

In The Matter Of:
STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Docket No. 486 Public Hearing
September 19, 2019

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STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Docket No. 486

Application for a Certificate of Environmental
Compatibility and Public Need for the Construction,
Maintenance, and Operation of a Telecommunications
Facility Located at 796 Woodin Street, Hamden,
Connecticut

Public Hearing held at the Hamden Legislative
Council Chambers, Memorial Town Hall, 2372 Whitney
Avenue, Hamden, Connecticut, Thursday, September 19,
2019, beginning at 6:30 p.m.

H e l d B e f o r e :

ROBERT SILVESTRI, The Hearing Officer

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

2 Council Members:

3 ZACHARY ALEXANDER, ESQ.

4 PURA Designee

5

6 ROBERT HANNON,

7 DEEP Designee

8

9 DANIEL P. LYNCH, JR.

10 MICHAEL HARDER

11 EDWARD EDELSON

12

13 Council Staff:

14 MELANIE BACHMAN, ESQ.,

15 Executive Director and Staff Attorney

16

17 ROBERT MERCIER,

18 Siting Analyst

19

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21

22

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

2 For TARPON TOWERS II, LLC:

3 COHEN AND WOLF, P.C.

4 657 Orange Center Road

5 Orange, Connecticut 06477

6 By: VINCENT MARINO, ESQ.

7 VMarino@cohenandwolf.com

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1 THE HEARING OFFICER: Good evening,
2 ladies and gentlemen. This hearing is called to
3 order this Thursday, September 19, 2019, at
4 approximately 6:33 p.m. My name is Robert
5 Silvestri, member and presiding officer of the
6 Connecticut Siting Council.

7 Other members of the Council are Mr.
8 Robert Hannon, designee for Commissioner Katie
9 Dykes of the Department of Energy and
10 Environmental Protection; Mr. Daniel P. Lynch Jr.,
11 Mr. Edward Edelson; Mr. Michael Harder.

12 Members of the staff are Ms. Melanie
13 Bachman, Executive Director and Staff Attorney;
14 and Mr. Robert Mercier, siting analyst.

15 This is a continuation of a public
16 hearing that 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, and you can
20 find them over there near the speaker on the
21 table.

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 Tarpon

1 Towers II, LLC, for a certificate of environmental
2 compatibility and public need for the
3 construction, maintenance and operation of a
4 telecommunications facility located at 796 Woodin
5 Street, Hamden, Connecticut.

6 This application was received by the
7 Council on July 15, 2019. This application is
8 also governed by the Telecommunications Act of
9 1996 which is administered by the Federal
10 Communications Commission. This act prohibits
11 this Council from considering the health effects
12 of radiofrequency emissions on human health and
13 wildlife to the extent the emissions from towers
14 are within the federal acceptable safe limits
15 standards, which standard is also followed by the
16 State Department of Public Health.

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

23 The applicant published notice of the
24 filing of the application to the Council in the
25 New Haven Register on June 7, 2019. The Council's

1 legal notice of the date and time of this hearing
2 was published in the New Haven Register on
3 August 20, 2019.

4 Upon this Council's request the
5 applicant erected a sign at the proposed site so
6 as to inform the public of the name of the
7 applicant, the type of facility, the hearing date
8 and location, and contact information for the
9 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 parties
18 and interveners, or the Council. And members of
19 the public making statements may not ask questions
20 of the applicant or parties and interveners, or
21 the Council. These statements will become part of
22 the record for council consideration.

23 A sign-up sheet is available for those
24 who would like to participate, and again that's
25 over to my left near the speaker on the table.

1 As a reminder to all, off-the-record
2 communication with a member of the Council or a
3 member of the Council's staff upon the merits of
4 this application are prohibited by law.

