



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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Meeting Minutes

Meeting of August 18, 2022

A Zoom remote conference meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, August 18, 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
Louanne Cooley
Daniel P. Lynch, Jr.
Mark Quinlan

Brian Golembiewski
(designee for Commissioner Dykes)
Quat Nguyen
(designee for Chairman Gillett)
Robert Silvestri

Staff Members Present:

Melanie Bachman
Executive Director/Staff Attorney
Robert Mercier
Siting Analyst
Ifeanyichukwu Nwankwo
Siting Analyst

Christina Walsh
Supervising Siting Analyst
Michael Perrone
Siting Analyst

Recording Secretary:

Lisa Fontaine

1. Minutes of August 4, 2022.

Mr. Silvestri moved to approve the Minutes of August 4, 2022, as amended; seconded by Mr. Nguyen. The motion passed with Mr. Quinlan abstaining.

2. DOCKET NO. 508 – The United Illuminating Company (UI) application for a Certificate of Environmental Compatibility and Public Need for the Milvon to West River Railroad Transmission Line 115-kV Rebuild Project that consists of the relocation and rebuild of its existing 115- kilovolt (kV) electric transmission lines from the railroad catenary structures to new

steel monopole structures and related modifications to facilitate interconnection of the rebuilt 115-kV electric transmission lines at UI's existing Milvon, Woodmont, Allings Crossing, Elmwest and West River substations along approximately 9.5 miles of the Connecticut Department of Transportation's Metro-North Railroad corridor traversing the municipalities of Milford, Orange, West Haven and New Haven, 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, Mrs. Cooley, Mr. Golembiewski, Mr. Nguyen, Mr. Quinlan, and Mr. Morissette voting to approve the Draft Findings of Fact, Opinion, and Decision and Order, as amended; and Mr. Lynch abstaining.

- 3. DOCKET NO. 511 – Barrett Outdoor Communications application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 200 East Main Street Rear, Stratford, Connecticut. Completeness Review, Schedule, Deposition of the Transcript, Requests for Party/Intervenor Status.**

Mr. Silvestri moved to approve the schedule per staff recommendations; seconded by Mr. Quinlan. The motion passed unanimously.

Mr. Silvestri moved to grant Intervenor Status to Dish Wireless, LLC; seconded by Mrs. Cooley. The motion passed unanimously.

Mr. Nguyen moved to grant Intervenor Status to Cellco Partnership d/b/a Verizon Wireless; seconded by Mr. Golembiewski. The motion passed unanimously.

Mr. Golembiewski moved to grant Intervenor Status to New Cingular Wireless PCS, LLC d/b/a AT&T; seconded by Mr. Lynch. The motion passed unanimously.

- 4. PETITION NO. 1461 - SBA Communications Corporation declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed replacement and extension of an existing telecommunications facility located at 130 Welles Road, Groton, Connecticut. Request for Waiver of Condition No. 5.**

Mr. Silvestri moved to deny SBA Communications Corporation (SBA) Request for Waiver of the Council's November 19, 2021 Declaratory Ruling Condition No. 5 that requires SBA to include a yield point in the final tower design to ensure that the tower setback radius remains within the boundaries of the subject parcel on the basis of public safety; seconded Mr. Golembiewski. The motion passed with Mrs. Cooley voting no.

- 5. PETITION NO. 1469 – LSE Indus, LLC declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 1.99-**

megawatt AC solar photovoltaic electric generating facility located at 81 East Main Street, North Canaan, Connecticut and associated electrical interconnection. Request for Waiver of Condition No. 4 and Revised Site Layout.

Mr. Silvestri moved to deny LSE Indus, LLC (LSE) Request for Waiver of the Council's January 28, 2022 Declaratory Ruling that requires LSE to submit Toxicity Characteristic Leaching Procedure (TCLP) test results for the selected solar panels that indicate the panels would not be characterized as hazardous waste at the time of disposal under current testing criteria and to deny the revised site plans on the basis of public health and safety; seconded by Mrs. Cooley. The motion passed unanimously.

