

CONNECTICUT  
SITING COUNCIL

\* \* \* \* \*  
\*  
NEW CINGULAR WIRELESS, PCS, LLC, \*  
FOR A CERTIFICATE OF ENVIORNMENTAL \* JUNE 25, 2013  
COMPATIBILITY AND PUBLIC NEED FOR \* (3:00 P.M.)  
CONSTRUCTION, MAINTENANCE AND \*  
OPERATION OF A TELECOMMUNICATION \*  
FACILITY LOCATED AT 111 SECOND HILL \* DOCKET NO. 438  
ROAD, BRIDGEWATER, CONNECTICUT \*  
\* \* \* \* \*

BEFORE: JERRY MURPHY, CHAIRMAN

BOARD MEMBERS: Robert Hannon, DEEP Designee  
Larry Levesque, PURA Designee  
Edward S. Wilensky  
Philip T. Ashton  
Dr. Barbara Bell

STAFF MEMBERS: Melanie Bachman, Executive Director  
Robert Mercier, Siting Analyst

APPEARANCES:

FOR THE PARTY, NEW CINGULAR WIRELESS, PCS, LLC:  
CUDDY & FEDER, LLP  
Summer Street  
Stamford, Connecticut  
Tel 203.969.9060  
BY: DANIEL LAUB, ESQ.

1                   CHAIRMAN MURPHY: Ladies and gentlemen,  
2 this hearing is called to order this Tuesday, June the  
3 25th, 2013 at 3:00 p.m.

4                   My name is James J. Murphy, Jr., I'm Vice  
5 Chairman of the Siting Council.

6                   And for those who didn't get the word  
7 before we started, jackets and ties are optional today  
8 because of the weather, and what have you.

9                   Other members of the Council who are also  
10 here today are Robert Hannon, Designee for Commissioner  
11 Daniel Esty of the Department of Energy and  
12 Environmental Protection. Larry Levesque, Designee for  
13 Chairman Arthur House, Public Utility Regulatory  
14 Authority, Philip T. Ashton, Edward S. Wilensky, Dr.  
15 Barbara C. Bell.

16                   Members of the staff are Melanie Bachman,  
17 Acting Executive Director and Staff Attorney, Robert  
18 Mercier, our Siting Analyst, our court reporter is Nancy  
19 Paretto, and our audio technician is Aaron DeMarest.

20                   This hearing is held pursuant to Title 16  
21 of the Connecticut General Statutes and the Uniform  
22 Administrative Procedures Act upon an application from  
23 New Cingular Wireless, PCS, LLC, for a certificate of  
24 enviromental compatibilty and public need for the

1 construction, maintenance and operation of a  
2 telecommunication facility located at 111 Second Hill  
3 Road, Bridgewater, Connecticut. This application was  
4 received by the Council March the 5th, 2013.

5 A reminder to all, off-the-record  
6 communication with a member of the Council or a member  
7 of the staff on the merits of this application is  
8 prohibited by law.

9 The parties and intervenors to this  
10 proceeding are as follows:

11 Applicant: New Cingular Wireless, PCS,  
12 LLC.

13 Daniel M. Laub, Esq. of Cuddy and Feder,  
14 LLP.

15 We will proceed in accordance with the  
16 prepared agenda, copies of which are available here and  
17 also at the table. Also available are copies of the  
18 Council's citizen's guide to Siting Council procedure.  
19 At the end of this afternoon's session we will recess  
20 and resume again at 7:00 p.m.

21 The 7:00 p.m. hearing will be reserved  
22 for the public to make brief oral arguments into the  
23 record. I wish to note that parties and intervenors,  
24 including their representatives and witnesses, are not

1 allowed to participate in the public comment session. I  
2 also wish to note for those who are here, and for the  
3 benefit of your friends and neighbors who are unable to  
4 join us for the public comment session that you or they  
5 may send written comments to the Council within 30 days  
6 of the day hereof, and such written statements will be  
7 given the same weight as if spoken at the hearing. If  
8 necessary, party and intervenor presentations may  
9 continue after the public comment session this evening  
10 if time remains. A verbatim transcript will be made of  
11 this hearing and deposited with the Town Clerk's Office  
12 in Bridgewater for the convenience of the public.

13 Is there any public official who wants to  
14 make a comment?

15 Hearing none -- and I don't think we have  
16 any motions.

17 Administrative Notice by the Council.

18 I wish to call to your attention those  
19 items shown on the hearing program marked as Roman  
20 Numeral I, large D, items 1 through 54, including 54.  
21 Does the applicant have any objection to the Council  
22 taking administrative notice of these items?

