

## **Meeting Minutes**

### **Meeting of March 13, 2007**

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Tuesday, March 13, 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 1:42 p.m.

#### **Council Members Present:**

Judge Daniel F. Caruso	Colin C. Tait
Chairman	Vice Chairman
Gerald J. Heffernan	Dr. Barbara Currier Bell
(designee for Commissioner Downes)	Daniel P. Lynch, Jr.
Brian Emerick	Edward S. Wilensky
(designee for Commissioner McCarthy)	

#### **Council Member Absent:**

James J. Murphy, Jr.  
Philip T. Ashton

#### **Staff Members Present:**

Robert L. Marconi	Robert D. Mercier
Assistant Attorney General	Siting Analyst
S. Derek Phelps	David Martin
Executive Director	Siting Analyst
Fred O. Cunliffe	Michael Perrone
Supervising Siting Analyst	Siting Analyst
Christina Lepage	
Siting Analyst	

#### **Recording Secretary:**

Adriana C. Popa

#### **Minutes of March 13, 2007.**

Mr. Emerick moved to approve the Minutes of February 27, 2007; seconded by Mr. Wilensky. The motion passed with Mr. Heffernan abstaining.

**DOCKET NO. 224 - Northeast Utilities Service Company Certificate of Environmental Compatibility and Public Need for the replacement of a submarine electric transmission cable system from Norwalk, Connecticut to Northport, New York. Development and Management Plan.**

Mr. Tait moved to table this item to give Council members additional time to review; seconded by Dr. Bell. 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. Construction Hours in Woodbridge.**

Mr. Tait moved to approve the request from the Town of Woodbridge to change construction hours originally restricted for a maximum of 10 hours within a 12 hour period six days a week, not including Sunday, from 7:00 a.m. to 7:00 p.m. to the hours of 8:00 a.m. to 6:00 p.m., six days a week, not including Sunday adjacent to the following structures - 3910/24097, 3911/24098, 3915/24102, 3924/24111, 3935/24122, 3940/24127, and moved in favor of permitting Chairman Caruso to administratively approve future construction hours requests; seconded by Mr. Lynch. The motion passed with Dr. Bell recusing.

**DOCKET NO. 320 - Message Center Management, 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 located off Greenwoods Road East (U.S. Route 44), Norfolk, Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.**

Mr. Emerick moved to approve the Opinion; seconded by Mr. Wilensky. The motion passed with Mr. Tait abstaining.

Mr. Emerick moved to approve the Decision and Order; seconded by Mr. Wilensky. The motion passed with Mr. Tait abstaining.

Mr. Emerick moved to approve the Findings of Fact; seconded by Mr. Wilensky. The motion passed with Mr. Tait abstaining.

Chairman Caruso requested a written vote on the record with Dr. Bell, Mr. Lynch, Mr. Wilensky, Mr. Emerick, Mr. Heffernan, and Chairman Caruso unanimously in favor of granting a Certificate for the proposed facility.

**DOCKET NO. 325 - 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 telecommunications facility at 111 Upper Fish Rock Road in Southbury, Connecticut. Draft Findings of Fact.**

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

Chairman Caruso directed staff to draft a favorable Opinion and Decision and Order to be reviewed at the next meeting.

**DOCKET NO. 327 - The Connecticut Light and Power Company application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a proposed substation located off of Commerce Park Drive, Oxford, Connecticut. Completeness Review, Custodian of the Docket, Request for Party/Intervenor Status.**

Mr. Heffernan moved to approve the application as complete; schedule with a field review and hearing date to be finalized in April; and appointment of Adriana Popa as custodian of the docket; seconded by Mr. Tait. The motion passed unanimously.

**DOCKET NO. 329 - 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 at 651 Paddock Avenue in Meriden, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.**

Mr. Emerick moved to approve the application as complete, the schedule for processing the docket as per staff recommendations, the appointment of Adriana Popa as custodian of the docket, the deposition of the transcript in the City of Meriden, and a public field review and hearing in Meriden on Thursday, May 3, 2007; seconded by Mr. Wilensky. The motion passed unanimously.

**DOCKET NO. 330 - 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 1294 Pleasant Valley Road North, Groton, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.**

Mr. Tait moved to approve the application as complete, the schedule for processing the docket as per staff recommendations, the appointment of Lisa Fontaine as custodian of the docket, the deposition of the transcript in the Towns of Groton and Ledyard, and a public field review and hearing in Groton on Wednesday, April 18, 2007; seconded by Mr. Lynch. The motion passed unanimously.

**PETITION NO. 378 - Aetna Life Insurance Company petition that no Certificate of Environmental Compatibility and Public Need is required for the installation of emergency generating devices at their offices at 1000 Middle Street in Middletown and 570 Pigeon Hill Road in Windsor, Connecticut. Amendment. Decision.**

Mr. Tait moved to approve the modification submitted by Aetna Life Insurance Company (Aetna) requesting a declaratory ruling that no Certificate of Environmental Compatibility and Public Need (Certificate) is required for the addition of a single 1.5 megawatt (MW) emergency generator at their Windsor office; seconded by Dr. Bell. The motion passed unanimously.