6. **PETITION NO. 1514 – Connecticut Green Bank and CEFIA Holdings, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 1.95-megawatt AC solar photovoltaic electric generating facility located at the Maloney & Webster Correctional Institutions at 900 Highland Avenue, Cheshire, Connecticut, and associated electrical interconnection. Decision.**

Mr. Silvestri moved to approve this petition with the conditions noted in the staff report and with an amendment to Condition No. 6 that Petitioners also provide contact information for “appropriate regulatory agencies” under Section 5.3 of the Spill Prevention, Control and Countermeasure Plan; seconded by Mr. Quinlan. The motion passed unanimously.

7. **PETITION NO. 1515 - Connecticut Green Bank and CEFIA Holdings, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 1.95-megawatt AC solar photovoltaic electric generating facility located at the Manson Youth Correctional Institution at 42 Jarvis Street, Cheshire, Connecticut, and associated electrical interconnection. Decision.**

Mrs. Cooley moved to approve this petition with the conditions noted in the staff and with an amendment to Condition No. 6 that the Petitioners also provide contact information for “appropriate regulatory agencies” under Section 5.3 of the Spill Prevention, Control and Countermeasure Plan; seconded by Mr. Quinlan. The motion passed unanimously.

8. **PETITION NO. 1516 - Connecticut Green Bank and CEFIA Holdings, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 1.175-megawatt AC solar photovoltaic electric generating facility located at the Enfield & Willard Correctional Institutions at 289 and 391 Shaker Road, Enfield, Connecticut, and associated electrical interconnection. Decision.**

Mrs. Cooley moved to approve this petition with the conditions noted in the staff report with an amendment to Condition No. 6 that the Petitioners also provide contact information for “appropriate

regulatory agencies” under Section 5.3 of the Spill Prevention, Control and Countermeasure Plan; seconded by Mr. Silvestri. The motion passed with Mr. Lynch recusing.

9. **PETITION NO. 1517 - Connecticut Green Bank and CEFIA Holdings, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 1.8-megawatt AC solar photovoltaic electric generating facility located at the Osborn Correctional Institution at 335 Bilton Road, Somers, Connecticut, and associated electrical interconnection. Decision.**

Mr. Silvestri moved to approve this petition with the conditions noted in the staff report and with an amendment to Condition No. 5 that the Petitioners also provide contact information for “appropriate regulatory agencies” under Section 5.3 of the Spill Prevention, Control and Countermeasure Plan; seconded by Mr. Golembiewski. The motion passed with Mr. Lynch recusing.

10. **PETITION NO. 1525 – 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 41 Manitock Hill Road, Waterford, Connecticut. CGS §4-176 Deadline for Action – Set Date for Decision.**

Mr. Golembiewski 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 December 24, 2022; seconded by Mr. Lynch. The motion passed unanimously.

11. **PETITION NO. 1526 – Cellco Partnership d/b/a Verizon Wireless petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed installation of a wireless telecommunications facility and associated equipment on the roof of an existing commercial building located at 1300 Hall Boulevard, Bloomfield, Connecticut. Decision.**

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

12. **PETITION NO. 1527 – The Connecticut Light and Power Company d/b/a Eversource Energy petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed Stevenson to Pootatuck Rebuild Project consisting of the replacement and reconductoring of electric transmission line structures along approximately 8 miles of its existing Nos. 1560, 1808 and 1580 115-kilovolt (kV) electric transmission lines within existing Eversource electric transmission line right-of-way between Eversource’s Stevenson Substation, 1 Roosevelt Drive in Monroe and The United Illuminating Company's Pootatuck Substation, 14 Old Stratford Road in Shelton, Connecticut, and related electric transmission line and substation improvements. CGS §4-176 Deadline for Action – Set Date for Decision.**

Mr. Lynch 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 January 2, 2023; seconded by Mr. Golembiewski. The motion passed unanimously.

13. **PETITION NO. 1528 – 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 128 Mather Street, Wilton, Connecticut. CGS §4-176 Deadline for Action – Set Date for Decision.**

Mr. Nguyen 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 January 4, 2023; seconded by Mr. Quinlan. The motion passed unanimously.

