

1 STATE OF CONNECTICUT
2 CONNECTICUT SITING COUNCIL

3
4 Docket No. 487

5 Homeland Towers, LLC and New Cingular
6 Wireless PCS, LLC d/b/a AT&T application for a
7 Certificate of Environmental Compatibility and
8 Public Need for the construction, maintenance, and
9 operation of a telecommunications facility located
10 at 183 Soundview Lane, New Canaan, Connecticut
11

12
13 VIA ZOOM AND TELECONFERENCE
14

15
16 Public Comment Session held on Thursday, July
17 9, 2020, beginning at 6:30 p.m. via remote access.
18

19
20 H e l d B e f o r e:

21 ROBERT SILVESTRI, Presiding Officer
22

23
24
25 Reporter: Lisa Warner, CSR #061

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

2
3 **Council Members:**

4 **ROBERT HANNON**

5 **Designee for Commissioner Katie Dykes**
6 **Department of Energy and Environmental**
7 **Protection**

8 **LINDA GULIUZZA**

9 **Designee for Chairman Marissa Paslick Gillett**
10 **Public Utilities Regulatory Authority**

11
12 **JOHN MORISSETTE**

13 **MICHAEL HARDER**

14 **EDWARD EDELSON**

15
16 **Council Staff:**

17 **MELANIE BACHMAN, ESQ.**

18 **Executive Director and**
19 **Staff Attorney**

20
21 **MICHAEL PERRONE**

22 **Siting Analyst**

23
24 **LISA FONTAINE**

25 **Fiscal Administrative Officer**

1 **A p p e a r a n c e s : (Cont'd.)**

2
3 **For Homeland Towers, LLC and New Cingular**
4 **Wireless PCS, LLC d/b/a AT&T:**

5 **CUDDY & FEDER, LLP**

6 **445 Hamilton Avenue, 14th Floor**

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8 **BY: LUCIA CHIOCCHIO, ESQ.**

9 **DANIEL PATRICK, ESQ.**

10
11 **For Soundview Neighbors Group:**

12 **CUMMINGS & LOCKWOOD LLC**

13 **6 Landmark Square**

14 **Stamford, Connecticut 06901**

15 **BY: JOHN W. CANNAVINO, ESQ.**

16
17 **St. Luke's School/St. Luke's Foundation, Inc:**

18 **JULIA GABRIELE**

19 **CHRISTOPHER ROSOW**

20
21 **SPEAKERS:**

22 **ROBERT BURNS, All-Points Technology**

23 **ROY ABRAMOWITZ**

24 **KIANA O'REILLY**

25

1 **A p p e a r a n c e s: (Cont'd.)**

2 **SPEAKERS (Continued):**

3 **SERKAN SAVASOGLU**

4 **MARISA PERCY**

5 **MARISSA LOWTHERT**

6 **ROD LITTLE**

7 **TOM BUTTERWORTH**

8 **KIMBERLY HARPER**

9 **BRIAN O'REILLY**

10 **CHRISTINE PESATURO**

11 **CHRIS ELLIS**

12 **ROBERT YOUNG**

13 **KATE STIMPSON**

14 **JOHN GOODWIN**

15 **MEGAN MORALES**

16 **LAURA DIJS**

17 **KEVIN MOYNIHAN**

18 **JOE DERR**

19 **THOMAS LYNN**

20 **HAIK KAVOOKJIAN**

21 **McKAY MARSCHALK**

22 **ALICIA MEYER**

23
24 **Host: Aaron DeMarest**

25 ****All participants were present via remote access.**

1 MR. SILVESTRI: Ladies and gentlemen,
2 good evening. This remote public hearing is
3 called to order this Thursday, July 9, 2020, at
4 6:30 p.m. My name is Robert Silvestri, member and
5 presiding officer of the Connecticut Siting
6 Council.

7 Other members of the Council are
8 Mr. Robert Hannon, designee for Commissioner Katie
9 Dykes of the Department of Energy and
10 Environmental Protection. Linda Guliuzza,
11 designee for Chairman Marissa Paslick Gillett from
12 the Public Utilities Regulatory Authority.
13 Mr. Michael Harder, Mr. John Morissette and
14 Mr. Edward Edelson.

15 Members of the staff are Ms. Melanie
16 Bachman, executive director and staff attorney;
17 Mr. Michael Perrone, siting analyst; and Ms. Lisa
18 Fontaine, fiscal administrative officer.

19 Please note there is currently a
20 statewide effort to prevent the spread of
21 Coronavirus. This is why the Council is holding
22 this first ever remote public hearing, and we ask
23 for your patience. If you haven't done so
24 already, I'd ask that everyone please mute their
25 computer audio and/or their telephone now.

1 This is a continuation of a remote
2 public hearing that began at 2 p.m. this
3 afternoon. A copy of the prepared agenda is
4 available on the Council's Docket No. 487 web
5 page, along with the record of this matter, the
6 public hearing notice, instructions for public
7 access to this remote public hearing, and the
8 Connecticut Council's Citizens Guide to Siting
9 Council Procedures.

10 This hearing is held pursuant to
11 provisions of Title 16 of the Connecticut General
12 Statutes and of the Uniform Administrative
13 Procedure Act upon an application from Homeland
14 Towers, LLC and New Cingular Wireless PCS, LLC
15 doing business as AT&T for a Certificate of
16 Environmental Compatibility and Public Need for
17 the proposed construction, maintenance and
18 operation of a telecommunications facility located
19 at 183 Soundview Lane, New Canaan, Connecticut.
20 This application was received by the Council on
21 February 7, 2020.

22 The Council's legal notice of the date
23 and time of this remote public hearing was
24 published in The New Canaan Advertiser on July 4,
25 2020. Upon this Council's request, the applicants

1 erected a sign at the proposed site so as to
2 inform the public of the name of the applicants,
3 the type of facility, the remote public hearing
4 date, and contact information for the Council.

5 This remote public comment session is
6 reserved for the public to make brief statements
7 into the record. These public statements are not
8 subject to questions from the parties or the
9 Council, and members of the public making
10 statements may not ask questions of the parties or
11 the Council. In fairness to everyone who signed
12 up to speak, these public statements will be
13 limited to three minutes and will become part of
14 the record for Council consideration. Please be
15 advised that if the public comment session does
16 not conclude by 9:30 p.m., written comments may be
17 submitted by any person within 90 days of this
18 public hearing.

19 And as a reminder to all,
20 off-the-record communications with a member of the
21 Council or a member of the Council staff upon the
22 merits of this application is prohibited by law.

23 I wish to note that parties and
24 intervenors, including their representatives,
25 witnesses and members, are not allowed to

1 participate in the public comment session. I also
2 wish to note for those who are listening and for
3 the benefit of your friends and neighbors who are
4 unable to join us for this remote public comment
5 session that you or they may send written comments
6 to the Council within 30 days of the date hereof
7 by mail or by email, and such written statements
8 will be given the same weight as if spoken at the
9 remote public comment session this evening.

10 Please be advised that any person may be removed
11 from the remote public comment session at the
12 discretion of the Council.

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

21 A verbatim transcript of this remote
22 public hearing will be posted on the Council's
23 Docket No. 487 web page and deposited at the New
24 Canaan Town Clerk's office for the convenience of
25 the public.

1 Before I call on the members of the
2 public to make their statements, I request the
3 applicants to make a very brief presentation to
4 the public describing the proposed facility.

5 And I believe, Mr. Burns, you're going
6 to do that presentation?

7 MR. BURNS: Yes, sir.

8 MR. SILVESTRI: Please proceed.

9 MR. BURNS: For the record, my name is
10 Robert Burns. I'm a licensed civil engineer in
11 the State of Connecticut working for All-Points
12 Technology Corporation.

