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STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Docket No. 481

Application From Cellco Partnership d/b/a Verizon
Wireless for a Certificate of Environmental
Compatibility and Public Need for the Construction,
Maintenance and Operation of a Telecommunications
Facility located at 667, 665, 663, and 663R Main Street
in Cromwell, Connecticut

Public Hearing held at the Cromwell Town
Hall, 41 West Street, Cromwell, Connecticut, Thursday,
April 19, 2018, beginning at 6:30 p.m.

H e l d B e f o r e :

ROBIN STEIN, Chairman

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

2 C o u n c i l M e m b e r s :

3 JAMES J. MURPHY, JR.

4 Vice Chairman

5

6 ROBERT HANNON,

7 DEEP Designee

8

9 MICHAEL HARDER

10 DR. MICHAEL W. KLEMENS

11 ROBERT SILVESTRI

12 EDWARD EDELSON

13 DAVID LYNCH

14

15 C o u n c i l S t a f f :

16 MELANIE BACHMAN, ESQ.,

17 Executive Director and

18 Staff Attorney

19

20 MICHAEL PERRONE,

21 Siting Analyst

22

23

24

25

1 A p p e a r a n c e s:(cont'd)

2 For the Applicant:

3 ROBINSON & COLE

4 280 Trumbull Street

5 Hartford, Connecticut 06103

6 By: KENNETH C. BALDWIN, ESQ.

7 Kbaldwin@rc.com

8 860.275.8345.

9

10 For L. Lavera (Interested Party):

11 LAW OFFICES OF KEITH R. AINSWORTH, LLC

12 51 Elm Street, #201

13 New Haven, Connecticut 06510

14 By: KEITH R. AINSWORTH, ESQ.

15 Keithrainsworth@live.com

16 203.435.2014

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1 CHAIRMAN STEIN: Good evening. I'd like
2 to call to order the meaning of the Connecticut
3 Siting Council today, Thursday, April 19, 2018, at
4 approximately 6:30 p.m.

5 My name is Robin Stein, Chairman of the
6 Siting Council. Other members of the Council
7 present are Senator James Murphy, our Vice
8 Chairman; Mr. Hannon, our designee from the
9 Department of Energy and Environmental Protection;
10 Mr. Edelson; Dr. Klemens; Mr. Silvestri; Mr.
11 Harder; and Mr. Lynch.

12 Members of the staff present are Melanie
13 Bachman, our Executive Director Staff Attorney;
14 and Michael Perrone, our citing analyst.

15 This is a continuation of a public
16 hearing which began at 3 p.m. this afternoon.
17 Copies of the hearing program and the Council's
18 citizen guide to Siting Council procedures are
19 available for members of the public. They're on
20 the table next to the door as is the sign-up
21 sheet.

22 This hearing is held pursuant to the
23 provisions of Title 16 of the Connecticut General
24 Statutes and of the Uniform Administrative
25 Procedure Act upon an application from Cellco

1 Partnership d/b/a Verizon Wireless for a
2 certificate of environmental compatibility and
3 public need for the construction, maintenance and
4 operation of a telecommunications facility located
5 at 667, 665, 663 and 663R Main Street in Cromwell,
6 Connecticut.

7 That application was received by the
8 Council on February 23 of 2018. This application
9 is also governed by the Telecommunications Act of
10 1996 which is administered by the Federal
11 Communications Commission. The act prohibits this
12 Council from considering the health effects of
13 radio frequency emissions on human health and
14 wildlife to the extent the emissions from towers
15 are within the federal acceptable safe limits
16 standards, which standard is also followed by the
17 State Department of Public Health.

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

24 The applicant published notice of the
25 filing of the application to the Council in the

1 Hartford Courant on February 21 and February 22,
2 2018. The Council's legal notice of the date/time
3 of this hearing was published in the Hartford
4 Courant on March 21, 2018.

