

STATE OF CONNECTICUT

SITING COUNCIL

* * * * *
 MESSAGE CENTER MANAGEMENT, INC. * MARCH 27, 2012
 * (7:00 p.m.)
 APPLICATION FOR A CERTIFICATE OF *
 ENVIRONMENTAL COMPATIBILITY AND *
 PUBLIC NEED FOR THE CONSTRUCTION, * DOCKET NO. 425
 MAINTENANCE AND OPERATION OF A *
 REPLACEMENT TELECOMMUNICATIONS *
 FACILITY LOCATED AT *
 4 DITTMAR ROAD, *
 REDDING, CONNECTICUT *
 * * * * *

BEFORE: ROBIN STEIN, CHAIRMAN

BOARD MEMBERS: Colin C. Tait, Vice Chairman
 Larry P. Levesque, DPUC Designee
 Edward S. Wilensky
 Daniel P. Lynch, Jr.
 Philip T. Ashton
 James J. Murphy, Jr.
 Dr. Barbara Currier Bell

STAFF MEMBERS: Linda Roberts, Executive Director
 David Martin, Siting Analyst
 Melanie Bachman, Staff Attorney

APPEARANCES:

FOR THE APPLICANT, MESSAGE CENTER MANAGEMENT, INC:

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 White Plains, New York 10601
 BY: CHRISTOPHER B. FISHER, ESQUIRE
 DAVID M. LAUB, ESQUIRE

FOR THE PARTY, THE TOWN OF REDDING:

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Hartford, Connecticut 06103
BY: BRAD N. MONDSCHHEIN, ESQUIRE

FOR THE INTERVENOR, T-MOBILE NORTHEAST, LLC:

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1115 Broad Street
Bridgeport, Connecticut 06604
BY: JULIE D. KOHLER, ATTORNEY

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1 . . .Verbatim proceedings of a hearing
2 before the State of Connecticut Siting Council in the
3 matter of an application by Message Center Management,
4 Inc., held at the Redding Community Center, 37 Lonetown
5 Road, Redding, Connecticut, on March 27, 2012 at 7:00
6 p.m., at which time the parties were represented as
7 hereinbefore set forth . . .

8
9
10 CHAIRMAN ROBIN STEIN: Good evening,
11 ladies and gentlemen. This public hearing of the Siting
12 Council is called to order today, Tuesday, March 27, 2012
13 at 7:00 p.m.

14 My name is Robin Stein. I'm Chairman of
15 the Connecticut Siting Council. I'd like to introduce
16 the other members of the Council and staff who are here.
17 Colin Tait, who's our Vice Chairman; Larry Levesque, who
18 is the designee of the Public Utilities Regulatory
19 Authority; Mr. Ashton; Mr. Lynch; Mr. Wilensky; Dr. Bell;
20 and Senator Murphy.

21 Members of the staff present are Linda
22 Roberts, our Executive Director; Melanie Bachman, staff
23 attorney; David Martin, siting analyst; Gail Gregoriades,
24 the court reporter; and Aaron DeMarest, our audio

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1 technician.

2 For those who weren't here earlier, this
3 is a continuation of the hearing that began at 3:00 p.m.
4 this afternoon.

5 Copies of the hearing program and the
6 Council's Citizen's Guide to Siting Council Procedures
7 are available for members of the public in the back
8 there.

9 This hearing is held pursuant to the
10 provisions of Title 16 of the Connecticut General
11 Statutes and of the Uniform Administrative Procedure Act
12 upon an application from Message Center Management for a
13 Certificate of Environmental Compatibility and Public
14 Need for the construction, maintenance, and operation of
15 a replacement telecommunications facility located at 4
16 Dittmar Road in Redding. This application was received
17 by the Council on January 9, 2012.

18 Notice of the location and size of the
19 proposed facility was published in the Redding Pilot on
20 December 29, 2011 and on January 5, 2012, indicating the
21 application was to be filed with the Council.

22 On February 9, 2012, the Council published
23 a legal notice in the Redding Pilot and Danbury News
24 Times announcing the date, time, and place of this

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1 hearing.

2 Upon this Council's request, the Applicant
3 erected a sign at the proposed property on March 10, 2012
4 so as to inform the public of the name of the applicant,
5 the type of facility, the hearing date and location, and
6 contact information for the Council.

7 Also upon this Council's request, the
8 Applicant attempted to fly a balloon today, which was not
9 overly successful due to the wind unfortunately, between
10 the hours of 8:00 a.m. and 6:00 p.m. to simulate the
11 height of the proposed facility. And this afternoon
12 members of the Council, staff, and public personally
13 conducted a field review of the site where the Applicant
14 seeks to develop the proposed facility in order to
15 observe firsthand the potential effects.

16 This application is also governed by the
17 Telecommunications Act of 1996, which is administered by
18 the Federal Communications Commission. And this act
19 prohibits the Council from considering the effects of
20 radio frequency emissions on human health and wildlife to
21 the extent the emissions from towers are within the
22 federal acceptable safe limit standards, and this
23 standard is also followed by the State Department of
24 Public Health. The federal act also prohibits the

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1 Council from discriminating between and amongst
2 providers of functionally equivalent services; so that if
3 one carrier already provides service for an area, other
4 carriers have the right to compete and provide service.

5 This hearing session tonight has been
6 reserved first for the public to make short statements
7 into the record. These public statements are not subject
8 to questions from parties or the Council, and members of
9 the public making statements may not ask questions of the
10 parties or Council. These statements will become part of
11 the record for Council consideration. A sign-up sheet
12 is available. I think some of you already signed it, but
13 there it's also available in the back for anybody else.

14 It's also important to note that the
15 Council does not select properties or resolve property
16 disputes, nor take private property for cell towers. The
17 Council's consideration of alternative sites is limited
18 to a willing landlord and the provision of cell service
19 at that location.

20 Now the decisions that the Council needs
21 to make include, but are not limited to whether the
22 Applicant has met its burden of proof that there's a gap
23 in the cell phone service. If there is a gap in service,
24 the Council must examine whether it can be resolved by

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1 installing antennas on an existing tower or other
2 structures. If such a gap in service cannot be resolved
3 by installing antennas on an existing tower or other
4 structure, the Council must examine whether the proposed
5 tower will resolve the gap in service and the
6 environmental effects of the proposed tower.

7 As a reminder to all, off-the-record
8 communication with any member of the Council or a member
9 of the Council staff upon the merits of this application
10 is prohibited by law.

11 I wish to note that parties and
12 intervenors are not allowed to participate in this public
13 comment session. They participated in the session we
14 held this afternoon.

15 I also want to note for those who are here
16 and for the benefit of your friends and neighbors who are
17 unable to join us for this session, that you or they may
18 send us written comments to the Council within 30 days of
19 today. And such written comments and statements will be
20 given the same weight as if spoken at the hearing.

21 We ask each person making a public
22 statement in this proceeding to confine his or her
23 statement to the subject matter before the Council and to
24 avoid unreasonable repetition so we may hear all of the

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1 concerns of you and your neighbors.