13 The proposed facility in front of you
14 is located at 183 Soundview Lane which is located
15 at the end of Soundview Lane on the east side of
16 the street. Access to the proposed compound will
17 be along a new 12 foot wide by 140 foot long
18 gravel access driveway commencing at the existing
19 cul-de-sac at the end of Soundview Lane onto the
20 privately-owned parcel and running along the
21 southern side of an existing 20 foot wide drainage
22 easement. This easement is currently used to
23 convey the existing underground stormwater piping
24 associated with the street drainage.

25 The proposed compound will be located

1 on the south side of the proposed gravel access
2 driveway entirely outside of the existing drainage
3 easement. This compound will be 23 and a half
4 feet by 75 feet. The surface will be gravel, and
5 it will be surrounded by an 8 foot high shadowbox
6 fence with a 12 foot wide access gate off of the
7 driveway.

8 The proposed compound has been sized
9 for four carriers, the initial anchor, which is
10 AT&T, and three future carriers. The inside of
11 the fencing will be fitted with 16 sound
12 attenuation blankets which will be installed to
13 muffle any sound from the interior of the
14 compound.

15 Outside of the fence on the west end of
16 the compound is a proposed utility area which will
17 include a utility backboard with the proposed
18 utility meters associated with the compound, an
19 electric transformer and a telephone cabinet.
20 This area will be surrounded by steel bollards for
21 protection.

22 The proposed electric and telephone
23 service that will feed the site will be installed
24 underground beginning at a point across from
25 Soundview Lane approximately 150 feet away.

1 Inside the fence on the west end of the
2 compound is AT&T's ground equipment, which will
3 include a 7 foot by 7 foot walk-in cabinet which
4 will sit on an 8 foot, 8 inch by 8 foot, 8 inch
5 concrete pad and a 15 kW diesel generator which
6 will sit on a 7 foot by 9 foot concrete pad.

7 Adjacent to AT&T's equipment is an 85
8 foot high monopine with a 5 foot faux top for a
9 total of 90 feet in height. The branches of the
10 tower will start at 20 feet from the ground, and
11 the tower will be designed with a hinge point at
12 52 feet due to the closest property line being 38
13 feet from the tower.

14 AT&T is planning to install six panel
15 antennas and nine remote radio heads which will be
16 mounted on T-arms. The center line of those
17 antennas will be at 81 feet and within the
18 branches of the monopine. The tower will be
19 designed for three additional future carriers at
20 10 foot intervals below AT&T's installation.

21 8 foot tall proposed plantings will be
22 installed outside of the proposed fencing as a
23 means of screening the proposed facility. Thank
24 you.

25 MR. SILVESTRI: Thank you, Mr. Burns.

1 MR. BURNS: You're welcome.

2 MR. SILVESTRI: Two things, ladies and
3 gentlemen, before we get to the public comment
4 list: Number one, if I do mispronounce your last
5 name, when you get up to speak please correct me
6 and pronounce it correctly. I'd appreciate that.
7 Thank you.

8 The second part of it is, again, public
9 speaking will be limited to three minutes. You'll
10 hear what sounds like a doorbell as we get at the
11 three-minute mark just as a reminder that your
12 time would be up.

13 So with that, we will now call on McKay
14 and Katie Marschalk to make a public statement,
15 followed by Keith Richey and wife. I'm sorry, not
16 Keith Richey, Jeremy and Kate Maco. My fault.

17 So do we have McKay and Katie?

18 (No response.)

19 MR. SILVESTRI: Okay, not hearing
20 anything, I'll double back to them afterwards.

21 Jeremy and Kate Maco followed by Roy
22 Abramowitz. Do we have Jeremy and Kate?

23 (No response.)

24 MR. SILVESTRI: I'll ask again. Jeremy
25 and Kate or McKay and Katie?

1 (No response.)

2 MS. PERCY: I just let them both know
3 that they've been called on, so perhaps they may
4 call in later.

5 MR. SILVESTRI: Okay. All right.
6 We'll move on to Roy Abramowitz followed by Kiana
7 O'Reilly.

8 MR. ABRAMOWITZ: Hi, this is Roy
9 Abramowitz.

10 MR. SILVESTRI: Thank you.

11 MR. ABRAMOWITZ: Thanks. Thanks for
12 hearing my input tonight. I'm a resident of New
13 Canaan, and I reside with my family at the
14 intersection of Soundview and Laurel Road.

15 I've had sufficient cell service here
16 for the last four to five years, and that's mainly
17 due to the tower that's up in Vista, and there was
18 a tower which doesn't reach me down by the country
19 club. The first selectman himself asked me where
20 I get my coverage from. I have full video
21 coverage actually on my computer now on Wi-Fi. My
22 coverage, the strong signal is coming from Vista.
23 It's a 140 foot tower. The New York border is
24 about a mile from my home.

25 The first selectman himself said, yes,

1 they're ramping it up. Well, if they are ramping
2 it up and we have coverage, why do we need an
3 additional cell tower? The point is, over the
4 years people down below on Laurel Road where the
5 Richey tower will not even reach because it's out
6 of the one to one and a half mile perimeter of its
7 reach, would come up to Soundview and park there
8 because it's one of the highest points in New
9 Canaan to be on their cell phones. I also believe
10 that the Siting Council should respect our
11 planning and zoning's modifications that are fair
12 and appropriate to maintain the safety and
13 character of Soundview Lane and our community.

14 I listened in this afternoon to some of
15 the testimony, and there's a few things that I
16 believe are very, very misleading: Number one,
17 the St. Luke's School has put in first responder
18 antennae so first responders have ample coverage
19 up there. Over the years before the asphalt hard
20 true ball fields were put in over the dirt and
21 grass, I used to take my dogs up there and run
22 them. I used to have my daughter up there. She
23 played softball. And I had full video coverage to
24 film my dogs, any events I did at St. Luke's, and
25 I could actually download it. So the conference

1 before that said that people will not have the
2 ability to shoot video and download it is untrue.

3 The comment that EMS and first
4 responders need the tower for service is also
5 untrue. The other untruth is that we live in 4
6 acre zoning. The one and a half mile reach, we
7 have 4 acre zoning to the north of St. Luke's,
8 which is the size of a university. Beyond that,
9 we have the Norwalk Reservoir. We also have a
10 lake. Beyond that the cell tower doesn't reach.
11 It will not reach 123. So the point is, it's not
12 going to afford additional coverage. I don't know
13 what the business purpose is, but we don't need
14 it. If the tower fell when there were people at
15 St. Luke's, there could be harm. It could fall
16 onto the Wiley's property. It could fall onto the
17 property across from the Richeys.

18 The other thing that was mentioned is
19 that the Richey property, it's nonconforming, the
20 tower, because of the fence. That is untrue. It
21 is nonconforming because, number two, it's an
22 additional structure on residential property, and
23 it's also within the 50 foot required setback from
24 the property line. That is what's required in 4
25 acre zoning. And Richey is not putting the tower

1 there to keep it away from his neighbors. What
2 he's doing is putting the tower there to keep it
3 away from his own home because it's in visibility
4 of the homes, especially the Wileys.

5 MR. SILVESTRI: Mr. Abramowitz, we went
6 over a little bit on your time. I do appreciate
7 your comments. If you have anything else, please
8 send them in to us either by mail or by email, but
9 thank you.