23 ATTORNEY LAUB: No objection.

24 CHAIRMAN MURPHY: Hearing no objection,

1 they're administratively noticed.

2 We will now move to the applicant's  
3 presentation.

4 I see you have a panel gathered with us,  
5 Attorney Laub. Will you introduce them please.

6 ATTORNEY LAUB: Good afternoon, Mr. Vice  
7 Chairman, Members of the Council.

8 For the record, Daniel Laub with the firm  
9 of Cuddy & Feder here on behalf of New Cingular  
10 Wireless, PCS, LLC, otherwise known at AT&T.

11 I'm joined this afternoon .... to my far  
12 left, Mr. Dean Gustafson and Mr. Mike Libertine, both  
13 from All-Points Technology, who are our environmental  
14 consultants on this project.

15 To my immediate left, Mr. Tony Wells, who  
16 is our radio frequency engineering consultant on this  
17 project. To my immediate right, Mr. Peter LaMontange  
18 from Centerline Communications, who is a Site Aquisition  
19 Turping Vendor for AT&T. And to my extreme right is Mr.  
20 Paul Lusitani who is our project engineer.

21 I would ask that Attorney Bachman swear  
22 them in.

23 (Whereupon the witnesses were sworn in.)

24

1 DEAN GUSTAFSON, MIKE LIBERTINE, TONY WELLS,  
2 PETER LAMONTANGE & PAUL LUSITANI,  
3 called as witnesses by New Cingular Wireless, PCS, LLC,  
4 having been duly sworn, were examined and testified on  
5 their oath as follows:

6 CHAIRMAN MURPHY: Do you have some  
7 exhibits?

8 ATTORNEY LAUB: Yes. As listed -- we  
9 have documents listed in the hearing program dated June  
10 25th, 2013, under appearance by the applicant, Roman  
11 Numeral II. Roman Numeral II, Subsection B-1, the  
12 application for certificate of environmental  
13 compatibility submitted by AT&T. As well as the  
14 accompanying Bulk File Exhibits, which included the plan  
15 of conservation and development, zoning map, zoning  
16 regulations, inland wetland watercourse regulations and  
17 the technical report that was submitted to the Town of  
18 Bridgewater.

19 There are also the response to Siting  
20 Council interrogatories dated May 23, 2013. There's an  
21 affidavit of sign posting dated June 11, 2013, and -- as  
22 well as we've also submitted the resumes of the  
23 witnesses that are before you today in support of this  
24 project.

1           At this time I would ask that they be  
2 identified; for verification.

3           CHAIRMAN MURPHY: Is there any objection?  
4 I guess you're the only one that can  
5 object.

6           Hearing none, they're admitted for  
7 identification.

8           ATTORNEY LAUB: I would ask my witnesses  
9 in turn .... did you prepare, assist in preparing or  
10 supervise the materials that I've identified for  
11 verification?

12           MR. GUSTAFSON: Dean Gustafson. Yes.

13           MR. LIBERTINE: Mike Libertine. Yes.

14           MR. WELLS: Tony Wells. Yes.

15           MR. LAMONTANGE: Peter Lamontange. Yes.

16           MR. LUSITANI: Paul Lusitani. Yes.

17           ATTORNEY LAUB: At this time I do have --  
18 require to ask my witnesses further. I do have two  
19 corrections I know of from the materials which we have.

20           One is in the application itself. Page  
21 17. The date cited for the Conservation and Development  
22 Plan ... it was the older plan that was originally in  
23 the document, but we had reviewed the newer one. We  
24 cited the February 2001 Conservation and Development

1 Plan. The updated one, which is in the bulk filing,  
2 which is what was actually reviewed is dated July 1,  
3 2012.

4 And also under tab 3 is a Site Evaluation  
5 Report, Roman Numeral III E, which refers to the site  
6 access -- vehicular access to the site. And as you saw  
7 today, it does not use the existing asphalt driveway,  
8 which was incorrectly left in the application. It's new  
9 and leads on from Second Hill Road.

10 With those two corrections and  
11 modifications, does anybody else have any corrections or  
12 modifications or additions to the materials that we've  
13 noted for the record?