2 Although the Council cannot directly
3 answer questions from the public about the proposal, if
4 we have time, once everybody has had an opportunity to
5 make a statement, we will attempt to get answers to the
6 questions that were raised from the Applicant.

7 A verbatim transcript will be made of the
8 hearing and deposited at the Town Clerk's Office in
9 Redding and Bethel for the convenience of the public.

10 And before I call on members of the
11 public, I'd like to ask the Applicant to make a brief
12 presentation describing the facility and its location.

13 (pause)

14 CHAIRMAN STEIN: I guess -- yeah, we want
15 the public to be able to see it and -- you have -- you
16 have the mic, so that --

17 (pause)

18 MR. SCOTT CHASSE: Good evening. My name
19 is Scott Chasse. I'm a professional engineer registered
20 in the State of Connecticut and I'm a principal of All
21 Points Technology Corporation. We're the design firm for
22 Message Center Management for the proposed facility
23 installation before you this evening.

24 Currently, there's an eleven hundred and

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1 twenty-six square foot compound that is finished with a
2 110-foot guy tower situated in the northeast corner of 4
3 Dittmar Road, the subject site.

4 Before you this evening we're proposing to
5 expand the size of the compound about 20 -- 360 square
6 feet to -- that's the area shown hatched here -- this is
7 the existing area. And that expansion will accommodate
8 T-Mobile's 10-by-20 equipment slab, along with area
9 enough to replace the existing guy tower with a 120-foot,
10 excuse me, monopine.

11 The monopine itself, the top of which
12 will be 127 feet above grade, because as you can see in
13 the elevation here there's some branching that goes on
14 the top of the monopole to complete the shape of the
15 monopine itself. So we're going to be replacing the
16 existing guy tower with a monopine and about four feet
17 north of where the existing location is. And the purpose
18 for that is so that there's enough space to be able to
19 install the necessary foundation associated with that
20 structure.

21 The proposed compound expansion is going
22 to be encased or enclosed with a slatted wood fence, as
23 well as surrounded by a row of plantings along the
24 perimeter of that. Deer fencing can be installed to

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1 minimize the amount of deer graze.

2 The amount of antennas that are currently
3 on the tower will be migrated over to the existing tower.
4 And T-Mobile will be installing nine panel antennas on T
5 -- excuse me -- a low profile platform, along with some
6 appurtenances at the top of the replacement monopole.

7 The utilities will be serviced from
8 existing utilities that are currently servicing the site.
9 There's a transformer and teleco board that are over on
10 the corner of the access road. The power to the facility
11 is proposed to be upgraded to accommodate the additional
12 carriers. And that's the proposal before you.

13 (pause)

14 CHAIRMAN STEIN: Thank you. We'll now go
15 to the First Selectman. Natalie Ketcham, would you like
16 to address the Council please.

17 MS. NATALIE KETCHAM: Is this on -- yes.
18 Thank you very much for the opportunity to do so. And
19 I'd like to officially welcome you to the Town of
20 Redding. Several of you have been here before on
21 previous applications. And I know from personal
22 experience with those how hard you work to balance the
23 need for reliable cellular service in our state with the
24 desire of the citizens of this state to preserve our

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1 character and the beauty that makes us all want to live
2 in Connecticut. The residents of Redding understand and
3 care about the first goal and we are passionate about the
4 second one. So, I look forward to working with you. We
5 appreciate the fact that you come here to see the site
6 individually yourselves so that you can do that very
7 difficult balancing act with your own perspective and
8 firsthand knowledge.

9 So we look forward to working with you to
10 address and successfully complete that mutual mission of
11 preserving our town as well as meeting the needs of the
12 21st Century. So thank you and enjoy your stay.

13 CHAIRMAN STEIN: Thank you very much. Is
14 there any other public official that wishes to speak at
15 this time?

16 Okay, we'll now go to the sign-up list.
17 The first person is Glen Friedman.

18 (pause)

19 MR. GLEN FRIEDMAN: Hello and welcome to
20 Redding. So I sat here today --

21 CHAIRMAN STEIN: I'm sorry, if you could
22 repeat -- give your name and address --

23 MR. FRIEDMAN: Yes of course --

24 CHAIRMAN STEIN: -- thank you.

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1 MR. FRIEDMAN: My name is Glen Friedman.
2 I live at 15 Bartram Drive. That would be the neighbor
3 with the fall zone falling on my property.

4 And I was here today listening to the
5 proceedings of this committee. So there's a few points I
6 just want to address with that. It was stated by Michael
7 Libertine -- oh, I did want to say this before we -- I
8 get started -- I know you all visited the property and
9 you looked out and you saw -- 15 Bartram Drive would have
10 been the red house with that window. And behind that
11 window would be my three triplets -- eight-month-old
12 triplets growing up there, so that's -- thank you very
13 much.

14 At today's proceedings I did hear Michael
15 Libertine state that the monopine solves the scenic view
16 issue. And I beg to differ -- disagree greatly. If
17 you're driving through Redding and you happen to pass by
18 on Lonetown on Dittmar, sure, you may not recognize it as
19 a cell tower. But if you're a neighbor living in
20 Redding, you will know that's a cell tower regardless of
21 the stealth design that it is. So that's a point of
22 contention right there, that it doesn't address -- it
23 doesn't solve the complete issue of scenic view.

24 He stated that when he walked around the

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1 neighbors' properties, he said it's difficult to see the
2 tower. That too is -- I disagree with. You can see the
3 tower from my property very easily through the trees, not
4 so much in the summer, but we don't live here just in the
5 summer. We live here all year long.

6 It was mentioned that it would -- I'm a --
7 I have a doctorate in engineering. I have 10 patents, so
8 I can relate to and understand the concept of putting in
9 a yield point at the right height to ensure it wouldn't
10 fall on my property and put my family at risk. I just
11 want to say with that, and I think you should all put
12 this in context, nothing is foolproof. There are many
13 factors that go into whether that design feature will
14 work or not; the manufacturing of the pole, the quality
15 of the material. There are unknowns, certain winds that
16 you just can't predict everything. So, I have a -- I
17 just want to say there is an element of risk still in
18 having this tower so close to my property.

19 And there was also something mentioned
20 about Paradise's property, about the state it's in, the
21 mess, and why it's been that way for years. And why --
22 it was suggested by your members why MCM couldn't
23 approach and persuade Paradise to -- or MCM to approach
24 Paradise and resolve this issue. And they said they know

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1 nothing about it, they -- they can't get involved in such
2 things. Well it's true they can't get involved and
3 that's because they do know what the issue is. The
4 issue is there's a great contention between the neighbors
5 and it's been going on for years. And certainly MCM
6 isn't going to do anything to muddy the waters in their
7 position with Paradise by getting involved in that. So
8 it is what it is.

9 My opinion on this is simple. I don't
10 like the tower. I'd like it to go away. But if the
11 committee concludes that they've proved their case,
12 there's a client, there's improved coverage, and as part
13 of your mandate is to upgrade rather than build new, then
14 so be it, it's going to happen and we can't do anything
15 about it. But what could be done and what should have
16 been done 15 years ago when MCM got involved and took
17 ownership of this, is they should have reached out to the
18 towers -- or to the neighbors and they should have done
19 whatever it takes to mitigate and lessen the impact on
20 our scenic view, on our tranquility, our -- our sound
21 audio noise, whatever it takes. In the scale of things,
22 it wouldn't have been that much. But you know, they
23 answer to their shareholders and not to the neighbors.