10 MR. ABRAMOWITZ: Thank you, sir.

11 MR. SILVESTRI: So we have Kiana
12 O'Reilly who's going to be followed by Serkan
13 Savasoglu.

14 MS. O'REILLY: Great. Thank you so
15 much. My name is Kiana O'Reilly, and my husband
16 and I are New Canaan residents, and we have five
17 young children here in town. We have three kids
18 in the elementary schools in New Canaan, and our
19 oldest two are also students of St. Luke's.

20 As a New Canaan resident and a parent
21 of two St. Luke's students, I have a number of
22 concerns about the possibility of this cell tower
23 being installed over at 183 Soundview, and I'm
24 fully opposed to the current plans of a tower at
25 that location. The idea that a New Canaan

1 resident is allowed to construct a 90 foot tower
2 on his property, the constant noise this cell
3 tower would emit in the local area, and the
4 dangerous health effects, possible health effects
5 these towers can have on people are my first
6 thoughts. The numerous examples of these towers
7 falling during heavy winds cannot be denied which
8 is a huge concern given the high winds that sweep
9 through that area during storms throughout the
10 year due to its high elevation.

11 Cell towers, we all know, present a
12 danger of collapse and the potential to cause harm
13 such as property damage, personal injury or death
14 to anyone who might be unlucky enough to be near a
15 cell tower when it falls. This is why it's so
16 imperative that there is strict compliance with
17 the setback requirements necessary to protect our
18 students, staff at St. Luke's, and neighbors from
19 the danger of collapse that a cell tower presents.

20 The plans show this tower sitting right
21 on top of the St. Luke's School fields where most
22 students are playing sports all afternoon.
23 Students play in this field for gym, during their
24 free time after lunch. All their sports
25 activities are played on those fields for our own

1 kids as well as visiting teams from other schools
2 as well.

3 Currently there is not a setback
4 requirement for this tower. People who want to
5 put up a fence in this town have to abide by a
6 setback requirement, but for an 85 to 90 foot cell
7 tower there aren't any? Restrictions are
8 implemented, obviously, to prevent damage and
9 injury resulting from ice falling, debris falling
10 from these towers, failure or collapse, and to
11 avoid and minimize all other impacts upon
12 adjoining properties. I'm just wondering why
13 we're not abiding by our own New Canaan zoning
14 codes that will prevent such damage and injury if
15 something like this occurs. Our P&Z guidelines
16 need to be abided by, most importantly the setback
17 from the school property line provision.

18 I would love to know how they plan to
19 protect and keep our children safe while they're
20 at school getting an education. What regulations
21 are going to be in place that can guarantee if
22 this tower ever had an issue and fell or debris
23 fell from it that none of our students or staff
24 would be injured? What protection is in place to
25 be certain that any debris coming off of it during

1 the high winds that hit that area often wouldn't
2 be dangerous to the St. Luke's students on their
3 own campus? Our zoning codes in New Canaan need
4 to be in place to prevent such damage and injury.

5 I'd like to see the alternative
6 location that the neighbors have dutifully
7 investigated and brought to the table considered
8 and looked at. This seems like a reasonable
9 alternative where the town can improve their cell
10 coverage but also protect students and neighbors
11 as well.

12 As a mother of --

13 MR. SILVESTRI: Ms. O'Reilly, we did
14 hit the end of the three minutes. I just heard
15 that tone. Again, you're welcome to submit
16 written comments by mail or email. And again, we
17 thank you for your comments.

18 MS. O'REILLY: Thank you.

19 MR. SILVESTRI: Next we have Serkan --
20 and I'm just going to leave it at that. You can
21 pronounce your last name for me because I'll
22 butcher it otherwise, I know that -- followed by
23 Marisa Percy.

24 MR. SAVASOGLU: Hi, my name is Serkan
25 Savasoglu. Thank you for listening to me tonight,

1 and thank you to the Siting Council for reading
2 some of my emails over time. And also thanks to
3 everybody else for participating in this important
4 discussion.

5 Look, I'm going to focus on the health
6 aspects, specifically radiation related negative
7 health consequences, knowing that by law based on
8 the '96 law that health concerns alone (audio
9 interruption) to deny, but I do think that given
10 how serious some of these considerations are, I
11 think it's important for all of us to be aware of
12 some of the research I've done and what I found
13 out. Look, I'm not a doctor or a scientist. I
14 just read academic articles and peer review
15 pieces. I don't live close by, but I do have a
16 child in the school. I wanted to make five points
17 before I make my closing statements.

18 I found a letter written by the U.S.
19 Department of the Interior. This is not me. This
20 is not some scientist. It's the U.S. Department
21 saying that the FCC guidelines ignore the chronic
22 radiation exposure as a result of cell phone
23 towers.

24 Number two, I read a lot of peer
25 reviewed articles that cited adverse health

1 effects, including cancer, even when the radiation
2 amount was below the internationally accepted
3 limit.

4 Number three, in the last one and a
5 half years or so -- sorry, my screen said I was
6 muted. I don't know if you can hear me.

7 MR. SILVESTRI: I can still hear you.

8 MR. SAVASOGLU: Great. In California
9 in the last one and a half years or so two
10 wireless carriers removed cell phone towers near
11 schools partly due to health concerns.

12 Four, the American Cancer Society says
13 that more research is needed to look at the
14 possible long-term health effects.

15 And number five, there are countries in
16 Europe and Asia that prohibit cell phone towers
17 within a certain distance near schools.

18 Look, I understand some of these issues
19 cannot be taken into consideration solely, but
20 they are important to consider. And just like
21 that law, we also have our town rules. And as
22 Kiana just said earlier, if I cannot build a tiny
23 shed unless I comply with our town rules, I'm
24 having a difficult time understanding how we can
25 allow a huge tower to be built in violation of our

1 town zoning rules knowing that there are these
2 very serious potential health consequences.

3 I would encourage you to please take
4 into serious consideration both all the zoning
5 considerations and also the alternative location
6 possibilities. Thank you.

7 MR. SILVESTRI: Thank you for your
8 comments. I have Marisa Percy followed by Marissa
9 Lowthert.

10 MS. PERCY: Hi there. My name is
11 Marisa Percy. My husband and I and four small
12 children live at 73 Soundview Lane.

13 A few of our concerns with this
14 tower -- well, first I guess I should say we're
15 against it. We're concerned with diminishing
16 property values. We're concerned that, you know,
17 in the Connecticut rules and regulations there's a
18 clause for distances that cell phone towers have
19 to be away from preschools and, what is it, day
20 cares, but take no consideration into grown
21 children in middle school and high school. So I
22 think that's kind of unfair for children once they
23 age out of preschool.

24 We also feel that this sets a terrible
25 precedence of pitting greedy neighbors versus

1 neighbors when this should be considered a public
2 utility. This is not something that should be
3 sitting, you know, right on a residential street.

4 We also don't feel that this provides
5 adequate coverage. And on many of the maps that
6 were shown to the New Canaan public, it barely
7 even reached to the end of our street which is
8 honestly not a very long street. I barely get
9 1,000 steps on my watch if I walk down it. And
10 keeping this tower within 85 feet actually doesn't
11 really provide all that much coverage. So I don't
12 understand why they're not looking for more
13 adequate space where they could put a higher one
14 that would provide more coverage.

15 So I will close it up with that and
16 just to be on record that my husband and I are
17 against this. Thank you.

18 MR. SILVESTRI: Thank you for your
19 comments.

20 Next we have Marissa Lowthert followed
21 by Rod and Janet Little. Marissa Lowthert?

22 MS. LOWTHERT: Hi. Can you hear me?

23 MR. SILVESTRI: I can hear you, yes.

24 Thank you.

25 MS. LOWTHERT: Thank you for your time

1 tonight. I'm a parent of a St. Luke's student,
2 and I'm opposed to the proposed tower on Soundview
3 Lane. A 90 foot tower poses a danger to St.
4 Luke's students not only from a fall zone
5 perspective but also from an environmental
6 perspective as well. I have children with
7 environmental sensitivities, and one of the main
8 reasons I chose St. Luke's was for the location.
9 I believed the St. Luke's facility and location
10 would provide my child with a strong education and
11 also keep my child healthy.

