



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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Meeting Minutes

Meeting of May 26, 2022

A Zoom remote conference meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, May 26, 2022. The meeting was called to order with a quorum present by Presiding Officer John Morissette at 1:00 p.m.

Council Members Present:

John Morissette
Presiding Officer
Daniel P. Lynch, Jr.
Mark Quinlan.
Robert Silvestri

Kenneth Collette
(designee for Commissioner Dykes)
Quat Nguyen
(designee for Chairman Gillett)

Council Member Absent

Louanne Cooley

Staff Members Present:

Melanie Bachman
Executive Director/Staff Attorney
Fred Cunliffe
Supervising Siting Analyst
Ifeanyichukwu Nwankwo
Siting Analyst

Christina Walsh
Supervising Siting Analyst
Robert Mercier
Siting Analyst
Michael Perrone
Siting Analyst

Recording Secretary:

Lisa Fontaine

1. Minutes of May 12, 2022.

Mr. Lynch moved to approve the Minutes of May 12, 2022; seconded by Mr. Silvestri. The motion passed unanimously.

2. **DOCKET NO. 494 - Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located south of Chestnut Hill Road at the intersection with Grilley Road and Lyman Road (Parcel No. 101-1-5B), Wolcott, Connecticut. Development and Management Plan.**

Mr. Silvestri moved to approve the Development and Management Plan with the condition noted in the staff report, as amended; and the additional condition that no construction activity, as defined in the DEEP General Permit, shall commence prior to issuance of the DEEP General Permit; seconded by Mr. Nguyen. The motion passed with Mr. Lynch voting no.

3. **DOCKET NO. 495A - Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located 5151 Park Avenue, Fairfield, Connecticut. Reopening of this Certificate based on changed conditions pursuant to Connecticut General Statutes §4-181a(b). Draft Findings of Fact.**

After reviewing the Draft Findings of Fact, Mr. Morissette conducted a non-binding straw poll of the Council members with Mr. Nguyen, Mr. Collette, Mr. Lynch, and Mr. Morissette voting in favor of the facility as proposed in Cellco's Late-Filed Exhibits with the condition that a larger fuel tank that allows for 3 days of backup power operation be installed; and Mr. Silvestri and Mr. Quinlan voting to deny without prejudice.

Mr. Morissette directed staff to draft a favorable Opinion and Decision and Order for the facility as proposed in Cellco's Late-Filed Exhibits, dated April 8, 2022, to be reviewed at the next meeting.

4. **DOCKET NO. 507 – Homeland Towers, LLC 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 wireless telecommunications facility located at 222 Clintonville Road, North Branford, Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.**

After reviewing the Draft Findings of Fact, Opinion, and Decision and Order, Mr. Morissette took the final vote of each Council member with Mr. Silvestri, Mr. Nguyen, Mr. Collette, Mr. Quinlan, Mr. Lynch, and Mr. Morissette voting to approve the Draft Findings of Fact, Opinion, and Decision and Order, as amended, with the condition that the Development and Management Plan include additional tree plantings beyond those specified in the record, and the removal of diseased trees, if any, within the boundaries of the facility site.

5. **DOCKET NO. 509 - Homeland Towers, LLC and New Cingular Wireless PCS, LLC d/b/a AT&T application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 1837 Ponus Ridge Road, New Canaan, Connecticut. Motion for Protective Order. Requests for Party/CEPA Intervenor Status.**

Mr. Lynch moved to grant the motion for a protective order; seconded by Mr. Silvestri. The motion passed unanimously.

Mr. Collette moved to grant Party Status to Mark Buschmann, Trustee and Jamie Buschmann, Trustee; CEPA Intervenor Status to Mark Buschmann;, and grouping the Buschmanns', pursuant to CGS § 16-50n(c) on the basis that they share similar interests and are all represented by the same counsel; seconded by Mr. Nguyen. The motion passed unanimously.

Mr. Silvestri moved to grant Party Status and CEPA Intervenor Status to the New Canaan Neighbors; seconded by Mr. Lynch. The motion passed unanimously.

6. **PETITION NO. 1498 - Bloom Energy Corporation petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a customer-side 2-megawatt fuel cell facility and associated equipment to be located at Americold Logistics LLC, 24 Northwest Drive, Plainville, Connecticut. Decision.**

Mr. Quinlan moved to approve this petition with the conditions noted in the staff report; seconded by Mr. Lynch. The motion passed unanimously.

7. **PETITION NO. 1500 - Dish Wireless LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for proposed modifications to an existing telecommunications facility located at 36 (a/k/a 38) Hatchetts Hill Road, Old Lyme, Connecticut. Decision.**

Mr. Silvestri moved to approve this petition with the conditions noted in the staff report; seconded by Mr. Nguyen. The motion passed unanimously.

8. **PETITION NO. 1501 - New Cingular Wireless PCS, LLC (AT&T) petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed installation of a small wireless facility on a new 43-foot AT&T-owned utility pole that is not used principally for electric distribution service and associated equipment to be located in the Metro-North Railroad right-of-way west of the Indian Field Road/I-95 overpass, Greenwich, Connecticut. Decision.**

Mr. Collette moved to approve this petition with the conditions noted in the staff report; seconded by Mr. Nguyen. The motion passed unanimously.