5 I wish to note that the applicant or
6 parties and interveners including their
7 representatives and witnesses are not allowed to
8 participate in the public comment session. I also
9 wish to note for those who are here and for the
10 benefit of your friends and neighbors who are
11 unable to join us for the public comment session,
12 that you or they may send written statements to
13 the Council within 30 days of the date hereof and
14 such written statements will be given the same
15 weight as if spoken at the hearing tonight.

16 We ask each person making a public
17 statement in this proceeding to confine his or her
18 statements to the subject matter before the
19 Council and to avoid unreasonable repetition so
20 that we may hear all of the comments you and your
21 neighbors may have. Please be advised that the
22 Council cannot answer any questions about from the
23 public about the proposal.

24 A verbatim transcript will be made of
25 this hearing and deposited at the Town of Hamden

1 and the City of New Haven Clerks' offices for the
2 convenience of the public.

3 Before I call on members of the public
4 to make statements I request that the applicant
5 make a very brief presentation to the public
6 describing where the facility is proposed to be
7 located and why it is necessary, and what
8 alternatives were investigated.

9 MR. MARINO: Mr. Chairman, Vincent
10 Marino of Cohen and Wolf for the applicant, Tarpon
11 Towers II. Doug Roberts is going to be giving a
12 short presentation this evening.

13 THE HEARING OFFICER: Thank you,
14 Counselor.

15 Mr. Roberts, please proceed.

16 THE WITNESS (Roberts): Thank you.

17 Again, my name is Doug Roberts. I'll go
18 briefly over the site. We have the application
19 drawings here. We presented an alternate location
20 for the compound, and that's on this set of
21 drawings here.

22 But in a brief statement, what we're
23 proposing is to run along the Wilbur Cross Parkway
24 an access road and go down into a wooded area
25 between two wetland fingers in an area that's

1 really just woods.

2 We'll have underground utilities running
3 from the utility pole on Woodin Street along this
4 access road to the site.

5 The site itself is 70 by 40 feet, in a
6 75 by 75 lease area.

7 And we have a monopole tower and
8 foundation, an electrical meter and a transformer
9 and telco demark.

10 And the gravel access ride.

11 The compound itself will consist of
12 radio equipment with a backup generator with a
13 propane tank. Pretty straightforward.

14 The tower itself and equipment on the
15 tower, like I said it's a 120-foot monopole
16 with antennas centered at 120 feet. Our equipment
17 is in a fenced compound with security fencing
18 around it to prevent anyone from entering it
19 unauthorized. And the radios and antennas are
20 going to be located on the tower platform at
21 120-foot centerline.

22 These are some details of a generator,
23 radio equipment as well as the antennas
24 themselves. The only change different from the
25 docket application was we did move the compound,

1 kept it the same size, but we moved it 22 feet up
2 closer towards the parkway so that we would give a
3 little additional buffer area to the existing
4 wetland resource.

5 Thank you.

6 THE HEARING OFFICER: Thank you,
7 Mr. Roberts.

8 Ladies and gentlemen, when we call your
9 name I'd ask that you come up to the podium to my
10 right, and to use the microphone. I will
11 apologize up front if I mispronounce your name.
12 So with that I'd also ask you to spell your last
13 name so we can have that clearly in the record.

14 Our first speaker is Sarah
15 Nazario-Messineo -- if I said that correctly.

16 SARAH NAZARIO-MESSINEO: Hello.

17 THE HEARING OFFICER: Did I get your
18 name right?

19 SARAH NAZARIO-MESSINEO: It's Sarah
20 Nazario-Messineo, and I live -- we live on 784
21 Woodin Street, next door. And we pay taxes, first
22 of all.

23 There's an antiquated cellphone tower on
24 Wintergreen and my understanding is that one is
25 going to be removed and is going to be replaced by

1 this one. So my question is, why can't you just
2 place this cellphone tower there, and it should be
3 able to provide the same coverage?

4 I had to cut some of this because there
5 were certain things that you weren't -- I don't
6 have to discuss as far as health and everything
7 else.

