

Meeting Minutes
Meeting of March 3, 2011

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, March 3, 2011, 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 2:10 p.m.

Council Members Present:

Judge Daniel F. Caruso
Chairman

Larry Levesque
(designee for Commissioner DelGobbo)

Brian Golembiewski
(designee for Acting Commissioner Frechette)

Colin C. Tait
Vice Chairman

Daniel P. Lynch, Jr.
Barbara Currier Bell

James J. Murphy, Jr.
Edward S. Wilensky
Philip T. Ashton

Staff Members Present:

Linda Roberts
Executive Director

Melanie Bachman
Staff Attorney

Christina Walsh
Siting Analyst Supervisor

Robert Mercier
Siting Analyst

David Martin
Siting Analyst
Michael Perrone
Siting Analyst

Recording Secretary:

Lisa Fontaine

Minutes of February 8, 2011.

Dr. Bell moved to approve the Minutes of February 8, 2011, seconded by Mr. Murphy. The motion passed with Mr. Ashton and Mr. Levesque abstaining.

DOCKET NT-2010 - Reopening of final decisions pursuant to C.G.S. §4-181a(b) for jurisdictional natural gas-fired electric generating facilities under C.G.S. §16-50i(a)(3) and C.G.S. §16-50k(a) limited to Council consideration of changed conditions and the attachment of conditions to the certificates and declaratory rulings consistent with the findings and recommendations in the Final Report issued by the Kleen Energy Plant Investigation Review Panel (Nevas Commission) and the findings and recommendations in the Executive Report issued by the Thomas Commission. Draft Findings of Fact.

After reviewing the Draft Findings of Fact, Chairman Caruso conducted a non-binding poll of the Council members with Mr. Lynch, Dr. Bell, Mr. Murphy, Mr. Ashton, Mr. Golembiewski, Mr. Tait, Mr.

Wilensky, and Mr. Levesque unanimously in favor of attaching conditions to the respective decisions consistent with the Thomas and Nevas Commission Recommendations.

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

DOCKET NO. 190A – Meriden Gas Turbines, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 530 MW combined cycle generating plant in Meriden, Connecticut. Reopening of this docket pursuant to Connecticut General Statutes § 4-181a(b) limited to Council consideration of changed conditions and of the attachment of conditions to the certificate consistent with the findings and recommendations in the Final Report issued by the Kleen Energy Plant Investigation Review Panel (Nevas Commission) and the findings and recommendations in the Executive Report issued by the Thomas Commission. Draft Findings of Fact, Opinion, and Decision and Order. Extension of Time.

Mr. Wilensky moved to approve the Draft Findings of Fact, Opinion, and Decision and Order as amended; seconded by Mr. Tait. The motion passed unanimously.

Chairman Caruso requested a written vote on the record with Chairman Caruso, Mr. Lynch, Dr. Bell, Mr. Murphy, Mr. Ashton, Mr. Golembiewski, Mr. Tait, Mr. Wilensky, and Mr. Levesque, in favor of attaching conditions to the Certificate consistent with the Thomas and Nevas Commission Recommendations.

Mr. Murphy moved to approve the extension of time for completion of construction until April 27, 2016; seconded by Mr. Ashton. The motion passed unanimously.

DOCKET 373A - New Cingular Wireless PCS, LLC (AT&T) Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at St. Matthew Lutheran Church, 224 Lovely Street, Avon, Connecticut. Development and Management Plan.

Mr. Ashton moved to approve the Development and Management Plan; seconded by Mr. Murphy. The motion passed unanimously.

DOCKET NO. 386 – Florida Tower Partners, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located at 123 Pine Orchard Road, Branford, Connecticut. Amended Development and Management Plan.

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

DOCKET NO. 388 - New Cingular Wireless PCS, LLC (AT&T) Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 1990 Litchfield Turnpike, Woodbridge, Connecticut. Revisions to the Development and Management Plan.

Mr. Ashton moved to approve the Revisions to the Development and Management Plan; seconded by Mr. Tait. The motion passed unanimously.

