

Meeting Minutes
Meeting of February 14, 2008

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, February 14, 2008, 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 1:35 p.m.

Council Members Present:

Judge Daniel F. Caruso
Chairman
Brian Emerick
(designee for Commissioner McCarthy)

James J. Murphy, Jr.
Daniel P. Lynch
Barbara Currier Bell

Council Members Absent:

Colin C. Tait
Vice Chairman
Philip T. Ashton

Ed Wilensky
Gerald J. Heffernan
(designee for Commissioner Downes)

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 January 24, 2008.

Mr. Emerick moved to approve the Minutes of January 24, 2008, seconded by Mr. Lynch. The motion passed with Dr. Bell abstaining.

DOCKET NO. 308 – Westport Broadcasting Co., LLC, Optasite, Inc., and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a wireless telecommunications facility located at 160 Deer Run Road, Wilton, Connecticut. Amendment to Development and Management Plan.

Mr. Murphy moved to approve the Amendment to the Development and Management Plan with the following conditions:

- Exploratory soil test borings be conducted to rule out the presence of ledge to be conducted prior to the commencement of tree cutting.
- The work area be staked in the field to minimize tree cutting. Tree clearing and trenching should be kept to a minimum of 10 feet or less.
- Avoid unnecessary tree cutting by meandering and trenching around prominent trees.
- Use of conduit piping, where necessary, to minimize root disturbance.
- Provide a one to one replacement of all removed trees. The location of such trees shall be prescribed by the town. Such replacement trees should be comprised of a mix of native deciduous and evergreen trees, 3-4 inches at the time of planting and should be watered during the initial year to avoid tree loss.
- An on-site supervisor be present during tree cutting and trenching operations.

The motion was seconded by Dr. Bell. The motion passed unanimously.

DOCKET NO. 339- Optasite Towers LLC 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 640 Hilliard Street, Manchester, Connecticut. Development and Management Plan.

Mr. Murphy moved to approve the Development and Management plan with the condition that landscaping to be planted around the facility be staggered; that a plan for the tower and tower foundation be signed and stamped by a professional licensed engineer and submitted to the Council prior to commencement of construction; and that any contaminated soil found at the site be removed in accordance with Department of Environmental Protection regulations; seconded by Dr. Bell. The motion passed unanimously.

DOCKET NO. 343 - 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 237 Sandy Hollow Road, Groton, Connecticut. Draft Findings of Fact.

No action was taken on this item.

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. Draft Findings of Fact.

Mr. Murphy moved to approve the draft Findings of Fact, Opinion, and Decision and Order, as amended; seconded by Mr. Lynch. The motion passed unanimously

Chairman Caruso requested a written vote on the record with Mr. Murphy, Dr. Bell, Mr. Lynch, Mr. Emerick and Chairman Caruso in favor of granting a Certificate for the proposed facility..

DOCKET NO. 348 – Sprint Nextel Corporation and The Connecticut Light and Power Company’s application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located off of Cove Road, Haddam, Connecticut. Request for Party/Intervenor Status.

Mr. Emerick moved to approve party status for Stanford Brainerd, seconded by Mr. Lynch. The motion passed unanimously.

DOCKET NO. 355 - 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 359 Litchfield Road, New Milford, Connecticut. Request for Party/Intervenor Status.

Mr. Murphy moved to approve intervenor status for Optasite and Omnipoint Communications, seconded by Dr. Bell. The motion passed unanimously.

PETITION NO. 832 – Nextel Communications, Inc. petition for a declaratory ruling no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to an existing telecommunications facility located at North Main Street, Marlborough, Connecticut. Decision.

This item remains on the table.

PETITION NO. 833 – 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 modification of an existing double-circuit 115-kV transmission line from Christian Street Junction in Oxford, Connecticut, to Beacon Falls Substation in Beacon Falls, Connecticut. Development and Management Plan.

Dr. Bell moved to approve the Development and Management plan with the following conditions:

- CL&P shall inform Council staff if additional wetlands will be crossed with temporary mats.
- The gravel associated with wetland temporary construction mats and bridges shall be removed at the time temporary construction mats or bridges are removed.
- CL&P shall submit any changes that require Council approval using the change request procedure established for recent CL&P projects, including Dockets 217 and 272.

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

PETITION NO. 841 – The Bridgeport Energy II, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, operation and maintenance of a 350 MW Peaking Facility at the existing Bridgeport Energy Facility located at 10 Atlantic Street, Bridgeport, Connecticut. Request for Party/Intervenor Status.

Mr. Murphy moved to approve intervenor status for the United Illuminating Company, seconded by Mr. Emerick. The motion passed unanimously.

PETITION NO. 842 – The Sprint Nextel Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the attachment of Sprint's Antenna to an existing CL&P Tower located at 40 Barton Lane, Ledyard, Connecticut. Decision.