24 So, I think that in the end what your

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1 decision is, if it includes making sure MCM reaches out
2 to the neighbors and does what needs to be done to make -
3 - to -- I don't want to say the word compensate -- I want
4 to say to lessen the impact of the presence of that tower
5 and -- then if -- if that is done, then you will have
6 improved the situation. Thank you.

7 CHAIRMAN STEIN: Alright, thank you. The
8 next person is Gailina Ignatenko. And I apologize if I
9 mispronounced your name. And please give your name and
10 address. Thank you.

11 MS. GAILINA IGNATENKO: Sure. My name is
12 Gailina Ignatenko, G-a-i-l-i, n and in Nancy, a. I-g-n-
13 a-t-e-n-k-o. And I live at 11 Bartram Drive in Redding.
14 Thank you.

15 I would like to address my concerns that I
16 have at this time with the upcoming cell tower upgrade.
17 We took a long look at majority of documentation that was
18 filed and we found it on your Siting Council website.
19 And we have some issues that we'd like to go on record
20 with.

21 The first concern is the licensing. The
22 memorandum of license was signed in 2009 by MCM, Mr.
23 Paradise and Omnipoint Communication, Inc. And the
24 Omnipoint Communication, Inc. actually was acquired by

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1 Voice Stream in 2000, followed by another acquisition of
2 actually Voice Stream by Deutsch Telecomm in 2001. The
3 rebranding under T-Mobile name was in 2002. This is nine
4 years and two acquisitions later. So our concern is
5 about the validity of the licensing between the Omnipoint
6 Communication and MCM and Mr. Paradise.

7 The second point is the location of the
8 tower in terms of T-Mobile getting on our -- on this
9 particular tower. The site search summary says -- they
10 describe the process as narrowing process by which other
11 possible sites were considered and eliminated.

12 Unfortunately, I did not find any studies completed,
13 done, or reported to the Council regarding any other
14 towers in the vicinity of the Dittmar tower. There are
15 four of them around. The first on Spring Hill Lane in
16 Bethel, Connecticut, which is one and -- 1.6 miles from
17 the current tower. The second is proposed tower in
18 Redding town garage, which is 2.25 miles away from the
19 current location. The third one is the firehouse on
20 Route 58, which is three miles of current location. And
21 the fifth one is the 80 Lonetown Road, Redding,
22 Connecticut, which is 1.6 miles from current location.
23 My concern is why 4 Dittmar for the purpose of the --
24 breaching the gap in -- in coverage and not any other

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1 towers in the vicinity.

2 As well -- as to the coverage as well, the
3 public website of T-Mobile says that the coverage --
4 there are tool -- actually there is a tool on the public
5 website that you can check the coverage in any location
6 of the United States. And the coverage in our immediate
7 neighborhood is deemed to be very good while the coverage
8 in the proposed town garage site is moderate. So -- the
9 file documentation, the simulation of the coverages
10 before and after the improvement doesn't match what the
11 public information is. And that is my concern; what is -
12 - as a member of the public community what is the proper
13 information that is presented to us and to you as well.
14 You know, what -- what we should trust, the public
15 website of T-Mobile or the file documentation?

16 And the -- I also would like to address
17 the issue of the noise. There was a study done for our -
18 - for the Dittmar tower. And the study concluded that
19 the noise is under the current norm of the -- under the
20 valid levels allowed by the State of Connecticut. The
21 problem is that the study was done in October. And I
22 really would like the study to be done in the middle of
23 summer when the all air-conditioning, the generators, and
24 transfer-meters are in full strength, working in order to

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1 cool the equipment of the actually increased capacity of
2 the cell tower.

3 And the -- the last issue that I would
4 like to address is the -- this tower -- you all visited
5 the site today. The current compound is about twelve
6 hundred square feet and the proposed compound will be
7 thirty-five -- almost thirty-five hundred square feet.
8 It's -- it is more than quite substantial house --
9 average house in Connecticut. So you got to understand
10 the intrusiveness of the current tower and the compound
11 that it will present in the neighborhood.

12 And the screening that is proposed -- or
13 I'm not hundred percent sure how the screening is
14 addressed right now. The screening will not cover the --
15 protect the view from the abutting properties for the
16 thirty-five hundred square foot construction that is
17 erected as a compound on the site.

18 And that's I think all I -- I thank you
19 for your attention and appreciate the ability to speak
20 today.

21 CHAIRMAN STEIN: Thank you very much. The
22 next speaker is Mr. Jim Coffey.

23 MR. JIM COFFEY: Good evening. My name is
24 Jim Coffey, C-o-f-f-e-y. My wife and I live at 3 Bartram

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1 Drive. Unfortunately, the address with the most open
2 views of the cell tower.

3 I had some prepared remarks -- or I have
4 some prepared remarks, but I had asked -- I tried to ask
5 a question at the site visit today and was told it was a
6 violation of protocol and I could ask it this evening.
7 So I'm going to try and get a little extemporaneous with
8 that question, which I would like -- I know you can't
9 answer it I guess given the protocol of the Siting
10 Council, but I want it to be recorded as a concern.

11 I'd first like to also thank the Siting
12 Council for coming to Redding to have this meeting. I
13 believe, as I did six years ago when a different
14 membership of this Council came to Redding, that it gives
15 you a real opportunity to see what we see every single
16 day. Each of you is well aware, and I won't harp on it,
17 of our strong feelings about this tower as we watched the
18 continued growth of a structure that has long, long ago
19 exceeded any reasonable definition of proportion, scale,
20 or respectful planning. In short, we literally feel
21 trapped. Trapped -- excuse me -- between your policy of
22 non-proliferation and ever changing market forces.
23 Probably a better word is imprisoned.

24 I want to slip in a comment that I hadn't

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1 prepared because of this misunderstanding this afternoon.
2 I too, as well as to echo Gailina's remarks and Glen's,
3 am concerned about the noise that emanates from the
4 compound, especially during the summer months. Six years
5 ago -- six or seven years ago when we went through this
6 process, everything was -- although it was defeated,
7 there were upgrades. And all of a sudden in the summer
8 it sounded like we lived in an industrial park. And when
9 I called the Executive Director at the Siting Council, he
10 dutifully took notes. I got concerned. I'm not sure we
11 ever heard the outcome of that, but the noise continued.
12 You have to understand the context. It's hard to be up
13 there today and get it. This for people who moved here
14 is our Eden, it's -- it's serene. And we use our yards
15 and -- we have a large back porch in the back of our
16 home. It would be nice to entertain without hearing
17 generators and air-conditioners going on and off. So I
18 want that concern recorded.