9. **PETITION NO. 1502 - New Cingular Wireless PCS, LLC (AT&T) petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed installation of a small wireless facility on a new 43-foot AT&T-owned utility pole that is not used principally for electric distribution service and associated equipment to be located in the public right-of-way along Davis Avenue between the Metro-North Railroad and I-95 right-of-way, Greenwich, Connecticut. Decision.**

Mr. Silvestri moved to approve this petition with the conditions noted in the staff report; seconded by Mr. Nguyen. The motion passed unanimously.

10. **PETITION NO. 1503 - Bloom Energy Corporation petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a customer-side 750-kilowatt fuel cell facility and associated equipment to be located at Milford Hospital, 300 Seaside Avenue, Milford, Connecticut. Decision.**

Mr. Nguyen moved to approve this petition with the conditions noted in the staff report and the additional conditions to adhere to the recommendations outlined in the City of Milford's May 10, 2022 correspondence, as applicable to the facility site; and to submit a post-construction letter of compliance indicating that operation of the fuel cell complies with DEEP Noise Control Regulations; seconded by Mr. Quinlan. The motion passed unanimously.

11. **PETITION NO. 1504 – New Cingular Wireless PCS, LLC (AT&T) petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed installation of a small wireless facility on a new 41-foot 3-inch AT&T-owned utility pole that is not used principally for electric distribution service and associated equipment to be located along the public right-of-way adjacent to 45 Connair Road, Orange, Connecticut. CGS §4-176 Deadline for Action - Set Date for Decision**

Mr. Silvestri moved to set the date by which to render a decision in accordance with Connecticut General Statutes § 4-176(e) and Section 16-50j-40(c) of the Regulations of Connecticut State Agencies, as no later than June 30, 2022; seconded by Mr. Lynch. The motion passed unanimously.

12. **PETITION NO. 1505 – New Cingular Wireless PCS, LLC (AT&T) petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed installation of a small wireless facility on a new 43-foot United Illuminating Company-owned utility pole that is not used principally for electric distribution service and associated equipment to be located along the public right-of-way on the west side of the Callegari Drive cul-de-sac, West Haven, Connecticut. CGS §4-176 Deadline for Action - Set Date for Decision.**

Mr. Silvestri moved to set the date by which to render a decision in accordance with Connecticut General Statutes § 4-176(e) and Section 16-50j-40(c) of the Regulations of Connecticut State Agencies, as no later than July 7, 2022; seconded by Mr. Nguyen. The motion passed unanimously.

Tower Share Request Consent Calendar - Item Nos. 13 - 23

Presiding Officer Morissette introduced the Tower Share Request Consent Calendar as Item Nos. 13 through 23. The Consent Calendar was adopted.

13. **TS-DISH-046-220427 – Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 515 Morehouse Road, Easton, Connecticut. Decision.**
14. **TS-DISH-091-220427 – Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 16 Titicus Mountain Road, New Fairfield, Connecticut. Decision.**
15. **TS-DISH-015-220427 – Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 1069 Connecticut Avenue, Bridgeport, Connecticut. Decision.**
16. **TS-DISH-018-220427 – Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 100 Pocono Road, Brookfield, Connecticut. Decision.**
17. **TS-DISH-158-220427 – Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 2 Allen Raymond Lane (a/k/a 2 Sunny Lane), Westport, Connecticut. Decision.**
18. **TS-DISH-099-220503 – Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 59 Youngs Apple Orchard Road, North Branford, Connecticut. Decision.**
19. **TS-DISH-085A-220503 – Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 230 Guinea Road, Monroe, Connecticut. Decision.**

20. **TS-DISH-085B-220503 – Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 88 Main Street, Monroe, Connecticut. Decision.**
21. **TS-DISH-051-220503 – Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 281 Wood House Road, Fairfield, Connecticut. Decision.**
22. **TS-DISH-097-220503 – Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 24 Dinglebrook Lane, Newtown, Connecticut. Decision.**
23. **TS-DISH-084-220504 – Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 234 Melba Street, Milford, Connecticut. Decision.**
24. **Administrative Matters**

The following energy/telecommunications meeting and public hearing dates were discussed:

- Energy/Telecommunications Meeting, Thursday, June 9, 2022, beginning at **1:00 p.m.** via Zoom remote conferencing.
- Docket No. 508, Tuesday, June 14, 2022, **continued evidentiary hearing session** beginning at 2:00 p.m. via Zoom remote conferencing
- Energy/Telecommunications Meeting, Thursday, June 23, 2022, beginning at **1:00 p.m.** via Zoom remote conferencing.
- Docket No. 509, Tuesday, June 28, 2022, **evidentiary hearing session** beginning at 2:00 p.m. and **public comment session** beginning at 6:30 p.m. via Zoom remote conferencing

Adjournment.

Mr. Lynch moved to adjourn the meeting; seconded by Mr. Silvestri. The motion passed unanimously.
Presiding Officer Morissette adjourned the meeting at 2:23 p.m.

Respectfully submitted,



Melanie A. Bachman
Executive Director

MAB/laf