14. **PETITION NO. 1529 – American Tower Corporation 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 77 Springbrook Road, Old Saybrook, Connecticut. CGS §4-176 Deadline for Action – Set Date for Decision.**

Mr. Golembiewski 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 January 8, 2023; seconded by Mr. Lynch. The motion passed unanimously.

15. **PETITION NO. 1530 – American Tower Corporation 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 401 Lopus Road, Beacon Falls, Connecticut. CGS §4-176 Deadline for Action – Set Date for Decision.**

Mrs. Cooley 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 January 9, 2023; seconded by Mr. Silvestri. The motion passed unanimously.

16. **PETITION NO. 1531 – The Connecticut Light and Power Company d/b/a Eversource Energy petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed 1200/1300 Line Structure Replacement Project consisting of the replacement and reconductoring of approximately 0.39 mile of its existing No. 1200 and No. 1300 115-kilovolt electric transmission lines within existing Eversource electric transmission line right-of-way between Eversource's Windsor Locks Substation in Windsor Locks and Warehouse Point Junction in East Windsor, Connecticut and related transmission line and substation improvements. CGS §4-176 Deadline for Action – Set Date for Decision.**

Mr. Nguyen 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 January 11, 2023; seconded by Mr. Morissette. The motion passed unanimously.

Tower Share Request Consent Calendar - Item Nos. 17 - 27

Presiding Officer Morissette introduced the Tower Share Request Consent Calendar as Item Nos. 17 through 27. The Consent Calendar was adopted.

17. **TS-DISH-135-220523 - Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 168 Catoona Lane, Stamford, Connecticut. Decision.**
18. **TS-DISH-116-220531 - Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 63 Industrial Park Road, Putnam, Connecticut. Decision.**
19. **TS-DISH-058A-220622 - Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 1439 Voluntown Road, Griswold, Connecticut. Decision.**
20. **TS-DISH-151-220713 - Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 150 East Aurora Street, Waterbury, Connecticut. Decision.**
21. **TS-DISH-111-220715 - Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 295 (a/k/a 297) North Street, Plymouth, Connecticut. Decision.**
22. **TS-CING-117-220721 - New Cingular Wireless PCS, LLC (AT&T) request for an order to approve tower sharing at an existing telecommunications facility located at 186 Black Rock Turnpike, Redding, Connecticut. Decision.**
23. **TS-DISH-002-220720 - Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 401 Wakelee Avenue, Ansonia, Connecticut.**

24. **TS-DISH-060-220722 - Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 360 (a/k/a 370) Rockland Road, Guilford, Connecticut. Decision.**
25. **TS-DISH-097-220722 - Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 3 Edmond Road, Newtown, Connecticut. Decision.**
26. **TS-DISH-084-220722 - Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 434 Boston Post Road, Milford, Connecticut. Decision.**
27. **TS-DISH-097-220727 - Dish Wireless, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 151 Berkshire Road, Newtown, Connecticut. Decision.**

28. **Administrative Matters**

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

- Energy/Telecommunications Meeting, Thursday, September 1, 2022, beginning at **1:00 p.m.** via Zoom remote conferencing - **CANCELLED.**
- Docket No. 509, Thursday, September 8, 2022, **continued evidentiary hearing session** beginning at 2:00 p.m. via Zoom remote conferencing.
- Energy/Telecommunications Meeting, Thursday, September 15, 2022, beginning at **1:00 p.m.** via Zoom remote conferencing.
- Docket No. 510, Thursday, September 22, 2022, **continued evidentiary hearing session** beginning at 2:00 p.m. via Zoom remote conferencing.
- Energy/Telecommunications Meeting, Thursday, September 29, 2022, beginning at **1:00 p.m.** via Zoom remote conferencing.

Adjournment.

Mr. Silvestri moved to adjourn the meeting; seconded by Mr. Lynch. The motion passed unanimously.

Presiding Officer Morissette adjourned the meeting at 2:27 p.m.

Respectfully submitted,



**Melanie A. Bachman
Executive Director**

MAB/laf