14 MR. GUSTAFSON: Dean Gustafson. No

15 MR. LIBERTINE: Mike Libertine. No.

16 MR. WELLS: Tony Wells. I have one  
17 correction to the interrogatories. The answer to  
18 Question #5, we referenced SR 1876. That should read SR  
19 1252.

20 ATTORNEY LAUB: One more time.

21 MR. WELLS: For the interrogatories the  
22 answer to Question #5 we referenced SR 1876. That  
23 should be replaced with SR 1252.

24 MR. LAMONTANGE: Peter Lamontange. No.



1 MR. LUSITANI: Paul Lusitani. No.

2 ATTORNEY LAUB: So, with those  
3 corrections, modifications, additions, are these  
4 materials true and accurate to the best of your belief?

5 MR. GUSTAFSON: Dean Gustafson. Yes.

6 MR. LIBERTINE: Mike Libertine. Yes.

7 MR. WELLS: Tony Wells. Yes.

8 MR. LAMONTANGE: Peter Lamontange. Yes.

9 MR. LUSITANI: Paul Lusitani. Yes.

10 ATTORNEY LAUB: And do you adopt these as  
11 your testimony today?

12 MR. GUSTAFSON: Dean Gustafson. Yes.

13 MR. LIBERTINE: Mike Libertine. Yes.

14 MR. WELLS: Tony Wells. Yes.

15 MR. LAMONTANGE: Peter Lamontange. Yes.

16 MR. LUSITANI: Paul Lusitani. Yes.

17 ATTORNEY LAUB: With that, Mr. Vice  
18 Chair, I would ask that these materials be entered in as  
19 full exhibits for this docket.

20 CHAIRMAN MURPHY: Hearing no objection,  
21 they will be admitted as full exhibits.

22 We will now proceed with the  
23 cross-examination.

24 Mr. Mercier.

1 MR. MERCIER: Thank you.

2 CROSS-EXAMINATION

3 BY MR. MERCIER:

4 Q. Staying with that Site Evaluation report  
5 correction where it does not follow an asphalt  
6 driveway, is the distance still 350 feet?

7 A. (Mr. Gustafson) Yes, the distance of 350 is  
8 correct.

9 Q. Now I'm moving to some of the observations at  
10 the field review today.

11 Your Second Hill where the driveway begins  
12 there's a clump of evergreens marked on your diagram  
13 CO-2 as 10 inch evergreens on the south side of the  
14 driveway. Can you tell me what types of evergreens  
15 those are?

16 A. Those evergreens are white spruce.

17 Q. Okay. And what is the general health of  
18 those?

19 A. They're in overall poor health. There's a lot  
20 of branch mortality and there's evidence of heart rot.

21 Q. Okay. And immediately south of that tree  
22 there's a large -- I believe it was a Catalpa. Is that  
23 correct?

24 A. That's correct. It's a Catalpa.

1 Q. What's the health of that tree?

2 A. It is in similar health to other Catalpas  
3 located on that property. There's another one that's  
4 just a little bit further up in the interior of the  
5 property that has heart rot and one of the large  
6 branches, it snapped off during one of the storms. And  
7 it looks like most of the Catalpa on that property have  
8 similar health problems.

9 Q. Okay. Now, as we walked the access drive, as  
10 shown here on the diagram, it's kind of a -- I believe  
11 Second Hill Road goes by the existing garage and enters  
12 kind of a wooded strip to the compound. But I was  
13 wondering if AT&T or the landlord would be willing to  
14 move the road further south through the dead spruces  
15 that we just talked about. Maybe up near the -- on top  
16 of the display map, as you mentioned. And then proceed  
17 and jog a little to the north to the compound. Is that  
18 something that could be possible?

19 Basically I'm trying to get it away from the  
20 tree band, the heavy tree band, east of the garage. And  
21 it seems like there's a lot of lawn there and some sick  
22 trees along that edge. Is that something that could be  
23 examined in more detail?

24 A. Yes. We did examine that and we did discuss

1 that with the land owner. His initial impression was he  
2 did not want to encroach the driveway on his lawn. He  
3 wanted to salvage as much lawn as he could. So, that  
4 was kind of landlord driven as far as where that access  
5 road begins before we cut over to the more heavily  
6 wooded area.

7 Q. Is it possible even to hug the edge of the  
8 wood strip rather than moving it onto the lawn, but just  
9 along that more intact edge area, I'll call it.