12 In 2003 Connecticut passed indoor air
13 quality laws to protect the health of children.
14 These laws and letters issued by the Connecticut
15 Commissioners of Education and DEEP identified
16 that a school bus idling poses a health issue for
17 students. If a school bus can't idle for a few
18 minutes, how can a 90 foot tower be placed within
19 close proximity of a school? If power goes out,
20 you will have generators running, and that would
21 pose potential health issues for students. The
22 New Canaan P&Z regulations prohibit such a
23 building. I believe the tower should have to
24 follow the law and the P&Z regulations.

25 Additionally, I understand that there's

1 an alternative location that is not on top of the
2 school, and I believe that should be considered as
3 well. Thank you for your time.

4 MR. SILVESTRI: Thank you for your
5 comments.

6 Next we have Rod and Janet Little,
7 followed by Guy and Christine Ross.

8 MR. LITTLE: Thank you. Good evening,
9 everyone. It's Rob Little here on behalf of my
10 wife, Janet. A New Canaan resident, 48 Mariomi
11 Road, and St. Luke's parent with one child at St.
12 Luke's.

13 I recognize the need to improve mobile
14 coverage. I get frustrated going around New
15 Canaan, and so I totally get the need, but I think
16 there's a health and safety aspect to this, and
17 how we get there and get the mobile coverage, that
18 needs to be a top consideration. And the neighbor
19 issue aside, if I were neighbors of Mr. Richey, I
20 don't know what I would do. That aside, I do
21 think there's alternate locations that can work.
22 There's one I understand that's been proposed that
23 works well. That would be my preference that we
24 look there. If not, then minimally let's adhere
25 to the setback rules, as many have stated, that

1 the rest of us have to comply with around the
2 setback requirements and where this thing goes.

3 So, anyway, I just want to be on record
4 that we're against it but recognize the need.
5 Thank you.

6 MR. SILVESTRI: Thank you for your
7 comments. Next we have Guy and Christine Ross,
8 followed by Tom Butterworth.

9 (No response.)

10 MR. SILVESTRI: Guy and Christine?

11 (No response.)

12 MR. SILVESTRI: I'll try again. Guy
13 and Christine Ross?

14 (No response.)

15 MR. SILVESTRI: Okay, I'm going to move
16 on. Tom Butterworth followed by Kimberly Harper.

17 MR. BUTTERWORTH: Yes, Tom Butterworth.
18 Thank you for the opportunity to speak tonight.
19 I'm a member of the New Canaan Town Council but
20 don't speak on their behalf. I do believe,
21 however, that my views represent the best
22 interests of the Town of New Canaan as a whole.

23 The Soundview Lane tower would make it
24 safer to walk or drive on miles of roads in
25 northeast New Canaan. Police, fire and emergency

1 service workers say that approving it is likely to
2 save lives and prevent crimes. Hundreds of
3 homeowners fear storms that cause falling trees to
4 take out landlines, electric power and Wi-Fi.

5 And please listen to the perspective of
6 my daughter who coached field hockey and lacrosse
7 at St. Luke's for several years. She drove vans
8 and buses on the very roads that we're talking
9 about where cell service was spotty or
10 nonexistent. On every trip she worried that if
11 the van broke down or a child needed immediate
12 attention, she wouldn't be able to call for help.
13 These are the risks that every New Canaan resident
14 should want to eliminate.

15 Another issue is property values which
16 in recent years have been dropping precipitously
17 in the very area this tower would service. None
18 of the things the new generation of -- one of the
19 things the new generation of homeowners first
20 notice is lousy cell service. Not only does this
21 reduce the appeal of particular homes, it's a
22 black eye on the image of our entire town. It
23 portrays New Canaan as unable to ensure
24 convenience, safety and modernity for our
25 residents.

1 I've heard and read the concerns raised
2 by neighbors and will take time to speak to only
3 one of them. As a parent of four graduates of St.
4 Luke's School, I have spent countless hours on the
5 athletic field that is closest to the proposed
6 tower. Had it been there when my kids were
7 playing sports, I would have absolutely no concern
8 for their safety, particularly at times of high
9 winds when they wouldn't have been on the field at
10 all.

11 I don't have a bone to pick with the
12 cell phone tower regulations adopted by planning
13 and zoning last year. I believe they were adopted
14 in good faith and certainly will inform many
15 future proposals. It has been on town land. It's
16 been clear to us for years, however, that planning
17 and zoning lacks jurisdiction over towers on
18 private property. So there has been no compelling
19 reason for those of us who support expanded cell
20 service to engage with planning and zoning on the
21 Richey tower application or to challenge planning
22 and zoning on the impact its regulations would
23 have on the application before you. You shouldn't
24 let a body without jurisdiction override a body
25 that does -- that has jurisdiction.

1 New Canaan has been enmeshed in cell
2 tower controversies for decades and progress has
3 been painstakingly slow. It seems plausible that
4 if this application is denied it could take many,
5 many years before a comparable opportunity arises.
6 Please approve it without delay. Thank you.

7 MR. SILVESTRI: Thank you for your
8 comments.

9 Next we have Kimberly Harper followed
10 by Darlene Negbenebor. Do we have Kimberly?

11 MS. HARPER: Yes, I'm here. Thank you.

12 MR. SILVESTRI: Super. Thank you.

13 MS. HARPER: I just want to establish
14 first and foremost that I'm against the cell tower
15 being placed so close to St. Luke's School. I
16 have a 6th grader at the school who will be there
17 for the next seven years, and that's a very long
18 time to be exposed to the potential dangers of a
19 cell tower that does not have adequate safe
20 setback and fall zone. It's not difficult to see
21 that substantial risks exist. The internet is
22 flooded with montage videos of cell towers
23 catching fire and collapsing or debris falling
24 off. And obviously the space is available, so the
25 setback and fall zone should be greater to protect

1 the children at St. Luke's School. Our kids are
2 being put at risk needlessly, and it seems like we
3 should be looking out for the safety of our
4 children first and foremost. I can't think of
5 anything that's more important than that.

6 It's apparent that there are other
7 sites that are more fitting and do not put the
8 school children at risk. What if something
9 happens to the kids -- what if something happens
10 to the tower and the kids are harmed? I
11 understand the need for cell service, but at what
12 cost to our kids? So I ask that you do the right
13 thing and utilize an alternate location. Thank
14 you.

15 MR. SILVESTRI: Thank you for your
16 comments.

17 Next we have Darlene Negbenebor
18 following by Dr. Lauren Ernberg.

19 (No response.)

20 MR. SILVESTRI: Do we have Darlene?

21 (No response.)

22 MR. SILVESTRI: I'll try again. Do we
23 have Darlene?

24 (No response.)

25 MR. SILVESTRI: Okay. Moving on, Dr.

1 Lauren Ernberg followed by Brian O'Reilly. Do we
2 have Lauren Ernberg?

3 MR. DEMAREST: I'm trying to get her
4 online.

5 MR. SILVESTRI: Do you have her?

6 MR. DEMAREST: It appears not.

7 MR. SILVESTRI: All right. Moving on,
8 Brian O'Reilly going to be followed by Greg and
9 Christine Pesaturo.

10 MR. O'REILLY: Hi, I'm Brian O'Reilly.
11 My wife Kiana just spoke a little bit earlier. I
12 grew up in town, and then my wife and I moved back
13 here about four years ago.