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

Discussion concluded that the record on this petition will remain open until a Council draft is reviewed at a future meeting. Upon review of the draft and receipt of additional comments by the participants, the Council will decide if an additional hearing is necessary.

Chairman Caruso formed a subcommittee to aid in the development of the draft, designating Mr. Emerick, Dr. Bell, and Mr. Tait as subcommittee members.

**PETITION NO. 803 - Sprint Nextel Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to an existing telecommunications facility located at 130 Ledge Road, Darien, Connecticut. Decision.**

Mr. Lynch moved to table this item requesting that the applicant undertake additional notice via the condominium association, in writing, rather than contact each owner of a condominium within the Middlesex Commons as proposed by the property management company in a letter dated March 9, 2007; seconded by Mr. Tait. The motion passed unanimously.

**PETITION NO. 804 - Sprint Nextel Corporation Petition for a Declaratory Ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to an existing telecommunications facility, located at 234 Melba Street, Milford, Connecticut. Decision.**

Mr. Tait moved to table this item until the applicant properly notifies the residents across the street in writing; seconded by Mr. Lynch. The motion passed unanimously.

**EM-CING-145-167-132-011-060828 - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 23 Holland Road, Union; 1055 Wintergreen Avenue, Hamden; 300 Governors Highway, South Windsor; and 785 Park Avenue, Bloomfield, Connecticut – Revised Hamden Proposal.**

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

Mr. Heffernan moved to acknowledge New Cingular Wireless PCS, LLC notice of intent to modify the 1055 Wintergreen Avenue, Hamden facility with the following conditions:

1. All AT&T equipment including but not limited to equipment shelters, antennas, tower platforms, T-arms, etc., are removed within 180 days of this acknowledgement unless it can be utilized by another carrier within that time period.
2. If AT&T is at the top position on the tower, any tower extension or mast (that only supports AT&T's antennas) is removed within 180 days of this acknowledgement unless it can be utilized by another carrier within that time period.
3. The Council recommends that the compounds are cleared of all weeds, brush, and unnecessary clutter.

The motion was seconded by Dr. Bell. The motion passed unanimously.

**EM-SPRINT-NEXTEL-126-070206** - Nextel of the Mid-Atlantic, Inc. d/b/a Nextel Communications notice of intent to modify an existing telecommunications facility located at 162 Birdseye Road, Shelton, Connecticut.

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

Mr. Tait moved to acknowledge Nextel of the Mid-Atlantic, Inc. d/b/a Nextel Communications notice of intent to modify this existing telecommunications facility; seconded by Mr. Heffernan. The motion passed unanimously.

**Decommissioning Consent Calendar**

**(Items 15-16, 18)**

**EM-CING-103-151-101-059-070220** - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 10 Willard Road, Norwalk; 299 Sheffield Street, Waterbury; 110 Washington Avenue, North Haven; and 75 Roberts Road, Groton, Connecticut.

**EM-CING-011-054-105-130-157-070220** - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 1021 Blue Hills Avenue, Bloomfield; Dickenson Road, Glastonbury; 38 Hatchetts Hill Road, Old Lyme; 231 Kettletown Road, Southbury; and 56 Norfield Road, Weston, Connecticut.

**EM-CING-033-070305** - New Cingular Wireless PCS, LLC notice of intent to modify an existing telecommunications facility located at 179 Shunpike Road, Cromwell, Connecticut.

Mr. Heffernan moved to acknowledge the above referenced exempt modifications with the following conditions:

1. All AT&T equipment including but not limited to equipment shelters, antennas, tower platforms, T-arms, etc., are removed within 180 days of this acknowledgement unless it can be utilized by another carrier within that time period.
2. If AT&T is at the top position on the tower, any tower extension or mast (that only supports AT&T's antennas) is removed within 180 days of this acknowledgement unless it can be utilized by another carrier within that time period.
3. The Council recommends that the compounds are cleared of all weeds, brush, and unnecessary clutter.

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

**EM-VER-058-070305 - Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 181 Norman Road, Griswold, Connecticut.**

Mr. Wilensky moved to acknowledge Cellco Partnership d/b/a Verizon Wireless notice of intent to modify this existing telecommunications facility; seconded by Mr. Lynch. The motion passed unanimously.

**Administrative Matters.**

Chairman Caruso announced that the next energy/telecommunications meeting is scheduled on Tuesday, April 10, 2007, in Hearing Room Two. Other calendar dates were discussed.

Executive Director Phelps proudly announced the promotion of Robert Mercier to Siting Analyst II, effective in January.

**Adjournment.**

Chairman Caruso adjourned the Council meeting at 3:02 p.m.

**Respectfully submitted,**

**Daniel F. Caruso  
Chairman**

DFC/ap