

STATE OF CONNECTICUT

SITING COUNCIL

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MESSAGE CENTER MANAGEMENT, INC.
AND NEW CINGULAR WIRELESS PCS, LLC

APPLICATION FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND
PUBLIC NEED FOR THE CONSTRUCTION,
MAINTENANCE AND OPERATION OF A
TELECOMMUNICATIONS FACILITY
LOCATED AT ONE OF TWO SITES,
465 HILLS STREET OR 56 HILLS STREET,
EAST HARTFORD, CONNECTICUT

* * * * *

JUNE 6, 2013
(3:07 p.m.)

DOCKET NO. 436

BEFORE: ROBIN STEIN, CHAIRMAN

BOARD MEMBERS: Larry Levesque, PURA Designee
Robert Hannon, DEEP Designee
Daniel P. Lynch, Jr.
Edward S. Wilensky
Philip T. Ashton
James J. Murphy, Jr.

STAFF MEMBERS: Michael Perrone, Siting Analyst
Melanie Bachman, Staff Attorney

APPEARANCES:

FOR THE APPLICANT, MESSAGE CENTER MANAGEMENT,
INC., AND NEW CINGULAR WIRELESS PCS, LLC:

CUDDY & FEDER LLP
445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
BY: CHRISTOPHER B. FISHER, ESQUIRE

HEARING RE: MESSAGE CENTER/NEW CINGULAR
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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., and New Cingular Wireless PCS, LLC, held at the
5 East Hartford Town Hall, 740 Main Street, East Hartford,
6 Connecticut, on June 6, 2013 at 3:07 p.m., at which time
7 the parties were represented as hereinbefore set forth .
8 . .

9

10

11 CHAIRMAN ROBIN STEIN: Good afternoon,
12 ladies and gentlemen. I'd like to call to order the
13 hearing of the Connecticut Siting Council today,
14 Thursday, June 6, 2013, at approximately 3:10 p.m.

15 My name is Robin Stein and I'm Chairman of
16 the Connecticut Siting Council.

17 Other members of the Council present are
18 Senator James Murphy, our Vice Chairman; Mr. Hannon, the
19 designee from the Department of Energy and Environmental
20 Protection; Mr. Levesque, the designee from the Public
21 Utilities Regulatory Agency; Mr. Ashton; Mr. Wilensky;
22 and Mr. Lynch.

23 Members of the staff present are Melanie
24 Bachman, our Acting Executive Director and Staff

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1 Attorney; Michael Perrone, the Siting Analyst; Gail
2 Gregoriades, our court reporter; and Aaron DeMarest, our
3 audio technician.

4 This hearing is held pursuant to the
5 provisions of Title 16 of the Connecticut General
6 Statutes and of the Uniform Administrative Procedure Act
7 upon an application from Message Center Management and
8 New Cingular Wireless PCS, LLC for a Certificate of
9 Environmental Compatibility and Public Need for the
10 construction, maintenance, and operation of a
11 telecommunications facility located at one of two sites:
12 465 Hills Street or 56 Hills Street in East Hartford,
13 Connecticut. The application was received by the Council
14 on February 4, 2013.

15 As a reminder to all, off-the-record
16 communications with a member of the Council or a member
17 of the Council staff upon the merits of this application
18 is prohibited by law.

19 The Applicant is Message Center Management
20 and New Cingular Wireless, and Attorney Fisher for Cuddy
21 and Feder LLP.

22 We will proceed in accordance with the
23 prepared agenda, copies of which are available here on
24 the table to my right. Also available are copies of the

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1 Citizen's Guide to Siting Council Procedures.

2 At the end of this afternoon's session, we
3 will recess and resume again at 7:00 p.m. The 7:00 p.m.
4 hearing will be reserved for the public to make brief
5 oral statements into the record.

6 I wish that parties and intervenors,
7 including their representatives and witnesses, are not --
8 to note that they're not allowed to participate in the
9 public comment session.

10 And I also wish to note for those who are
11 here and for the benefit of your friends and neighbors
12 who may be unable to join us, that you or they may send
13 written statements to the Council within 30 days of the
14 date hereof. And such written statements will be given
15 the same weight as if spoken at the hearing.

16 A verbatim transcript will be made of this
17 hearing and deposited with the Town Clerk's Office in
18 East Hartford for the convenience of the public.

19 I'll start with the comments from public
20 officials. And I believe the Fire Chief, Mr. Oakes,
21 would like to make a statement.

22 MR. JOHN OAKES: Good afternoon. I
23 appreciate the opportunity to address the panel and
24 comment on this project.

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1 My name is John Oakes and I'm the Chief of
2 the East Hartford Fire Department and I'm here to speak
3 in favor of this project.

4 The East Hartford Fire Department provides
5 skilled fire, emergency, medical, and rescue response to
6 the residents and numerous visitors to our community. In
7 order to effectively and efficiently deliver these
8 services, the department uses multiple communication
9 platforms. This includes the 400-megahertz radio system
10 and two separate mobile computing platforms. The 400-
11 megahertz radio system is controlled from the Public
12 Safety Dispatch Center located at 31 School Street.

13 The department has recently been awarded a
14 grant from the United States Federal Emergency Management
15 Agency to include that system. This improvement will
16 include placing microwave receivers at three locations
17 triangulated throughout the community. This improvement
18 will significantly increase our ability to communicate
19 emergency incidents. The proposed communications tower
20 on Hills Street provides the optimal location for the
21 southeastern microwave receiver.

22 The department also uses the mobile
23 computing platform called Fire Captain, which is a
24 regional initiative. It provides incident data via

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1 commercial wireless carriers on computer devices located
2 on fire apparatus. The data and information is critical
3 to ensure safe and effective operations.

4 Currently, the department is hampered in
5 its ability to attain this data in the southeastern
6 portion of the community. The addition of the
7 communications tower and the proposed cellular provider
8 equipment will improve the coverage and the reliability
9 of the system.

10 Finally, the department uses a mobile
11 software product to create, store, and transmit
12 information for and from emergency medical incidents.
13 This platform uses a different commercial communications
14 carrier to transmit the information to the hospital, as
15 well as our secure records management system. Similar
16 to the Fire Captain program, we are hampered in our
17 ability to use this system in the southeastern portion of
18 our community. This results in delays in obtaining
19 patient information, and could potentially affect patient
20 care.

21 Our experience with all three forms of
22 communication, radio and two commercial carriers, finds a
23 coverage deficit in the southeastern portion of our
24 community. In order to overcome that deficit, additional

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1 tower space is desired. It's our understanding that
2 locating a tower as far east and as far south as possible
3 in the community would result in the most effective
4 improvement.

5 We appreciate your consideration of our
6 input into this project. When constructed -- if
7 constructed, this project will have a significant
8 positive impact on our ability to provide fire and
9 emergency medical services to the residents and the
10 visitors of our community. Thank you.

11 CHAIRMAN STEIN: Could I just -- just for
12 clarification, did -- I can't -- did you say that either
13 of the proposed sites would satisfy or didn't you say
14 that?

15 MR. OAKES: No, I did not. The
16 communications consultant that we have retained for the
17 microwave system has indicated to us that the greatest
18 spread, the farthest east that we can get and the
19 farthest south that we can get into the community, the
20 most effective that system will be. There's nine-tenths
21 of a mile difference between the two locations with the
22 465 being the farthest to the east and the farthest south
23 in the community.

24 CHAIRMAN STEIN: Thank you.

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1 MR. OAKES: You're welcome.

2 CHAIRMAN STEIN: Are there any other
3 public officials that wish to speak at this time?

4 I wish to call your attention to those
5 items shown on the hearing program marked as Roman
6 Numeral I-D, Items 1 through 55, as well as the
7 Connecticut Department of Transportation's comments dated
8 April 5, 2013. Does the Applicant have any objections to
9 these items that the Council has administratively
10 noticed? Accordingly, the Council hereby
11 administratively notices these documents, statements, and
12 comments.

13 Will the Applicant present its witness
14 panel for the purposes of taking the oath, which will be
15 administered by the staff attorney.

16 MR. CHRISTOPHER B. FISHER: Yes, good
17 afternoon, Chairman and members of the Council.

18 Christopher Fisher with the firm of Cuddy
19 and Feder. I'm here on behalf of the Applicants, Message
20 Center Management and AT&T in Docket 436. And we have
21 this afternoon five witnesses. And I would ask that
22 Attorney Bachman swear them in.

23 MS. MELANIE BACHMAN: Please raise your
24 right hand.

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1 (Whereupon, the Applicants' witness panel
2 was duly sworn in.)

3 MS. BACHMAN: Thank you.

4 MR. FISHER: Chairman, we have items in
5 the hearing program under Roman Numeral II-B, identified
6 as 1 through 9. Those are various exhibits, including an
7 application that was filed as mentioned on February 14th,
8 including bulk filed exhibits; Responses to Siting
9 Council Interrogatories, Set 1, which were dated April
10 24th; the Applicants' Affidavit of Publication, dated
11 March 6th; the Responses to Siting Council
12 Interrogatories, Set 2, dated May 30th; a Supplemental
13 Submission made by the Applicants, dated May 30th;
14 resumes of all the witnesses; an Affidavit of Sign
15 Posting, submitted on May 31st; a Public Hearing
16 Presentation we intend to present to the public later
17 this evening, which was submitted on May 31st; and also a
18 Supplemental Filing we made as of June 5th. And I
19 understand all of those documents have been provided to
20 the Council in advance. If you would take them for
21 identification, I'll go through the process of having
22 them verified.

23 CHAIRMAN STEIN: Yes, go ahead.

24 MR. FISHER: Thank you, Chairman. I'll

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1 ask all the witnesses did you prepare and assist in the
2 preparation of the documents that have just been
3 identified as -- listed in the hearing program as Roman
4 Numeral II-B, 1 through 9?

5 MR. ANTHONY WELLS: Tony Wells. Yes.

6 MR. CHRISTOPHER GELINAS: Chris Gelinas.
7 Yes.

8 MR. MICHAEL LIBERTINE: Mike Libertine.
9 Yes.

10 MR. DEAN GUSTAFSON: Dean Gustafson. Yes.

11 MR. SCOTT CHASSE: Scott Chasse. Yes.

12 MR. FISHER: Do you have any corrections,
13 modifications, or additions to the documents that have
14 been so identified?

