

Meeting Minutes
Meeting of September 7, 2010

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Tuesday, September 7, 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 2:17 p.m.

Council Members Present:

Judge Daniel F. Caruso
Chairman
Colin C. Tait
Vice Chairman
Edward S. Wilensky

Larry Levesque
(designee for Commissioner DelGobbo)
Barbara Currier Bell
James J. Murphy, Jr
Philip T. Ashton

Council Members Absent

Daniel P. Lynch, Jr.

Brian Golembiewski
(designee for Commissioner Marrella)

Staff Members Present:

Linda Roberts
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 August 26, 2010.

Mr. Wilensky moved to approve the Minutes of August 26, 2010, seconded by Dr. Bell. The motion passed with Mr. Levesque abstaining.

DOCKET NO. 225 – Kleen Energy Systems, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of an Electric Generating Facility and Switchyard on River Road, Middletown, Connecticut. Transfer of Certificate Switchyard Conditions to CL&P.

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

Mr. Ashton moved to approve the Transfer of the Certificate pertaining to the Switchyard, interconnection, and associated conditions to CL&P, seconded by Mr. Tait. The motion passed unanimously.

DOCKET NO. 391 - 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 232 Shore Road, Old Lyme, 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. Wilensky and Mr. Ashton in favor of granting a Certificate for a proposed telecommunications facility located at the north alternative location at 232 Shore Road, Old Lyme, Connecticut; and Mr. Levesque abstaining.

Chairman Caruso directed staff to draft a favorable Opinion and Decision and Order to be reviewed at the next meeting, with the condition that the tower must be constructed to sustain the height of 160 feet.

DOCKET NO. 392 - 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 387 Shore Road, Old Lyme, 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, Chairman Caruso and Dr. Bell in favor of a granting a Certificate for the proposed telecommunications facility as a stealth tree design; and Mr. Murphy, Mr. Wilensky and Mr. Ashton in favor of granting a Certificate for the proposed telecommunications facility located at 387 Shore Road, Old Lyme, Connecticut as proposed. Mr. Levesque abstained on this docket.

For the record, Mr. Ashton stated that he did not attend the noticed field review, but that he walked the site at a later date.

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

DOCKET NO. 393 - 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 61-1 Buttonball Road, Old Lyme, 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. Wilensky and Mr. Ashton in favor of granting a Certificate for a proposed telecommunications facility, consistent with the Joint Stipulation dated April 9, 2010, located at 61-1 Button Ball Road, Old Lyme, Connecticut; and Mr. Levesque abstaining.

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

DOCKET NO. 395A - 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 off of Haywardville Road (Devil's Hopyard North), East Haddam, Connecticut. Development and Management Plan.

Mr. Ashton moved to approve the Development and Management Plan, seconded by Dr. Bell. The motion passed with Mr. Levesque abstaining.

DOCKET NO. 401 - 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 208 Valley Road, New Canaan, Connecticut. Draft Findings of Fact, Opinion, Decision and Order.

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

DOCKET NO. 402 - 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 16 Bell Road Extension, Cornwall, Connecticut. Draft Findings of Fact.

Mr. Tait moved to have the staff issue interrogatories on the limited issue of an alternative site located at 78 Popple Swamp Road, 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.

PETITION NO. 957 - Bridgeport Fuel Cell Park, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of a fuel cell generating facility located on Hancock Street, Bridgeport, Connecticut. Decision.

This item was tabled at the previous meeting and was not removed prior to Council discussion. Therefore this item remains tabled with no action taken.

PETITION NO. 960 - The Clearwire Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the extension of an existing facility located at 777 Talcottville Road, Vernon, Connecticut. Decision.

Mr. Murphy moved to approve this petition, seconded by Mr. Ashton. The motion passed unanimously.

PETITION NO. 961 - UTC Power Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of a 400 kW Fuel Cell to be located at 170 Dewitt Street, New Haven, Connecticut. Decision.

Dr. Bell moved to approve this petition, seconded by Mr. Murphy. The motion passed unanimously.

TS-CLEARWIRE-018-100701 - Clear Wireless LLC request for an order to approve tower sharing at an existing telecommunications facility located at 39 Carmen Hill Road, Brookfield, Connecticut.

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

- Prior to the antenna/dish installation, the tower shall be reinforced in accordance with the structural analysis prepared by Stainless LLC dated May 18, 2010 and stamped by Gregg Fehrman.; and
- The tower shall not exceed 100 percent of its post-construction structural rating; and
- Prior to the antenna/dish installation, a signed letter from a Professional Engineer duly licensed in the State of Connecticut shall be submitted to the Council to certify that the reinforcements have been properly completed and the tower does not exceed 100 percent of its post-construction structural rating.

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

TS-CLEARWIRE-138-100730 - Clear Wireless LLC request for an order to approve tower sharing at an existing telecommunications facility located at 23 Stonybrook Road, Stratford, Connecticut.

Mr. Murphy moved to keep this item on the table, seconded by Dr. Bell. The motion passed unanimously.

Administrative Matters.

Ms. Roberts announced that the next energy/telecommunications meeting is scheduled for Thursday, September 23, 2010. Other calendar dates were also discussed.

Adjournment.

Chairman Caruso adjourned the meeting at 4:56 p.m.

Respectfully submitted,

Daniel F. Caruso
Chairman

DFC/cm