

**Meeting Minutes**  
**Meeting of July 29, 2010**

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, July 29, 2010, 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 2:20 p.m.

**Council Members Present:**

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

Edward S. Wilensky  
Barbara Currier Bell  
Daniel P. Lynch, Jr.  
Philip T. Ashton.

**Council Members Absent**

Colin C. Tait  
Vice Chairman  
James J. Murphy, Jr.

Larry Levesque  
(designee for Commissioner DelGobbo)

**Staff Members Present:**

S. Derek Phelps  
Executive Director  
Melanie Bachman  
Staff Attorney  
Christina Walsh  
Siting Analyst

Robert Mercier  
Siting Analyst  
David Martin  
Siting Analyst  
Michael Perrone  
Siting Analyst

**Recording Secretary:**

Carriann Mulcahy

**Minutes of July 15, 2010.**

Mr. Ashton moved to approve the minutes of July 15, 2010, seconded by Dr. Bell. The motion passed unanimously.

**Minutes of July 20, 2010.**

Mr. Ashton moved to approve the minutes of July 20, 2010, seconded by Dr. Bell. The motion passed with Mr. Lynch abstaining.

**DOCKET NO. 225C - Kleen Energy Systems, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a Electric Generating Facility and Switchyard on River Road, Middletown, Connecticut. Request for Party/Intervenor Status.**

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

Mr. Ashton moved to approve intervenor status for State Senator Eileen M. Daily, seconded by Dr. Bell. The motion passed unanimously.

Mr. Wilensky moved to approve intervenor status for State Representative James A. O'Rourke, seconded by Mr. Lynch. The motion passed unanimously.

**DOCKET NO. 381 - 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 27 Gungy Road/ 322 Beaver Brook Road, Lyme, Connecticut. Development and Management Plan.**

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

**DOCKET NO. 382 - 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 the Harry B. Brownson Country Club, Lane Street, Shelton, Connecticut. Development and Management Plan – Phase 2.**

Mr. Ashton moved to approve Phase 2 of the Development and Management Plan, with a stealth tree design, seconded by Mr. Golembiewski. 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. Development and Management Plan.**

This item was passed temporarily.

**DOCKET NO. 388 - New Cingular Wireless PCS, LLC (AT&T) application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 1990 Litchfield Turnpike, Woodbridge, Connecticut. Draft Findings of Fact.**

Mr. Ashton moved to deny the Woodbridge Conservation Commission's Application to Intervene and Reopen the Record, seconded by Mr. Wilensky. The motion passed with Mr. Golembiewski voting against the motion.

After reviewing the draft Findings of Fact, draft Opinion, and draft Decision and Order, Mr. Ashton moved to approve the Findings of Fact, Opinion, and Decision and Order, for a

telecommunications facility located at 1990 Litchfield Turnpike, Woodbridge, Connecticut, seconded by Mr. Lynch. The motion passed with Mr. Golembiewski abstaining.

Chairman Caruso requested a written vote on the record with Mr. Lynch, Dr. Bell, Mr. Wilensky, Mr. Ashton, and Chairman Caruso in favor of granting a Certificate for the telecommunications facility located at 1990 Litchfield Turnpike, Woodbridge, Connecticut; and with Mr. Golembiewski abstaining.

**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.**

Mr. Ashton moved to approve SBA's Motion to Reopen the evidentiary hearing for the limited purpose of considering additional evidence pertaining to wetlands impact, seconded by Dr. Bell. The motion passed unanimously.

Mr. Ashton moved to table the Draft Findings of Fact, seconded by Dr. Bell. The motion passed unanimously.

**DOCKET NO. 397 - 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 at 445 Prospect Street, Woodstock, Connecticut. Draft Findings of Fact.**

Mr. Ashton moved to table this item, seconded by Mr. Lynch. The motion passed unanimously.

**DOCKET NO. 399 - T-Mobile Northeast LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 166 Pawcatuck Avenue, Stonington, Connecticut. Draft Findings of Fact, Opinion, Decision and Order.**

Mr. Ashton moved to remove this item from the table, seconded by Mr. Lynch. The motion passed unanimously.