15 MR. WELLS: Tony Wells. No.

16 MR. GELINAS: Chris Gelinas. No.

17 MR. LIBERTINE: Mike Libertine. I have
18 actually one modification and one addition. In item
19 number -- Exhibit B-9 in the supplemental filing of June
20 5th there is a letter from the State Historic
21 Preservation Office of no effect for the property at 465
22 Hills Street. I just want to note that there is a
23 typographical error in the heading. The -- the town in
24 the heading of the letter is Hartford, and it should be

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1 East Hartford. It's clear in the letter that the
2 property is in East Hartford. I've actually reached out
3 to the SHPO and they have -- are in the process of
4 signing and stamping a new revised letter that will
5 properly show that address.

6 In addition, we have also secured a letter
7 of no effect from the agency regarding 56 Hills Street.
8 And we'd be glad to provide those as a late file upon
9 receipt, which I should have in the next day.

10 MR. GUSTAFSON: Dean Gustafson. No.

11 MR. CHASSE: Scott Chasse. No.

12 MR. FISHER: And with those clarifications
13 and modifications are the documents true and accurate to
14 the best of your belief?

15 MR. WELLS: Tony Wells. Yes.

16 MR. GELINAS: Chris Gelinas. Yes.

17 MR. LIBERTINE: Mike Libertine. Yes.

18 MR. GUSTAFSON: Dean Gustafson. Yes.

19 MR. CHASSE: Scott Chasse. Yes.

20 MR. FISHER: And do you adopt the contents
21 as your testimony here today?

22 MR. WELLS: Tony Wells. Yes.

23 MR. GELINAS: Chris Gelinas. Yes.

24 MR. LIBERTINE: Mike Libertine. Yes, I

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1 do.

2 MR. GUSTAFSON: Dean Gustafson. Yes.

3 MR. CHASSE: Scott Chasse. Yes.

4 MR. FISHER: Thank you. Chairman, we'd
5 ask that the Council accept these documents into evidence
6 at this time.

7 CHAIRMAN STEIN: Thank you. The exhibits
8 are admitted.

9 (Whereupon, the Applicant Exhibit Nos. 1
10 through 9 were received into the record as full
11 exhibits.)

12 CHAIRMAN STEIN: We'll now begin with
13 cross-examination of the Applicant. Mr. Perrone.

14 MR. MICHAEL PERRONE: Thank you, Mr.
15 Chairman.

16 Did you fly a balloon today at -- at each
17 site?

18 MR. LIBERTINE: Yes -- excuse me.
19 Approximately three and a half foot diameter red weather
20 balloons have been aloft at the site shortly before noon
21 at each of the two locations. They're tethered to the
22 proposed height. Actually the string is tethered to 115
23 feet and with the three feet plus with the balloon gets
24 us to a height just slightly above the proposed top of

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1 the tree tower at 117 feet. And those will be kept up
2 until 7:00 o'clock tonight.

3 We did lose a balloon at 465 at about
4 three minutes to noon, and got it back up within the next
5 ten minutes due to a down draft with the wind, which have
6 been -- this morning they were actually fairly calm.
7 They have been picking up a bit and have been steady
8 probably in the -- somewhere in the eight to ten mile-an-
9 hour range.

10 MR. PERRONE: Overall, how would you rate
11 the weather conditions for the balloon flight?

12 MR. LIBERTINE: We had good periods when
13 we were sustaining the full height of the proposed
14 facility. I would call them at best today probably
15 marginal in terms of -- if we were to do a full visual
16 report, we would probably not undertake it on a day like
17 today, but certainly we had good opportunities.
18 Certainly when the Council was at both sites, we did get
19 a few moments of calm conditions.

20 MR. PERRONE: Would the Applicant be
21 willing to provide space on either tower for municipal
22 emergency services antennas?

23 MR. GELINAS: MCM has offered space on
24 either facility for municipal use. I think based on the

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1 letter read by Chief Oakes this afternoon, the fire
2 department will -- will participate and will be locating
3 equipment on either of those facilities.

4 MR. PERRONE: As far as -- as far as the
5 fire department antennas -- so with the information we
6 have is it your understanding only Site A would work or
7 Site A is more optimal than B?

8 MR. GELINAS: I believe what I heard Chief
9 Oakes say was the further south and east they can be.
10 And 465 I believe he identified as the most south and
11 east of the sites for consideration.

12 MR. PERRONE: I understand a 10-foot tower
13 height increase for the fire department's antennas, but
14 AT&T would stay at the same height of 100 feet, is that
15 right, for both?

16 MR. WELLS: That's correct.

17 MR. PERRONE: Okay. And the actual tower
18 location would be the same for both?

19 MR. GELINAS: That's correct.

20 MR. PERRONE: Given the increase in
21 height, has the Applicant run a new TOWAIR, T-O-W-A-I-R,
22 analysis or applied for an updated FAA letter?

23 MR. GELINAS: I believe FAA covered it
24 with the initial filing.

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1 (pause)

2 MR. WELLS: If you note the response to
3 Interrogatory Set 1 in -- under Tab 3, the FAA
4 determination is for a height of 127 feet above ground
5 level.

6 MR. PERRONE: Would the diameter of the
7 monopole increase with the increased height? If you have
8 the top and bottom diameter handy, that would be great
9 too.

10 MR. CHASSE: Based on past applications of
11 similar carrier number and height, we're anticipating a
12 bottom diameter of approximately 60 inches, and an upper
13 diameter of approximately 26 inches for the monopine.

14 MR. PERRONE: Okay. On pages 26 and 27 of
15 the application there's the costs. Do you anticipate any
16 increase in the cost numbers given the taller tower?

17 MR. GELINAS: We may have some additional
18 expense with regard to steel --

19 MR. DANIEL P. LYNCH, JR.: Could you speak
20 up please?

21 MR. GELINAS: We may have -- we may have
22 some additional costs with regard to steel, as well as
23 the branches for the proposed monopine.

24 MR. PERRONE: Do you have a ballpark

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1 estimate or -- no. As far as the equipment compound, it
2 mentions the shadowbox fence design. Could you describe
3 that design for us?

4 MR. CHASSE: Shadowbox fencing is
5 basically a three-dimensional fence that you've got
6 vertical slats in the foreground and the background and
7 they're staggered, so you can't see through the fence,
8 and it's supposed to be eight feet tall.

9 MR. PERRONE: So that would -- that would
10 block the views of much of the ground equipment?

11 MR. CHASSE: Yes.

12 MR. PERRONE: Okay. And could you
13 describe or summarize All Points Technologies latest
14 Eastern Box Turtle protection program?

15 MR. GUSTAFSON: Yes. What we're proposing
16 on either Site A or Site B, which the Natural Diversity
17 Database determined there was the potential for the
18 Eastern Box Turtle in the vicinity of both projects, we
19 proposed a protection plan. It's similar to what we've
20 proposed to the Council on previous dockets. And I'll
21 reference a recent docket that you're familiar with,
22 which is Docket 343, it's Cellco Partnership for a West
23 Hartford relo facility. And -- I can go into as much
24 detail as you want, but it -- it includes a couple of

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1 different -- four major components: Isolation of the
2 work zone from the surrounding habitat; contractor
3 education, make them aware of the sensitive nature of the
4 project and the potential for encountering the Eastern
5 Box Turtle and reporting if any sightings are made, and
6 then also following up on monitoring the E&S controls,
7 which are the isolation methods. So that's succinctly
8 what the protective plan includes. And we can include
9 full details of the protection plan as a late file.

10 MR. PERRONE: Yes, that would be great.
11 And these measures would be taken at either Site A or
12 Site B?

13 MR. GUSTAFSON: That is correct.

14 MR. PERRONE: Okay. Would the backup
15 generator meet the applicable noise standards at the
16 property lines?

17 MR. CHASSE: Yes. If -- if off-the-shelf
18 did not, baffling and attenuation systems and engineering
19 controls could be implemented to ensure such.

20 MR. PERRONE: Okay. Would the generator
21 run periodically to keep it in working condition, like a
22 weekly exerciser?

23 MR. CHASSE: Yes. Usually once a week for
24 like a 20-minute cycle at a predetermined time.

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1 MR. PERRONE: Could you rank the two sites
2 based on visibility?

3 MR. LIBERTINE: Okay. Overall, the sites
4 are fairly similar from a year-round perspective in terms
5 of the total acreage, they're within, you know, 12 acres
6 or so of total visibility.

7 What we noticed with these sites is that
8 the visibility is really limited to a fairly small
9 footprint around the properties themselves, about a
10 quarter mile or so of visibility. And when we're talking
11 about visibility, we have to keep in mind -- and today we
12 were looking at a red balloon in the sky, which was to
13 simulate the top of the tower. But in this case, we're
14 talking about a simulated conifer. So, I just want to
15 kind of remind everybody that it's one thing to look at a
16 red bright object in the sky versus what we're really
17 proposing here, which is going to be a tapered treetop,
18 and all of the appurtenances are going to be kind of
19 buried within the actual branching.

20 To get back to your question, Mr. Perrone,
21 the -- Site A at 465 Hill Street we have about 56 acres
22 in total of year-round visibility -- I'm sorry, that's 32
23 acres. We have about 56 residential properties that have
24 a portion -- at least some portion of their property

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1 where they might be able to see this tree tower above the
2 other trees in the surrounding area. Conversely, we have
3 about 31 total acres for 56 Hill Street, Site B, and
4 we're in the general neighborhood of about 77 residential
5 properties that may be able to actually have views of the
6 tower or the tree tower above the existing canopy.

7 When we talk about leaf-off conditions and
8 we get into the time of the year when the deciduous trees
9 have lost their leaves, obviously things start to
10 increase a little bit. And comparatively between Site A
11 and B, we're talking about 160 or so acres versus about
12 125 acres in total expanse of the seasonal views, and now
13 we're representing approximately 78 or so seasonal -- or
14 excuse me, residential properties that may be able to see
15 through the trees a portion of the tree tower at Site A.
16 And at Site B that increases to about -- over just -- a
17 little bit over 200 residential properties.

