

STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

IN RE: :  
 :  
APPLICATION OF CELLCO : DOCKET NO. 337  
PARTNERSHIP D/B/A VERIZON :  
WIRELESS FOR A CERTIFICATE OF :  
ENVIRONMENTAL COMPATIBILITY :  
AND PUBLIC NEED FOR THE :  
CONSTRUCTION, MAINTENANCE AND :  
OPERATION OF A WIRELESS :  
TELECOMMUNICATIONS FACILITY :  
OFF NORTH STREET (ROUTE 63) IN :  
GOSHEN, CONNECTICUT : OCTOBER 30, 2007

SUPPLEMENTAL POST-HEARING BRIEF OF  
CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS

I. Factual Background

On May 8, 2007, Cellco Partnership d/b/a Verizon Wireless (“Cellco” or “Applicant”) filed an application (the “Application”) with the Connecticut Siting Council (“Council”) for a certificate of environmental compatibility and public need (“Certificate”), pursuant to Sections 16-50g *et seq.* of the Connecticut General Statutes (“Conn. Gen. Stat.”), for the construction, maintenance and operation of a wireless telecommunications facility in Goshen, Connecticut (the “Goshen Facility”). The Goshen Facility is proposed to be located on a 233-acre parcel off of North Street, Route 63, in the Town of Goshen (the “Property”). (Cellco Exhibit 1 (“Cellco 1”) pp. 1-2). The Goshen Facility would provide personal communication system (“PCS”) wireless service along the heavily-traveled Route 63 and portions of Route 4, as well as local roads in the Goshen area. The Goshen Facility would provide coverage to an overall area of 13.3 square miles, including an approximately 4.5 mile

portion of Route 63, connecting with coverage from Cellco's existing Goshen South facility, and a 1.8 mile portion of Route 4. (Cellco 1, p. 2).

The Council conducted a public hearing on the Application on August 9, 2007. (8/9/07 Transcript ("Tr.") (afternoon) p. 2; 8/9/07 Tr. (evening) p. 2). Prior to closing the hearing the Council asked Cellco to submit additional coverage plots depicting coverage from the Goshen Facility with antennas at 130' and 120' above ground level twenty and thirty feet lower, respectively, than proposed in the Application. (8/9/07 Tr. (evening) pp. 43-45). This late file exhibit was submitted to the Council on August 16, 2007. (Cellco 10).

On or about August 20, 2007, the Council received correspondence from State Senator Andrew Roraback requesting that the Council reopen Docket No. 337 and include in the record an affidavit of Allen S. Kinsella, an adjacent landowner, regarding his concerns for environmental impacts associated with the development of the proposed telecommunication facility. By letter dated September 12, 2007, Cellco agreed to the reopening of the hearing for the limited purpose of responding to Mr. Kinsella's concerns and addressing the Council's questions regarding Cellco's Late File Exhibit. (Cellco 10).

On information and belief, Senator Roraback also contacted the Connecticut Department of Environmental Protection ("DEP") and requested that they conduct a site inspection to further assess the potential impact of the proposed Goshen Facility on State listed, endangered or special concern species.

On September 26, 2007, Nancy Murray and Ken Metzler from the DEP conducted a site visit to determine if certain State listed, endangered or special concern species were present at the Property and, if present, evaluate the potential impact the proposed site development activity would

have on these species. (DEP E-mail from Nancy Murray, September 26, 2007 (the “DEP Memo”). The Goshen hearing was reopened on October 16, 2007. (10/16/07 Tr. pp. 2-4).

## II. Late File Exhibits – Coverage Plots

At the request of the Council, Cellco submitted plots showing PCS coverage from the Goshen Facility with antennas mounted at the 130-foot and 120-foot levels. (Cellco 10). These plots were compared to plots depicting coverage from the Goshen Facility at 150 feet, as proposed (Cellco 1, Tab 6), and at 140 feet, as requested by Council Interrogatories. (Cellco 6, Response No. 5).

Cellco’s primary objective for the Goshen Facility is to provide reliable wireless coverage along a significant portion of Route 63 and portions of Route 4 in Goshen and to provide coverage that would connect with existing service from Cellco’s Goshen South cell site. (Cellco 1, pp. 1-2 and 7, Tab 6). With antennas at the 150-foot level, Cellco can satisfy its coverage objective in Goshen. (Cellco 1, p. 7, Tab 6). With antennas at the 140-foot level, coverage gaps begin to open along Route 63, south of Route 4 and the overall coverage footprint from the Goshen Facility shrinks from 13.3 to 12.2 square miles. With antennas at the 130-foot level, the coverage gaps along Route 63 grow to 0.4 miles and the overall coverage footprint from the Goshen Facility shrinks even further to 10.47 square miles. With antennas at the 120-foot level, the coverage gaps along Route 63 grow to 0.85 miles and the overall coverage footprint from the Goshen Facility shrinks to 8.39 square miles. (Cellco 1, p. 2; Cellco 10).

## III. DEP Site Inspection

As described above, on September 26, 2007, officials from the DEP inspected the Property at the request of Senator Andrew Roraback. The DEP was asked to investigate whether certain plant species were present at the site and if so, evaluate how those species might be

impacted by Cellco's development proposal. The DEP's findings and recommendations were incorporated into the Council's record as supplemental State Agency comments. During the site inspection, the DEP confirmed that *Balsam Fir* seedlings, a State endangered species, and *Naked Miterwort*, a species of special concern, occur in the wetland area at the base of the slope, and *Bristly Black Currant* species may occur along the transmission line right of way. (DEP Memo). Even though the *Balsam Fir* and *Naked Miterwort* occur near the proposed wetland crossing, no direct impacts on these species will occur. (10/16/07 Tr. p. 13). DEP recommended, however, that certain protective measures be taken to reduce the likelihood that the driveway improvements will impact these species. These recommendations include the installation and maintenance of additional soil erosion and sedimentation control measures; the installation and maintenance of protective fencing during construction to avoid disturbance beyond necessary construction limits; the development of a "contingency response plan" for rapid response to "erosion and siltation events"; and the hiring of an independent site inspector to monitor site development activities. (DEP Memo). Cellco has agreed to incorporate each of the DEP's recommendations into its Development and Management Plan, if the Goshen application is approved. (Cellco 11; 10/16/07 Tr. pp. 13-15 and 21).

IV. Conclusion

Based on the unrefuted evidence in the Docket No. 337 record and the additional evidence and testimony presented to the Council at the October 16, 2007 reopened hearing, Cellco respectfully submits that it has satisfied the approved criteria set forth in Section 16-50p of the General Statutes and requests approval of the Docket No. 337 application.

Respectfully submitted,  
CELLCO PARTNERSHIP D/B/A VERIZON  
WIRELESS

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