19 And I surely hope that the Siting Council
20 -- and I guess I have a question, which I know you can't
21 answer this evening, is who has the oversight role after
22 this becomes a reality? There's -- I had the feeling six
23 years ago that it kind of slipped into this black hole
24 and it was one of these, you know, whose -- whose

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1 responsibility is it? I'd like to anticipate that as
2 being an issue.

3 Several months ago at the outset of this
4 application process, Message Center Management kindly
5 offered to meet with the neighbors and First Selectwoman
6 Natalie Ketcham. I, for one, and I think the neighbors
7 appreciated his gesture. And I believed that the meeting
8 proved to be an open and honest exchange of concerns that
9 the neighbors had. Toward the end of the meeting I was
10 even more pleased to hear Message Center Management make
11 an offer to provide trees for the abutting property
12 owners to mitigate the unwelcomed visual impact of this
13 tower for all concerned. I want to thank MCM as well for
14 listening to our legitimate and deep felt concerns by
15 offering to help resource some, albeit small, some
16 protection for each of us.

17 With that in mind, I would like to enter
18 into the written record of this hearing my reasonable and
19 modest proposal for trees on my property line and its
20 pruning and necessary cutting for healthy growth. I'm
21 hoping that professional planting and subsequent
22 maintenance will ensure healthy growth over time.

23 And I thank you again for coming. And if
24 it's permissible, I'd like to leave this with you folks.

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1 Is that the protocol? Thank you.

2 CHAIRMAN STEIN: Yes, sir, and thank you.
3 Thank you. The next person on the list is Carlos Pena.

4 MR. CARLOS PENA: My name is Carlos Pena.
5 That's spelled P-e-n-a. And I reside at 28 Dittmar Road
6 and have lived there with my wife for the last 23 years.

7 Chairman Stein and Council Members, thank
8 you for the opportunity to share our concerns with you
9 this evening and for coming to Redding.

10 I would first like the Siting Council's
11 indulgence to mention two important background items
12 relating to Message Center's petition to help put the
13 petition into context properly. First, the existing cell
14 tower is built on a foundation of illegality. When the
15 tower was first erected by Mr. Paradise, the property
16 owner in 1980, who I note for the record is not here this
17 evening, Mr. Paradise had no legal basis to build a radio
18 tower in what was then known as a, quote, "residential
19 and farming district" under the old zoning regulations.
20 Later when the zoning regulations were updated, only
21 those structures that were lawfully in existence could be
22 grandfathered as preexisting non-conforming uses.
23 Unfortunately, past zoning officials in the Town of
24 Redding incorrectly allowed Mr. Paradise to keep the

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1 tower and its commercial nature in a residential area.
2 And Town Council later opined that the legal principle of
3 equitable estoppel, namely that Mr. Paradise relied to
4 his detriment on the town's incorrect interpretation of
5 its own zoning regulations as preventing the town from
6 requiring the dismantling of the illegal tower.

7 Over time, the tower has grown to its
8 current height, which is actually 117 feet and not 110
9 feet if you include the appurtenances, notwithstanding
10 the fact that in July of 1995, and this is a matter of
11 public record, the Redding Zoning Commission ruled that
12 it could not exceed 100 feet. Somehow over time it has
13 grown to its current height.

14 So I respectfully submit to this Council
15 that it should not exacerbate this legally suspect
16 situation by allowing the tower to grown even further
17 into what Mr. Coffey has appropriately described as an
18 industrial park.

19 Second. The Siting Council should
20 seriously examine the highly inappropriate geographic
21 location of this tower. It is adjacent to and visible
22 from the Plishner Preserve and more importantly Putnam
23 Park, which was established in 1886 as the very first
24 state park in Connecticut to honor the Revolutionary War

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1 troops that suffered through the winter of 1779. It is
2 essentially Connecticut's Valley Forge. I was walking in
3 the park the other day and I can tell you that you can
4 see the existing tower among the timber. And you would
5 certainly, especially in winter be able to see a 127 or
6 higher foot monopine from that location. According to
7 the Redding Book of Trails, its founders wished the park
8 in its charter to remain, quote, "strong, rugged, and
9 simple, like the men it commemorates." To allow this
10 awful tower to grow further is a travesty that dishonors
11 the historic nature and significance of this quiet and
12 peaceful setting.

13 Although the Siting Commission may have no
14 legal obligation to consider these two preliminary items
15 or the diminution in value of the adjoining property
16 owners' properties, it is our hope that it will at least
17 recognize the moral obligation to do so.

18 If notwithstanding these two fundamental
19 background issues, the Siting Council somehow allows
20 Message Center's petition to move forward, I request that
21 it be very mindful of three important issues that you've
22 heard about this evening; namely height, sight, and
23 sound.

24 First height. At 117 feet the existing

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1 tower is already taller than the entire surrounding tree
2 line. We are told that the proposed 127-foot pine tree
3 shaped structure is engineered to implode upon itself if
4 it were to collapse for any reason. But we know that
5 it's possible for any tower to fall on its side. There
6 are many examples on You Tube if you wish to see them for
7 yourself. Connecticut is often marked by high winds.
8 And as you know, we suffered through a hurricane not long
9 ago. A 127-foot monopole tower is not exactly
10 aerodynamic, and there's no assurance it cannot fall on
11 its side rather than to collapse on itself. Last night
12 on You Tube I saw an example of this where the top
13 portion of the monopole tower flew off of a monopole and
14 landed buried in an adjacent field with children running
15 around it.

16 Commonsense demands that there should be
17 some cap on the ultimate height of this tower, otherwise
18 there's nothing to stop future petitions from allowing
19 this thing to grow forever. I submit that the reasonable
20 thing is to cap the height of the tower perhaps at its
21 current petition of 127 feet, and certainly never allow
22 its height to exceed the distance from the base to
23 adjoining property lines. That seems like a reasonable
24 and commonsensical thing for this Siting Council to do.

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1 Second, hot site. As for the site, I
2 support making this thing if it is to exist at all, look
3 like a realistic pine tree, not like the giant toilet
4 brush that we see off of the Hutchinson River Parkway.
5 But please remember that pine trees average between 40
6 and 60 feet in height. Large pines rarely grow above a
7 hundred feet. This artist depiction shows a trunk that
8 is at least 50 feet tall before the branches even begin.
9 It does not look realistic to me.

10 (pause - take change)

11 MR. PENA: Thank you. Even at 127 feet,
12 it's a monstrosity in this neighborhood. In Windsor it
13 will be seen at great distances and not lost among the
14 timber the way it is now in winter. Please cap the
15 height of this tower and insist that it look as realistic
16 as possible if it is to exist at all.

17 Lastly, sound. We've heard this evening
18 others complain about this. We're told that a generator
19 is necessary to cool the tower's operation, especially in
20 summer. Some of the adjoining neighbors have said that
21 they can already hear the compressor in summer
22 especially. Interrogatories have been submitted by the
23 Town Council requesting to know the decibel levels at
24 peak operation. It is not enough to simply require a

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1 stockade fence and some nice landscaping to block the
2 view of this unsightly base structure and to attempt to
3 mute its noise. The compressor should be housed in a
4 shed or some other structure with ventilation to
5 completely muffle the noise that would otherwise be heard
6 by adjoining neighbors. After the recent storms, many
7 people in this neighborhood bought compressors or
8 generators for their homes and did the same exact thing.