18 We have to keep in mind these are fairly
19 dense residential neighborhoods throughout the whole
20 area. And so one of the reasons we have some elevated
21 numbers in terms of the total residential properties is
22 because there are so many and they're fairly small lots
23 to begin with. And I would just point out that it's --
24 this is not a unique situation certainly in Connecticut

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1 in terms of having facilities within and in close
2 proximity to large neighborhoods. Certainly two that
3 come to mind immediately would be the -- there is a
4 similar facility that is a tree tower just off of I-91 in
5 Windsor that has not only a large residential complex
6 that's part of the subject property itself, but it is
7 surrounded by several neighborhoods. And there's another
8 here, I believe in East Hartford, it might just be over
9 the Manchester line -- (pause) -- it's on Forbes Street
10 that the Council had approved several years back. That's
11 very similar in nature to what we're talking about here,
12 it's surrounded by neighborhoods, it's in kind of an
13 agricultural field setting, which is fairly open, and in
14 fact having gone by that recently, I would say it's very
15 comparable in terms of kind the setting and in terms of
16 how it may be seen from several of the neighbors and
17 portions of their yard and that type of thing. So again,
18 I would just say that at least there's something that we
19 can use as a comparison. Does that answer your
20 question?

21 MR. PERRONE: Yes.

22 MR. LIBERTINE: Sorry I went on and on.

23 MR. PERRONE: Just -- just so we have them
24 in order, could you read through those visibility area

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1 acreage numbers for us --

2 MR. LIBERTINE: Yes --

3 MR. PERRONE: -- for A and B, before and
4 after?

5 MR. LIBERTINE: Yeah. For Site A -- I'll
6 go through everything if I could --

7 MR. PERRONE: Yeah, sure -- sure.

8 MR. LIBERTINE: So the total acreage for
9 year-round, we're talking about 32 acres of a footprint
10 of visibility, again year-round when the leaves are on
11 the trees. When we get into the seasonal time of year
12 with leaves off the trees, that increases to another --
13 approximately 165 acres.

14 Comparatively, B -- Site at 56 Hills,
15 total acreage during the year-round when the leaves are
16 on the trees, about 31 acres. And then that expands to
17 an additional 125 or so acres when the leaves are off the
18 trees.

19 MR. PERRONE: And that's based on the
20 latest height of 110 or --

21 MR. LIBERTINE: It's actually based on -
22 the original estimate that we had does not change
23 appreciably with the additional 10-foot increase. We had
24 modeled that as part of the response to the second set of

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1 interrogatories. And today I did go and do some field
2 checking because we had the balloons up. And what we
3 found was what I had suspected. I had gone to a little
4 bit of explanation. We had used the model only to
5 respond to the interrogatories for the 10-foot increase.
6 And what we found was there was an increase in total
7 acreage of about 40 acres in addition to what we had put
8 into the application. But what jumped out at me was the
9 visibility that we were showing was actually remote from
10 the area. We're talking like, you know, a mile or more
11 away.

12 And when we run our models, they tend to
13 over-predict what is really going to happen in the real
14 world. And there's a lot of variables for that. We tend
15 to run the tower -- I'm sorry -- the tree height -- we're
16 using an average tree height for the entire two miles.
17 And what we find when we fly the balloon and actually
18 field check is that the variation in the canopy can
19 really make a big difference. The other thing is the
20 model is a very hard -- you know, hard and fast computer
21 model that uses a mathematical equation and says if
22 you're standing -- if you're at the very top of the tower
23 and you're looking down at any of these locations, is
24 point A and point B -- you know, is there a line-of-

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1 sight. And in theory, a lot of times we find that yes
2 that is the case, but when you're actually standing out
3 in the field, that's not.

4 And so a long story short, what we found
5 was that that extra 40 acres or so of scattered I would
6 call it, we field checked originally because we floated
7 the balloon at 465 at a much higher height of 130 I
8 believe the first time we did the work, and we found that
9 nothing once you got out at a half-mile -- or excuse me,
10 about a quarter-mile away or so, it kind of fell out of
11 view. So I suspected that would be the case. And I did
12 field check that today. And so the extra 40 acres that
13 was associated on our revised viewshed map is really what
14 I consider scattered and really is not valid. And so
15 again, there's not an appreciable difference when we're
16 talking about 10 feet in this particular case.

17 MR. PERRONE: So you have approximately a
18 40 acre increase on -- on Site A -- on -- on both of
19 those --

20 MR. LIBERTINE: In -- on the mapping -- on
21 just the mapping itself. But I field verified that today
22 and those -- a lot of those locations that I could
23 publicly get to today that are shown on that revised map,
24 you could not see the balloons. And I verified that the

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1 balloons were at their full height at that time. So my
2 guess is that -- and we saw this in the initial modeling
3 as well. And that's what happens and that's why we do
4 the field checking because the model is good, but it's
5 not perfect.

6 MR. PERRONE: Okay. And -- so that was on
7 Site A?

8 MR. LIBERTINE: That was for --

9 MR. PERRONE: That's for both --

10 MR. LIBERTINE: -- that's for both sites.

11 MR. PERRONE: Okay. And -- and the last
12 one with the numbers, the -- any increase in the number
13 of homes with visibility on seasonal or year-round?

14 MR. LIBERTINE: No. Similar to -- the
15 footprint is very similar. What we find -- and again,
16 I've been doing this now for -- well over 15 years. And
17 what we find is anywhere in that 10 to 20 feet range, it
18 doesn't tend to change things appreciably, especially in
19 a landscape like this where we have fairly good tree
20 cover. The trees are fairly mature, and in some cases
21 around the sites are very tall. We're talking
22 approaching a hundred feet or more in some cases. And
23 because we don't have a lot of high points in the area,
24 you don't get a lot of variation. So this 10-foot

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1 change, as I said earlier, it's really not appreciable in
2 terms of overall visibility.

3 MR. PERRONE: Okay, great. And I
4 understand you gave us updated photosimulations with the
5 increased height. I believe there's less photosims in
6 number. Did you just select ones where you thought there
7 would be a difference or --

8 MR. LIBERTINE: Well --

9 MR. PERRONE: -- how did you select them?

10 MR. LIBERTINE: I selected them based on
11 the fact that we tried to get some -- well all the -- all
12 the views are fairly near-view. Some of them are a bit
13 repetitious in the original document. So what we -- what
14 I did was I felt it was good to just select ones that
15 would give you folks a good characterization of that 10-
16 foot increase. And certainly the character of the views
17 certainly do change because of the 10 feet, just because
18 we're so close to the site in most cases, but the overall
19 footprint itself did not.

20 MR. PERRONE: Alright. So even the
21 photosims where we don't have them in the new set, given
22 that that's the same tower location, the perspective
23 would be the same with just the additional 10 feet?

24 MR. LIBERTINE: Yes, exactly.

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1 MR. PERRONE: Alright. Did you look at
2 any other camouflage configurations other than a tree?

3 MR. LIBERTINE: In all cases we typically
4 go through kind of, you know, an evolution of what might
5 work. In this case the tree seemed to be by far and away
6 the most applicable from a context standpoint because
7 again we have fairly substantial canopy in the area.

8 And from the standpoint of trying to do
9 something else, these days -- unfortunately, the
10 flagpoles are very limiting and they don't seem to be --
11 most carriers are kind of shying away from them, and they
12 -- they really do limit co-location opportunities.

13 This was a great balance because again it
14 fit from the context standpoint, it blends in a little
15 bit naturally, and you get your full arrays for all the
16 carriers, and it certainly is available for multiple
17 carriers here for co-location purposes. So the tree was
18 -- I hate to say -- I don't like to use the word no-
19 brainer, but this one kind of jumped out and said this is
20 really the most applicable.

21 MR. PERRONE: So the tree allows you to
22 use the full low-profile platform?

23 MR. LIBERTINE: Yes.

24 MR. PERRONE: Okay. Also about the tower,

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1 would the tower be expandable?

2 MR. CHASSE: Yes. The plan right now is
3 for a 20-foot extension.

4 MR. PERRONE: Okay. Have any other
5 carriers expressed an interest to date?

6 MR. GELINAS: At this time we've spoken
7 with the carriers. We've not had direct interest. We've
8 had conversations with T-Mobile, whereby they've
9 indicated that although it's not in their budget, when it
10 did come into budget development, they would certainly
11 take a close look at it in that they were active in the
12 same general area within the last three years.

13 MR. PERRONE: And my last question. I
14 understand we have the updated SHPO, S-H-P-O, letter for
15 Site A. Was there one for B?

16 MR. LIBERTINE: Yes. I tried to put that
17 on the record a little bit earlier. We did secure one
18 for Site B. It's in route --

19 MR. PERRONE: Okay --

20 MR. LIBERTINE: -- and I will be putting
21 that in as a late file. And we will also be amending the
22 original one that you have. If you'll notice,
23 unfortunately, there was a typographical error in the
24 heading that identified the site in Hartford and not East

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1 Hartford. However, the body of the letter certainly
2 identified the site in East Hartford. So SHPO was
3 provided with all the backup information to understand
4 its location, so it was strictly typographical. So we'll
5 -- we'll amend that as well.

6 MR. PERRONE: Thank you. That's all I
7 have.

8 CHAIRMAN STEIN: Okay. We'll continue
9 with cross-examination from the Council. Senator Murphy.

10 MR. JAMES J. MURPHY, JR.: Thank you, Mr.
11 Chairman.

12 Mr. Chasse, when we were in the field at
13 Site B, I asked you a question. And I'd just like to
14 repeat it for the record so we can put it on. The
15 closest residence, the distance to the pole? And also
16 the distance from the proposed location of the pole to
17 the boundary line of that property?

18 MR. CHASSE: For both Sites A and B?

19 MR. MURPHY: Give me both sites --

20 MR. CHASSE: Okay --

21 MR. MURPHY: I already asked you for B
22 when we were out there, but we'll take them both right
23 now.

24 MR. CHASSE: For Site A, 465 Hill Street,

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1 the distance to the nearest residence is 244 feet to the
2 east. Map 63, Lot 337, the mailing address is 30 --
3 excuse me -- 73 Wickham Drive. The closest distance to
4 the property line is -- for the 110-foot monopine is 74
5 feet. And that is to the west.

6 For Site B, 56 Hill Street, we have the
7 closest distance to the nearest residence is 156 feet,
8 and that's to the east. Map 42, Lot 384, mailing address
9 162 Greenwood Street. And the distance to the closest
10 property line is 104 feet, and that is to the east.