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

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

14 This hearing session tonight has been
15 reserved for the public to make short statements
16 into the record. These public statements are not
17 subject to questions from the applicant or the
18 Council, and members of the public making
19 statements may not ask questions of the applicant
20 or Council.

21 These statements will become part of the
22 record for Council consideration. As noted before
23 there is a sign-up sheet available for those who
24 wish to participate.

25 As a reminder to all, off-the-record

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

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

11 We ask each person making a public
12 statement in this proceeding to confine his or her
13 statements to the subject matter before the
14 Council and to avoid unreasonable repetition.
15 Please be advised that the Council cannot answer
16 questions from the public about the proposal.

17 A verbatim transcript will be made of
18 this hearing and deposited at the Cromwell and
19 Rocky Hill Town Clerks' offices for the
20 convenience of the public.

21 Before calling on members of the public
22 to make statements I'd like to request that the
23 applicant make a very brief presentation to the
24 public describing where the facility is proposed
25 to be located, why it's necessary and what

1 alternatives are investigated. And after that I
2 would ask the applicant and his team to perhaps
3 sit in the back.

4 ROBERT BURNS: Good evening. My name is
5 Bob Burns. I'm a licensed civil engineer in the
6 State of Connecticut with All-Points Technology
7 Corp.

8 The proposal before us tonight is for a
9 proposed telecommunication facility located on
10 four parcels off of Main Street in Cromwell. The
11 proposed improvements will begin at the rear of
12 the parcel that is at 663 Main Street.

13 At the rear of the parcel the bituminous
14 concrete ends, and we will begin a gravel access
15 drive that will run along the inside of the
16 existing tree line on the property to the rear of
17 the site. We'll turn north at the rear of the
18 site and run to the back where the facility is.
19 The proposed utilities will come from a utility
20 pole that's located on the side of the street at
21 663, and run parallel to the proposed access
22 drive.

23 The compound itself will be a 50 by
24 50-foot fenced in area, 8-foot high chain-link
25 fence with a 12-foot wide gate. Outside of the

1 fence area there will be a proposed electric meter
2 board and a transformer.

3 In the compound itself, in the center of
4 the compound will be a 120-foot monopole and the
5 compound itself is sized for four
6 telecommunication carriers.

7 The anchor tenant initially will be --
8 Verizon Wireless will put 9 and half a foot by
9 16-foot steel platform relatively about 14 inches
10 off the ground with equipment cabinets and a 30-kW
11 diesel generator which will have a belly tank,
12 which essentially is a tank underneath the
13 generator itself.

14 The tower itself will be 120 feet with
15 Verizon being at the top, their RAD center, or the
16 center of their antennas will be at 120 and
17 there's room for three additional carriers
18 underneath at ten-foot increments.

19 That's the proposal.

20 THE CHAIRMAN: I think it would be
21 helpful if you would explain that you have changed
22 the location of the site from the original one,
23 and why you did that?

24 ROBERT BURNS: Originally the proposal
25 was to put the tower in the rear of the site as

1 far back as we could go mainly to stay out of the
2 property owner's operation, but at the request of
3 an adjacent property owner they asked us to shift
4 the tower a hundred feet to the east, which we've
5 done.

6 So the tower itself which was a lot
7 closer to the property line is now a hundred feet
8 further to the east, which gets us out a little
9 further away from the property owner that
10 requested.

11 THE CHAIRMAN: Thank you.

12 I'll now call, at the moment the first
13 and only individual who has requested, Attorney
14 Ainsworth. And if you go to the podium? Just
15 spell your last so we make sure we have it
16 correct.

17 MR. AINSWORTH: Sure. Good evening,
18 members of the Council. My name is Keith
19 Ainsworth. I'm an environmental attorney who
20 practices at 51 Elm Street in New Haven.

21 Tonight I have the privilege of
22 representing Lail Lavera who lives at 16 Sunset,
23 which is actually the house to the far west of the
24 property. It's the house which was immediately
25 adjacent to the original location of the tower.