10 A. It's something that we could certainly discuss  
11 with the land owner. But, again, his initial impression  
12 was to keep it where it was so we can avoid his lawn.  
13 But it is something that we can go back to him and  
14 discuss

15 The character of that forested area where --  
16 just to the west of the proposed compound before you get  
17 to the garage, the larger and mature Maples in that  
18 forest are classified as Norway Maples, which are an  
19 elicited invasive tree species. So, from an ecological  
20 standpoint I would not have any concern on moving those  
21 trees.

22 The smaller ones are similar, multi stemmed,  
23 Red Maples. There's also some Black Birch. Those are  
24 kind of indicative of the early-success of the forest

1 it's trying to establish. Because originally that area  
2 was just cleared farm land. So, some of those trees,  
3 especially the Black Birch, are not going to be long  
4 lived.

5 And also as part of the American Kestrel  
6 Survey that is ongoing on that property, that area would  
7 not provide a suitable nesting habitat for the American  
8 Kestrel. And we did not observe any significant cavity  
9 nesting in any of those tree species.

10 Q. What area are you referring to with the  
11 Kestrel? You said it is not a suitable habitat?

12 A. Yeah. The most suitable habitat in proximity  
13 to the edge of the property is along the lines of the  
14 property along -- (indiscernible).

15 Q. Okay. So what you're -- are you stating that  
16 the compound and tower locations is in a little small  
17 pocket of interior forest and is not favored by the  
18 Kestrel?

19 A. That's correct.

20 Q. Okay. Now, is there a large field on the  
21 adjacent property to the north?

22 A. There is.

23 Q. Okay. And there is open grass south of the  
24 compound and tower?

1           A.    Yes.

2           Q.    Okay.  So, as a pocket of woodland there does  
3           that -- what type of wild life or bird value does that  
4           have.  Is that considered like an edge forest where a  
5           lot of --

6           A.    It is, and we will have very little impact to  
7           that habitat.  It would just essentially create  
8           additional edge habitats that's already being provided  
9           along the margins on the property boundaries.

10                  And one thing I guess we could potentially  
11           consider as far as some of the plantings are restoration  
12           of any of the graded areas, we can make sure that we're  
13           using a native seed mix for the grass area.

14                  And if it -- if it -- one thing that we may  
15           consider is also including some native shrubs to plant  
16           along the margins of the compound to kind of enhance  
17           that habitat, that edge habitat for bird species.

18           Q.    Okay.  I guess in regards to the property  
19           right across from the driveway -- I believe that's  
20           number 120 Second Hill Road.  What type of visibility  
21           would that property have on the -- as the house faces  
22           the street?

23           A.    (Mr. Libertine)  There are certainly going to  
24           be views from that property.  It's slightly depressed

1 from the road. But I think the lower portions are going  
2 to be fairly well screened with the remaining  
3 vegetation, but there will be some views as it pops out  
4 above the tree line, certainly year round.

5 Q. Is there any concern given that some of the  
6 trees that we just talked about are sick and dying.  
7 That you're going to lose a lot of screening ability?

8 A. Well, ultimately as part of the natural, you  
9 know, I guess evolution of any type of forest habitat or  
10 even landscaping that's bound to happen.

11 Right now, certainly the spruces and even too  
12 -- I guess a little bit less a degree this time of year  
13 -- the deciduous trees. There's a lot of bleed through  
14 right now just because of the overall general poor  
15 health of them, but certainly over time if those do come  
16 down it's certainly going to help open a bit of those  
17 views.

18 I think what will also happen though, provided  
19 that the property is not, you know, altered in any other  
20 way. Are those other trees that Mr. Gustafson had  
21 suggested -- this is kind of reverting into a forest,  
22 coming off of agriculture cleaning over time for those  
23 pioneer species will be replaced and it will continue to  
24 have some screening in front of it.

1           But certainly, some of the larger trees that  
2 are dying now, that's going to open up some -- some  
3 views. But again, it's also going to open up sunlight  
4 so other species then can compete and replace them over  
5 time.

6           Q. I guess I'm also talking about the trees that  
7 are in the grass area that the sick spruces -- is there  
8 -- right now, are those screening the compound area and  
9 tower?

10          A. To a certain degree. The lower branches are  
11 pretty much nonexistent, so I'm not sure they're doing a  
12 lot of screening for the lower portions. There's not a  
13 -- there's not a thick canopy on any of those as well.  
14 So, it certainly softens the effect of looking at it.  
15 But I think, again, it's probably not doing a great deal  
16 to -- to block views at this point.