14 I just wanted to register that we are
15 not interested and do not support the town
16 allowing the cell tower on a private property
17 which is so close to the school without adhering
18 to the regulations. So not much to say, just kind
19 of echoing what Kiana said before, and I'd like to
20 register that we're against it. Thanks.

21 MR. SILVESTRI: Thank you for your
22 comments.

23 We have Greg and Christine Pesaturo,
24 followed by Chris and Shannon Ellis.

25 Do we have Greg and Christine?

1 MS. PESATURO: Good evening. This is
2 Christine. My husband, Greg and I, along with our
3 two sons, reside at 101 Soundview Lane which is
4 located about four houses down from 183 Soundview
5 Lane or halfway down Soundview Lane.

6 We believe that constructing a cell
7 tower at 183 Soundview will negatively impact the
8 character of our residential neighborhood and the
9 value of our home. The current character of our
10 residential neighborhood is one of the primary
11 reasons that we purchased our home back in 2014.
12 With two kids who often ride their bikes on the
13 street and play on Soundview Lane, we have real
14 safety concerns with the construction of this
15 tower and the fall zone. And we believe that
16 alternative locations for a cell tower in the
17 northeast part of town have not been fully
18 researched or considered and should be following
19 this meeting. That was all for us. Thanks for
20 your time.

21 MR. SILVESTRI: Thank you for your
22 comments.

23 Next we have Chris and Shannon Ellis
24 followed by Robert Young.

25 MR. ELLIS: This is Chris Ellis. First

1 of all, I would like to start off by thanking the
2 Siting Council for their service to this
3 community. I'm sure when you joined the Siting
4 Council this wasn't how you thought you'd be
5 spending your time. So I just wanted to sincerely
6 thank you for being part of this on a beautiful
7 Thursday evening and listening to all of us.

8 I'm a 20 year resident of New Canaan
9 along with my wife. We have three kids that are
10 at St. Luke's. I just got off a baseball field to
11 join you today, and I'm pleased to report that a
12 cell tower did not land on me in the middle of a
13 baseball game. I just think that the -- my
14 understanding of the planning and zoning
15 requirements are that they are designed to prevent
16 the cell tower from landing on anybody's property
17 other than Mr. Richey's. If Mr. Richey wants to
18 build a cell tower that is going to fall and land
19 on his property and not land on my kids at school,
20 that's not my problem. That's, you know, that's
21 up to him.

22 I do respect the opinions of the folks
23 who have spoken on the medical issues. I'm not a
24 trained doctor, so I wouldn't comment on that.

25 I hope the Connecticut Siting Council

1 will respect the wishes of the planning and zoning
2 committee that are really putting procedures and
3 putting rules in place that are designed to
4 protect the safety of our kids, first and
5 foremost, and that's my priority as well. Thank
6 you.

7 MR. SILVESTRI: Thank you for your
8 comments.

9 Next we have Robert Young followed by
10 Kate Stimpson.

11 (No response.)

12 MR. SILVESTRI: Do we have Robert
13 Young?

14 MR. DEMAREST: I'm trying to get him
15 online.

16 MR. YOUNG: Yes, this is Robert Young.
17 Can you hear me?

18 MR. SILVESTRI: Yes, I can. Thank you.

19 MR. YOUNG: Yes. Thank you, sir.
20 Thank you, everyone, for your comments. I am also
21 against that cell phone tower on Soundview Lane.

22 I have one daughter at that school. If
23 Mr. Richey would like to place a cell phone tower
24 on his property, he should do it in the center of
25 the property. And if the tower falls, and as

1 previous commenters have noted, cell phone towers
2 do fall, and if it does fall, it should fall on
3 Mr. Richey's property, not the St. Luke's
4 property.

5 I generally agree with all the remarks
6 that were made by those who have commented
7 negatively against the tower, and I would join
8 that group of folks. Thank you.

9 MR. SILVESTRI: Thank you for your
10 comments.

11 Next we have Kate Stimpson followed by
12 Megan and Jim Steele.

13 MS. STIMPSON: Hi.

14 MR. SILVESTRI: Hi. Is that Kate?

15 MS. STIMPSON: Yes, it is.

16 MR. SILVESTRI: Hi, Kate.

17 MS. STIMPSON: Hi. Thanks for
18 listening. My name is Kate Stimpson. I live
19 approximately a little over a mile away from the
20 proposed Richey cell tower. More importantly, I
21 have three young children at St. Luke's School.

22 And I have spoken before at some of
23 these in-person hearings. And I really appreciate
24 the P&Z taking the time to draft some of these
25 regulations and procedures to try and ensure the

1 safety and character of the neighborhood, the
2 school, and the community at large.

3 I fully support the modification to the
4 proposed tower. My biggest concern would
5 definitely be a fall zone. As I recall from one
6 of the last hearings, this cell tower is less --
7 approximately 37 feet from the border of my kids'
8 playing fields. I heard tonight that we don't
9 play in wind and rain anyway. I would hasten to
10 say that I have spent many a day, afternoon on the
11 sidelines of these fields in pouring rain and wind
12 watching kids play sports, so I'm not sure that
13 that's really relevant to me anyway. And I would
14 prefer to have a fall zone, which from research
15 that I've done, that is at least the height of the
16 cell phone tower. And if that's not the case,
17 then Mr. Richey should put the cell phone tower,
18 as many others have said, where it will fall on
19 his own property, should it fall.

20 I just think that it's crazy. And, you
21 know, to say that cell phone development has been
22 painstakingly slow in New Canaan may be true, but
23 it also tends to always somehow come up to be near
24 a school, and maybe that's why it keeps getting
25 shot down. And I strongly oppose putting a cell

1 phone tower within, you know, 30 something feet of
2 where my kids are at school. Thank you.

3 MR. SILVESTRI: Thank you for your
4 comments.

5 Next we have Megan and Jim Steele,
6 followed by Wilson and Emily Warren. Do we have
7 Megan and Jim?

8 (No response.)

9 MR. SILVESTRI: Let me try again.
10 Megan and Jim Steele?

11 (No response.)

12 MR. SILVESTRI: Okay. Moving on, I
13 have Wilson and Emily Warren followed by John
14 Goodwin. Do we have Wilson and Emily?

15 (No response.)

16 MR. SILVESTRI: Wilson and Emily
17 Warren?

18 (No response.)

19 MR. SILVESTRI: Well, next we have John
20 Goodwin, who I do see on my screen, followed by
21 Lynn Brooks. Mr. Goodwin.

22 MR. GOODWIN: Good evening. Thank you
23 for your time. My name is John Goodwin. I'm the
24 chair of the New Canaan Planning and Zoning
25 Commission. Lynn will not be speaking, but she's

1 presenting with me, so to speak.

2 First, I want to thank the applicant
3 and the neighbors for all of your input to us.
4 You, Commissioners, have a PowerPoint from us, so
5 I'll try to focus on the key points.

6 Just very briefly on the background of
7 our regulations. A couple of years ago we
8 realized our telecom regulations were out of date,
9 so in June of 2018 after about nine months of
10 using a land use consultant, as well as looking at
11 other towns' regulations and also getting the
12 input from Ms. Bachman to which we're very
13 appreciative, we put together the current set of
14 regulations.