11 MR. MURPHY: Thank you very much. Mr.
12 Wells, as the RF member of the panel, what is AT&T's
13 preference from an RF standpoint, Site A or Site B?

14 MR. WELLS: Site A would be our
15 preference. It provides significantly more coverage than
16 Site B.

17 MR. MURPHY: Thank you. I realize you
18 can't speak for other carriers, but you're recognized as
19 an expert in the field. What's your professional opinion
20 as to the viability of another carrier selecting the site
21 at 90 feet or 80 feet and having coverage to justify
22 going on that pole?

23 MR. WELLS: I think the probability is
24 fairly high given the -- especially given the lack of

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1 available alternatives in the area or the ability to
2 place alternatives in the area. And if you look at the
3 existing surrounding sites the other carriers may be on,
4 this -- this becomes a good logical location as the next
5 step.

6 MR. MURPHY: Thank you. As I'm sure you
7 are aware, the pole is going to be constructed with a
8 base that would permit a 20-foot extension above the
9 proposal today of 110 plus the 7 for the camouflage.
10 What in your opinion is the likelihood that a carrier
11 would seek an additional 10-foot spot or an additional
12 20-foot spot?

13 MR. WELLS: That's probably also a good
14 probability, especially for those carriers who are
15 limited to operating in bands at higher frequencies, they
16 may be more -- even more challenged. While AT&T operates
17 in those higher bands as well, there is some flexibility
18 to use at least a portion -- at least some of the
19 services on the lower band. So, I would suspect that,
20 No. 1, there probably would be multiple carriers that are
21 interested in this location, which would (1) drive those
22 additional carriers down even lower in height, and the
23 fact that some of those carriers operate in those higher
24 frequency bands that have more of a challenge for

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1 coverage, that it's a good probability that they would
2 request an additional height.

3 MR. MURPHY: Thank you very much. Mr.
4 Libertine, on visibility just a few things. The
5 statistics you gave and read as a part of your report, I
6 probably didn't have, as you indicated, an opportunity to
7 get the residences and so forth for the increase required
8 by the tower. But I noticed that it seems that the
9 increase in the acreage between year-round and seasonal,
10 visa vie the residences are somewhat different, there's a
11 greater increase for one and it's not the same in both
12 areas. So my curiosity is raised as to the difference
13 in this acreage. What's it really composed of? Is it
14 an area with -- there are probably no residences, but is
15 it an area where I might see this tower even though
16 there are no residences reported in that additional
17 acreage?

18 MR. LIBERTINE: It's really related more
19 to the number of residential properties within a very
20 small area, about a quarter-mile around each of those
21 properties. It just so happens Site A -- I'm sorry --
22 yeah, Site A has a little bit less density surrounding it
23 than Site B. And that's where we really saw the
24 difference. I don't know if you had an opportunity to

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1 drive any of the neighborhoods that kind of surround that
2 Site B at 56. They're -- they're very densely populated.
3 And so that -- that really is the major difference.

4 There is a little bit more open land in
5 proximity to Site A. So you're right in your thoughts in
6 that there's going to be some areas that perhaps would
7 open up views in the wintertime that I guess eyes may not
8 see just because they're not on residential properties.
9 But it really comes down to just really a matter of
10 there's just more residences in close proximity to Site B
11 than Site A.

12 MR. MURPHY: Mr. Perrone discussed with
13 you the visibility if it goes up an additional 10 to 20
14 feet. And you indicated, as I heard you, there's no
15 significant change --

16 MR. LIBERTINE: Let me clarify that. I
17 think Mr. Perrone's question was the difference between
18 the original 110-foot -- I'm sorry -- the hundred-foot
19 and the hundred and ten-foot with the taper. If we're
20 talking about going from what we're proposing now at 117
21 up to --

22 MR. MURPHY: I thought he also at the end
23 asked you and you indicated -- well --

24 MR. LIBERTINE: I apologize --

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1 MR. MURPHY: -- forget that --

2 MR. LIBERTINE: -- if that's the case,
3 then --

4 MR. MURPHY: -- forget that. I'm going to
5 then ask you --

6 MR. LIBERTINE: Okay --

7 MR. MURPHY: -- to tell us what you
8 anticipate or what you may already know, because I think
9 you indicated you had flown the balloon at 130 feet --

10 MR. LIBERTINE: Correct -- yeah --

11 MR. MURPHY: -- as a part of one of your
12 answers --

13 MR. LIBERTINE: Yes --

14 MR. MURPHY: -- so tell us what it would
15 be like, as best you can --

16 MR. LIBERTINE: Sure --

17 MR. MURPHY: -- if it went up the
18 additional 30 feet above the proposal before us today?

19 MR. LIBERTINE: I can certainly speak to -
20 -

21 MR. MURPHY: -- an additional 20 feet, I'm
22 sorry.

23 MR. LIBERTINE: I can certainly speak to
24 Site A because we did -- last September 2012 we flew the

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1 balloon at a height approximate to -- I think it was 130
2 feet. What we will find is that at that height you will
3 start to see an increase in the total acreage. So that
4 the -- what I'll call that quarter mile or so around the
5 site does start to expand, which is going to certainly
6 affect more residential properties as you get out a
7 little bit further away from the site. I don't -- I
8 don't have a number for you that I can tell you, but
9 certainly that -- that 20 feet is going to start to push
10 you out probably more into a half-mile radius as opposed
11 to a quarter-mile radius around the site. I'm going to
12 guess it's going to be fairly similar at Site B because
13 we have essentially the same kind of topography and, you
14 know, more or less the same conditions --

15 MR. MURPHY: So your balloon flight was
16 just at Site A at 130 feet that you're referring to?

17 MR. LIBERTINE: That's correct.

18 MR. MURPHY: Okay.

19 MR. LIBERTINE: And -- and the only thing
20 else I will mention is that as you do get out -- even at
21 130 feet, once we got out beyond a half-mile, we were not
22 seeing it in any locations. And again, it's just really
23 a function of a fairly level topography and a fairly tall
24 tree canopy. I'll be honest, this site -- this site

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1 surprised me -- or this particular location surprised me.
2 I did not anticipate to have the mature trees in the
3 height range that we're dealing with out here. And it
4 really does a good job of keeping things fairly well
5 camouflaged, at least in terms of keeping it to a small
6 geographic footprint.

7 MR. MURPHY: And my last question deals
8 with if it is ultimately requested to go to 130 feet,
9 with the additional seven feet of disguise or whatever
10 you want to call it, what is the tree going to look like
11 after it's been jacked up 20 feet from what it was
12 originally built to be disguised as a 110-foot tree?

13 MR. LIBERTINE: Well the geometry would be
14 in keeping in terms of the taper would now be at the top.
15 So in terms of its profile, it would still look like a
16 tree. But it's going to be a fairly tall tree at that
17 point.

18 I think we're -- you know, we're talking
19 about trees in this area, and as I said earlier, some are
20 approaching or eclipsing a hundred feet. Certainly if
21 you took a look around at 465 Hill Street, some of those
22 Pine trees are over a hundred feet tall that are off to
23 our -- I guess they were off to the west side. So I
24 think 137 feet, you're going to be starting to talk about

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1 -- you know, you're pushing now the Winchester tree --

2 MR. MURPHY: Okay --

3 MR. LIBERTINE: -- as something that would
4 probably resonate with the Council.

5 MR. PHILIP T. ASHTON: Let's not push
6 that.

7 MR. MURPHY: Mr. Ashton says let's not
8 push that.

9 MR. LIBERTINE: Well now that's 157, so I
10 will say that we're kind of --

11 MR. MURPHY: I realize --

12 MR. LIBERTINE: -- maybe somewhere in the
13 middle.

14 MR. MURPHY: I realize what you're saying.

15 COURT REPORTER: One moment please.

16 (pause - tape change)

17 CHAIRMAN STEIN: Mr. Ashton.

18 MR. ASHTON: (Indiscernible, mic not on) -
19 - now it is -- there were a couple of things that jumped
20 out at me as we were doing the sites. One is -- the
21 first one is that the leased area was substantially
22 different between the two sites. Why? Almost a two to
23 one ratio.

24 MR. GELINAS: The actual leased area at

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1 465 is 75-foot by 75-foot --

2 MR. ASHTON: Yeah --

3 MR. GELINAS: -- the compound is smaller -
4 - slightly smaller than that, 63-by-75. At 56 the actual
5 leased area is 100-by-100 --

6 MR. ASHTON: Right --

7 MR. GELINAS: -- there's a 25-foot
8 difference --

9 MR. ASHTON: A two to one difference
10 almost in square footage.

11 MR. GELINAS: The reason the 56 Hills was
12 a hundred by a hundred -- and we can get into how MCM and
13 AT&T came to work together on this application. The
14 original discussions that AT&T had had with the property
15 owner at 56 was for a hundred feet by a hundred feet.
16 Since that amount of land was available, we continued on
17 with that same discussion.

18 MR. ASHTON: I've never quite been able to
19 figure the rationale of these compound sizes, they vary
20 all over the lot. And to me coming from an industry
21 where standards were dirigere, I wonder if we can't get a
22 little bit more consistency here. That's not a major
23 issue.

24 The utility service, in both cases we're

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1 talking about underground from an existing pole. And as
2 I look at those existing poles at 56 Hill Street, they're
3 35-foot poles. And CL&P hasn't set a 35-foot pole in 15
4 years. So that means as poles get replaced, they're not
5 going to use the secondary voltage conductors that are
6 there, they're going to use primary. Why not go
7 underground from the get-go and leave the existing system
8 in place?

9 MR. CHASSE: For 56 Hill Street my
10 understanding is that the pole that's on the opposite
11 side of the street was reasonably set within the last
12 year and a half when AT&T first started into this project
13 and that the primary lines originate from across the
14 street --

15 MR. ASHTON: Right --

16 MR. CHASSE: -- so instead of having a
17 jack -- or excuse me -- to trench across Hill Street, the
18 pole line that's already in place there was proposed to
19 do an aerial shot from that new originating pole on the
20 other side of Hills across the street, like the existing
21 service line currently is.