DOCKET NO. 396 – SBA Towers II, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located at 49 Brainerd Road, Niantic (East Lyme), Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.

Mr. Ashton moved to change the Opinion and Decision and Order from a stealth tower to a monopole; seconded by Mr. Lynch. The motion passed with Mr. Levesque abstaining.

Mr. Ashton moved to approve the Draft Findings of Fact, Opinion, and Decision and Order, as amended; seconded by Mr. Murphy. Mr. Lynch and Mr. Wilensky were in favor of the motion. Dr. Bell, Mr. Tait, and Mr. Golembiewski voted no, and Mr. Levesque abstained.

Chairman Caruso temporarily passed this item.

DOCKET NO. 415 - 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 87 West Quasset Road, Woodstock, Connecticut. Completeness Review. Schedule, Deposition of the Transcript, Request for Party/Intervenor Status.

Mr. Ashton moved to deem the application as complete and approve the schedule for processing the docket per staff recommendations; the appointment of Carriann Mulcahy as custodian of the docket; the deposition of the transcript in the Town of Woodstock; and a public field review and hearing on Thursday, May 26, 2011; seconded by Dr. Bell. Chairman Caruso temporarily passed this item.

PETITION NO. 971 - T-Mobile USA, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the attachment of antennas to an existing CL&P transmission structure located at Oil Mill Road, Waterford, Connecticut. Decision.

No action was taken on this item. T-Mobile Northeast granted the Council a 90-day extension from the March 9, 2011 deadline to render its decision. The extension will allow the Town of Waterford sufficient time to review and comment on the Revised Site Plan.

PETITION NO. 982 - UTC Power Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of two 400 kW Fuel Cells to be located at 451 Main Street, East Hartford, Connecticut. Decision.

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

PETITION NO. 986 - The Connecticut Light and 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 and Power substation located at 185 Cherry Hill Road, Newington, Connecticut. Decision.

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

DOCKET NO. 415 - 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 87 West Quasset Road, Woodstock, Connecticut. Completeness Review. Schedule, Deposition of the Transcript, Request for Party/Intervenor Status.

The motion passed unanimously.

DOCKET NO. 396 – SBA Towers II, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located at 49 Brainerd Road, Niantic (East Lyme), Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.

Chairman Caruso voted in favor of a monopole facility at the SBA Hybrid site (i.e. approximately 310 feet to the south of the proposed location).

Chairman Caruso requested a written vote on the record with Chairman Caruso, Mr. Murphy, Mr. Lynch, Mr. Ashton, and Mr. Wilensky in favor of granting of Certificate for the SBA Hybrid site facility; Dr. Bell, Mr. Golembiewski, and Mr. Tait voting no; and Mr. Levesque abstaining.

Administrative Matters.

Chairman Caruso announced that the next energy/telecommunications meeting is scheduled for Thursday, March 17, 2011.

The following other tentative meeting dates were also announced:

- Tuesday, March 8, 2011, Beginning at **2:00 p.m.** (PE377A Bridgeport) Public Hearing in Hearing Room One, Ten Franklin Square, New Britain, Connecticut.
- Wednesday, March 9, 2011, Templeton Wind Tour (time to be determined)
- Thursday, March 10, 2011, Beginning at **2:00 p.m.- field review/3:00 p.m./and 7:00 p.m.** (PE973-No. Atlantic/Cingular) Field Review and Public Hearing in Naugatuck at the Naugatuck Town Hall 4th Floor, Hall of Burgesses, 229 Church Street, Naugatuck, Connecticut.
- Tuesday, March 15, 2011, Beginning at **12:00 p.m.** (PE 980 BNE Energy, Inc.) Evidentiary Hearing in Hearing Room One, Ten Franklin Square, New Britain, Connecticut.

Adjournment.

Mr. Ashton moved to adjourn the meeting at 3:02 p.m.; seconded by Mr. Murphy. The motion passed unanimously.

Respectfully submitted,

Daniel F. Caruso
Chairman

DFC/laf