

Meeting Minutes
Meeting of February 6, 2007

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Tuesday, February 6, 2007, in Hearing Room One, Ten Franklin Square, New Britain, Connecticut. The meeting was called to order with a quorum present by Daniel F. Caruso at 1:37 p.m.

Council Members Present:

Judge Daniel F. Caruso
Chairman
Gerald J. Heffernan
(designee for Commissioner Downes)
Brian Emerick
(designee for Commissioner McCarthy)

Colin C. Tait
Vice Chairman
Philip T. Ashton
Dr. Barbara Currier Bell
Daniel P. Lynch, Jr. (arrival 2:30 p.m.)
Edward S. Wilensky

Council Member Absent:

James J. Murphy, Jr.

Staff Members Present:

Robert L. Marconi
Assistant Attorney General
S. Derek Phelps
Executive Director
Fred O. Cunliffe
Supervising Siting Analyst
Christina Lepage
Siting Analyst

Robert D. Mercier
Siting Analyst
David Martin
Siting Analyst
Michael Perrone
Siting Analyst

Recording Secretary:

Lisa A. Fontaine

Minutes of January 18, 2007.

Mr. Ashton moved to approve the Minutes of January 18, 2007, as amended; seconded by Dr. Bell. The motion passed unanimously.

DOCKET NO. 187 - Milford Power Company, LLC Certificate of Environmental Compatibility and Public Need for the Milford Power Project located off of Oronoque Road in Milford, Connecticut. Notice of Equity Transfers.

No action was necessary. It was placed on the agenda for discussion purposes only.

DOCKET NO. 241 - Optasite, Inc. Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a wireless telecommunications facility at 3 Edmond Street, Newtown, Connecticut. Revised Development and Management Plan.

Mr. Wilensky moved to take this item off the table; seconded by Mr. Ashton. The motion passed unanimously.

Mr. Heffernan moved to approve the revisions to the Development and Management Plan submitted for this project on December 15, 2006; seconded by Mr. Emerick. The motion passed unanimously.

DOCKET NO. 263 - New Cingular Wireless PCS, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a wireless telecommunications facility at 8 Upper Meadow Road (CT-812), Granby, Connecticut. Request for Extension.

Mr. Ashton moved to take this item off the table; seconded by Mr. Wilensky. The motion passed unanimously.

Mr. Ashton moved to approve an extension; seconded by Mr. Heffernan. Upon discussion, Mr. Ashton and Mr. Heffernan withdrew the motion to allow the Executive Director to contact the town and discuss if new developments or changes within the town may have occurred since the initial December 22, 2003 Certification affecting the need for the approved tower or its environmental impacts to the area.

Mr. Ashton moved to table this item; seconded by Mr. Heffernan. The motion passed unanimously.

DOCKET NO. 272 - The Connecticut Light and Power Company and The United Illuminating Company Certificate of Environmental Compatibility and Public Need for the Construction of a New 345-kV Electric Transmission Line and Associated Facilities Between Scovill Rock Switching Station in Middletown and Norwalk Substation in Norwalk, Connecticut Including the Reconstruction of Portions of Existing 115-kV and 345-kV Electric Transmission Lines, the Construction of the Beseck Switching Station in Wallingford, East Devon Substation in Milford, and Singer Substation in Bridgeport, Modifications at Scovill Rock Switching Station and Norwalk Substation and the Reconfiguration of Certain Interconnections. Proposed Amendment to the Certificate - Proposed Route Change in the City of Norwalk, Draft Findings of Fact, Opinion, and Decision and Order. Woodbridge Hours of Construction.

Mr. Ashton moved to approve the draft Findings of Fact, Opinion, and Decision and Order for the Norwalk Amendment; seconded by Mr. Emerick. The motion passed with Dr. Bell recusing.

Chairman Caruso requested a written vote on the record with Chairman Caruso, Mr. Tait, Mr. Heffernan, Mr. Emerick, Mr. Ashton, and Mr. Wilensky in favor of the proposed amendment; and Dr. Bell recusing.

Mr. Heffernan moved to approve the requested hours of construction in the Town of Woodbridge; seconded by Mr. Ashton. Upon discussion, Mr. Ashton withdrew his second preferring the changed construction hours only in the residential areas in Woodbridge.