22 MR. ASHTON: I'd like to ask CL&P, but
23 you're not -- he's not -- they're not here --

24 MR. CHASSE: We did --

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1 MR. ASHTON: -- but you are. What's the
2 difficulty in digging across the street? Water lines go
3 across the street, sewer lines go across the street, gas
4 lines go across the street. It's a 24-inch or 30-inch
5 trench. What's the big deal?

6 MR. CHASSE: We hired an electrical
7 contractor to go and put in the service request with
8 CL&P. They went out and walked the site with CL&P. And
9 CL&P has indicated that they can run the aerial shot from
10 that --

11 MR. ASHTON: Well I know they can --

12 MR. CHASSE: Yeah, well --

13 MR. ASHTON: -- but that's my point. My
14 point is why not go underground and clean up the mess.

15 MR. CHASSE: There would be disturbance -
16 -

17 MR. ASHTON: I'm sorry?

18 MR. CHASSE: Disturbance -- the area of
19 disturbance would increase. You're going to --

20 MR. ASHTON: The area of disturbance?
21 What area of disturbance?

22 MR. CHASSE: Currently for 56 Hill Street
23 there's 16,400 square foot of disturbed area. We try to
24 minimize the amount of disturbed area --

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1 MR. ASHTON: Oh, whoa --

2 MR. CHASSE: -- we'd have to go back out -
3 -

4 MR. ASHTON: Whoa -- what -- what --
5 you're talking disturbed area. You mean the roadway?

6 MR. CHASSE: Disturbed area within the
7 scope of construction. So if we had to trench from that
8 gate post all the way back out and across the street,
9 that area would be increasing the limits of disturbance
10 required to do --

11 MR. ASHTON: Mr. Chasse, do you know what
12 my background is?

13 MR. CHASSE: I do, yes.

14 MR. ASHTON: And you really think I'm
15 going to swallow that?

16 MR. CHASSE: I -- I'm not --

17 MR. ASHTON: In three weeks time you can
18 rehabilitate that kind of disturbance. It requires a
19 little topsoil, a little grading, a little seed, and a
20 little water.

21 MR. CHASSE: I understand that, yes --

22 MR. ASHTON: Okay. Let's move on. The
23 diesel generator has a 200 plus gallon capacity tank. Is
24 that diesel designed for just one carrier or to

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1 accommodate several?

2 MR. CHASSE: The current proposal is for
3 one carrier, about a 50-kW generator.

4 MR. ASHTON: Is there any reason that
5 can't be intended to cover several carriers?

6 MR. CHASSE: If you knew what the service
7 requirements and who was --

8 MR. ASHTON: Well this is not new science
9 we're getting into here, it's pretty well established,
10 isn't it?

11 MR. CHASSE: Different carriers have
12 different needs. Like the municipality --

13 MR. ASHTON: Yeah --

14 MR. CHASSE: -- one of the tenants for
15 this --

16 MR. ASHTON: Yeah --

17 MR. CHASSE: -- I don't know what their
18 service needs are. In general, mobile carriers require
19 200 amp service.

20 MR. ASHTON: Okay. But my point is it is
21 a knowable quantity, is it not?

22 MR. CHASSE: The tower is being -- or the
23 facility is being designed for upwards of five carriers -
24 -

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1 MR. ASHTON: Mmm-hmm --

2 MR. CHASSE: -- so whether five carriers -
3 -

4 MR. ASHTON: Okay --

5 MR. CHASSE: -- are going to co-locate on
6 the facility at this point in time is not known. We know
7 that we have the town and we know that we have AT&T. Two
8 hundred amp service for AT&T and I'm assuming probably a
9 hundred amps for the town.

10 MR. ASHTON: Would it be unreasonable that
11 the foundation be designed for a larger generator for
12 such a time that it could be changed out? I understand
13 you're not going to put a 200-kW unit in for one carrier,
14 but is it not in the realm of reason to keep down the
15 proliferation of generators --

16 MR. CHASSE: I think that's -- that's not
17 unreasonable.

18 MR. ASHTON: We do use a lot of joint line
19 equipment in the utility industry. Why can't this be
20 one?

21 MR. CHASSE: Upsizing the size of the slab
22 for the future is a possibility.

23 MR. ASHTON: Okay. The monopine -- Mr.
24 Libertine, we've talked about this before that the

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1 monopines are a great idea, except that they sometimes
2 look very unnatural because of their absolute symmetry.
3 What are we doing in the way of this monopine that will
4 break that up?

5 MR. LIBERTINE: We haven't talked
6 specifically, but my anticipation would be that during
7 the development and management phase, provided that we
8 get approval at one of the sites, that will be a fairly
9 hot topic --

10 MR. ASHTON: Okay --

11 MR. LIBERTINE: -- we -- we do need to
12 think about the fact that these things do not grow like
13 Christmas trees when you start talking about, you know,
14 heights above the manicure --

15 MR. ASHTON: So --

16 MR. LIBERTINE: -- so yes --

17 MR. ASHTON: -- so it's in the realm of
18 reason to work on that animal?

19 MR. LIBERTINE: Absolutely. We -- we did
20 go through that with Professor Tait out in Winchester, if
21 you remember, because that was just --

22 MR. ASHTON: Yeah, we've gone through it
23 on several occasions --

24 MR. LIBERTINE: Yeah. It was just too

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1 symmetrical. And you're absolutely right, we have to
2 stagger it. And -- and the carriers and the tower
3 builders now -- and the designers actually are starting
4 to really understand --

5 MR. ASHTON: Okay --

6 MR. LIBERTINE: -- that this is really the
7 way to go, so --

8 MR. ASHTON: Maybe it means arranging the
9 branches instead of ABCDE, ACDB and so forth.

10 MR. LIBERTINE: We're doing that on a site
11 right now, yes.

12 MR. ASHTON: Okay. I think those are my
13 questions. Thank you very much.

14 CHAIRMAN STEIN: Thank you. Mr. Levesque.

15 MR. LEVESQUE: (Indiscernible) --

16 COURT REPORTER: A microphone please.

17 MR. LARRY LEVESQUE: Mr. Libertine and Mr.
18 Chasse maybe, could you please look at the abutters map
19 in Section A -- 3A and 4A for both properties, and fold
20 those out.

21 (pause)

22 MR. LEVESQUE: Is the scale correct on
23 those? It says one inch to a hundred on the first one --
24 or both of them. Mr. Ashton was --

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1 MR. ASHTON: The scales given in the
2 bottom of the center of the maps shows one inch is -- I
3 don't know what -- a hundred feet or something like that
4 -- but I'm sure that's a reduced scale. And it would be
5 --

6 A VOICE: (Indiscernible) --

7 MR. ASHTON: -- it would be helpful if we
8 could have the bar --

9 A VOICE: (Indiscernible) --

10 MR. ASHTON: -- that shows the scale on
11 these things. I don't mean to be a nitpicker, but that
12 helps.

13 MR. LEVESQUE: Yeah, it's useful. Mr.
14 Libertine, if the site was moved to the south so it
15 wasn't so close to one of the abutting properties -- did
16 you choose that site for least visibility or --

17 MR. LIBERTINE: I'm sorry, are we talking
18 about 465, Site A?

19 MR. LEVESQUE: Yes.

20 MR. LIBERTINE: Okay.

21 MR. LEVESQUE: I mean let's say you headed
22 directly east from the Eagle Court cul-de-sac, so it
23 would be less driveway --

24 MR. LIBERTINE: You would certainly

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1 provide yourself now with a little bit more distance just
2 because you've got a -- you could center it -- well, I
3 think you'd still be talking about -- if we centered it
4 on the property let's just say due east of Eagle Court
5 for the sake of the argument here, I don't know if we'd
6 necessarily gain a whole heck of a lot to the east
7 looking back westward from those property lines. And
8 then we'd do -- we would move it closer to Eagle Court.
9 It's -- it's a tough one.

10 One of the reasons this location was
11 selected was because we are close to a tree line
12 immediate to the west. So views from the east actually
13 have a very good backdrop, so it looks a little bit more,
14 you know, in its natural setting. It's very open as we
15 move to the south as you probably saw. There are, you
16 know, additional fields there. It was kind of just one
17 of those balancing acts that we try to achieve. It's a
18 fairly narrow lot as you can see. So we -- you know, we
19 are fairly close to the property line.

20 MR. LEVESQUE: So then the tower could
21 fall on the property, especially to the west?

22 MR. LIBERTINE: We -- we've addressed that
23 I believe in the interrogatories, the first set. We did
24 talk about a yield point being installed --

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1 MR. LEVESQUE: Yeah, to --

2 MR. LIBERTINE: -- which would help.

3 MR. LEVESQUE: Things -- things break like
4 you don't them to sometimes though.

5 MR. LIBERTINE: Well the experience we've
6 had in the industry is that the towers typically when
7 they fail, which is very rare, they don't kind of fall
8 over from the base. And even when -- you know, natural
9 trees tend to have a stress point. And unless they're
10 uprooted, which we've seen certainly with some of the
11 storms that we've experienced in the last couple of
12 years, I think that -- well from my perspective, that's
13 probably a very remote possibility.

14 I think if -- if we're talking about in
15 this case with the monopine, probably the biggest
16 concern, if that's the right word, and I'm not sure I'd
17 be too concerned because they're fairly well bolted in,
18 but I think some of the branching, the outer edges of the
19 branches in high winds, that's something that's always a
20 consideration, but we're talking about fairly light
21 material that might blow off.

22 MR. LEVESQUE: Okay. The -- when we were
23 out there, the gentleman at property No. 63350, he was
24 sitting in his yard near the lot line and enjoying his

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1 yard, and it's proposed a driveway right next to him --

2 MR. LIBERTINE: Mmm-hmm --

3 MR. LEVESQUE: -- so the crane, the
4 construction equipment, and in the future the service
5 trucks have to drive right by him, you know, worse than
6 if he had a house because that is going most of the
7 length of his property. If you put the driveway straight
8 along Eagle Court to the middle before turning left, he
9 wouldn't hear it as much. I understand you'd be taking
10 more of his future development potential, but we want to
11 be considerate of neighbors.