15 The regulations focus on land use. We
16 do not pretend to be experts in telecommunications
17 technology or coverage, so we're not here to opine
18 on that. What we do focus on in our regulations
19 is, we stated these regulations are intended to
20 establish guidelines and standards for the siting
21 of different types of antenna facilities in New
22 Canaan in order to protect the public safety and
23 general welfare and through design, siting and
24 screening to minimize any adverse effects. We
25 also acknowledge that we do not have jurisdiction

1 over this application. So what I want to focus on
2 is just a couple of key points that we identify
3 vis-a-vis our regulations that we would like you
4 all to consider.

5 And the points are, 7.8.G.7, a new
6 tower should be located away from property lines
7 and habitable buildings, at least as far as the
8 height of the tower, including antenna. It is
9 approximately 20 feet from the nearest property
10 line.

11 Section 7.8.G.13, equipment shelters
12 shall be concealed. And I'll note that, as you
13 know, the height of the cell tower is 90 feet.
14 Section 7.8.G.13, equipment shelters shall be
15 concealed within a building and set back from
16 property lines. The proposed site is in a 4 acre
17 zone where the setback is 50 feet. Currently the
18 one yard setback is 20 feet on the site.

19 Section 7.8.G.16, a enclose the site in
20 a shadowbox fence. Applicant has agreed, and
21 we're appreciative for that, in lieu of a chain
22 link fence to use such a shadowbox fence. We
23 kindly request that the applicant review a final
24 rendering with the town planner. We don't think
25 that's too much of an onerous request.

1 And finally, Section 7.8.G.17, while
2 the commission is appreciative for a landscaping
3 plan for the proposed installation, a more robust
4 plan that includes more intensive coverage and
5 native plants would be a significant improvement.
6 Consider a final plan review of landscaping with
7 the town planner. This is in a visible site.
8 Right now more trees are going away than are
9 coming back in. So we think more intense coverage
10 is acceptable, and we also think that a review of
11 that with the town planner would be an effective
12 way to accomplish this. Thank you for your time.

13 MR. SILVESTRI: Thank you. And
14 Mr. Goodwin, you said that was for Lynn Brooks as
15 well; is that correct?

16 MR. GOODWIN: Yes, sir.

17 MR. SILVESTRI: Very good. Thank you.

18 MR. GOODWIN: You're welcome.

19 MR. SILVESTRI: Next we have Megan
20 Morales followed by Laura Dijs. Do we have Megan
21 Morales?

22 MS. MORALES: Yes. Hi. Sorry. This
23 is Megan Morales. I'd just like to go on the
24 record as saying I'm opposed to the tower. My
25 students -- I'm a New Canaan resident. My

1 students do not attend St. Luke's, but they do for
2 athletics after school, and I'm -- yeah, I'm
3 opposed, and I'll leave it at that.

4 MR. SILVESTRI: You all set?

5 MS. MORALES: Yes, all set. Thank you.

6 MR. SILVESTRI: Okay. Thank you for
7 your comments.

8 Laura Dijs, and I'm probably
9 pronouncing your name wrong, followed by Tom and
10 Celia O'Neill.

11 MS. DIJS: Hi, this is Laura.

12 MR. SILVESTRI: Hi, Laura. Can you
13 pronounce your last name for me?

14 MS. DIJS: Yes. It's pronounced
15 "Dice."

16 MR. SILVESTRI: Dijs, okay. Please
17 proceed. Thank you.

18 MS. DIJS: Thank you. I don't have
19 much to add because everyone has spoken so
20 eloquently, but I would like to state that I am
21 against the tower. I feel that we have planning
22 and zoning laws here in New Canaan to protect
23 residents and neighbors from any egregious
24 activity that would affect their property values.
25 And I do feel that this would affect the

1 neighbors' property values. I do not live on
2 Soundview. I live a distance away. However, I
3 have had a home in another town where this
4 happened on our street, and it affected all of the
5 property values on the street immediately and long
6 term. Thank you.

7 MR. SILVESTRI: Thank you for your
8 comments.

9 Tom and Celia O'Neill, followed by
10 Simrin Parmar and Jean Bennett.

11 (No response.)

12 MR. SILVESTRI: Do we have Tom and
13 Celia O'Neill?

14 (No response.)

15 MR. SILVESTRI: Okay, moving forward,
16 Simrin Parmar followed by Kevin Moynihan.

17 (No response.)

18 MR. SILVESTRI: Do we have Simrin
19 Parmar and Jean Bennett?

20 (No response.)

21 MR. SILVESTRI: Okay, we'll progress.
22 Kevin Moynihan followed by Alicia Meyer.

23 Mr. Moynihan, are you on?

24 MR. MOYNIHAN: Good evening,
25 Commissioners, yes. Hi. I'll unmute myself.

1 Thank you for the opportunity to comment on this
2 application. My name is Kevin Moynihan, and I
3 have served as first selectman of the Town of New
4 Canaan since November 2017. After retiring in
5 2009 as a corporate attorney, I served on our
6 12-member town council from 2013 to 2017, during
7 which time I became very involved in working on
8 the need for improved cell service in New Canaan.
9 One of the primary reasons that I decided to run
10 for first selectman in 2017 was to help solve our
11 problem of poor to nonexistent cell service in
12 large parts of our town.

13 The town council in 2015 considered
14 adopting an ordinance specifying what the town's
15 preferences should be for its new cell towers on
16 the recommendation of our local utilities
17 commission. Ultimately, it was decided to defer
18 to our planning and zoning commission to update
19 their then 20 year old telecommunication
20 regulations which the commission adopted in 2018.

21 I have submitted for this Council's
22 information a memo prepared by our town attorney
23 comparing the requirements of our P&Z regulations
24 and Homeland Towers' compliance therewith for the
25 proposed tower. I urge the Council to consider

1 our P&Z's commission's preferences carefully.

2 Homeland Towers was selected by the
3 town by a competitive process in 2016 before I
4 became first selectman to be the town's partner in
5 solving the need for more cell towers in the
6 northwest and center west parts of our town.
7 Homeland Towers' mandate is to find cell tower
8 locations on town-owned property where available,
9 including town rights-of-way along town roads.
10 There is no available town-owned property in the
11 northeast corner of New Canaan.

12 While New Canaan is a small town of
13 only 20,000 residents, it is important to
14 understand that New Canaan has a relatively large
15 land mass 22.5 square miles, 4 miles by 6 miles.
16 We receive most of our cell service from antennas
17 at five locations, four of which are within New
18 Canaan. We receive very little cell service
19 coverage from antennas at our surrounding
20 Connecticut towns of Norwalk, Darien, Wilton,
21 Stamford and our New York State bordering towns of
22 Pound Ridge and Lewisboro. Two of our New Canaan
23 towers provide some coverage to residents of our
24 neighboring towns. By comparison, the island of
25 Manhattan has a land mass nearly identical to New

1 Canaan's at 22.8 squares miles, 2 miles by 12
2 miles. Compared to New Canaan's five antenna
3 locations, Manhattan broadcasts cell signals from
4 14,000 antenna locations according to a Google
5 search.

6 I believe the need for improved cell
7 service in the northeast corner of town has been
8 well documented over the last decade by the
9 carriers and more recently by independent RF
10 consultants hired and paid for by the Town of New
11 Canaan. Especially with the greatly expanded use
12 of smartphones and other internet devices by
13 virtually every New Canaan adult and teenager in
14 recent years, the demands of serving these
15 thousands of devices has created capacity issues
16 for our few cell tower antennas as well as the
17 existing coverage issues.

18 It is very important to understand that
19 quality cell service is now critical to public
20 safety for New Canaan residents. About 70 percent
21 of 911 calls nationwide are now made by mobile
22 phone. Reliable cell service is critical to our
23 first responders and public works personnel in
24 storm emergencies when Eversource power often goes
25 out. And our EMS ambulance service depends on

1 reliable cell service at all times for data
2 transmissions that inform paramedics of critical
3 medical information about the patients they carry.