Due to construction time constraints and the need for discussions between the Town, the applicant, and staff, Mr. Tait moved to delegate authority to the Chairman to finalize hours of construction in the Town of Woodbridge; seconded by Mr. Ashton. The motion passed with Dr. Bell recusing.

DOCKET NO. 309 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a wireless telecommunications facility located at the Round Hill Community Church, 395 Round Hill Road, Greenwich, Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.

After reviewing the draft Findings of Fact and Opinions, Chairman Caruso polled the Council members with Dr. Bell, Mr. Wilensky, and Chairman Caruso in favor of approving the proposed facility with tower heights of 105 feet; Mr. Emerick, Mr. Heffernan, and Mr. Ashton in favor of tower heights of 115 feet; and Mr. Tait abstaining.

Chairman Caruso temporarily passed on this item.

DOCKET NO. 317 - The United Illuminating Company application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a proposed 115-kV/13.8-kV electric substation and associated facilities located at 3-7 Wildflower Lane, Trumbull, Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.

Mr. Lynch arrived at 2:30 p.m. during the discussion on the Draft Opinion.

After discussion, Chairman Caruso polled the Council members with Mr. Tait, Dr. Bell, Mr. Lynch, Mr. Wilensky, Mr. Emerick, and Mr. Ashton in favor of granting a Certificate for the proposed facility with an open-air substation configuration (opposing the Gas Insulated Substation with a barn) and an architectural wall to substantially conceal the substation. The details of the wall would be determined in the Development and Management Plan process. Mr. Heffernan was in favor of granting a Certificate for the proposed facility as a Gas Insulated Substation with a barn and an architectural wall.

Chairman Caruso directed staff to alter the draft documents to reflect an open-air substation configuration to be reviewed at the next meeting.

Chairman Caruso requested a recess at 3:10 p.m. The meeting reconvened at 3:30 p.m.

DOCKET NO. 309 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a wireless telecommunications facility located at the Round Hill Community Church, 395 Round Hill Road, Greenwich, Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.

Mr. Heffernan moved to approve the draft Findings of Fact, Opinion (at the 115 foot tower heights), and the Decision and Order; seconded by Mr. Lynch. The motion passed with Mr. Wilensky, Dr. Bell, and Chairman Caruso voting no; and Mr. Tait abstaining.

Chairman Caruso requested a written vote on the record with Mr. Heffernan, Mr. Lynch, Mr. Emerick, and Mr. Ashton in favor of the proposed facility with tower heights at 115 feet; Mr. Wilensky, Dr. Bell, and Chairman Caruso voting no; and Mr. Tait abstaining.

DOCKET NO. 319 - Optasite, Inc. and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility on one of two sites at 1662 Gold Star Memorial Highway (Route 184), Groton, Connecticut. Draft Findings of Fact.

After reviewing the draft Findings of Fact, Chairman Caruso polled the Council members with Mr. Emerick, Mr. Heffernan, Dr. Bell, Mr. Tait, Mr. Lynch, and Mr. Ashton in favor a granting a Certificate for the proposed Site B with a tower height of 130 feet and the smaller compound

configuration; and Mr. Wilensky in favor of granting a Certificate for the proposed Site A with a tower height of 120 feet.

Chairman Caruso directed staff to draft a favorable Opinion, and Decision and Order for the proposed Site B to be reviewed at a future meeting.

DOCKET NO. 321 - Optasite, Inc. and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 940 Meriden Road in Waterbury, Connecticut. Draft Findings of Fact.

Mr. Wilensky moved to take this item off the table; seconded by Mr. Ashton. The motion passed unanimously.

After reviewing the draft Findings of Fact, Chairman Caruso polled the Council members with Mr. Ashton, Mr. Heffernan, Mr. Emerick, Mr. Wilensky, Mr. Lynch, Dr. Bell, Mr. Tait, and Chairman Caruso unanimously in favor of granting a Certificate for the proposed facility with a tower height of 110 feet.

DOCKET NO. 322 - Optasite, Inc. and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 12 Orchard Drive, Ledyard, Connecticut. Draft Findings of Fact.

No action was taken on this item.

DOCKET NO. 328 - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 1027 Middle Turnpike East, Manchester, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.