9 Once again, given the context and the
10 setting of this tower in what is supposed to be a quiet,
11 rugged, and historic location, it is the least that the
12 Council should do to reduce the significant environmental
13 impact of this legally suspect and geographically
14 inappropriate commercial structure. Thank you.

15 CHAIRMAN STEIN: Thank you. Susan Pena.

16 MS. SUSAN PENA: Hello. My name is Sue
17 Pena, P-e-n-a. I'm at 28 Dittmar Road.

18 As I looked over my notes from the last
19 time that we came to a public hearing, this has been
20 going on for a long time. And I think one thing I would
21 like to say -- I echo everything my husband said, but in
22 addition we are weary, we are so tired of dealing with
23 this. I -- I can only ask you how high is too high? How
24 high are you willing to go? We've -- we've gone in

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1 little spurts here and there and now all of a sudden
2 we're up to 120 feet, 127 feet when you get the monopine
3 up there. And I -- I really do wonder how high you think
4 too high is in a residential neighborhood.

5 The second thing I'd like to echo is I can
6 only describe that compound as alarming. The size is so
7 much bigger than it was, it's disturbing and alarming.
8 This is a residential neighborhood and it -- and it now
9 feels like we will be living in a light industrial
10 complex.

11 Finally, I would like to just add my
12 thoughts to whatever screening you may put up if you do
13 decide that this tower is going to go up to the height
14 and that you're going to increase the compound to that
15 size. I'd heard mention of a slatted fence, landscaping,
16 and deer fencing. I would suggest that whatever is
17 planted is deer proof because your deer fencing is as
18 good as the fence. And the day the fence fails, there's
19 goes your landscaping. I -- I could give suggestions,
20 but I wasn't here today and I don't know if you had
21 suggestions already from people in regards to the type of
22 screening that you would plant around there. I would
23 hope that you would provide the neighbors with contact
24 information if they find the fence is failing, the noise

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1 is too loud, or something that you have otherwise assured
2 or promised the neighbors is going to happen if the tower
3 goes in so that we could contact people and let them
4 know this isn't working, what you promised isn't
5 happening.

6 I mean I really just would respectfully
7 ask you to really reconsider if this is what you want to
8 do in a residential neighborhood. It's quiet, it's
9 charming, we love it, we love living here. But I'm -- I
10 am disturbed at the rate of expansion. And if I'm
11 looking at my paperwork from seven years ago, what's
12 going to happen seven years from now? What will you be
13 saying to us, the size of the compound, the height of the
14 tower? I -- you know, we live here and love it. And I
15 would like you to help us ensure that it's going to stay
16 that way. Thank you.

17 CHAIRMAN STEIN: Thank you. That's the
18 last name I have on the list. Is there any -- is there
19 anybody else who wishes to speak? If not --

20 A VOICE: (Indiscernible) --

21 CHAIRMAN STEIN: -- we'll try to answer
22 some of the --

23 A VOICE: (Indiscernible) --

24 CHAIRMAN STEIN: Yes, sir. Would you

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1 please come up and state your name and address.

2 MR. YURIY IGNATENKO: My name is Yuriy
3 Ignatenko. I am at 11 Bartram Drive.

4 CHAIRMAN STEIN: Thank you. You need to
5 spell your name please.

6 MR. IGNATENKO: The last name is I-g-n-a-
7 t-e-n-k-o. The first name is Yuriy, Y-u-r-i-y. Okay?

8 Basically my concern is the coverage that
9 T-Mobile is offering by placing this tower. I'm not a T-
10 Mobile customer, so from standpoint of my cell phone, it
11 doesn't bother me. But what bothers me of course
12 tomorrow it will be Verizon which I'm customer of or PCS,
13 it doesn't matter.

14 Seven years ago there was a proposal to
15 extend this tower to 120 feet I believe -- or 110 feet in
16 order -- 120 feet in order to cover up gaps on Route 107
17 and 58. And the applicant actually failed to prove that
18 it will actually cover the gaps. And I went through the
19 documentation that was on this docket. And out of 13
20 miles on Route 107 and 58, which is right now blocked by
21 the -- blocked by the hills and not covered by T-Mobile,
22 only five miles will be covered because of this tower.
23 That doesn't mean we need more towers to cover this
24 routes and to replacing them. My opinion that this tower

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1 is not serving the purpose to begin with. They started -
2 - for this -- for coverage was limited to this location.
3 They never considered 80 Lonetown Road for instance and
4 how it will increase coverage for T-Mobile customers and
5 how it will provide service for Town of Redding. And I
6 guarantee you if you are using that software they did, on
7 Lonetown Road you'll have bigger coverage area, you have
8 less blockage on major routes, and you have more
9 satisfying customers. And probably even the town garage
10 location, which T-Mobile was considering at some moment
11 to use, and I don't know why didn't they go with it, will
12 still provide more coverage than current Dittmar Road
13 location.

14 That's my concerns. So basically this
15 tower is not the end of it. It doesn't serve the
16 purpose. Thank you very much.

17 CHAIRMAN STEIN: Thank you. Yes, sir.

18 MR. COFFEY: Can I ask a point of
19 clarification -- (indiscernible) --

20 CHAIRMAN STEIN: You can only ask the
21 question if you come to the microphone. And we would
22 like to try to then get to the -- try to respond to some
23 of the questions, but go ahead --

24 MR. COFFEY: Mine is brief. The

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1 gentleman, the engineer -- the consulting engineer, could
2 you -- I had trouble writing fast enough -- you -- you
3 said something at the end of your presentation of panels
4 that T-Mobile would install, being installed at the top
5 of the tree. Is that something that's going to be seen
6 and take away what appears to look like a tree?

7 CHAIRMAN STEIN: Again sir, it's not --

8 MR. COFFEY: Oh, I can't --

9 CHAIRMAN STEIN: -- you -- you -- no, no --
10 - just like this afternoon there is a -- there is a
11 process. We're not shutting you down. I'm just saying
12 your question -- unfortunately for me, it has to go
13 through me.

14 MR. COFFEY: Okay, thank you.

15 COURT REPORTER: Your name again, sir?

16 MR. COFFEY: Jim Coffey. C-o-f-f-e-y.

17 CHAIRMAN STEIN: So on that point we'll
18 try to get answers to some of the questions. Some of
19 them obviously were statements, so we're not going to --
20 we're not here to rebut the statements.

21 Let me try to start, if I may, by just,
22 before my voice goes out, explaining a little bit about
23 the process, which since you've been through this before,
24 you may already know, but if the -- if the Council after

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1 reviewing all the information that's been provided,
2 including at the hearing, if -- and I want to keep saying
3 if -- if the Council were to approve it and the Council
4 can -- obviously with cause can deny, and can approve and
5 approve with conditions. And conditions can take into
6 consideration many of the concerns, such as sound and
7 visibility and screening.