1 Just a slight correction. The change in
2 location was actually at the request of
3 Mr. Lavera, but he didn't specify move it a
4 hundred feet. He was actually suggesting move it
5 as far east as possible.

6 Originally he was within 100 feet of
7 the, you know, within the fall distance of the
8 tower and he felt that what the owner had done was
9 maximize the distance from his own buildings and
10 put it as close as possible to Mr. Lavera's house.
11 And also minimize the impact to the operations of
12 the host's site, but without real regard to the
13 perhaps maximum impact to the neighbor.

14 I think the least that the Council could
15 do would be to explore the possibility of moving
16 it further to the east toward that main building,
17 because that whole area in between is just -- it's
18 all just storage of concrete block or concrete
19 product. Shifting it one way or the other doesn't
20 seem like it would be a great burden on the host
21 property, but might provide additional relief to
22 the neighbor.

23 However, I don't mean to sound like an
24 ingrateful neighbor. Mr. Lavera does appreciate
25 the fact that there was some change that was

1 offered. And certainly at a minimum, that would
2 be, you know, he would like to take that off the
3 table to at least gain the separation distance.

4 I think -- and if I had to express his
5 true thoughts, he would prefer not to see the
6 tower located at this particular location. The
7 nursery location next door was, of course, ideal
8 since it was heavily treed and a much larger
9 parcel, but obviously that's probably not a
10 realistic request given the host, I think, there
11 was not amenable to a lease.

12 But second best would be at least
13 positioning it within the commercial operations
14 where it's least impactful to the neighbors and
15 probably most respectful to them. They're not the
16 ones being compensated, but they are the ones who
17 bear some of the impact.

18 That's all I have. Other than maybe a
19 request that at a minimum that the applicant be
20 required to maintain the tree buffer that's around
21 there. That buffer currently serves as a buffer
22 to the operations on site, but now it takes on a
23 greater importance with this facility.

24 And I have my written comments, multiple
25 copies for the commission.

1 THE CHAIRMAN: Okay. Thank you.

2 That's the only person who signed up.
3 Is there anybody else who wants to speak?

4

5 (No response.)

6

7 THE CHAIRMAN: Okay. Before closing the
8 evidentiary record of this matter the Connecticut
9 Siting Council announces that briefs and proposed
10 findings of fact may be filed with the Council no
11 later than May 19, 2018. Submission of briefs or
12 proposed findings of fact are not required by the
13 Council. Rather, we leave it to the choice of the
14 applicant.

15 Again, anyone wishes to make his or her
16 views known to the Council may file a written
17 statement with the Council within 30 days of
18 today's date. The Council will issue draft
19 findings of fact and thereafter the applicant may
20 identify areas or inconsistencies between the
21 Council's draft findings of fact in the record,
22 however no new information, no new evidence, no
23 argument or reply briefs without our permission
24 will be considered.

25 Copies of the transcript of this hearing

1 will be filed at the Cromwell and Rocky Hill Town
2 Clerk's offices, and I hereby declare this hearing
3 adjourned.

4 Thank you all for your participation and
5 drive home safely.

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7 (Whereupon, the above proceedings were
8 concluded at 6:43 p.m.)

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CERTIFICATE

I hereby certify that the foregoing 14 pages are a complete and accurate computer-aided transcription of my original verbatim notes taken of the Public Hearing in Re: DOCKET NO. 481, APPLICATION FROM CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF A TELECOMMUNICATIONS FACILITY LOCATED AT 667, 665, 663, AND 663R MAIN STREET IN CROMWELL, CONNECTICUT, which was held before ROBIN STEIN, Chairman, Cromwell Town Hall, 41 West Street, Cromwell, Connecticut, April 19, 2018.



Robert G. Dixon, CVR-M 857
Notary Public
A Plus Reporting Service
55 Whiting Street, Suite 1A
Plainville, CT 06062
My Commission Expires: 6/30/2020