4 Finally, realtors and most residents
5 now understand that 21st century cell service has
6 become an economic issue for New Canaan because
7 many prospective home purchasers will not consider
8 buying an expensive New Canaan home that does not
9 have modern cell service.

10 In conclusion, as first selectman, I
11 support a cell tower for the northeast corner of
12 New Canaan as well as for three or four other
13 locations in the north, center, northwest, west
14 and west center parts of town. Again, I urge you
15 to consider carefully our P&Z commission's express
16 preferences for the proposed tower.

17 MR. ABRAMOWITZ: Kevin, your time is
18 up.

19 MR. MOYNIHAN: Thank you for listening.

20 MR. SILVESTRI: Thank you. I have
21 Alicia Meyer followed by Joe Derr.

22 MS. STIMPSON: Alicia Meyer is just
23 logging in now. She just told me. If you want to
24 go on and then come back maybe.

25 MR. SILVESTRI: What I'm going to do is

1 those I missed because they weren't on are going
2 to get a recall after I go to the end of the list.

3 So we'll move on to Joe Derr followed
4 by Thomas Lynn.

5 MR. DERR: Hi. It's actually Joe Derr.

6 MR. SILVESTRI: Thank you.

7 MR. DERR: I am actually a student at
8 St. Luke's, rising 9th grader and former middle
9 school student council president. And I'd just
10 like to say I'm opposed to the cell tower.

11 The first point I'd like to make is the
12 emissions coming off the cell tower and the
13 machinery in the cell tower, it could affect the
14 students. And a lot of people have already said
15 that, and yes I know, but no full research has
16 been completed about the effects of a cell tower.
17 And why would you want to take a chance?

18 Another thing is the slim chance of the
19 tower falling. It would fall directly onto our
20 fields, the 90 foot tower will fall directly onto
21 our fields. And the chance of it becoming 120
22 feet, it could fall further onto our field. And
23 if they don't want to comply to the rules of the
24 fall zone, what are they teaching to the
25 generation of kids like me and kids my age?

1 Another thing is this giant metal tree
2 will disrupt the beautiful scenery and the
3 beautiful campus of St. Luke's. And I think it
4 just needs to be stopped for the health of the
5 students, for the safety of the students, and just
6 to maintain our campus. Thank you.

7 MR. SILVESTRI: Thank you for your
8 comments. I have Thomas Lynn followed by Haik and
9 Lynn Kavookjian.

10 MR. LYNN: Yes. Thank you, Mr.
11 Chairman, and also members of the Connecticut
12 Siting Council for the opportunity for the public
13 to be heard. And also thank you for all the good
14 work you do in our State of Connecticut.

15 My name is Thomas Lynn. I'm a 45 year
16 resident of nearby Laurel Road. I do not
17 personally know either the applicant or any of the
18 three complainants, nor do we have children or
19 have we had children at St. Luke's. To be clear,
20 Soundview Lane is nearby, but our residence would
21 not be visually affected by the proposed tower. I
22 should also add, we get pretty good cell service
23 most of the time.

24 I asked to be heard as a citizen with
25 several concerns: Number one, this is an

1 application for a very tall tower on private
2 property. The private property aspect has been
3 touted as very common in our state. What has not
4 been further explained in this application is for
5 a tower to be erected on residential private
6 property, property that many adjoining homeowners
7 object to for a variety of valid reasons.
8 Further, the proposed tower would abut the
9 property and playing fields of the nearby school,
10 St. Luke's, an organization which itself is
11 objecting to the application.

12 The powers of the Siting Council to
13 take precedent over local zoning ordinances is not
14 in question. However, I believe these local
15 ordinances must at least be acknowledged. I also
16 believe and hope our New Canaan elected officials
17 need and would acknowledge and uphold those local
18 zoning regulations. I haven't heard that so far
19 tonight.

20 To be clear, this application fails to
21 meet those regulations as you've heard from
22 others. In fact, Section 7.8 of those regulations
23 pertaining to telecommunications towers, this
24 particular application ranks near the bottom of
25 what our local New Canaan P&Z guidelines call

1 preferred sites. In fact, it's number 14 out of a
2 total of 16 preferences.

3 In summary, I believe, particularly in
4 listening to this afternoon's session concerning
5 possible alternative and better or seamless nearby
6 sites, that this application as a residential
7 neighborhood with many obvious flaws and neighbor
8 objections should be denied in favor of one of the
9 better, less, if not totally invisible, sites
10 nearby. Thank you for listening.

11 MR. SILVESTRI: Thank you for your
12 comments.

13 Next I have Haik and Lynn Kavookjian,
14 if I pronounced that correctly.

15 MR. KAVOOKJIAN: Yes. Thank you. My
16 name is Haik Kavookjian. I live at 293 North
17 Wilton Road. I do not border the Richey property,
18 but I oppose the tower for many of the reasons
19 heard tonight. I would like to point out the most
20 logical site and the strengths of that site, a
21 long history with the town, as well as the
22 inadequacies of due diligence performed by
23 Homeland and AT&T as part of this application.

24 In attachment 2, titled Homeland TOWER
25 Search Summary, Homeland detailed their due

1 diligence, listing 23 alternative locations, none
2 of which they considered acceptable. The one that
3 stood out in my eye is the site listed as Site T,
4 Clark property, Smith Ridge Road, which for people
5 in attendance who may not know, this is a two-lane
6 state highway. The Clark property is 21 acres of
7 undeveloped land owned by the town. It's also
8 adjacent to 4 acres of New Canaan Land Trust as
9 well as immediately adjacent to an alternative
10 site proposed by a Soundview resident. In
11 attachment 2, Homeland and AT&T indicate the site
12 is not acceptable for two reasons, one being deed
13 restrictions, the other wetlands. The statements
14 are inaccurate and misleading.

15 In 1956 Mrs. Clark gave 21 acres to the
16 Town of New Canaan with the gift finalized in
17 1958. There were indeed deed restrictions, they
18 are correct. In 1958 Mrs. Clark asked no
19 buildings or roads be placed on the property, 21
20 years with those restrictions ending in 1969.
21 That was 51 years ago with no restrictions on use
22 of that property. Homeland also goes on to cite
23 wetlands preventing the use of the property which
24 is again misleading. Yes, there are wetlands, but
25 all of New Canaan has wetlands.

1 In 2005 the Town of New Canaan wanted
2 to sell this property. The town went before a
3 state superior court in Stamford and argued under
4 oath the land should be allowed to be sold. They
5 said, despite the wetlands, the lead town engineer
6 gave testimony that there were still four
7 buildable lots. It takes no imagination to
8 realize the property contains four buildable lots,
9 a 4 acre zoning area, they could certainly
10 accommodate a single tower.

11 In closing, I repeat, attachment number
12 2 is neither accurate nor clear in terms of its
13 final presentation. The site T, the Clark
14 property, should be at the top of the list.

15 Several quick interesting points: The
16 site is actually 546 feet above sea level. That
17 compares with 502 feet above sea level for the
18 Richey property. Surrounded by 21 acres of the
19 Clark woodland owned by the town and adjacent 4
20 acres by the New Canaan Land Trust, all of which
21 is a woodland with no residential lots or fields
22 or schools, the owner next door --

23 MR. SILVESTRI: We just hit the three
24 minute mark on that.

25 MR. KAVOOKJIAN: I'm sorry?

1 MR. SILVESTRI: What I would strongly
2 suggest because your vocal was cutting in and out
3 as well, I strongly suggest you put together some
4 written comments for us based on what you just
5 said and send that in to us by email or by regular
6 mail.