After reviewing the draft Findings of Fact, draft Opinion, and draft Decision and Order, Mr. Ashton moved to approve the Findings of Fact, Opinion, and Decision and Order, denying, without prejudice, a certificate for a telecommunications facility located at 166 Pawcatuck Avenue, Stonington, Connecticut, seconded by Mr. Lynch. The motion passed unanimously.

Chairman Caruso requested a written vote on the record with Mr. Lynch, Dr. Bell, Mr. Wilensky, Mr. Ashton, Mr. Golembiewski, and Chairman Caruso in favor of denying without prejudice a Certificate for the telecommunications facility located at 166 Pawcatuck Avenue, Stonington, Connecticut.

**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. Development and Management Plan.**

No action was taken on this item. This item remains on the table.

**DOCKET NO. 400 - 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 343 Daleville Road, Willington, Connecticut. Draft Findings of Fact.**

After reviewing the draft Findings of Fact, draft Opinion, and draft Decision and Order, Mr. Ashton moved to approve the Findings of Fact, Opinion, and Decision and Order, for a telecommunications facility located at 343 Daleville Road, Willington, Connecticut, seconded by Dr. Bell.

This item was temporarily passed

**PETITION NO. 954 - The Connecticut Resources Recovery Authority (CRRA) petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modification to the existing CRRA South Meadow Generating Station located at Reserve Road, Hartford, Connecticut. Decision.**

Mr. Ashton moved to approve this petition with the condition that the tank shall be removed within one year of approval unless CRRA finds another use for the tank and the proposal for such alternate use shall be filed for Council review and approval, seconded by Mr. Golembiewski. The motion passed unanimously.

**DOCKET NO. 400 - 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 343 Daleville Road, Willington, Connecticut. Draft Findings of Fact.**

The motion passed unanimously.

Chairman Caruso requested a written vote on the record with Mr. Lynch, Dr. Bell, Mr. Wilensky, Mr. Ashton, Mr. Golembiewski, and Chairman Caruso in favor of granting a Certificate for the telecommunications facility located at 343 Daleville Road, Willington, Connecticut.

**TS-CLEARWIRE-080-100708 - Clear Wireless LLC request for an order to approve tower sharing at an existing telecommunications facility located at 55 Michael Drive, Meriden, Connecticut.**

Dr. Bell moved to approve this tower sharing request with the following conditions:

- That the tower is reinforced in accordance with the structural analysis prepared by URS Corporation dated June 30, 2010 and stamped by Richard Sambor, and
- That within forty-five (45) days after the installation of the proposed antennas, Clearwire provides the Council with a letter stamped by a professional engineer licensed in the State of Connecticut certifying that the tower is within 100% of its structural capacity.

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

**TS-CLEARWIRE-103-100708 - Clear Wireless LLC request for an order to approve tower sharing at an existing telecommunications facility located at 6 Shirley Street, Norwalk, Connecticut.**

Mr. Lynch moved to approve this tower sharing request with the following conditions:

- That the tower is reinforced in accordance with the structural analysis prepared by URS Corporation dated July 2, 2010 and stamped by Richard Sambor, and
- That within forty-five (45) days after the installation of the proposed antennas, Clearwire provides the Council with a letter stamped by a professional engineer licensed in the State of Connecticut certifying that the tower is within 100% of its structural capacity.

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

**Administrative Matters.**

Mr. Phelps announced that the next energy/telecommunications meeting is scheduled for Thursday, August 12, 2010, at 2:00 p.m. Other calendar dates were also discussed.

Mr. Ashton rejected the position taken by T-Mobile with regard to providing information on the reliability of T-Mobile's facilities in a severe storm. He reminded that it is clearly the right and responsibility of this Council to ensure that facilities for which CSC approval is sought will be built to be reliable and without undue physical risk to the public. It is not an issue of propriety or confidential corporate information or national security. It is an issue of prudent planning and design as well as common sense.

Mr. Phelps also announced that the start time for the DO 225C hearing to be held on Tuesday, August 3, 2010, has been moved to 1:00 p.m.

**Adjournment.**

Mr. Lynch moved to adjourn the meeting, seconded by Dr. Bell. The motion passed unanimously. The meeting adjourned at 3:49 p.m.

**Respectfully submitted,**

**Daniel F. Caruso**  
**Chairman**

DFC/cm