

**Meeting Minutes**  
**Meeting of June 7, 2007**

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, June 7, 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 1:40 p.m.

**Council Members Present:**

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

Colin C. Tait  
Vice Chairman  
Dr. Barbara Currier Bell  
Daniel P. Lynch, Jr.  
James J. Murphy, Jr.  
Edward S. Wilensky

**Staff Members Present:**

Robert L. Marconi  
Assistant Attorney General  
S. Derek Phelps  
Executive Director  
Fred O. Cunliffe  
Supervising Siting Analyst  
Jennifer Herz  
Summer Intern

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

**Recording Secretary:**

Lisa A. Fontaine

**Minutes of May 22, 2007.**

Mr. Murphy moved to approve the Minutes of May 22, 2007; seconded by Mr. Emerick. The motion passed unanimously.

**DOCKET NO. 274 - New Cingular Wireless PCS, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a wireless telecommunications facility at Hyde Road, Farmington, Connecticut. Request for Extension.**

Mr. Ashton moved to approve an extension of time until December 30, 2007, to complete the construction; seconded by Mr. Heffernan. The motion passed unanimously.

**DOCKET NO. 309 - Cellco Partnership d/b/a Verizon Wireless 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. Request to Reopen, Reverse, or Modify Due to Changed Conditions.**

Chairman Caruso requested that the Council temporarily pass 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. Development and Management Plan.**

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

After discussion, Mr. Ashton moved to table this item; seconded by Mr. Heffernan. The motion passed with Mr. Tait, Mr. Lynch, and Mr. Wilensky voting no.

**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. Revised Decision and Order.**

Mr. Murphy moved to adopt the language in the revised Decision and Order approving this petition; seconded by Mr. Heffernan. The motion passed with Mr. Lynch abstaining.

Chairman Caruso requested a written signature on the record with Mr. Tait, Mr. Murphy, Dr. Bell, Mr. Wilensky, Mr. Emerick, Mr. Ashton, and Chairman Caruso in favor of the proposed petition; and Mr. Lynch abstaining.

**DOCKET NO. 326 - 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 at Stepstone Hill Road, Guilford, Connecticut. Draft Findings of Fact.**

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

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

**DOCKET NO. 309 - Cellco Partnership d/b/a Verizon Wireless 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. Request to Reopen, Reverse, or Modify Due to Changed Conditions.**

Mr. Murphy moved to deny the Request to Reopen Docket 309 to Reverse or Modify Due to Changed Conditions, dated May 22, 2007, concluding that the proposal presented in Petition No. 809 was not significantly different from an earlier DAS petition that was filed and withdrawn; and Petition No. 809 does not propose to cover residential areas covered by the facilities approved in Docket No. 309; seconded by Mr. Ashton. The motion passed with Mr. Tait abstaining.

**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 at 1294 Pleasant Valley Road North in Groton, Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.**

Dr. Bell moved to approve the draft Findings of Fact, Opinion, and Decision and Order; seconded by Mr. Heffernan. The motion passed with Mr. Lynch and Mr. Emerick abstaining.

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

**DOCKET NO. 331 - Sprint Nextel Corporation application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 836 Foxon Road, East Haven, 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, 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 Town of East Haven, and a public field review and hearing in East Haven on Wednesday, July 25, 2007; seconded by Mr. Heffernan. The motion passed unanimously.

Mr. Emerick moved to approve intervenor status for Cellco Partnership d/b/a Verizon Wireless; seconded by Mr. Murphy. The motion passed unanimously.

Mr. Murphy moved to approve intervenor status for Omnipoint Communications, Inc.; seconded by Mr. Lynch. The motion passed unanimously.

**DOCKET NO. 334 – Sprint Nextel Corporation. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 186 Black Rock Turnpike, Redding, 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, 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 Town of Redding, and a public field review and hearing in Redding on Wednesday, August 1, 2007; seconded by Mr. Lynch. The motion passed unanimously.

