

Meeting Minutes
Meeting of January 6, 2011

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, January 6, 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 2:16 p.m.

Council Members Present:

Judge Daniel F. Caruso
Chairman
Larry Levesque
(designee for Commissioner DelGobbo)
Brian Golembiewski
(designee for Commissioner Marrella)

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

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:

Jessica Brito-Weston

Minutes of December 16, 2010.

Mr. Ashton moved to approve the Minutes of December 16, 2010; seconded by Mr. Wilensky. The motion passed unanimously.

DOCKET NO. 270 - Florida Tower Partners, LLC (FTP) Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a wireless telecommunications facility located at 202 North Wawecus Hill Road, Norwich, Connecticut. Transfer of Certificate.

Mr. Ashton moved to approve the Transfer of the Certificate to SpectraSite Communications; seconded by Mr. Wilensky. The motion passed unanimously.

DOCKET NO. 374 - 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 at 199 Town Farm Road, Farmington, Connecticut. Development and Management Plan.

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

DOCKET NO. 385 - T-Mobile Northeast, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located at 23 Stonybrook Road, Stratford, Connecticut. Request for Transfer of Certificate.

Mr. Murphy moved to approve the Transfer of the Certificate to Florida Tower Partners; seconded by Mr. Ashton. The motion passed unanimously.

DOCKET NO. 386 - T-Mobile Northeast, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 123 Pine Orchard Road, Branford, Connecticut. Request for Transfer of Certificate.

Mr. Murphy moved to approve the Transfer of the Certificate to Florida Tower Partners; seconded by Mr. Ashton. The motion passed unanimously.

DOCKET NO. 390 - T-Mobile Northeast, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 15 Orchard Park Road, Madison, Connecticut. Request for Transfer of Certificate.

Mr. Ashton moved to approve the Transfer of the Certificate to Florida Tower Partners; seconded by Mr. Murphy. The motion passed unanimously.

DOCKET NO. 397 - Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public need for the construction, maintenance and operation of a telecommunications facility at 445 Prospect Street, Woodstock, Connecticut. Development and Management Plan.

Mr. Ashton moved to approve the Development and Management Plan with the condition that erosion control blankets used at the site shall be of organic construction. The motion was seconded by Mr. Murphy. The motion passed unanimously.

DOCKET NO. 399 - T-Mobile Northeast, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located 166 Pawcatuck Avenue, Stonington, Connecticut. Development and Management Plan.

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

Mr. Ashton moved an amendment to the approval that the Certificate Holder plant no less than 6 Eastern Red Cedar trees around the compound to minimize the view from residences, seconded by Mr. Murphy. The amendment passed unanimously.

DOCKET NO. 400 - 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 at 343 Daleville Road, Willington, Connecticut. Development and Management Plan.

Mr. Wilensky moved to approve the Development and Management Plan with the condition that erosion control blankets used at the site shall be of organic construction; seconded by Dr. Bell. The motion passed unanimously.

DOCKET NO. 404 - New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 28 Great Oak Lane, Redding, Connecticut. Draft Findings of Fact.

After reviewing the draft Findings of Fact, Chairman Caruso conducted a non-binding poll of the Council members, with Mr. Tait, Mr. Murphy, Dr. Bell, Mr. Lynch, Mr. Wilensky, Mr. Golembiewski, Mr. Levesque, and Mr. Ashton unanimously in favor of granting a Certificate for a proposed 180-foot telecommunications facility located at 28 Great Oak Lane, Redding, Connecticut.

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

DOCKET NO. 405 - 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 422 Rockville Road or 81 James Road, Voluntown, Connecticut. Draft Findings of Fact.

After reviewing the draft Findings of Fact, Chairman Caruso conducted a non-binding poll of the Council members, with Mr. Tait, Mr. Murphy, Dr. Bell, Mr. Lynch, Mr. Wilensky, Mr. Golembiewski, Mr. Levesque, and Mr. Ashton unanimously in favor of granting a Certificate for a proposed 160-foot self-supporting monopole at Site 1 with the condition that the site be relocated approximately 100 feet to the north.

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

DOCKET NO. 406 - United Illuminating Company application for a Certificate of Environmental Compatibility and Public Need for the construction, operation and maintenance of a telecommunications facility located at 100 Marsh Hill Road, Orange, Connecticut. Draft Findings of Fact.

After reviewing the draft Findings of Fact, Chairman Caruso conducted a non-binding poll of the Council members, with Mr. Tait, Mr. Murphy, Dr. Bell, Mr. Lynch, Mr. Wilensky, Mr. Golembiewski, Mr. Levesque, and Mr. Ashton unanimously in favor of granting a Certificate for a proposed telecommunications facility located at 100 Marsh Hill Road, Orange, Connecticut.

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

Recess.

Chairman Caruso called a short recess at 3:28 p.m. The meeting resumed at 3:47 p.m.

DOCKET NO. 407 - T-Mobile Northeast, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 77-145 Pleasant Point Road, Branford, Connecticut. Request for Party/Intervenor Status.

Mr. Ashton moved to approve party status for the Town of Branford; seconded by Mr. Murphy. The motion passed unanimously.