8 There's not enough long-term information
9 to prove that this is not going to affect us and
10 wildlife. We have the preserve that's adjacent to
11 the property. This cellphone tower will be -- if
12 I can see -- if I can see that, it's going to be
13 up against the preserve that we have there.

14 And the nature preserve there, you have
15 beautiful wildlife from the bees to the
16 butterflies, to wild, exotic -- to birds to --
17 there's so much beauty there and we don't know if
18 this is going to affect it.

19 There's been a problem now with bees
20 that nobody knows why bees are dying, and we don't
21 know if this is what's causing it. We don't know,
22 and we need that for our future and the future of
23 everybody.

24 So you know, it's something that I want
25 all of you to take into consideration because this

1 is not just for our neighborhood. These people,
2 this is not going to benefit our neighborhood in
3 any way. We all have different cellphone
4 providers that we have that we use it, and nobody
5 has dropped coverage. We have public coverage.

6 So if it's to compete against other
7 cellphone carriers then use the other phone, the
8 other carrier, the other cellphone towers that are
9 there. But if there's an antiquated one there on
10 Wintergreen then use that one. Replace that one
11 with a brand-new 5G if that's what you want to do.

12 Thank you.

13 THE HEARING OFFICER: Thank you for your
14 comments.

15 Paul Messineo, please.

16 PAUL MESSINEO: I also live at 784
17 Woodin Street, which I am adjacent to the property
18 in question. Also the New Haven nature preserve
19 is behind.

20 You see a lot of neighbors behind us.
21 That was to our own doing because we were the only
22 people that were given a notice, besides the City
23 of New Haven because of -- because they had chased
24 the property behind. So we had to go out and
25 actually bring our neighbors here to let you know

1 because they're going to be affected by this as
2 well.

3 And to another point that I have is that
4 we need to have more time to look at this as a
5 public because some of the things that are listed
6 on the documents that were handed out today sort
7 of state that some of this stuff is from 1993,
8 '83, '86. We need to further look into this
9 ourselves.

10 I mean, I know that we're not supposed
11 to talk about health and everything else, but
12 that's something that when I bought this property
13 it was because it was out there and there was
14 nothing else around me. I want to be able to keep
15 that peace of mind for myself, for my children and
16 I want to be able to pass that down to them.

17 So if I can ask everybody that's on this
18 panel, we would like to have more time to be able
19 to look into things since we were given all of
20 these -- how do we say it? All these statutes. I
21 see them across in different years. We'd like to
22 be able to further -- and look into that. Okay?

23 And that's all I have. Thank you.

24 THE HEARING OFFICER: Thank you for your
25 comments. Ladies and gentlemen, I only have one

1 other person signed up to speak. If there's
2 anybody else that would like to, please put your
3 name there.

4 And the person that I have is Cheryl
5 Williams.

6 CHERYL WILLIAMS: Hello. My name is
7 Cheryl Williams and I live at 772 Woodin Street.
8 I am the first house at the dead end next to Sarah
9 and Paul, and then the 796 is the third house on
10 the dead end of our street.

11 When I first heard of this cell tower it
12 was a document that my mayor sent to me to look at
13 to read what the New Haven Register had said, and
14 I do believe that was sometime in August. And I
15 went next door to my neighbors' and I asked them,
16 what is this? You know, what's going on?

17 And they explained that they received a
18 registered letter to attend a meeting back in
19 March or April, and I was not invited. So that
20 shocked me, but not only was I not invited, you
21 have a slew of people in that neighborhood that
22 had no clue of what was going on with the cell
23 tower.

24 I called Michelle maybe three, four
25 times, as she knows. And my question was, when

1 they put up the sign they put it up at the end of
2 the dead end so people still wasn't aware. So I
3 created a petition -- I don't know if I can submit
4 it or what I do with it, but I created a petition
5 and went around to my neighbors, as many as I
6 could reach within the last couple of weeks and
7 asked them to sign it.