8 There is then -- and again, we're going
9 through the if scenario. The Applicant is then required
10 to provide very detailed engineering plans and
11 landscaping plans. So there's another phase, which is
12 called the D&M phase, which the Council and the Council
13 staff reviews to make sure they comply with all the
14 conditions. So there is a process which gets to as I say
15 very detailed information.

16 Again, if going through all this process
17 if it's approved and built, the Council through their
18 staff will check to make sure everything is built to meet
19 the conditions.

20 And as far as then who -- who -- who
21 reviews -- well first if there are complaints, you can
22 address them directly to the Council staff, the State
23 Department of Health for example -- not -- I'm sorry, not
24 the Health -- it's the DEEP, excuse me -- they will --

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1 they have jurisdiction and they -- they could come out
2 and actually test the -- test for sound at the
3 appropriate time. So there is this process and I just
4 wanted to explain it, which may answer a few of the
5 questions.

6 I'll -- I'll try to get some additional
7 answers directly from the Applicant. I -- I'm not sure
8 this really is -- necessarily comes before us, but if you
9 want to just briefly comment on the validity of the
10 license? That was a question raised. And just for the
11 public, we have representatives here from both MCM and
12 from T-Mobile.

13 MS. JULIE KOHLER: (Indiscernible) --

14 COURT REPORTER: A microphone --

15 MS. KOHLER: -- (indiscernible) -- can she
16 -- it's on -- (pause) -- Mr. Fiedler, can you please
17 describe the relationship between Omnipoint and the
18 Intervenor T-Mobile Northeast?

19 MR. HANS FIEDLER: Omnipoint and T-Mobile
20 Northeast LLC are the same entities. Omnipoint is the
21 original company holding of the frequencies that were
22 auctioned to Omnipoint from the FCC in its inception as a
23 company, which later was sold to Voice Stream, which in
24 turn later was sold to DT, and then became T-Mobile

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1 Northeast LLC. All of those names are subsidiaries of T-
2 Mobile Northeast LLC.

3 CHAIRMAN STEIN: Okay, thank you. I guess
4 several questions, but I think they're related to the
5 issue of coverage and did you look at the feasibility of
6 using other existing towers in the area to provide
7 coverage? And if so, what were your findings? And I
8 think the other part of this is will in the future
9 additional towers be required? And I think both of those
10 discussions were held this afternoon, but obviously not
11 everybody was here, so.

12 MR. FIEDLER: So I'll answer that with
13 both the latter and the former question in the sense that
14 the Dittmar location was -- is one of four facilities
15 that were identified -- preexisting structures in Redding
16 that we've identified for co-location of our facilities
17 in order to enhance our coverage footprint in this area.
18 I believe all four locations that were brought up, one
19 being the 20 Wayside Lane, which is an AT&T flagpole
20 facility that's currently in existence; 34 Great Oak
21 Lane, which was most recently approved; an AT&T facility
22 at the Redding Highway Department; and then 186 Black
23 Rock Turnpike, which is an existing Sprint tower at the
24 fire station. There is another facility that's located

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1 on Lonetown Road I believe that's also registered with
2 the Siting Council database. Unfortunately, that's a
3 facility that has been proven to not be able to be
4 modified or extended, hence the 34 Great Oak Lane
5 facility was most recently approved at the Redding
6 Highway Department. So all four of these facilities are
7 required in order to maintain the continuous coverage
8 footprint within the Redding area.

9 CHAIRMAN STEIN: Okay. There were several
10 questions regarding noise. I guess one -- one question
11 was is there some kind of constant monitoring done
12 because there was a question about whether it was done in
13 a period of the year when you wouldn't be using air-
14 conditioners? So, I guess -- can you explain your
15 process for monitoring the noise?

16 MR. CHASSE: The noise study that was
17 conducted -- first and foremost, the main source of
18 "noise", quote/unquote, for the facility is the wall pack
19 mounted HVAC units. There are currently no generators
20 installed at the facility.

21 What our study does is -- we know it's a
22 50-KW generator, MTU is the typical manufacturer of the
23 HVAC units. MOVAIR Compact 2, they put out acoustical
24 information. You can do your baseline study and model in

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1 what those created noise levels would be with those
2 generators and/or HVAC units or future carriers
3 incorporated. So the study that we provided includes all
4 of those noise emitters and still meets the standard,
5 notwithstanding Message Center Management is willing to
6 conduct post-construction monitoring and do a post-
7 construction study to ensure that the state standards are
8 met.

9 CHAIRMAN STEIN: And I guess as a follow-
10 up, in such cases if they're not met, there are methods
11 or there are both engineering and I guess physical
12 blankets, or whatever they're called, which could
13 mitigate any noise?

14 MR. CHASSE: Yes, that's correct. There's
15 engineering controls that could then be implemented.

16 MR. FISHER: Chairman, if I could just add
17 on that as well? The -- Message Center Management
18 through their consultations with the neighbors had
19 promised to do a post-installation test. If the Council
20 preferred, we'd certainly consent to a condition to that
21 being done as part of the certificate, and be done at a
22 time -- I heard mention of the summer, but at an
23 appropriate time post-installation and can provide those
24 results to the Council.

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1 CHAIRMAN STEIN: Thank you. There were
2 questions on both the size and intrusiveness of the new
3 compound since it's obviously significantly larger than
4 the one there. I guess if you could explain the
5 rationale why it's necessary to have a significantly
6 larger compound and -- although I think most people are
7 aware of what the plans are for screening, but if you
8 could briefly explain your thinking on that?

9 MR. CHASSE: Well the current size of the
10 facility is fairly undersized as witnessed by the shed
11 that's sticking out of the existing footprint. There's a
12 generator pad that's on the outskirts of the existing
13 compound. The new -- the new compound is proposing to
14 bring the generator equipment, lay down area slab that's
15 existing for Nextel/Sprint within the confines of the
16 compound.

17 Also with the new tower -- the monopine
18 being installed, there's room for additional carriers.
19 So that expansion of the compound is there for those
20 future co-locators.

21 As far as the screening is concerned,
22 again with the slatted fencing and the landscaping around
23 the perimeter, that is what's proposed, and deer fencing
24 can be installed.

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1 CHAIRMAN STEIN: Thank you. And also
2 about the types of screening, they're proposing
3 Arborvitae. But in discussions which were held this
4 afternoon, and for those who weren't there, other
5 suggestions of more deer resistant evergreens such as
6 spruce, possibly hemlock, were also discussed as possible
7 options or even a combination thereof to make it look
8 more natural.

9 Another point that was raised was a view
10 from an historic park -- Putnam Park I believe it was.
11 And also if you could explain whether to your knowledge
12 it would be visible from there? And also whether or not
13 you've received any -- any report back from the State
14 Historic Commission Office as to whether or not it would
15 have an adverse -- any adverse impact from any historic
16 properties?

17 MR. MICHAEL LIBERTINE: With respect to
18 the Putnam Memorial Park, we do have a representative
19 shot where it is seasonally visible, Photo 12 that was in
20 the application behind Tab 5 in the -- I'm sorry -- tab -
21 - yeah, Tab 5, which was the visual report. So there are
22 some locations primarily at the western end of the trail
23 system where certainly this time of year through the
24 trees there could be some views of the tower.