12 MR. LIBERTINE: One thing we could
13 consider as an alternative because that -- that -- that --
14 - Eagle Court, I believe, legally could be extended as a
15 town road if there were development in there. But one
16 thing we could consider if that was a concern from the
17 neighbor, is to do some landscaping along there so that
18 at least the -- you know, folks traveling on -- certainly
19 during construction -- for that few weeks of construction
20 there's going to be some disturbance through there. I
21 think there's no question about that. But I think
22 afterwards, we're talking about, you know, a vehicle
23 maybe once or twice a month. But certainly some
24 landscaping along the west side between the property line

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1 and the access road could probably be established so that
2 that would soften any effect of, you know, vehicles
3 driving up and down there.

4 MR. LEVESQUE: Or you could -- you could
5 talk to the landowner or even the town planner of putting
6 the utilities and your rough driveway straight along the
7 access of Eagle Court to the middle of the property
8 because maybe if there were houses built there in the
9 future, they'd be using the same route. It might be a
10 better spot because they're not going to let them build a
11 future short road right on his property line, they'll
12 have it come more to the middle first.

13 MR. LIBERTINE: We can certainly have that
14 discussion.

15 MR. LEVESQUE: Can you turn to the
16 abutters map for 56 Hill Street please. Now Mr. Murphy
17 already asked about the distances to the neighboring
18 properties. What was the distance you gave from the
19 compound to the nearest house?

20 MR. CHASSE: (Indiscernible) -- sorry --
21 156 feet.

22 MR. LEVESQUE: Okay. I see your arrow --
23 I mean it's a small difference, but your -- the tip of
24 the arrow is not at the closest part of the house, that

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1 little indentation there. Is that correct?

2 MR. CHASSE: Yes, I see that.

3 MR. LEVESQUE: And then I had a couple of
4 other questions about possible measurement lines that
5 seemed kind of confusing and I wasn't sure where like
6 your measurement arrowheads were. On the lot that's
7 labeled -- the same one, 42384, there's a line that goes
8 through the house. What -- where is it supposed to end
9 and what's it supposed to show?

10 MR. CHASSE: That's actually a tick mark
11 for the leader that comes off when you pull the dimension
12 line. Is that what you're referring to, the line that
13 goes through maybe on a full size scale?

14 MR. LEVESQUE: It's just -- it's the --
15 it's --

16 MR. CHASSE: (Indiscernible) --

17 MR. LEVESQUE: So you can --

18 MR. CHASSE: -- (indiscernible, mic off) -
19 -

20 MR. LEVESQUE: Yeah, there's one on the
21 other one -- it's to put your number along --

22 MR. CHASSE: Right --

23 MR. LEVESQUE: -- but the end of that line
24 is meaningless --

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1 COURT REPORTER: I'm sorry, but I can't
2 hear --

3 MR. CHASSE: Oh -- yes, that line is part
4 of the text line and not part of the dimension line.

5 MR. LEVESQUE: And then you didn't put a
6 measurement from the closest part of the lease area to
7 the property line. About how far is that?

8 MR. CHASSE: It's -- it's right above it,
9 68 feet.

10 MR. LEVESQUE: But that seems -- oh, it
11 goes to the compound area --

12 MR. CHASSE: Yes.

13 MR. LEVESQUE: You didn't give one for the
14 lease area?

15 MR. CHASSE: No, there is not one on the
16 drawing.

17 MR. LEVESQUE: Could it be -- can the
18 compound area be expanded?

19 MR. CHASSE: Yes, it can.

20 MR. LEVESQUE: And on the other side --
21 what is that -- Site A, is the -- is the lease area the
22 same dimensions as the compound area?

23 MR. CHASSE: No. The lease area for Site
24 A is 75-by-75. The compound area is 63-by-75 for Site A.

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1 MR. LEVESQUE: But -- you only had one
2 line, that's why I wasn't sure. You only -- you didn't
3 have two separate lines like on Site B.

4 MR. CHASSE: It's -- it's right above it.
5 It -- which direction are you referring -- east, west,
6 north, south --

7 MR. LEVESQUE: I'm sorry --

8 MR. CHASSE: -- they're both there.

9 (pause)

10 MR. LEVESQUE: I folded it up -- where's
11 the map for Site A -- (pause) -- oh, I have it -- you
12 mean there's only one line --

13 A VOICE: (Indiscernible) --

14 MR. LEVESQUE: Oh, I don't mean that. The
15 -- the difference between the lease area and the compound
16 area -- you -- you're saying they're very minor. One was
17 75 and one dimension was 63?

18 MR. CHASSE: That's correct. The square
19 that you see on Sheet A1 is the 75-by-75 lease area. If
20 you turn to one of the other site plan sheets, you'll see
21 the --

22 MR. LEVESQUE: You'll see the compound
23 area?

24 MR. CHASSE: Yes.

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1 MR. LEVESQUE: It was just to -- to tight
2 to show on here. Okay. Thank you very much.

3 CHAIRMAN STEIN: Mr. Wilensky.
4 (pause - audio malfunction)

5 MR. EDWARD S. WILENSKY: Can I go home now
6 -- (laughter) -- can you hear me now? Okay?

7 According to the application, the
8 application shows a hundred and foot -- a hundred-foot
9 tower. Somewhere along the line this was increased to
10 110 feet, or whatever it is, with the idea of expanding
11 it. Why the -- why -- why the increase in height? And
12 would a hundred -- would a hundred-foot tower work? Mr.
13 Wells or whoever.

14 MR. GELINAS: The original tower height
15 was proposed at a hundred feet --

16 MR. WILENSKY: Yes --

17 MR. GELINAS: -- to accommodate AT&T.
18 Following that, we had discussions -- we had reached out
19 to the town about interest in co-locating on the
20 facility. The fire department came back, as I believe
21 Chief Oates may have referenced, indicating that they
22 needed to be above the 100-foot level for connectivity
23 with their -- with their network. Therefore, the
24 proposed height was extended to 10 feet to accommodate

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1 the fire department's installation.

2 MR. WILENSKY: Initially what height was
3 the Applicant going to go on the tower?

4 MR. GELINAS: The Applicant was going to
5 go at 100 feet, and they still are. Their height has not
6 changed.

7 MR. WILENSKY: So the fire department
8 would go with what, whip antennas, or a full array of
9 antennas, or --

10 MR. GELINAS: I believe Mr. Chasse
11 indicated earlier today that it would be one whip and one
12 dish. Approximately a two-foot dish and a four plus foot
13 whip.

14 MR. CHASSE: 4.4 foot.

15 MR. GELINAS: I missed the point. But a
16 four-foot whip and a two-foot dish.

17 MR. WILENSKY: So in other words, the East
18 Hartford Fire Department is driving the height of this
19 tower. Is that what you're saying? Are you saying that?
20 In other words --

21 MR. GELINAS: The 10 feet. The 10-foot
22 additional height, that's correct.

23 MR. WILENSKY: And then also to the
24 expansion is for what purpose? In other words, you're

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1 asking for I think 130 feet -- you're asking for a tower
2 that can be expanded to 130 feet. What's the reason for
3 the expansion?

4 MR. GELINAS: We're designing it for
5 expansion, for the future. In the event that additional
6 height is required in the future --

7 MR. WILENSKY: If -- if another applicant
8 was desirable of going on that tower, wouldn't they have
9 expressed an interest and shouldn't they be here?

10 MR. GELINAS: At this point they've not
11 expressed an interest, but it is -- it is very common for
12 a carrier to express interest after a facility is
13 physically constructed.

14 MR. WILENSKY: Yeah. And what is the
15 height of the trees in that area? Mr. Libertine?

16 MR. LIBERTINE: As you know, like
17 anywhere they do range, and it's a pretty broad range.
18 But the mature trees are anywhere from 60 feet to -- as I
19 said earlier, some eclipse a hundred feet. So it's a
20 pretty broad range, but the canopy is fairly tall in that
21 area. We -- we use the canopy of about 65 feet as an
22 average, but it's significantly higher than that quite
23 honestly.

24 MR. WILENSKY: Are you saying, Mr.

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1 Libertine, that some of the trees are a hundred feet in
2 that particular area?

3 MR. LIBERTINE: Yeah. Certainly with
4 respect to 465 Hills Street there's --

5 MR. WILENSKY: 465, but not 56?

6 MR. LIBERTINE: On 56 they're not quite in
7 that range, but they're certainly in the 80 to 85 range
8 certainly.

9 MR. WILENSKY: Back on the height of the
10 tower being driven by the town, it seems that the town
11 prefers 465. Why is -- why are we -- why do we have
12 another alternate in this? Why do we have 56 Hills
13 Street?

14 MR. GELINAS: 56 was included in the
15 application -- included in the overall process from the
16 very early stages on, dating back to when AT&T initially
17 began their search in this area. The fire department's
18 preference has been expressed since this application has
19 advanced --

20 MR. WILENSKY: Which -- which would the
21 Applicant prefer, 56 or 465, if they were given a
22 choice?

23 MR. WELLS: 465.

24 MR. WILENSKY: Now there was a meeting

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1 with the Mayor and the zoning board and so forth and
2 various boards within the Town of -- within the City of -
3 - or the Town of East Hartford. Was there a public
4 hearing as well?

5 MR. FISHER: Mr. Wilensky, there was a
6 meeting with the Planning and Zoning Commission where the
7 project was placed on their agenda. I was the sole
8 participant in the meeting, there was an exchange of
9 information with that commission, they asked various
10 questions and I provided responses. It was not a noticed
11 public hearing as far as abutting property owners typical
12 to this process, but it was a public meeting.

13 MR. WILENSKY: Okay, thank you. Mr.
14 Chairman, thank you very much.

15 CHAIRMAN STEIN: Mr. Lynch.

16 MR. LYNCH: Mr. Chairman, before I start
17 my questioning, today I would like to acknowledge the
18 service of our World War II veteran sitting to my left
19 here on the 69th Anniversary of D-Day.

20 (applause)

21 MR. WILENSKY: Actually, I was in the
22 South Pacific, but I was wounded on this day in 1944.

23 MR. LYNCH: Mr. --

24 MR. WILENSKY: Thank you, Mr. Lynch.

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1 MR. LYNCH: Mr. Wells, I'd like to start
2 with you and the fire department's equipment. They have
3 -- the chief expressed an interest for the 456 site, but
4 -- but in answering Mr. Perrone's questions, you didn't
5 really say whether you can use the other site at 56,
6 neither one of -- is that still in play or is that out?