Mr. Ashton moved to approve the application as complete and approve the schedule for processing the docket as per staff recommendations; appointment of Lisa Fontaine as custodian of the docket; deposition of the transcript in the Town of Manchester; and a public field review and hearing in Manchester on Thursday, April 12, 2007; seconded by Mr. Tait. The motion passed unanimously.

PETITION NO. 754 - Best Management Practices for Electric and Magnetic Fields. Discussion.

No action was taken on this item.

PETITION NO. 784 - Plainfield Renewable Energy, LLC petition for a declaratory ruling no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance, and operation of a 37.5 MW Wood Biomass Generating Project, Plainfield, Connecticut. Discussion.

Mr. Ashton moved to take this item off the table; seconded by Mr. Heffernan. The motion passed unanimously.

Mr. Ashton moved to accept into the record the following documents submitted after the close of the record and reserving the right to take in additional documents if necessary:

- 1) A wildlife survey of the River intake parcel;
- 2) Revised wetland impact totals for the river intake parcel;
- 3) A drawing of the route of the river intake parcel;
- 4) The Air Quality Impact Analysis portion of the DEP air permit

The motion was seconded by Mr. Heffernan and passed unanimously.

With the consent of the applicant, Mr. Tait moved to approve a three-month extension of time to complete the record and make a decision for this petition; seconded by Mr. Emerick. The motion passed unanimously.

Chairman Caruso directed staff to incorporate information received from the added documents into the draft Findings of Fact which will be reviewed at a future meeting.

PETITION NO. 793 - Connecticut Light & Power Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to an existing Connecticut Light & Power Company 115-kV transmission line, Brookfield, Connecticut. Decision.

Mr. Ashton moved to take this item off the table; seconded by Mr. Wilensky. The motion passed unanimously.

Mr. Wilensky moved to approve this petition; seconded by Mr. Heffernan. The motion passed unanimously.

PETITION NO. 798 - Cellco Partnership d/b/a Verizon Wireless petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modification of an existing telecommunications facility located at 477 Route 7, Sharon, Connecticut. Decision.

Mr. Ashton moved to take this item off the table; seconded by Mr. Emerick. The motion passed unanimously.

Mr. Ashton moved to approve this petition; seconded by Mr. Heffernan. The motion passed unanimously.

TELECOMMUNICATIONS STUDY COMMITTEE

Upon Mr. Tait's request to have a study done to determine coverage needs from Danbury to North Canaan, Chairman Caruso designated Mr. Tait, Mr. Lynch, and Mr. Ashton as the committee team to oversee efforts between the telecommunications carriers and the Council regarding this issue to be reported back to the Council at a future meeting.

TS-SPRINT-NEXTEL-132-061208 - Sprint Nextel Corporation request for an order to approve tower sharing at an existing telecommunications facility located at 300 Governor's Highway, South Windsor, Connecticut.

Mr. Wilensky moved to take this item off the table; seconded by Mr. Ashton. The motion passed unanimously.

Mr. Emerick moved to approve Sprint Nextel Corporation's request for an order to approve tower sharing at this existing telecommunications facility; seconded by Mr. Heffernan. The motion passed unanimously.

TS-SPRINT-NEXTEL-015-061208 - Sprint Nextel Corporation request for an order to approve tower sharing at an existing telecommunications facility located at 1875 Noble Avenue, Bridgeport, Connecticut.

Mr. Emerick moved to take this item off the table; seconded by Mr. Lynch. The motion passed unanimously.

Mr. Emerick moved to approve Sprint Nextel Corporation's request for an order to approve tower sharing at this existing telecommunications facility; seconded by Mr. Lynch. The motion passed unanimously.

EM-T-MOBILE-086-061221 - Omnipoint Communications, Inc. (T-Mobile) notice of intent to modify an existing telecommunications facility located at 57 Cook Road, Montville, Connecticut.

No action was taken on this item. The structural reinforcement plan has not been received yet.

Statewide Site Decommissions/Removal Conditions.

No action was taken on this item.

Administrative Matters.

Chairman Caruso announced that the next energy/telecommunications meeting is scheduled on Tuesday, February 13, 2007.

Adjournment.

Mr. Wilensky moved to adjourn the meeting at 4:20 p.m.; seconded by Mr. Ashton. The motion passed unanimously.

Respectfully submitted,

Daniel F. Caruso
Chairman

DFC/laf