

Meeting Minutes
Meeting of September 25, 2007

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Tuesday, September 25, 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 1:49 p.m.

Council Members Present:

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

Colin C. Tait
Vice Chairman
Dr. Barbara Currier Bell
James J. Murphy, Jr.
Edward S. Wilensky
Philip T. Ashton

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:

Carriann Mulcahy

Minutes of August 29, 2007.

Mr. Emerick moved to approve the Minutes of August 29, 2007, with the corrections suggested by Mr. Lynch; seconded by Mr. Murphy. The motion passed unanimously.

DOCKET NO. 312 – New Cingular Wireless PCS, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 350 Hartland Boulevard in Hartland, Connecticut. Request for an Extension.

Mr. Murphy moved to approve the Certificate Holders request for a six month extension, seconded by Mr. Heffernan. The motion passed unanimously.

DOCKET NO. 323 – MCF Communications bg, 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 Carpenter Road, Bolton, Connecticut. Development & Management Plan.

Mr. Ashton moved to approve the Development and Management Plan with the conditions that (a) the Certificate Holder use best efforts to reduce the amount of cut and fill for construction of the facility, (b) landscaping be planted where removed along the access road to be consistent with preconstruction vegetative conditions, including low growth and tall growth vegetation, as feasible, and (c) landscaping be planted around the equipment compound; seconded by Mr. Emerick. The motion passed with Mr. Lynch abstaining.

DOCKET NO. 324 – Sprint Nextel Corporation application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a wireless telecommunications facility at 150 Willow Street, Hamden, Connecticut. Development and Management Plan.

Mr. Murphy moved to approve the Development and Management Plan; seconded by Dr. Bell. The motion passed with Mr. Ashton 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. Development & Management Plan.

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

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. Draft Findings of Fact.

No action was taken on this item.

DOCKET NO. 332 – 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 at 6 Mountain Road or 167 New Milford Turnpike, Washington, Connecticut. Draft Findings of Fact, Draft Opinion, Draft Decision and Order.

Mr. Ashton moved to approve the draft Findings of Fact, Opinion, and Decision and Order; seconded by Mr. Tait. The motion passed unanimously.

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

DOCKET NO. 333 – Lightower application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 17 Cottage Road, Madison, Connecticut. Draft Findings of Fact, Opinion and Decision & Order.

Mr. Wilensky moved to approve the draft Findings of Fact, Opinion, and Decision and Order; seconded by Mr. Murphy. The motion passed with Mr. Ashton 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. Lynch, and Chairman Caruso in favor of the proposed Telecommunications facility.

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. Draft Findings of Fact.

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

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

DOCKET NO. 336 - 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 at 811 Blue Hills Avenue, Bloomfield, Connecticut. Draft Findings of Fact.

After reviewing the draft Findings of Fact, Chairman Caruso polled the Council members with Mr. Heffernan, Mr. Wilensky, Mr. Lynch, Dr. Bell, Mr. Murphy, Mr. Ashton, and Mr. Tait in favor of granting a Certificate for a telecommunications facility to consist of 110-foot monopole with T-arm antenna mounts; and with Mr. Emerick abstaining.

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

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. Request to Reopen.

Mr. Murphy moved to reopen this proceeding; seconded by Dr. Bell. The motion passed with Mr. Lynch abstaining.

DOCKET NO. 345 - MCF Communications bg, Inc. and 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 Exeter Drive in Sterling, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.

Mr. Lynch moved to approve the application as complete, the schedule for processing the docket as per staff recommendations, the appointment of Carriann Mulcahy as custodian of the docket, the deposition of the transcript in the Town of Sterling, and a public field review and hearing in Sterling on Thursday, December 6, 2007; seconded by Dr. Bell. 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. Draft Findings of Fact.

Mr. Tait moved to table this item; seconded by Mr. Lynch. The motion passed unanimously.

PETITION NO. 827 – 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 modification of an existing telecommunication tower owned by Northeast Utilities located at 705 West Johnson Avenue, Cheshire, Connecticut. Decision.

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

Mr. Wilensky moved to approve this petition with the condition that vegetation be installed consistent with existing vegetation along the southeast property line; seconded by Mr. Murphy. The motion passed with Mr. Lynch voting against the petition.

PETITION NO. 828 – DFG-ERG Milford, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of a fuel cell facility located at 775 Oronoque Road, Milford, Connecticut. Decision.

No action was taken on this item.

EM-MCM-004-070824 – Message Center Management, Inc. notice of intent to modify an existing telecommunications facility located at 81 Montevideo Road, Avon, Connecticut.