7 MR. WELLS: From an RF perspective, we
8 could use 56. It just provides significantly less
9 coverage. And it does sound like the fire department
10 also has a concern --

11 MR. LYNCH: So the fire department would
12 go on 56 if that was --

13 MR. WELLS: Oh, no, I'm sorry, that --
14 that was my response for AT&T. For the fire department -
15 - and I don't want to overstep my bounds here, but I --
16 I'm not sure if the fire department cannot use 56. I was
17 unclear on that response, but they certainly expressed a
18 preference for 465 because -- is my understanding because
19 of the microwave link.

20 MR. LYNCH: That -- I got the same thing.
21 I thought it was questionable whether they could -- but
22 they definitely said that they would go on to the south
23 and the east, and that's 456, but it was unclear to me
24 whether they could actually -- if 456 is not selected,

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1 whether they could use 56 Hill Street. And you know, we
2 can get that at a later time I guess. Alright.

3 Mr. Libertine, you and I have discussed
4 the tower in Windsor many times. And I think because the
5 tower in Windsor off 91 really works because, for lack of
6 a better term, it doesn't have a peak, it's a flat top.
7 Is that something that if -- and I'm -- you know I'm not
8 a monopine person to begin with, but that one does work
9 because it's flat on top. Now is that something that in
10 your design or in talking to the design people that do
11 the trees, that could come into consideration? You take
12 seven feet off the top right away.

13 MR. LIBERTINE: We certainly could have
14 that discussion. I think -- from my perspective, one of
15 the reasons I think Windsor works at least for me is
16 because of the setting and it does have other trees of
17 similar size and character in that area. And certainly
18 at 465 we have that same -- you know, very similar
19 setting. But to your point, it certainly could be a flat
20 top style tree.

21 MR. LYNCH: The other thing that Windsor
22 has that I find is unique is it has, for lack of a better
23 term, fake bark --

24 MR. LIBERTINE: Correct --

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1 MR. LYNCH: -- all the way to the bottom.

2 MR. LIBERTINE: Right.

3 MR. LYNCH: Now is that something that you
4 would consider here if a monopine is the choice?

5 MR. LIBERTINE: I'm -- I'm not a big fan
6 of the bark except when there are very close views. Now
7 we have near-views here, but at the distances we're
8 talking and the fact that we're going to have essentially
9 an eight-foot fence that you're not going to be able to
10 see through, and then the branches are going to come down
11 very low, the bark is really intended for those type of
12 situations where you've got a long stretch of trunk
13 that's going to be exposed. And I don't believe we're
14 going to have that here, so --

15 MR. LYNCH: On site -- on 56 you would
16 have that --

17 MR. LIBERTINE: Yeah, that's a good point.
18 You've got a little bit more exposure on Site 56. We
19 could certainly discuss bark. I would not be an advocate
20 of going all the way up. I might go for the areas that
21 are exposed only. No. 1, it's expensive. And No. 2,
22 it's -- from a distance -- and when I say a distance,
23 when we get over a hundred feet away, depending on your
24 eyesight, I know for myself about a hundred feet away or

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1 so you really don't see the detail that it provides.

2 MR. LYNCH: But the reason I'm asking is
3 because I'm -- Site B, Hillside 56, there's very little
4 screening from the neighbors to the west going towards
5 Forbes Street --

6 MR. LIBERTINE: Yes --

7 MR. LYNCH: -- and that's why the bark
8 thing -- when I was walking around, it came into my
9 mind.

10 MR. LIBERTINE: I think that is a -- it's
11 a great point. And we're -- you know, obviously the
12 privacy fence is only going to do so much for the lower
13 aspects of it. So yeah, that's something we would
14 certainly have a discussion and want to consider.

15 MR. LYNCH: And one of my big concerns,
16 and Senator Murphy hit on this, is the extension of the
17 tower going up 30 feet. Now what has happened in the
18 past -- and this is where my concerns are -- is that
19 another carrier would come in and say I need that 130
20 feet, whether it's whomever, the citizens of the town --
21 they would bring that to us and we'd do it, you know, at
22 our general meeting. But the citizens of the town would
23 have no input into that going up 30 feet. So one day it
24 would be 117 feet and a year from now it's 130 feet, and

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1 they've had no say in it.

2 MR. LIBERTINE: Well the -- a couple of
3 points. Just for the record, I think it was a 20 feet
4 extension, 117 to 137 total --

5 MR. LYNCH: Yeah --

6 MR. LIBERTINE: There would be one
7 trigger, and that would be that the -- there would be a
8 notification to the town, not necessarily abutters, but
9 to the town because the State Historic Preservation
10 Office would then again have another chance to weigh in
11 on this particular extension because --

12 CHAIRMAN STEIN: The Council requires,
13 excuse me, also notification to abutters --

14 MR. LIBERTINE: Oh, okay --

15 CHAIRMAN STEIN: -- so it's not quite the
16 formality of this process, but there is at least some
17 notification.

18 MR. LIBERTINE: But that's something --

19 MR. LYNCH: Mr. Chairman, we usually don't
20 hold hearings on those, so that's what bothers me. That
21 --

22 CHAIRMAN STEIN: That's something we have
23 to I think talk about.

24 MR. FISHER: Chairman, if I could just as

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1 a procedural point? I have and do recall when the
2 Council -- when this current concern has come up in the
3 past, I do recall conditions being imposed in an actual
4 certificate where any added height would have to come
5 back at a minimum by way of petition, at a maximum by an
6 amended proceeding. So the Council has some flexibility
7 to try to address that procedurally to try to encourage
8 co-location at a lower height as opposed to an
9 extension.

10 MR. LYNCH: I would agree with you, Mr.
11 Fisher, but it's been the policy in the past that we
12 really haven't -- we tell -- at every hearing we say
13 we're going to come back. But the likelihood of us doing
14 that is not -- because of our schedule and, you know,
15 what comes in to the Council, we really don't get around
16 to that. So that's why I have a concern. I'm not saying
17 we don't do it or we wouldn't do it, but it is a concern
18 of mine for the citizens in that area.

19 And if there is an extension, how do you
20 deal with the fire department's equipment at 117? Would
21 that have to be -- go -- the arrays, would they have to
22 go above the highest carrier with their whip antennas and
23 their dish -- their microwaves?

24 MR. CHASSE: The proposed -- the equipment

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1 that they have is a four-foot -- 4.4 foot whip antenna
2 and a two-foot diameter microwave dish. So if they're
3 currently mounted at 110, they'll be up to like 114 --
4 say 115 for easy numbers. The next carrier at 120, if
5 they even had a six-foot panel antenna, the bottom of
6 that antenna would be at 117. So physically there would
7 be no interference.

8 MR. LYNCH: I would -- you raised another
9 point, but I -- but you've explained. My concern was not
10 that the -- you know, microwave needs site to site. And
11 whip antennas, you know, they -- they extend above the --
12 so the -- the whip antenna would not be -- not interfere
13 with anything going let's say at 130?

14 MR. CHASSE: No, that's what I'm saying.
15 The proposed whip antenna they have is only 4.4 feet
16 long. So if it's mounted at 110 feet, the top of the
17 whip antenna is only at 114.4. It's not like a 20-foot
18 master whip or some of the larger whip antennas. It's a
19 small one.

20 MR. LYNCH: And Mr. Wells, I get the
21 feeling in reading the first part of the application,
22 even though you're talking about coverage gaps, that
23 either one of these two sites is really a capacity
24 site?

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1 MR. WELLS: It's -- it's both. In these
2 days it gets harder and harder to separate cover from
3 capacity. But in this case, and if you look at the maps,
4 it is actually both, both a coverage and a capacity
5 site.

6 MR. LYNCH: We've talked about this in the
7 past. I just wanted to get that on the record that's
8 all.

9 MR. WELLS: Yeah, it is -- it is both.

10 MR. LYNCH: And the church site, Our Lady
11 of Peace, it said that they did not, you know, what to
12 negotiate. I can't understand why the Arch Diocese or
13 Father Knock would say no to a revenue source. Is there
14 any -- can you explain what the discussions were with Our
15 Lady of Peace?

16 MR. GELINAS: The site acquisition agent
17 that initially did the search for this area contacted the
18 church and reported back to us that they were not
19 interested. I do know that that parcel is wide open,
20 limited screening, but the -- the feedback that we had --
21 the response that we had was that they were not
22 interested in an agreement.

23 MR. LYNCH: But there is precedent for it.
24 If you go to Glastonbury, at St. Paul's they have a huge

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1 tower in their parking lot.

2 MR. GELINAS: That's correct.

3 MR. LYNCH: And my last question, which
4 we've all heard before, with regards to the fuel cell
5 situation, I -- I've read your interrogatory and they
6 said that there wouldn't be an adequate fuel source, but--
7 - and I'll have check with Mr. Ashton over here -- but
8 aren't there natural gas lines that run in that area of
9 town that you could tap into to have a backup fuel cell,
10 you know, in that area for this site -- for either one of
11 the two sites?

12 (pause)

13 MR. LYNCH: Well let me put it this way,
14 if natural gas was available as a fuel source, would that
15 increase the likelihood of a fuel cell being used rather
16 than a diesel generator?

17 MR. CHASSE: If natural gas was available
18 out nearby on -- say on Hill Street, then we would pipe
19 in -- or could pipe in natural gas and have it be a
20 natural gas fired generator. The fuel cells I'm familiar
21 with are hydrogen fuel cells and not natural gas fuel
22 cells.

23 MR. LYNCH: The -- the fuel source that --
24 let me -- I've got to let --

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1 MR. ASHTON: Can I help out --

2 MR. LYNCH: -- I'm going to go to Mr.

3 Ashton here --

4 MR. ASHTON: I can help out a little bit.
5 Natural gas is a source of energy for a fuel cell, which
6 then goes about stripping out the hydrogen from the
7 natural gas and using that in a reformed process. So
8 that's the way it works --

9 MR. LYNCH: Okay --

10 MR. ASHTON: -- in a nutshell. And I
11 don't know whether there's any out here or not, Danny.
12 Sorry.

13 MR. LYNCH: And lastly, back to Mr. Wells
14 again, the -- and it's just a general question -- the --
15 I noticed -- and we talked about this the other day, but
16 I want to get it on the record again -- with the
17 tornadoes that happened in Oklahoma and the bombing that
18 happened up in Massachusetts at the marathon, there was
19 an influx, for lack of a better term, of the usage of
20 wireless for people seeking to find out whether their
21 homes or their family had been -- and it kind of
22 collapsed the system. Now in an emergency situation
23 here, what's the likelihood of that happening at an
24 individual site or the system in general?