8 And these are the neighbors that are
9 against having the cell tower in the neighborhood.
10 I've lived in my residence for 19 years, lived
11 there peacefully. Now my residence is being
12 disrupted with the cell tower.

13 Can I submit this petition?

14 THE HEARING OFFICER: Absolutely.

15 CHERYL WILLIAMS: Thank you.

16 THE HEARING OFFICER: Thank you. And
17 thank you for your comments.

18 Linda Danaher -- if I pronounced that
19 correctly.

20 LINDA DANAHER: I'm sorry. I'm not
21 totally prepared. I just heard this on the news
22 and I knew there was talk of this happening.

23 THE HEARING OFFICER: Please use the
24 microphone. Thank you.

25 LINDA DANAHER: Sorry. I have to

1 apologize. I'm not totally prepared. I heard it
2 on the news today and I knew where there was talk
3 of this happening, and I have a number of concerns
4 about this antenna.

5 Number one, it's near the Merit Parkway
6 which in the 'fifties was built as a scenic
7 highway. That was not supposed to be any type of
8 construction in terms of commercial buildings, et
9 cetera, and I kind of consider an antenna a
10 business.

11 So I'm kind of confused why this would
12 be allowed to occur because that is a beautiful
13 area of our town. I walk around Lake Wintergreen
14 frequently. It's an absolutely lovely part of
15 town. I live at 915 Benham Street, and I have to
16 tell you the amount of wildlife we have that come
17 through our yard is absolutely wonderful.

18 I live in a wooded section. We see
19 bear. I had a bear in my yard. I have bobcats.
20 I have all sorts of wildlife. And I just think of
21 the antenna as not really kind of going along with
22 that type of environment. I worry about the town
23 of Hamden. We've got antennas up, WELI down at
24 the bottom of our road. We have antennas on
25 Denslow Hill Road. We have antennas up West

1 Woods.

2 This town has become a city and it's
3 very discouraging to people like myself who love
4 this town. I love the diversity. I love the
5 different neighborhoods. This is very sad. I
6 find that this is sad, that you're going to put an
7 antenna in a rural part of our town.

8 I think we have to really think about
9 preserving the character of our towns. These
10 antennas are not very attractive, and we don't
11 know the health problems with this. West Rock has
12 antennas on the top of it. I don't know why the
13 State of Connecticut allowed that. East Rock has
14 towers.

15 We have to kind of say, wait a minute.
16 What is this about? Is this about making money?
17 Who's making money here? Is it the Town of
18 Hamden? Is it the private property owners?

19 I am really concerned about the
20 character of our town. These poor people who live
21 near them, they bought their property in the
22 understanding that they had a lovely neighborhood.
23 Now they're going to have an antenna next door?

24 I find it very sad, and I think our
25 legislative council here needs to stand up for the

1 people of this town.

2 We pay a ton of taxes. And you know
3 what? People will say, why do you live in Hamden?
4 The taxes are through the roof. Well, you know
5 why I live in Hamden? Because I love it.

6 I love the people of our town. I love
7 the people of our town. I love the fact that I
8 can come here and speak to you, and hope that you
9 hear us, but enough is enough. We have antennas
10 all over this town. It's really sad.

11 And I have to tell you another thing. I
12 read an article that this antenna is supposed to
13 help Verizon. I have Verizon. I have to tell you
14 I've never had a problem with service in my home
15 at 915 Benham Street. I don't know. Have you?

16 THE HEARING OFFICER: Ma'am, just direct
17 your comments to us, please?

18 LINDA DANAHER: I'm sorry. I don't know
19 that anyone else has in Southern Hamden. I read
20 an article -- I don't know if it's true. It may
21 not be accurate. I read an article that this
22 antenna is supposed to help Northern Hamden. I
23 don't get it.

24 Why should the people in Southern Hamden
25 have this antenna to look at, to watch the lights?

1 I don't get it. I just feel like enough is
2 enough. There's plenty of antennas in this town
3 of Hamden. I wish people would stop with allowing
4 this to occur.