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

EM-CING-025-034-049-099-167-070911 – New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 500 Highland Avenue, Cheshire; 18 Old Ridgebury Road, Danbury; 188 Moody Road, Enfield; 88 Parsonage Road, North Branford; and 77 Pease Road, Woodbridge, Connecticut.

Mr. Ashton moved to acknowledge these regulatory exemptions, except for the Danbury proposal, with the condition that the modifications specified for the Woodbridge tower in a structural analysis report dated May 29, 2007, and sealed by Jason Seaverson, P.E. be performed prior to the antenna swap and that a signed letter from a Professional Engineer be submitted to the Council to certify that the modifications have been properly completed.; seconded by Dr. Bell. The motion passed unanimously.

No action was taken on the 18 Old Ridgebury Road, Danbury, proposal because it was a rooftop-mount facility under the jurisdiction of the City of Danbury.

EM-CING-045-059-124-131-152-070914 – New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at Flanders Road, East Lyme; 725 (a.k.a. 741) Flanders Road, Groton; 6 Progress Avenue; Seymour; Shuttle Meadow Road, Southington; and 41 Manitock Hill Road, Waterford, Connecticut.

Mr. Murphy moved to acknowledge these regulatory exemptions with the following conditions:

- a) The modifications specified for the Groton tower in a structural analysis report dated August 16, 2007 and sealed by Robert Semaan, P.E. be performed prior to the antenna swap and that a signed letter from a Professional Engineer be submitted to the Council to certify that the modifications have been properly completed.
- b) The modifications specified for the Southington tower in a structural analysis report dated May 23, 2007 and sealed by Jason Seaverson, P.E. be performed prior to the antenna swap and that a signed letter from a Professional Engineer be submitted to the Council to certify that the modifications have been properly completed.
- c) The modifications specified for the Waterford tower in a structural analysis report dated July 6, 2007 and sealed by John Irving Mathis, P.E. be performed prior to the antenna swap and

that a signed letter from a Professional Engineer be submitted to the Council to certify that the modifications have been properly completed.

The motion was seconded by Mr. Ashton. The motion passed unanimously.

EM-VER-024-070917 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 203 Davis Road, Chaplin, Connecticut.

Mr. Ashton moved to acknowledge these regulatory exemptions with the condition that the modifications specified on page 5 of the structural analysis report sealed by John Irving Mathis, P.E. be performed prior to the antenna installation and that a signed letter from a Professional Engineer is submitted to the Council to certify that the modifications have been properly completed; seconded by Mr. Heffernan. The motion passed unanimously.

Consent Calendar

Items 17-20, 22 and 24

EM-CING-008-049-080-132-151-070904 – New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 719 Amity Road, Bethany; Bright Meadow Boulevard, Enfield; 462 (a/k/a 450-478) West Main Street, Meriden; 300 Governors Highway, South Windsor; and 670 Captain Neville Drive, Waterbury, Connecticut.

EM-T-MOBILE-088-070907 – Omnipoint Communications, Inc. a.k.a T-Mobile notice of intent to modify an existing telecommunications facility located at 280 Elm Street, Naugatuck, Connecticut.

EM-VER-135-070907 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 69 Guinea Road, Stamford, Connecticut.

EM-CING-054-054-077-134-164-070911 – New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 2108 Main Street, Glastonbury; 577 Bell Street, Glastonbury; 60 Adams Street, Manchester; 46 Brendon Street, Stafford; and 419 Broad Street, Windsor, Connecticut.

EM-CING-094-145-145-146-155-070914 – New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 605 Willard Avenue, Newington; 107 Stickney Hill Road, Union; 1050 Buckley Highway, Union; 197 South Street, Vernon; and 3114 Albany Avenue, West Hartford, Connecticut.

EM-VER-169-070831 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 215 Coatney Hill Road, Woodstock, Connecticut.

Mr. Ashton moved to acknowledge the above referenced regulatory exemptions (items 17-20, 22 and 24) on the consent calendar; seconded by Mr. Lynch. The motion passed unanimously.

Administrative Matters

Chairman Causo announced that the next energy/telecommunications meeting is scheduled on Tuesday, October 16, 2007, at 2:00 p.m., in Hearing Room Two. Other calendar dates were also discussed.

Mr. Phelps discussed the Ethics Training requirement for Council Members. He noted that information had been handed out for them to read, and asked that they please contact the office to schedule training.

Adjournment.

Chairman Caruso adjourned the meeting at 3:54 p.m.

Respectfully submitted,

Daniel F. Caruso
Chairman

DFC/cm