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1 With respect to the State Historic
2 Preservation Office, as part of all licensed carriers'
3 due diligence they do have to supply information to that
4 office for an opinion. And in this case the Historic
5 Preservation Office came back that there would be no
6 adverse effect to historic resources.

7 CHAIRMAN STEIN: Thank you. We had a
8 question regarding the panels on the top -- I'm not sure
9 whether it was panels, antennas, or --

10 MR. LIBERTINE: The -- the antennas that
11 are proposed for the tower are similar to what's there
12 today, are panel -- or considered to be panel type
13 antennas.

14 The purpose of the monopine concealment
15 carries through -- all the way through the top. And the
16 primary reason for using -- well not the primary, but one
17 of the main reasons to implement this type of a stealth
18 option is to allow for the full platforms to still be
19 used on the monopole, but to be concealed. It's been my
20 experience on what I'll call the newer generation
21 monopines that not only are these tucked into the actual
22 branches, but there's also a concealment option that can
23 be employed where there's -- actually the -- I'll call
24 them the needles are actually affixed around the actual

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1 panel themselves so that not only are they nestled into
2 the branches, but there's also another layer of needles
3 so that they cannot be seen through that or would not be
4 clearly visible.

5 Another option is to actually paint them
6 a dark color. I don't think it's necessary if you have
7 the proper concealment. But there are measures to be
8 taken so that they would not be visible from the
9 exterior.

10 CHAIRMAN STEIN: And could you explain why
11 you came up with this monopine? And can you absolutely
12 guarantee that it will not look anything like the one on
13 the Hutchinson Parkway?

14 MR. LIBERTINE: Well I can speak to how we
15 came up with the monopine. Again it was through the
16 consultations with the town and the neighbors. It was
17 clear that the original proposals for replacement of
18 either a lattice tower or then the traditional monopole
19 with the full arrays certainly was not something that was
20 exceedingly well received, and so the discussions ensued
21 about screening.

22 From -- from my perspective, the balancing
23 act I think that we took into consideration was trying to
24 conceal the tower -- or maybe conceal is not the right

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1 word -- but to minimize that impact of what I heard
2 earlier as being kind of that industrial park effect. So
3 the -- the discussions ensued about a potential option
4 would be a monopine. And I think the South Windsor site
5 because it was a site that everyone was -- at least on
6 the project team was aware of, was thrown out as an
7 example, that people might be able to go and see. And as
8 I testified this afternoon, that's more of what I'll call
9 an older generation tree, but it still works very well in
10 a particular setting. The -- so that's how we kind of
11 came to the monopine.

12 And if I may because there's been a lot of
13 discussion about the screening and then the monopine.
14 And from my perspective, we're talking about almost two
15 different things. It's true when you have a 120-foot or
16 a 127-foot tall structure, it's going to be pretty hard
17 to conceal that or screen that from all locations. So
18 the thought process from our perspective was let's make
19 that into -- at least into a monopine so that it at least
20 resembled a natural -- or a tree in that setting.

21 From the perspective of the screening,
22 I've come from this position all along that the primary
23 reason for screening is to conceal the lower portion of
24 the facility, which is essentially that initial 12 to 14

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1 feet, which is the fence line itself, and then about a
2 few feet above that where there may be some appurtenances
3 that are going to extend above the picket fence or the
4 wood clad fence. MCM has done a lot of homework on this.
5 And not to -- I guess I don't want to come across as
6 though I'm leaning one way or the other, but from my
7 perspective again I look at it as though it's -- those
8 two elements together I think work very well in trying to
9 minimize or soften the effect of looking at certainly
10 what they're seeing today or what could be another option
11 from an industrial perspective.

12 I think -- you know, further MCM has
13 actually gone the next step and taken a look at
14 concealing or making the tree look even more like a pine
15 tree by putting some of the -- what's considered to be a
16 skin treatment around it or bark. That is done. And
17 actually the Windsor tree has that. I personally am not
18 sold on that. From the distances we're talking, I'm not
19 sure you're going to be able to really discern that. But
20 that's not for me to decide. But I throw it out there
21 because my -- again my perspective is I don't know if --
22 I hear about screening along the property boundaries.
23 And (a) I don't know exactly what that means and from
24 what perspective. And (b) I'm almost thinking well if

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1 we're going to spend the effort on screening to that
2 extent, I'm not sure that going the next step and
3 modifying the tree with bark and -- you know, simulated
4 bark and that type of thing really makes sense because
5 it's -- it's not something that's going to be that
6 discernible. So -- well I guess I've said my piece, but
7 that's -- that's my opinion.

8 CHAIRMAN STEIN: And I guess this is for
9 the engineer. The issue of the fall zone and the fact
10 that the tower proposed is slightly higher and if it were
11 to fall on one of the properties. And could you explain
12 how the system could be employed to -- I guess whether
13 it's foolproof or not, but minimize any -- any potential
14 damage?

15 MR. CHASSE: Yeah. The -- again the
16 towers are designed in accordance with TIA 222, F or G.
17 The State requires F. On the wind loadings that are
18 incorporated into that, especially for a monopole
19 structure, there's gust factors, there's shape factors.
20 The factors of safety are quite substantial. But the
21 three modes of failure would be axial compression; shear,
22 which is what a failure would be that the tree would --
23 or the monopine would fall like a tree, namely that the
24 base plate and the two steel under-sections that weld has

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1 failed. And that would be a manufacturing defect. And
2 there is a video on-line about a tree -- a monopine that
3 had shear failure, and it was a manufacturer defect and
4 not a wind design issue, not a code issue. It was,
5 excuse me, a manufacturer issue, and it fell like a tree.

6 If a tower was to have the more common or
7 most likely failure mode, it would be that due to wind
8 loading in an overturning moment scenario. And that
9 would be what I spoke to earlier today where you would
10 have the wind blowing on the monopole structure, it would
11 have a yield point, which would be an area of
12 predetermined failure mode, such that in that particular
13 area you'd get kinking or buckling of the tubular
14 monopole section at that point, and that it would just
15 continue to bend and bend until the point that the wind
16 loading on it won't make it buckle any more because the
17 area is less. And at that point you'll have a pole
18 that's tilted a little bit. And that's basically
19 considered the failure mode, not falling over like a tree
20 onto the abutting property line.

21 Again, the proposed monopole structure
22 itself is 120 feet tall. The property line closest is
23 122 feet away. The top seven feet of the monopine is
24 branches and camouflaging material and not a tubular

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1 structural monopole structure. So if the monopole
2 structure itself would fall -- if it was to unlikely fall
3 like a tree, it would fall within the confines of the
4 property.

5 CHAIRMAN STEIN: Thank you. Anything else
6 I've -- attorney -- I don't know which one -- do you have
7 any rebuttal or closing comments?

8 MS. KOHLER: I just have one, Mr.
9 Chairman.

10 Mr. Fiedler, can you please describe the
11 coverage information that can be found on the T-Mobile
12 website and how that information is consistent with the
13 T-Mobile propagation plots filed in this docket?