This item remains on the table.

PETITION NO. 846 – The Pfizer Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed addition to the combined heat and electric generating facility located at 445 Eastern Point Road, Groton, Connecticut. Decision.

Mr. Murphy moved to table this item, seconded by Mr. Emerick. The motion passed unanimously.

PETITION NO. 847 – Pepperidge Farm, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of a 1.2 megawatt fuel cell located at 1414 Blue Hills Avenue, Bloomfield, Connecticut. Decision.

Mr. Lynch moved to approve this petition, seconded by Mr. Emerick. The motion passed unanimously.

CONSENT CALENDAR BEGINS
ITEMS 15, 17-18, 20-21, 24-27, 29-30, 32 – No Conditions

EM-VER-092-080117 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 115 Industrial Park Road, New Hartford, Connecticut.

EM-VER-066-080118 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 133 Clearview Avenue, Harwinton, Connecticut.

EM-CING-030-080123 – New Cingular Wireless PCS, LLC notice of intent to modify an existing telecommunications facility located at 14 Thompson Hill Road, Columbia, Connecticut.

EM-VER-029-080125 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 382 Colebrook Road, Colebrook, Connecticut.

EM-CING-052-080125 – New Cingular Wireless PCS, LLC notice of intent to modify an existing telecommunications facility located at 130 Birdseye Road, Farmington, Connecticut.

EM-VER-009-080128 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 11 Francis J. Clarke Circle, Bethel, Connecticut.

EM-VER-105-080131 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 62-1 and 72 Boggy Hole Road, Old Lyme, Connecticut.

EM-CING-054-080201 – New Cingular Wireless PCS, LLC notice of intent to modify an existing telecommunications facility located at 2755 Main Street, Glastonbury, Connecticut.

EM-VER-144-080131 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at Video Lane, Trumbull, Connecticut.

EM-SPRINT-NEXTEL-062-080131 – Sprint Nextel Corporation notice of intent to modify an existing telecommunications facility located at 890 Evergreen Avenue, Hamden, Connecticut.

EM-VER-055-080131 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 113 Brush Hill Road, Goshen, Connecticut.

EM-VER-084-080130 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 311 Old Gate Road, Milford, Connecticut.

Mr. Lynch moved to acknowledge the above referenced regulatory exemptions (items 15; 17-18; 20-21; 24-27; 29-30; 32) on the consent calendar; seconded by Dr. Bell. The motion passed unanimously.

CONSENT CALENDAR BEGINS
ITEMS 14, 16, 19, 22, 23, 31, 33 – with standard structural conditions

EM-VER-143-080117 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 1925-1931 East Main Street, Torrington, Connecticut.

EM-VER-010-080118 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify existing telecommunications facility located at 310 Watertown Road, Bethlehem, Connecticut.

EM-CING-011-080125 – New Cingular Wireless PCS, LLC notice of intent to modify an existing telecommunications facility located at 28 Brewer Drive, Bloomfield, Connecticut.

EM-VER-013-080125 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 131 Gifford Lane, Bozrah, Connecticut.

EM-VER-111-080128 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 170 Mt. Tobe Road, Plymouth, Connecticut.

EM-VER-111-080130 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 297 North Street, Plymouth, Connecticut.

TS-VER-169-080128 – Cellco Partnership d/b/a Verizon Wireless request for an order to approve tower sharing at an existing telecommunications facility located at 1825 Route 198, Woodstock, Connecticut.

Mr. Murphy moved to acknowledge the above referenced regulatory exemptions (items 14, 16, 19, 22, 23, 31; and 33) on the consent calendar; seconded by Mr. Emerick. The motion passed unanimously.

EM-SPRINT-NEXTEL-051-080131 – Sprint Nextel Corporation notice of intent to modify an existing telecommunications facility located at 2189 Black Rock Turnpike, Fairfield, Connecticut.

Mr. Lynch moved to table this item, pending receipt of a photo simulations; seconded by Mr. Emerick. The motion passed unanimously.

Delegation of authority to staff to acknowledge exempt modifications of telecommunication facilities, pursuant to Regulations of Connecticut State Agencies 16-50j-72(b).

Mr. Lynch moved to delegate authority to staff to acknowledge exempt modifications of telecommunication facilities, seconded by Mr. Emerick. The motion passed unanimously.

Administrative Matters

Chairman Caruso announced that the next energy/telecommunications meeting is scheduled on Thursday, February 28, 2008, at 1:30 p.m., in Hearing Room One. Other calendar dates were also discussed.

Mr. Emerick announced his retirement and introduced his replacement, Mr. Riese. Mr. Haines also announced his retirement.

Adjournment.

Chairman Caruso adjourned the meeting at 2:46 p.m.

Respectfully submitted,

Daniel F. Caruso
Chairman

DFC/cm