Mr. Ashton moved to approve intervenor status for Cellco Partnership d/b/a Verizon Wireless; seconded by Mr. Heffernan. The motion passed unanimously.

**DOCKET NO. 337 - 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 located off North Street (Route 63), Goshen, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.**

Mr. Wilensky 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 Town of Goshen, and a public field review and hearing in Goshen on Thursday, August 9, 2007; seconded by Mr. Ashton. The motion passed unanimously.

**PETITION NO. 809 - Extenet Systems, Inc. petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction or, in the alternative, that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction of a Distributed Antenna System along the Merritt Parkway from New York state line to Westport, Connecticut. Request for Party/Intervenor Status.**

Mr. Wilensky moved to approve intervenor status for National Grid Communications, Inc.; seconded by Mr. Ashton. The motion passed unanimously.

**PETITION NO. 810 - City of Middletown petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance, and operation of a 200 kW fuel cell located at the new Middletown High School, Wilderman's Way, Middletown, Connecticut. Decision.**

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

**PETITION NO. 813 - Kimberly-Clark Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance, and operation of a combined heat and power electric generating facility, located at 58 Pickett District Road, New Milford, Connecticut. Decision.**

Mr. Tait moved to approve this petition; seconded by Dr. Bell. The motion passed unanimously.

**PETITION NO. 814 - 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 two existing 115-kV transmission lines, located between Carpenter Lane Junction and North Wallingford Substation, and associated conductor work near Colony Substation, Wallingford, Connecticut. Decision.**

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

**EM-VER-076-070518 - Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 1749 Durham Road, Madison, Connecticut.**

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

**EM-CING-007-062-084-131-152-070517 - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 1684 Chamberlain Highway, Berlin; 890 Evergreen Avenue, Hamden; 234 Melba Street, Milford; 88-100 Cathy Drive, Southington; and 1 Palmer Road, Waterford, Connecticut.**

Mr. Heffernan moved to acknowledge New Cingular Wireless PCS, LLC notice of intent to modify these existing telecommunications facilities; seconded by Mr. Murphy. The motion passed unanimously.

**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. Development and Management Plan.**

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

Mr. Ashton moved to approve the Development and Management (D&M) Plan submitted for this project on May 11, 2007 contingent upon Council staff and the applicant resolving outstanding issues regarding the asphalt access, landscaping, and water flow concerns of the Council; and that these resolved issues be approved by the Council Chairman prior to implementation; and to grant relief on the access road use, berm, sliding gates, and tree height issues, permitting the following:

1. The United Illuminating Company (UI) may temporarily utilize the Wildflower Lane access exit for deliveries to facilitate the construction of the substation.
2. UI may install the berm along the west side of the substation adjacent to Wildflower Lane to minimize the loss of existing vegetation on the south, east, and north perimeter.
3. UI may install opaque sliding gates that are not made of concrete and are a color consistent with that of the wall.
4. UI may plant trees that are the tallest height commercially available;

The motion was seconded by Mr. Heffernan and passed unanimously

**Administrative Matters.**

Chairman Caruso announced that the next energy/telecommunications meeting is scheduled on Tuesday, July 3, 2007, at 1:30 p.m. in Hearing Room One. Other calendar dates were also discussed.

Executive Director Phelps discussed the increase of per diem rates which passed this legislative session. Mr. Lynch complimented Mr. Phelps on his efforts. Chairman Caruso thanked both Mr. Lynch and Mr. Phelps and rewarded their hard work by allowing them the privilege of serving the Council next legislative session as well.

Mr. Ashton volunteered to help pass legislation next year to eliminate the need for Connecticut Siting Council approval for fuel cells.

**Adjournment.**

Mr. Ashton moved to adjourn the meeting at 3:12 p.m.; seconded by Mr. Heffernan. The motion passed unanimously.

**Respectfully submitted,**

**Daniel F. Caruso**  
**Chairman**

DFC/laf