

Meeting Minutes
Meeting of October 7, 2010

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, October 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 2:12 p.m.

Council Members Present:

Judge Daniel F. Caruso
Chairman

Brian Golembiewski
(designee for Commissioner Marrella)
Edward S. Wilensky

Colin C. Tait
Vice Chairman
Barbara Currier Bell
Philip T. Ashton
James J. Murphy, Jr.

Council Members Absent

Larry Levesque
(designee for Commissioner DelGobbo)

Daniel P. Lynch, Jr.

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 September 28, 2010.

Mr. Ashton moved to approve the Minutes of September 28, 2010, seconded by Mr. Golembiewski. The motion passed unanimously.

Minutes of September 30, 2010.

Mr. Ashton moved to approve the Minutes of September 30, 2010, seconded by Dr. Bell. The motion passed unanimously.

DOCKET NO. 190A - Meriden Gas Turbines, LLC Certificate of Environmental Compatibility and Public Need for a 530 MW combined cycle generating plant in Meriden, Connecticut. Reopen Evidentiary Record.

Mr. Wilensky moved to reopen the evidentiary record of the docket for the limited purpose of bringing the Thomas Commission recommendations into the record. The motion was seconded by Mr. Ashton. The motion passed unanimously.

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. Reopening of this docket pursuant to Connecticut General Statutes § 4-181a(b) limited to Council consideration of changed conditions and of the attachment of conditions to the certificate consistent with the findings and recommendations contained in the Final Report issued by the Kleen Energy Plant Investigation Review Panel. Draft Findings of Fact, Conclusions of Law, Opinion, and Decision and Order. Request for Extension. Motion to Reopen.

Mr. Murphy moved to approve the Findings of Fact, Conclusions of Law, Opinion, and Decision and Order. The motion was seconded by Mr. Ashton. The motion passed unanimously.

Mr. Murphy moved to grant the Extension of the Certificate through, and including, June 30, 2011, seconded by Mr. Ashton. The motion passed unanimously.

Mr. Tait moved to reopen the record in Docket 225 and hold a hearing limited to the Council's consideration of the attachment of conditions to Kleen Energy's Certificate consistent with the finding and recommendations contained in the Thomas Commissions report. The motion was seconded by Mr. Ashton. The motion passed unanimously.

DOCKET NO. 373A - New Cingular Wireless PCS, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at the St. Matthew Lutheran Church, 224 Lovely Street, Avon, Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.

After reviewing the draft Findings of Fact, Opinion, and Decision and Order, Chairman Caruso requested a written vote on the record with Mr. Tait, Mr. Murphy, Dr. Bell, Mr. Wilensky, and Mr. Golembiewski in favor of Modifying the Certificate for a telecommunications facility to be located approximately 71 feet north of the originally approved site at 224 Lovely Street, Avon, Connecticut; and Mr. Ashton voting no.

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. Development and Management Plan.

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

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, Opinion, and Decision and Order.

Mr. Murphy moved to reopen the evidentiary record in this docket, seconded by Mr. Ashton. Mr. Tait moved to reopen the record beyond the limitations of the applicant's additional information referenced in the motion to reopen the evidentiary record, seconded by Mr. Murphy. The motion passed unanimously.

Mr. Ashton moved to table the Draft Findings of Fact, Opinion, and Decision and Order, seconded by Mr. Golembiewski. 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. Ashton moved to remove this item from the table, seconded by Mr. Wilensky. The motion passed unanimously.

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, Mr. Golembiewski, and Mr. Ashton in favor of proposed site.

Chairman Caruso directed staff to draft a favorable Opinion and Decision and Order to be reviewed at the next regularly scheduled 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. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.

Mr. Ashton moved to approve the application as complete and approve the schedule for processing the docket as per staff recommendations; the appointment of Jessica Brito-Weston as custodian of the docket; the deposition of the transcript in the Town of Voluntown; and a public field

review and hearing in Voluntown on Tuesday, November 30, 2010. The field review will be at 1:45 p.m., rather than 2 p.m. (2 sites). The motion was seconded by Mr. Murphy. The motion passed unanimously.

PETITION NO. 964 - Cellco Partnership d/b/a Verizon Wireless petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the extension of an existing telecommunications facility located at 1593 Exeter Road, Lebanon, Connecticut. Decision.

Mr. Golembiewski moved to approve this petition, seconded by Mr. Tait. The motion passed unanimously.

TS-CLEARWIRE-164-100804 - Clear Wireless LLC request for an order to approve tower sharing at an existing telecommunications facility located at 599 Matianuck Avenue, Windsor, Connecticut.

Mr. Murphy moved to approve this request for tower sharing, seconded by Mr. Tait. The motion passed unanimously.

TS-CLEARWIRE-083-100824 – Clear Wireless LLC request for an order to approve tower sharing at an existing telecommunications facility located at 1825 South Main Street, Middletown, Connecticut.

Dr. Bell moved to remove this item from the table, seconded by Mr. Golembiewski. The motion passed unanimously.

Mr. Ashton moved to approve this request for tower sharing, seconded by Mr. Murphy. The motion passed unanimously.

TS-CLEARWIRE-051-100831 – Clear Wireless LLC request for an order to approve tower sharing at an existing telecommunications facility located at 2189 Black Rock Turnpike, Fairfield, Connecticut.

Mr. Murphy moved to remove this item from the table, seconded by Mr. Ashton. The motion failed, the item remains on the table.

TS-CLEARWIRE-080-100902 – Clear Wireless LLC request for an order to approve tower sharing at an existing telecommunications facility located at 21 West Peak Drive, Meriden, Connecticut.

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

Mr. Ashton moved to approve this request for tower sharing, seconded by Mr. Wilensky. The motion passed unanimously.

EM-CL&P-096-100903 - The Connecticut Light and Power Company notice of intent to modify an existing telecommunications facility located at 26 Chapin Road, New Milford, Connecticut.

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

Mr. Tait moved to table this item to give the Council adequate time to visit the site, seconded by Mr. Ashton. The motion passed unanimously.

TS-CLEARWIRE-054-100916 – Clear Wireless LLC request for an order to approve tower sharing at an existing telecommunications facility located at 1679 New London Turnpike, Glastonbury, Connecticut.

Mr. Murphy moved to approve this request for tower sharing, seconded by Dr. Bell. The motion passed unanimously.

Budget.

No action was taken on this item.

Administrative Matters.

Ms. Roberts announced that the next energy/telecommunications meeting is scheduled for Thursday, October 21, 2010.

Adjournment.

Chairman Caruso adjourned the meeting at 3:58 p.m.

Respectfully submitted,

Daniel F. Caruso
Chairman

DFC/cm