization actually might  
12 achieve the objective without the mass of a monopine.  
13 That is why I am just asking for some guidance from you  
14 on that, if you can.

15 MS. SORRENTINO: Yes. Okay. I see your point. I  
16 didn't realize that it would be seven feet more.

17 MR. KLEMENS: And wider too. It becomes quite a  
18 statement.

19 MS. SORRENTINO: I didn't realize that. So I  
20 think, if you thought about a color that would be better  
21 that would be, you know, a little more organic to the  
22 neighborhood.

23 MR. KLEMENS: All right. Thank you. I have no  
24 further questions -- thank you very much. I have no  
25 further questions Mr. Chairman.

1 CHAIRMAN STEIN: Panel?

2 MR. HANNON: Thank you, Mr. Chairman. I'll go back  
3 in history. A long time ago in the Town of Manchester  
4 they had a big water tower that they were proposing to  
5 put in. And they asked a number of people the color  
6 they thought, because the water tower was high up and it  
7 was going to be part of a visible profile they went with  
8 more like a sky blue color to kind of blend in with the  
9 sky, but the problem is, that doesn't work if you have  
10 got nasty rain clouds out there. But I think what you  
11 are talking about is if there is something that can done  
12 so it doesn't look so stark.

13 MS. SORRENTINO: Yes.

14 MR. HANNON: That may be something that --

15 MS. SORRENTINO: Yes, if there was some thought put  
16 into it, it would be appreciated.

17 MR. HANNON: And in going through your testimony, I  
18 do have one question for you. The information that was  
19 submitted on the 25th, is the prefile testimony. On  
20 page two, this is the, I guess, the third full  
21 paragraph, the big paragraph in the middle. You talk  
22 about the destruction of approximately 30 trees alone  
23 will destroy the ecology and the scenic beauty of the  
24 area where you live. One of the thing that I was  
25 looking at with the plans that were submitted, and it

1 was pretty obvious, from my perspective, that the Town  
2 made a deliberate move so that when Country Club went  
3 in, that the right-of-way was extended up, right up to  
4 Vignola's property with the understanding that at some  
5 point in time that road could be expanded. So I am just  
6 kind of curious what your feeling would be that, if you  
7 think that taking 30 trees down for a cell tower site,  
8 what would happen if the Vignola's, like a number of  
9 other farming properties in the State of Connecticut,  
10 are having problems just trying to keep the farm going  
11 and it gets sold for residential development, what is  
12 that going to do to the area?

13 MS. SORRENTINO: Well, when we built our house  
14 there and picked out the lot and designed it, I did, you  
15 know, think that in the future there would probably be  
16 homes there. I, of course, never thought of a cell  
17 tower. He says that he's, his family wants to keep it  
18 as a farm and his children, so I don't think that will  
19 happen in the near future.

20 MR. HANNON: No, I understand what you are saying.  
21 But in work I deal with a lot of dairy farmers, there is  
22 lot of dairy farms that have gone out of business and it  
23 was not their intention to go out of business. But  
24 again, from talking about the intensity of the use of  
25 the property, I think growing the trees, growing the



1 hops, if you will, however long it takes, and with the  
2 cell tower, to me that type of intensity would be a lot  
3 less than a residential development. I am not sure how  
4 many lots they could get in there, because I don't  
5 remember there being a whole lot of wetlands on the  
6 property, so a lot of it may be developable. Is there  
7 water and sewer in the area?

8 MS. SORRENTINO: Yes.

9 MR. HANNON: Okay.

10 MS. SORRENTINO: No gas.

11 MR. HANNON: Which typically would -- pardon?

12 MS. SORRENTINO: No gas.

13 MR. HANNON: Okay. But that, typically if you have  
14 water and sewer, that would allow a developer to come in  
15 with a smaller lot. So just looking at the overall  
16 intensity to develop.

17 MS. SORRENTINO: Well, that would be more normal to  
18 any neighborhood, would be more houses. I would  
19 actually rather see more homes, especially new homes.  
20 It would keep my property value up.

21 MR. HANNON: And I am just looking at it from the  
22 perspective of if 30 trees is going to be a significant  
23 impact, what would a residential development do, plus  
24 the intensity which we have already talk about, a number  
25 of traffic trips per day. So, I have nothing else.

1           CHAIRMAN STEIN: Mr. Lynch.

2           MR. LYNCH: I just want to add that our late  
3 Council member Mr. Ashton talked years about the  
4 different colors for the towers. Mr. Libertine was here  
5 most of that time, you probably worked with him. I did  
6 have a few questions but Attorney Cohen and his  
7 cross-examination answered most of them. But I have a  
8 curiosity question. And that, in your interrogatory,  
9 April 24th, first three questions all kind of hint to  
10 the fact that there may be somebody else involved in all  
11 of this going's on, rather than just Verizon. You're  
12 kind of hinting that maybe the Coke Brothers are coming  
13 in trying to do a hostile takeover or something. So I  
14 was just wondering, do you know something that we don't  
15 know?

16           MS. SORRENTINO: On the original blueprint, there  
17 were four rectangle shapes. One was Verizon's  
18 generator, and when we spoke about it with Attorney  
19 Cohen, we figured out that they were probably spaces for  
20 other generators so the other companies would be  
21 attaching.