5 To the property owners, I understand
6 you're paying high taxes. I don't know where you
7 are if you're here, but I understand that. We're
8 all paying high taxes and we're all trying to eke
9 out a living, but it shouldn't be at the backs of
10 your neighbors.

11 I just have a couple of notes I jotted
12 down before I stop. Wintergreen is a scenic park.
13 We have a few antennas over there that we have to
14 look at. And to be surrounded, that lake be
15 surrounded by antennas, it's very, very sad.

16 And that's pretty much the gist of what
17 I have to say. And I again, I apologize. I
18 should have been better prepared. Thank you.

19 THE HEARING OFFICER: No apology
20 necessary. Thank you for your comments.

21 Dahlia Grace, which might be the last
22 person to come up to offer comments.

23 DAHLIA GRACE: Good evening. I stand in
24 support of my neighbors, Woodin and all over
25 Hamden who are in opposition to this antenna being

1 installed on the property on Woodin Street.

2 I reside at 852 Wintergreen Avenue. So
3 we are directly on the hill above that antenna.
4 So this is our perspective. We get a little view
5 of the sound. We get a little view kind of off of
6 the Merit Parkway. We get a view, kind of, of
7 this broad outlook on the hill below us, because
8 this is a pretty steep hill.

9 And so our new view will be a giant
10 antenna with a light on top of it, and various,
11 various little satellites on top of it to add to
12 the lovely green stuff that we see right now. And
13 it's going to help us to see another perspective
14 of our town that we really don't need to add to
15 our existence there.

16 There was a reason why we moved to that
17 spot, that spot itself and it has to do with the
18 fact that we can get a little piece of beauty and
19 enjoyment when we come home and we sit on our
20 deck. We can see this expanse that should not
21 include an antenna.

22 And so that's just a little perspective
23 in addition to the wildlife issues, and we know
24 that there's going to be great disruption from
25 this construction that is going to take place

1 starting from the Merit Parkway digging into this
2 property that is already currently a preserve and
3 is next to a preserve in the city of New Haven.

4 So I ask you to consider these, that
5 it's a blight on the southern area of Hamden that
6 is already getting challenged with being built up.
7 And we are trying to preserve the green and just
8 the lovely more rural nature of that part of our
9 town.

10 Thank you.

11 THE HEARING OFFICER: Thank you for your
12 comments.

13 Ladies and gentlemen, I don't have
14 anybody else on the list. Is there anyone else
15 that would like to offer public comment?

16 Going once, twice.

17

18 (No response.)

19

20 THE HEARING OFFICER: Okay. At this
21 time, ladies and gentlemen, the Council will close
22 the public comment session of this hearing.

23 The Council announces that it will
24 continue the evidentiary session of this hearing
25 at its office in New Britain on Tuesday,

1 October 22, 2019, at 1 p.m. Please note that
2 anyone who has not become a party or intervener,
3 but who desires to make his or her views known to
4 the Council may file written statements with the
5 Council until the public comment record closes.

6 Copies of the transcript of this hearing
7 will be filed at the Town of Hamden and the City
8 of New Haven Clerks' offices.

9 I hereby declare this hearing adjourned.
10 Thank you for your participation and please drive
11 safely.

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13 (Whereupon, the above proceedings were
14 concluded at 6:56 p.m.)
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CERTIFICATE

I hereby certify that the foregoing 22 pages are a complete and accurate computer-aided transcription of my original verbatim notes taken of the Public Hearing in Re: DOCKET NO. 486, APPLICATION FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF A TELECOMMUNICATIONS FACILITY LOCATED AT 796 WOODIN STREET, HAMDEN, CONNECTICUT, which was held before ROBERT SILVESTRI, The Hearing Officer, at the Hamden Legislative Council Chambers, Memorial Town Hall, 2372 Whitney Avenue, Hamden, Connecticut, Thursday, September 19, 2019.



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

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