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1 MR. WELLS: It's -- it's hard to put a
2 concrete probability on to that. That's fairly open-
3 ended; you know, what's the nature of the disaster, how
4 widespread, how many people affected. But the same
5 phenomenon can certainly occur, and which is one of the
6 reasons I mention, you know, coverage and capacity these
7 days being hard to separate. If -- if you had one area -
8 - maybe it's even not this particular site that's
9 affected, but --

10 MR. LYNCH: I meant in general --

11 MR. WELLS: -- the surrounding sites are
12 stressed out and now they're full of capacity and the
13 coverage starts to shrink. And that would even open up
14 even more of a hole than we show in our propagation maps
15 here because they cover -- the propagation maps show --
16 are basically coverage maps. But once you start
17 overloading the system and it loads up with capacity, it
18 naturally starts reducing the coverage, which is one
19 aspect of it.

20 Certainly, I imagine -- and I'm not
21 familiar with the -- I was quite familiar with the Boston
22 situation because I ended up in that area at that time to
23 fix some of those problems. But the Oklahoma situation
24 in the Midwest, I'm not familiar with that, but I suspect

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1 that that was mostly -- mostly pure overload and not --
2 and maybe -- maybe a site A went down and now site B and
3 C had to pick up site A's capacity. And it's already
4 getting stressed because of the increased amount of
5 calls, and now it's got to pick up A and cover even more
6 of a region and affecting the capacity even more. So the
7 two -- it's almost a circular argument. You can say well
8 now I've got to put more and more capacity in and I've to
9 reach more coverage, so now my capacity reduces. But as
10 my capacity comes up, now my coverage is coming -- it
11 becomes this circular type of argument --

12 MR. LYNCH: So am I hearing you right --

13 MR. WELLS: -- and so you can see it's
14 very -- sorry -- it's very interrelated between the two.

15 MR. LYNCH: So am I hearing you right like
16 in an overload situation, you could have like the domino
17 effect between towers?

18 MR. WELLS: Not as much a domino -- I
19 don't know if I would -- because a domino effect to me
20 indicates more of a serial fashion. It's more of a whole
21 system effect.

22 MR. LYNCH: Thank you. Those are my
23 questions --

24 MR. WELLS: You know, which is why it's

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1 important to fill in these areas, because if you're
2 already stressed in an area and you have that type of
3 situation, then it's only going to aggravate it.

4 CHAIRMAN STEIN: Okay, thank you. Mr.
5 Hannon.

6 COURT REPORTER: One moment please.
7 (pause - tape change)

8 MR. ROBERT HANNON: Thank you, Mr.
9 Chairman --

10 AUDIO TECHNICIAN: Microphone --

11 MR. HANNON: -- I just wanted to follow up
12 with what Mr. Ashton was saying about the emergency
13 generator. I mean one of the things we've been talking
14 about is not having a proliferation of generators at
15 some of these sites. So anything that can be done to
16 sort of consolidate that, I think is a good way to go and
17 look at.

18 But some of the other questions I have are
19 really dealing with the site plan and the grading plans.
20 Looking at the -- at Site A, I have a question on there
21 where I see that you've got a detail for the geo-tech
22 style silt fence. But to the west of the compound, it
23 looks as though you're putting in a bit of a drainage
24 swale and then it ends up in this L-shaped configuration

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1 --

2 MR. CHASSE: (Indiscernible) -- retention

3 --

4 MR. HANNON: Okay. Well there's no detail
5 or anything along those lines on it. So is it a bio-
6 swale? What's the intent?

7 MR. CHASSE: It's a retention pond to the
8 slow the velocity down, a stormwater control. Usually
9 when we get into the next phase, the D&M level, we
10 usually get into much more details with that, but that is
11 what the intent is. There's a similar one on the B site
12 as well.

13 MR. HANNON: And that was a question I was
14 going to have on that one. So -- I mean do you have any
15 idea whether it would be grass, rock --

16 MR. CHASSE: These -- the one that's
17 shown on the -- on the -- actually both of them would be
18 grass.

19 MR. HANNON: Okay. And just out of
20 curiosity, have you considered using a silt sock around
21 this instead of a filter fence because that way you can
22 just go in and put it in, it's staked down, and you don't
23 even have to go back and take it out, it's good mulch and
24 it biodegrades?

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1 MR. CHASSE: Duly noted.

2 MR. HANNON: Seeing as how you sort of
3 answered my question on the site plan for B, I won't go
4 into that one. But I do have question that has to do
5 with Site A. Tab D, the third page, I need an
6 explanation on this comment because I've been trying to
7 figure it out. It's just after the -- it's under the
8 wetlands classification summary. It's the second
9 sentence there under Wetland 1 description. I'm having a
10 hard time with getting a grip with this. The stream
11 originates from a 72-inch corrugated metal pipe?

12 MR. GUSTAFSON: That -- that's correct.
13 That's the outfall and origination of the regulatory
14 boundary for that resource.

15 MR. HANNON: Okay, but there's not like a
16 stream coming in up gradient of that or --

17 COURT REPORTER: Mr. --

18 MR. HANNON: -- I mean I -- I just will
19 admit I've never really heard it phrased this way when
20 you have a stream starting at a conduit.

21 MR. GUSTAFSON: Based on -- and we didn't
22 investigate the -- what my understanding is, is that pipe
23 extends out -- as you walked through the site, you saw --
24 up to the tower site you saw the wetland, the pond --

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1 MR. HANNON: Mmm-hmm --

2 MR. GUSTAFSON: -- off to your right. And
3 that's where the head -- the concrete headwall, that's
4 where the 72-inch pipe outfalls. Off to your left are
5 homes. And then beyond that there's another street. And
6 then as you continue on that line of sight, there's homes
7 on the other side. That pipe extends all the way through
8 there. And then at some point, we didn't field verify,
9 but based on some of the aerial mapping there's another
10 wetland system out there that provides flow for this
11 pipe.

12 So there's -- essentially that section of
13 -- which was probably an original wetland area and
14 associated with a perennial stream is now underground and
15 confined within that pipe. So on our property there's a
16 description of the wetland, which is really all that
17 we're defining on our site, is -- that's how the resource
18 essentially originates; it's from that outfall from that
19 pipe.

20 MR. HANNON: Okay. And you're talking
21 about doing that just strictly from the boundary line of
22 your particular site?

23 MR. GUSTAFSON: Correct.

24 MR. HANNON: Okay. I don't have anything

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1 further.

2 CHAIRMAN STEIN: Thank you. I just want
3 to make sure it's clear that what you're requesting is a
4 height of 110 feet plus the 7 feet? Is that what you're
5 -- you're not requesting 130 plus 7?

6 MR. FISHER: Yes, Chairman. On behalf of
7 the Applicants, that's correct.

8 CHAIRMAN STEIN: Okay, thank you. And on
9 that -- and obviously -- well I would say only if and
10 when we ever get to approving one of these sites, as --
11 as you heard there will be more discussion I guess in the
12 D&M stages as to exactly what it will look like. And our
13 Council expert on monopines happens to be out today, but
14 she'll be back for that.

15 I -- I also want to make sure that that
16 full size map, the abutters map, if -- when we get to the
17 public hearing -- I don't know if you have an easel --
18 and this room doesn't make it very easy, but at some
19 point I think it would be very helpful for the public if
20 that abutters map was where people could look at it and
21 if necessary refer to it.

22 MR. FISHER: Yes, Chairman. We do have a
23 full size set. And we do -- which is something new,
24 which I had spoken with Attorney Bachman previously, we

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1 do intend to do a power point presentation for the public
2 in order to orient them to the proposal.

3 MR. LYNCH: Mr. Chairman --

4 CHAIRMAN STEIN: Yes, Mr. Lynch --

5 MR. LYNCH: -- could I just ask one last
6 question? Would AT&T be opposed to having the tower
7 capped and not extended 20 feet?

8 MR. GELINAS: From a tower developer
9 standpoint our preference would be to not have the height
10 of the tower capped. And I think what we've shown in the
11 past is that we're willing to design these facilities for
12 the expansion. As Attorney Fisher had mentioned, whether
13 they come back for that extension -- or a carrier comes
14 back for that extension, our concern would be that by
15 driving someone to a lower height, we may in fact require
16 an additional tower site. And also from a business
17 perspective, we'd like the ability for that facility to
18 be expanded so that if needed and justified, we can
19 accommodate that carrier.

20 MR. LYNCH: Then let me state it this way,
21 if it was a condition of approval that it had to be 117
22 and not expandable, would that be agreeable?

23 MR. GELINAS: Checkmate.

24 (laughter)

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1 MR. FISHER: Just -- I think the record
2 reflects his answer accurately. I would only note for
3 the Council that if that condition was imposed, as
4 Message Center Management indicated, certainly that would
5 be within the right of the Council to impose.
6 Procedurally, there's always an opportunity to address
7 even a condition like that at some later date.

8 MR. LYNCH: I'm just exploring here, Mr.
9 Fisher. Thank you.

10 MR. FISHER: Completely understood.

11 MR. WELLS: If I might add too, it may be
12 advisable -- I don't -- I'm not sure about the legal
13 aspects of that -- but if you do limit it to say 117
14 feet, that the D&M or whatever portion of that process,
15 that the base pole still be allowed to be built up to 127
16 feet would be my recommendation because as I answered Mr.
17 Murphy's question, the probability of somebody requesting
18 that increased height is I think fairly high, so you may
19 want to be prepared for that even if you limit it at the
20 outset.

21 CHAIRMAN STEIN: It's just one of the many
22 challenges that we'll have to face in making a
23 determination.

24 I think at this point we'll adjourn this

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1 portion of the meeting. We'll resume our deliberations
2 at the public -- the public comment session will be at
3 7:00 p.m. here, and see you all then.

4

5 (Whereupon, the hearing adjourned at 4:41
6 p.m.)

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