22           MR. LYNCH: Okay. I don't, just curious. I think  
23 Mr. Baldwin was nice enough to object but still answer  
24 your questions, so -- thank you very much.

25           MS. SORRENTINO: You're welcome.

1           CHAIRMAN STEIN: I guess, I can understand concern  
2 over, because we have heard it multiple hearings about  
3 cell tower. I can also understand that everybody who  
4 lives on a cul-de-sac wants it to be a cul-de-sac  
5 forever. But I just, because the follow-up with Mr.  
6 Hannon, if you have water and sewer and you have zoning,  
7 I mean, I don't know what the market is like in  
8 Hamden, but that is also prime developable land. And if  
9 we could, and I know we can't, separate this 12-foot  
10 gravel drive with whatever the cut in the cul-de-sac and  
11 the fact that you are going to have maybe one trip every  
12 quarter, which is probably more than your family,  
13 probably your family, probably in an hour. I mean, from  
14 the actual the road access part of it, that is where I  
15 am considering the other alternative without the  
16 detailed study and analysis that you, your attorney  
17 asked for, is four times longer. I mean, that part of  
18 it I am having, I am having trouble with.

19           MS. SORRENTINO: Is this question pertaining to  
20 alternate site number two?

21           CHAIRMAN STEIN: No. My question really was about  
22 the alternate access. And that why --

23           MS. SORRENTINO: Oh, well --

24           CHAIRMAN STEIN: I mean, I understand you like it  
25 to stay the way it is forever. But --

1 MS. SORRENTINO: Well, he has a business. The wood  
2 business, with trucks with these long logs going up his  
3 driveway a couple, twice a week, I was told. And he  
4 runs so many businesses there between the tree farm,  
5 that, now the hops, and what else -- there is something  
6 else that he does, well the tower. I am kind of, I  
7 just, I don't think it will ever be developed into  
8 homes.

9 CHAIRMAN STEIN: Okay. Well --

10 MS. SORRENTINO: So that, we would like to keep  
11 that road, you know, his road, because he is already  
12 using it for commercial purposes.

13 CHAIRMAN STEIN: Okay.

14 MS. SORRENTINO: But if that is not possible --

15 CHAIRMAN STEIN: No, I fully understand.

16 MS. SORRENTINO: If the fence could go in the  
17 cul-de-sac further, like you mentioned, you know, we  
18 would prefer that too. We are just trying to figure the  
19 least invasive way.

20 CHAIRMAN STEIN: No, we certainly, at least I think  
21 I can speak for the Council --

22 MS. SORRENTINO: The neighbors talk to me every  
23 day, but, you know, they are not here today to back any  
24 of this up.

25 CHAIRMAN STEIN: They should be, because --

1 MS. SORRENTINO: I know they should be, but they  
2 all work. They can't take the time off. They, you  
3 know --

4 CHAIRMAN STEIN: They should at least be told that  
5 you are a good witness. Thank you.

6 MS. SORRENTINO: Thank you.

7 CHAIRMAN STEIN: Attorney Baldwin, do you have any?

8 MR. BALDWIN: No, Mr. Chairman. Thank you.

9 CHAIRMAN STEIN: So before closing this  
10 hearing, Siting Council announces that briefs and  
11 proposed findings of fact may be filed with the Council  
12 by any party no later than July 13th of this year, 2017.  
13 Submission of briefs or proposed findings of fact are  
14 not required by this Council, rather, we leave it to the  
15 choice of the parties.

16 Anyone who has not become a party but who wishes  
17 to make his or her views known to the Council, may file  
18 written statements with the Council within 30 days of  
19 today's date. The Council will issue draft findings of  
20 fact, and thereafter parties and interveners may  
21 identify errors or inconsistencies between the Council's  
22 Findings of Fact and the record; however no new  
23 information, no new evidence no argument and no reply  
24 briefs without our permission will be considered by the  
25 Council.

1           Again, copies of the transcript of the hearing  
2 will be filed the Hamden Town Clerk's Office. And I  
3 adjourn or close the hearing. And thank you all for  
4 your participation.

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(Whereupon the hearing ended at 3:55 p.m.)

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STATE OF CONNECTICUT

I, THERESA BERGSTRAND, a Licensed Professional Reporter/Commissioner within and for the State of Connecticut, do hereby certify that I took the testimony of all witnesses, on JUNE 13, 2017 at Connecticut Siting Council, Ten Franklin Square, New Britain, CT.

I further certify that the above-named deponent was by me first duly sworn to testify to the truth, the whole truth, and nothing but the truth concerning his/her knowledge in the matter of the case of CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS APPLICATION FOR CERTIFICATE OF ENVIRONMENTAL CAPABILITY AND PUBLIC NEED, FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF A TELECOMMUNICATIONS FACILITY LOCATED AT 208 KIRK ROAD IN HAMDEN, CONNECTICUT.

I further certify that the within testimony was taken by me stenographically and reduced to typewritten form under my direction by means of computer assisted transcription; and I further certify that said deposition is a true record of the testimony given by said witness.

I further certify that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.

WITNESS my hand and seal the 28TH day of June, 2017.

*Theresa Bergstrand*

Theresa Bergstrand, LSR.  
My commission expires 3/31/2021