

Meeting Minutes
Meeting of May 28, 2015

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, May 28, 2015, in Hearing Room Two, Ten Franklin Square, New Britain, Connecticut. The meeting was called to order with a quorum present by Chairman Stein at 1:00 p.m.

Council Members Present:

Robert Stein

Chairman

Larry Leveque

(designee for Chairman House)

Philip T. Ashton

Michael W. Klemens

James J. Murphy, Jr.

Vice Chairman

Barbara Currier Bell

Daniel P. Lynch, Jr.

Council Member Absent:

Robert Hannon

(designee for Commissioner Klee)

Staff Members Present:

Melanie Bachman

Acting Executive Director/Staff Attorney

Fred Cunliffe

Supervising Siting Analyst

Christina Walsh

Supervising Siting Analyst

Robert Mercier

Siting Analyst

Michael Perrone

Siting Analyst

Recording Secretary:

Lisa Mathews

Minutes of May 14, 2015.

Dr. Klemens moved to approve the minutes of May 14, 2015, seconded by Mr. Lynch. The motion passed unanimously.

DOCKET NO. 454 - Tower Holdings, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at Farmington Tax Assessor Parcel ID Maps 25 and 26, Lots 3A and 3B, 199 Brickyard Road, Farmington, Connecticut. Draft Findings of Fact.

Mr. Lynch stated he read the transcript of the proceeding. After reviewing the Draft Findings of Fact, Chairman Stein conducted a non-binding straw poll of the council members with Mr. Murphy,

Dr. Klemens, Dr. Bell, and Chairman Stein in favor of a 140 foot monopole telecommunications facility; Mr. Lynch and Mr. Ashton denying the application without prejudice; and Mr. Levesque abstaining.

Chairman Stein directed staff to draft a favorable Opinion and Decision and Order for a 140 foot monopole telecommunications facility to be reviewed at the next meeting.

DOCKET NO. 458 - Florida Tower Partners LLC d/b/a North Atlantic Towers Application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation, of a telecommunications facility at one of two locations at Bethel Tax Assessor's Map 65, Block 57, Lot 122, 62-64 Codfish Hill Road, Bethel, Connecticut. Request for Intervenor Status.

Mr. Murphy moved to approve intervenor status to Cellco Partnership d/b/a Verizon Wireless, seconded by Mr. Ashton. The motion passed unanimously.

DOCKET NO. 459 - Message Center Management, Inc. and 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 Glastonbury Tax Assessor Map E3, Block 0820, Lot E0002, Seven J's Farm, Candlewood Road, Glastonbury, Connecticut. Request for Party Status. Motion for Protective Order.

Mr. Lynch moved to approve party status to the Town of Glastonbury, seconded by Mr. Murphy. The motion passed unanimously.

Mr. Ashton moved to approve the Motion for Protective Order, seconded by Mr. Murphy. The motion passed unanimously.

PETITION NO. 922 – UIL Distributed Resources, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of a Fuel Cell generating facility located at 1835 Hebron Avenue, Glastonbury, Connecticut. Request for Modification.

Dr. Bell moved to approve the Request for Modification with the following conditions:

- Submission of a site restoration and landscaping plan to the Town for comment and for approval by the Council. The plan shall also include the installation of evergreens on the embankment between Chalker Hill Road and the access drive and along the west side of the existing gate station;
- Submission of a revised noise study to the Town and Council that accounts for the relocation of the turbo-expander and facility site; and
- Incorporation of a final color scheme for fuel cell equipment to reduce visibility from the surrounding area to be reviewed by the Town and approved by the Council.

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

Mr. Ashton moved to approve a three year deadline date for construction of all facilities and modifications to existing facilities approved by a petition for a declaratory ruling, seconded by Mr. Murphy. The motion passed unanimously.

PETITION NO. 1150 – SolarCity Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction and operation of a 3.1 Megawatt Community Shared Solar Photovoltaic Electric Generating facility located on Brush Hill Road in Bozrah, Connecticut. Set Date for Decision.

Mr. Murphy moved to approve October 2, 2015, as the date for decision, seconded by Dr. Bell. The motion passed unanimously.

PETITION NO. 1151 – The United Illuminating Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed removal and replacement of the existing 115-kV transmission line structures in the Connecticut Department of Transportation right-of-way outside of Milvon substation located at 772 Bridgeport Avenue, Milford, Connecticut. Decision.

Mr. Levesque moved to approve this petition with the condition that UI submit a joint Petition No. 1110 and Petition No. 1151 Development and Management Plan to be submitted include, but not be limited to, erosion and sedimentation controls, eastern box turtle protection plans, and swamp mat design, placement and cleaning, seconded by Mr. Ashton. The motion passed with Dr. Bell recusing.

PETITION NO. 1152 - New Cingular Wireless PCS, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of a temporary telecommunications facility located at East Lyme Tax Assessor Map 30, Lot 1, Ancient Highway, East Lyme, Connecticut. Request for Intervenor Status.

Mr. Murphy moved to approve party and CEPA status to the Town of East Lyme, seconded by Dr. Klemens. The motion passed unanimously.

PETITION NO. 1155 - 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 proposed installation of a small cell telecommunications facility on the roof of an existing commercial building located at 19 Main Street, Old Saybrook, Connecticut. Decision.

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

Administrative Matters.

The following calendar events were discussed:

- Tuesday, June 2, 2015, Docket No. 458 Bethel, **PLEASE NOTE the Council should meet at 1:30 pm at the Bethel Town Hall to carpool to the site for the 2:00 p.m. field review as there is limited parking.** A hearing will follow at 3:00 p.m./7:00 p.m. at the Bethel Town Hall, General Purpose Room, One School Street, Bethel, Connecticut.
- Thursday, June 11, 2015, beginning at **1:00 p.m.** energy/telecommunications meeting, in Hearing Room Two, Ten Franklin Square, New Britain, Connecticut.
- Thursday, June 25, 2015, beginning at **1:00 p.m.** energy/telecommunications meeting, in Hearing Room Two, Ten Franklin Square, New Britain, Connecticut.
- Tuesday, June 30, 2015, beginning at **2:00 p.m. (field review)/3:00 p.m./7:00 p.m. public hearing** for Docket No. 459 at the Glastonbury Town Hall, Council Chambers, 2155 Main Street, Glastonbury, Connecticut.

Executive Session

Dr. Klemens moved to enter into Executive Session at 2:07 p.m. pursuant to Conn. Gen. Stat. § 1-200 (6)(B) to discuss strategy/negotiations in the following cases: Subbloie et al. v. Connecticut Siting Council; Civie et al. v. Connecticut Siting Council; Burton v. Connecticut Siting Council. The motion was seconded by Dr. Bell. The motion passed unanimously.

Mr. Lynch moved to adjourn the executive session, seconded by Mr. Ashton. The motion passed unanimously.

The Council exited executive session at 2:24 p.m. and announced that no votes were taken.

Adjournment.

Mr. Lynch moved to adjourn the meeting, seconded by Mr. Levesque. The motion passed unanimously.

Chairman Stein adjourned the meeting at 2:27 p.m.

Respectfully submitted,

Robert Stein
Chairman

RS/lm