7 MR. KAVOOKJIAN: Sure, will do. Thank
8 you.

9 MR. SILVESTRI: And thank you for your
10 comments.

11 Ladies and gentlemen, we're going to go
12 back to the people that didn't respond the first
13 time around, and hopefully they're on board
14 because there's at least ten of them that I see.

15 So I'd like to go back and see if McKay
16 and Katie Marschalk are online.

17 MR. MARSCHALK: Yes, we are here.
18 Sorry. Can you guys hear us?

19 MR. SILVESTRI: Yes, I can.

20 MR. MARSCHALK: Apologies. We were
21 having a computer issue as well logging in at the
22 start. You know, thank you, everybody, for taking
23 the time to listen to us.

24 I just wanted to first off state that
25 we are opposed to the cell phone tower. Many

1 people have already spoken eloquently about some
2 of the health concerns that have been raised,
3 setbacks with planning and zoning, fall zones, so
4 I'm not going to speak to any of that.

5 The one thing I did want to bring, and
6 I thought I could lend somewhat of a unique
7 perspective to, is that I was born and raised in
8 New Canaan. Both my parents still live here. My
9 grandparents are here -- were here. And, you
10 know, several years ago we were living in Darien
11 at the time, and we were looking to move, and we
12 chose to move to Soundview. We chose to move back
13 because of the community that's here in New
14 Canaan. I had such great memories of growing up
15 here, you know, that we really wanted to be a part
16 of this community. Two months afterwards, I want
17 to say, after closing we found out about the cell
18 phone tower. And to be honest, we wouldn't have
19 bought here, and I question whether we would have
20 bought in New Canaan had we known this. Still, I
21 mean, the thing that makes me the most upset about
22 this is just how it's really pitting neighbor
23 against neighbor, and that is something that I
24 never knew New Canaan to be beforehand.

25 So with that, I'll stop here and again

1 just reiterate that we are opposed to the cell
2 phone tower.

3 MR. SILVESTRI: Thank you for your
4 comments.

5 Next I have Jeremy and Kate Maco.

6 (No response.)

7 MR. SILVESTRI: Jeremy and Kate, did
8 you guys join us, or have you joined us?

9 (No response.)

10 MR. DEMAREST: I'm not seeing them.

11 MR. SILVESTRI: Okay. Moving through,
12 Guy and Christine Ross, have you joined us? Guy
13 and Christine Ross?

14 (No response.)

15 MR. SILVESTRI: Moving down the list,
16 Darlene Negbenebor. Darlene, did you join us?

17 (No response.)

18 MR. SILVESTRI: Moving down on the
19 list, I have Dr. Lauren Ernberg. Is Lauren with
20 us?

21 (No response.)

22 MR. SILVESTRI: Again, moving down the
23 list, I have Megan and Jim Steele. Megan and Jim,
24 did you join us?

25 (No response.)

1 MR. SILVESTRI: How about Wilson and
2 Emily Warren? Wilson and Emily Warren?

3 (No response.)

4 MR. SILVESTRI: Moving down the list
5 again, Tom and Celia O'Neill. Are Tom and Celia
6 with us?

7 (No response.)

8 MR. SILVESTRI: There's two left that I
9 have. Simrin Parmar and Jean Bennett, have you
10 joined us?

11 MS. MEYER: Hi, this is Alicia Meyer.
12 I'm sorry, I was having internet issues when my
13 name was called.

14 MR. SILVESTRI: You were next, so go
15 right ahead.

16 MS. MEYER: Hi. So Alicia Meyer. I
17 live at 649 Ponus Ridge in New Canaan. I have two
18 children that attend St. Luke's and one that will
19 be coming to St. Luke's.

20 Many people have spoken eloquently
21 about the same concerns that I have. I am opposed
22 to the cell phone tower, and I think that any cell
23 phone tower in New Canaan should at a minimum
24 adhere to New Canaan's Planning and Zoning
25 regulations with regard to setback and fall zone

1 which this cell tower does not. And to me it's
2 particularly egregious because it's right next to
3 a school and school fields where hundreds of kids
4 are playing every day.

5 And so thank you, everyone, for
6 listening, and I want to reiterate that I am
7 opposed to the cell tower.

8 MR. SILVESTRI: Thank you for your
9 comments.

10 I'll try one more time, ladies and
11 gentlemen. Jeremy and Kate Maco, going once,
12 twice.

13 (No response.)

14 MR. SILVESTRI: Guy and Christine Ross.

15 (No response.)

16 MR. SILVESTRI: Darlene Negbenebor.

17 (No response.)

18 MR. SILVESTRI: Dr. Lauren Ernberg.

19 (No response.)

20 MR. SILVESTRI: Megan and Jim Steele.

21 (No response.)

22 MR. SILVESTRI: Wilson and Emily
23 Warren.

24 (No response.)

25 MR. SILVESTRI: Tom and Celia O'Neill.

1 (No response.)

2 MR. SILVESTRI: And finally, Simrin
3 Parmar and Jean Bennett.

4 (No response.)

5 MR. SILVESTRI: Well, again, ladies and
6 gentlemen, if you could pass the word that the
7 people that weren't able to join us today on Zoom,
8 they are more than welcome to send written
9 comments to the Council within 30 days of the date
10 hereof by mail or by email, and the statements
11 will be given the same weight as if they were
12 spoken tonight at the remote public hearing.

13 So with that, the Council announces
14 that it will continue the evidentiary session of
15 the public hearing on Tuesday, July 28, 2020, at 1
16 p.m. via Zoom remote conferencing. A copy of the
17 agenda for the continued remote evidentiary
18 hearing session will be available on the Council's
19 Docket No. 487 web page, along with the record of
20 this matter, the public hearing notice,
21 instructions for public access to the remote
22 evidentiary hearing session, and the Council's
23 Citizens Guide to Siting Council Procedures.

24 Please note that anyone who has not
25 become a party or an intervenor but who desires to

1 make his or her views known to the Council, may
2 file written statements with the Council until the
3 public comment record closes.

4 Copies of the transcript of this
5 hearing will be filed at the New Canaan Town
6 Clerk's office. And I hereby declare this hearing
7 adjourned. I thank you for your participation.

8 Please be careful on the weekend
9 because Tropical Storm Fay is supposed to come up
10 through Connecticut. And be safe. Thank you.

11 (Whereupon, the above proceedings were
12 adjourned at 7:39 p.m.)

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1 CERTIFICATE OF REMOTE HEARING

2
3 I hereby certify that the foregoing 59 pages
4 are a complete and accurate computer-aided
5 transcription of my original stenotype notes taken
6 of the PUBLIC COMMENT SESSION HELD BY REMOTE
7 ACCESS IN RE: DOCKET NO. 487, HOMELAND TOWERS,
8 LLC AND NEW CINGULAR WIRELESS PCS, LLC d/b/a AT&T
9 APPLICATION FOR A CERTIFICATE OF ENVIRONMENTAL
10 COMPATIBILITY AND PUBLIC NEED FOR THE
11 CONSTRUCTION, MAINTENANCE, AND OPERATION OF A
12 TELECOMMUNICATIONS FACILITY LOCATED AT 183
13 SOUNDVIEW LANE, NEW CANAAN, CONNECTICUT, which was
14 held before ROBERT SILVESTRI, PRESIDING OFFICER,
15 on July 9, 2020.

16
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18 

19 -----
20 Lisa L. Warner, CSR 061
21 Court Reporter
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25