14 MR. FIEDLER: On our website we offer a
15 tool for our customers existing and those potential to
16 become customers, it's called the PCC, a Personal
17 Coverage Check. And in that tool it's fed from
18 information from our propagation modeling and it takes a
19 -- two perspectives. (1) The propagation maps that you
20 see in these applications, you can see they're very
21 succinct to where you can actually see -- they're
22 squares, alright, you can see that break. We do that so
23 that you have the most accurate information in order to
24 ascertain where the coverage enhancements are taking

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1 place with regards to the facilities that are being
2 proposed or sought for. In the -- and getting that data
3 -- and that is, quite frankly, fed live to this portal --
4 there is a rounding effort that takes place to break out
5 those squares in order to get that into the web
6 environment, which cannot take that granular of detail,
7 and there's a rounding that takes place. That rounding
8 then expands that. There's also a coloration variation.
9 So we're depicting to you the colorations for neg 84, neg
10 76, those are colorations that also get absorbed through
11 that rounding, which are giving you the variances that we
12 then for simplistic terms relate towards good, very good,
13 poor, so that again a consumer has a basis point as to
14 what the anticipated experience would be when coming on
15 to our network.

16 So there's -- it's -- it's a combination
17 of tools that are feeding information and then
18 formulating it so that it can be depicted on the web in
19 an environment that the consumers can readily see in a
20 very quick fashion.

21 MS. KOHLER: T-Mobile doesn't have
22 anything further, Mr. Chairman.

23 CHAIRMAN STEIN: Mr. Fisher.

24 MR. CHRISTOPHER B. FISHER: Just a few --

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1 just a few questions, Mr. Chairman, thank you.

2 Mr. Gelinias, you heard earlier some
3 comments from the neighbors. Do you recall having the
4 consultations with the town and the neighbors at Redding
5 Town Hall?

6 MR. GELINAS: We do.

7 MR. FISHER: And do you recall at that
8 time, you know, a various list of questions, concerns,
9 and subsequently a written list of requests that were
10 made of MCM?

11 MR. GELINAS: There were a number of
12 requests made, yes.

13 MR. FISHER: And when you received that
14 list, did you take a good faith effort to look at all
15 those and try to incorporate it into the application
16 that's before the Siting Council?

17 MR. GELINAS: We absolutely did. And I
18 think that's been proven out in some of the efforts that
19 were made. As an example, the original proposal called
20 for a monopole. It was originally proposed down in the
21 southeastern portion of the compound. Based on our
22 meeting with the neighbors and with the town, which we
23 proactively sought as part of this project, it was
24 requested that we construct a new facility in the exact

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1 same location as the existing facility. Now in order to
2 do that, again at time and considerable expense, we went
3 forward and did a full foundation design -- test borings
4 and a full foundation design to see if it could in fact
5 be done before we agreed to do it. Once we had those
6 results in, we were able to establish that the new
7 location could be built within four feet of the existing
8 facility. Now what does that do? That also requires a
9 considerable effort on the part of the existing carriers.
10 If we were to build a new facility in the original
11 location, we would build the new facility and they would
12 transfer their equipment over. Having to take down the
13 existing facility does add notable time and expense,
14 which is okay, but it was an example of our effort to
15 accommodate requests by the neighbors. It could be done
16 and, therefore, we were -- we were willing to move
17 forward.

18 We were -- one of the issues that was
19 addressed or raised at our meetings was noise. Within 48
20 hours of that meeting, we had a field technician from our
21 office out there with a hand-held unit measuring noise.
22 Based on his result, he said I -- you know in layman's
23 terms he said I don't see anything out of order here.
24 Following that report, we commissioned Mr. Chasse's

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1 office to perform a formal noise evaluation, which has
2 been presented to you as part of this application. As
3 Mr. Fisher had stated previously, we also committed to do
4 a post-construction noise evaluation. One of the reasons
5 why the initial evaluation was done in October was
6 because our meeting with the neighbors and with the town
7 was in September, and that is the point at which it was
8 raised -- it was brought to our attention. And I think
9 we're perfectly happy to do that evaluation in a summer
10 month post-construction.

11 MR. FISHER: And then just, Mr. Libertine,
12 could you please just comment -- and there's been a lot
13 of discussion about the monopine and then screening at
14 the property line. Message Center Management obviously
15 went to the added effort of a dense pine tree and bark
16 cladding, which was your testimony I believe. Could you
17 just for the Council's purposes talk about if it was your
18 choice, would you go with additional plantings on the
19 property line in lieu of the bark cladding if you were
20 having to make those choices? You referenced it in your
21 rebuttal a moment ago.

22 MR. LIBERTINE: I guess my -- my opinion
23 is that the -- the proposed planting scheme that we have
24 come forward with, with the combination of the tree

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1 monopole with the bark cladding, I think is more than
2 sufficient to screen both the lower portions of the tower
3 and then to provide again a non-industrial style tower.
4 I think there's some -- there's some room for discussion
5 during the development and management plan phase,
6 specifically where some of -- or the type of trees that
7 would be planted and perhaps their specific location, and
8 maybe the organization of those. But I think that is
9 more than sufficient.

10 If we were to play I guess devil's
11 advocate and say well the idea of planting along property
12 lines to block views, I certainly wouldn't be vehemently
13 opposed to that, but I don't see the need to go to the
14 bark cladding. I think it's kind of -- at that point it
15 gets kind of away from what we were trying to accomplish
16 in the first place. And the only other thing I'd say
17 along those lines is that there are some -- not in all
18 cases, but on some of the abutting property lines where
19 there might be kind of direct or potential direct lines
20 of sight, there might be some limitations as to where and
21 what we could plant there just due to existing trees and
22 root structures, stonewalls and other features.

23 So it's -- I don't want to say it's kind
24 one or the other, but I think from my opinion what we put

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1 forward I think certainly does the job. But if we were
2 going to modify that, then I think there would have to be
3 some other modifications just again from a pure
4 standpoint of cost and effort and maintenance.

5 MR. FISHER: Thank you, Chairman.

6 CHAIRMAN STEIN: Before closing this
7 hearing, the Connecticut Siting Council announces that
8 briefs and proposed findings of fact may be filed with
9 the Council by any party or intervenor no later than
10 April 26th of this year. The submission of briefs or
11 proposed findings of fact are not required by this
12 Council, but we leave it up to the choice of the parties
13 and intervenors.

14 The Council also announces that state
15 agencies desiring to submit additional comments on this
16 application, pursuant to General Statutes, are to submit
17 their comments to the Council no later than April 10th of
18 this year.

19 Anyone who has not become a party or an
20 intervenor, but who desires to make his or her views
21 known to the Council, may file written statements with
22 the Council within 30 days of today.

23 And the Council will issue draft findings
24 of fact. And thereafter, parties and intervenors may

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1 identify any errors or inconsistencies between the
2 Council's draft findings of fact and the record.
3 However, no new information, no new evidence or argument
4 will be considered by the Council.

5 I hereby declare this hearing adjourned
6 and thank you all for your participation.

7

8 (Whereupon, the hearing adjourned at 8:23
9 p.m.)

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