DOCKET NO. 408 - New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 95 Balance Rock Road, Hartland, Connecticut. Request for Party/Intervenor Status.

Mr. Ashton moved to approve party status for the Town of Hartland; seconded by Mr. Wilensky. The motion passed unanimously.

DOCKET NO. 412 - SBA Towers III LLC and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located at Wewaka Brook Road, Bridgewater, Connecticut. Request for Party/Intervenor Status.

Mr. Ashton moved to approve party status for the Town of Bridgewater; seconded by Mr. Tait. The motion passed unanimously.

Mr. Ashton moved to deny SBA and AT&T's motion in opposition to the Town's request to intervene under the Connecticut Environmental Protection Act; seconded by Mr. Golembiewski. The motion passed unanimously.

DOCKET NO. 413 - 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 723 Leetes Island Road, Branford, Connecticut. Completeness Review. Request for Party/Intervenor Status.

Mr. Ashton moved to approve the application as complete and the appointment of Jessica Brito-Weston as custodian of the docket; seconded by Dr. Bell. The motion passed unanimously.

Mr. Murphy moved to approve intervenor status for T-Mobile Northeast LLC; seconded by Mr. Ashton. The motion passed unanimously.

Mr. Murphy moved to approve intervenor status for New Cingular Wireless PCS, LLC; seconded by Mr. Ashton. The motion passed unanimously.

DOCKET NO. 414 - 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 36 Ritch Avenue, Greenwich, Connecticut. Completeness Review. Request for Party/Intervenor Status.

Mr. Tait moved to approve the application as complete and the appointment of Lisa Fontaine as custodian of the docket; seconded by Mr. Murphy. The motion passed unanimously.

Mr. Tait moved to approve intervenor status for T-Mobile Northeast LLC; seconded by Dr. Bell. The motion passed unanimously.

PETITION NO. 959 - The Connecticut Light and Power Company (CL&P) petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to an existing CL&P substation in the Forestville section located at 158 Cronin Street, Bristol, Connecticut. Landscaping Plan.

Mr. Wilensky moved to approve this landscaping plan including the planting of spruce trees in lieu of arborvitae; seconded by Mr. Ashton. The motion passed unanimously.

PETITION NO. 980 - BNE Energy, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 3.2 MW Wind Renewable Generating facility located at 178 New Haven Road, Prospect, Connecticut. Schedule. Request for Party/Intervenor Status.

Mr. Wilensky moved to approve party status for the Town of Prospect; seconded by Dr. Bell. The motion passed unanimously.

Mr. Ashton moved to approve party status for Save Prospect Corporation; seconded by Dr. Bell. The motion passed unanimously.

Mr. Tait moved to hold a hearing on this petition; seconded by Mr. Ashton. The motion passed unanimously.

PETITION NO. 981 - New Cingular Wireless PCS, LLC 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 electric transmission line support structure facility located at 945 North Street, Milford, Connecticut. Decision.

Mr. Levesque moved to approve this petition without a public hearing; seconded by Mr. Ashton. The motion passed unanimously with Dr. Bell abstaining.

PETITION NO. 983 - BNE Energy, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 4.8 MW Wind Renewable Generating facility located on Flagg Hill Road, Colebrook, Connecticut. Request for Party/Intervenor Status.

Mr. Tait moved to approve party status for Robin L. Hirtle; seconded by Mr. Ashton. The motion passed unanimously.

Mr. Tait moved to deny BNE's motion in opposition to Ms. Hirtle's request to intervene; seconded by Mr. Ashton. The motion passed unanimously.

EM-CING-052-101130 - New Cingular Wireless PCS, LLC notice of intent to modify an existing telecommunications facility located at 45 Maple Ridge Road, Farmington, Connecticut. Town of Farmington Request for Hearing.

Mr. Ashton moved to deny the Town of Farmington request for a public hearing; seconded by Mr. Wilensky. The motion passed unanimously with Mr. Levesque abstaining.

TS-CLEARWIRE-086-101203 - Clear Wireless LLC request for an order to approve tower sharing at an existing telecommunications facility located at 57 Cook Drive, Montville, Connecticut.

Mr. Ashton moved to table this tower sharing request until further information is received; seconded by Dr. Bell. The motion passed unanimously.

TS-CLEARWIRE-059-101203 - Clear Wireless LLC request for an order to approve tower sharing at an existing telecommunications facility located at 1662 Route 184 (Gold Star Highway), Groton, Connecticut.

Mr. Ashton moved to approve this tower share request with the following conditions:

- Clearwire maintain a ten-foot separation between its antennas and Verizon's antennas; and
- that it submits a post-construction as-built drawing showing in the placements of the antenna installations on the tower.

The motion was seconded by Mr. Murphy and passed unanimously.

Administrative Matters.

Ms. Roberts announced that the next energy/telecommunications meeting is scheduled for Thursday, January 20, 2011.

Ms. Roberts discussed dates for a tour of the wind turbine in Templeton, MA.

Adjournment.

Mr. Ashton moved to adjourn the meeting at 4:40 p.m.; seconded by Mr. Lynch. The motion passed unanimously.

Respectfully submitted,

Daniel F. Caruso
Chairman

DFC/jbw