17          Q. Given the amount of clearing to the west of  
18 the compound for the parking area, do you think there  
19 will be direct views of the compound from that property?  
20 Do you see the area I'm talking about?

21          A. I do. Again, there are some trees that are  
22 going to remain there, so it's going to soften that  
23 effect. With anything, some -- you know, any clearing  
24 is going to start to open up some of those views, but I



1 don't think it's going to be top to a very large degree.  
2 There is some curvature to the road, which will help  
3 somewhat. And the compound, I would agree with Mr.  
4 Gustafson, if there could be some screening with natural  
5 shrubs at least you'd get, again, that softening affect  
6 of the chainlink fence and the compound area.

7 Q. Would there be any opportunity to plant some  
8 kind of different types of spruces somewhere on this  
9 property, either along the road where some of the ones  
10 are dying, or along where the parking area is. Is that  
11 something that could be examined?

12 A. (Mr. LaMontagne) Yeah. That's something we  
13 can obviously bring to the landlord and get his  
14 approval. I think that would be something we -- we  
15 absolutely would consider.

16 Q. If we go to sheet number 1. The previous  
17 sheet. On the bottom the map references note 2. It  
18 talks about some property that is to be acquired by the  
19 State of Connecticut for some type of a reservation  
20 program. Do you have any details as to what this is  
21 referring to?

22 Again, that's the map, at the bottom of the  
23 sheet, note 2.

24 A. (Mr. Lustitani) I don't have any idea what

1 that's referring to at this time. I will have to  
2 consult with the surveyors and get more information.

3 Q. Do you know -- okay. You don't have any idea  
4 whether it's a farm or something else?

5 A. I'm not sure. I mean, the map references are  
6 just maps they found at the town in order to compile our  
7 site plan. So , I really have no details on what that's  
8 for, other than to develop our base map itself

9 Q. Did AT&T look at the property at 79 Second  
10 Hill Road. That's the property to the south where all  
11 the fields are, according to your information, for a  
12 tower?

13 A. (Mr. LaMontagne) Yeah, we did actually. That  
14 property is owned by the Hardgroves. It's a large  
15 parcel. He owns property to the south of the subject  
16 site, as well as to the west. If you look at the  
17 drawings it depicts property he does own.

18 Associates did reach out to him and it was  
19 something that he was unwilling to move forward with. I  
20 don't have the exact details on why, but I just know he  
21 was appraoched.

22 Q. Is this the farm with the silo?

23 A. That's correct.

24 Q. Immediately south. Okay.

1           So, I assume -- did you try to look at the  
2 silo too or just a tower location on the property?

3           A.    We did look at the silo as well

4           Q.    Okay.    So, he jsut wasn't interested?

5           A.    That's to my understanding, correct.

6           Q.    Okay.    Now, in Photo Simulations Number 1 and  
7 2 there's a tower marked and it says DEEP Tower.    So,  
8 I'm not sure what tower that actually is.

9           A.    (Mr. Libertine)    We've been having some  
10 internal discussions about that as well.    And we know  
11 it is a State of Connecticut owned facility.    Having  
12 been involved in this for a few years now I was trying  
13 to recollect how we determined that it was a Connecticut  
14 DEP facility, and I'm absolutely convinced that I'm not  
15 sure.

16                    I don't know if it's a DOT or a DEEP owned  
17 tower, but the -- I don't have any -- I can't cite a  
18 source, but my recollection is that we questioned it at  
19 the time and we tried to do some research and we  
20 determined that it was DEEP owned, but ....  
21 unfortunately I have no record of that.

22           Q.    Okay.    So, is this tower in the Photo  
23 Simulation the tower that is on Second Hill Road just  
24 south of your proposal -- well, according to your site

1 search summary there's a DOT tower on Second Hill Road.  
2 So, I'm trying to figure out if you took a picture of  
3 this. If this is the same tower you refer to in the  
4 application?

5 A. It is one and the same. But that's the  
6 confusion we're having as a team, as to whether or not  
7 -- which State entity is actually maintaining that  
8 tower.

9 Q. Thank you.

10 Going back to visibility, Mr. Libertine.

11 I know we talked about 120 Second Hill Road.  
12 There's another property just south of 120, a number  
13 100, put into your butters map. Can you characterize  
14 the views from that location?

15 A. I think primarily the views are going to be  
16 seasonal in nature to that property, but from talking  
17 about the ground itself, I can't really discuss or  
18 conject -- it would be only conjecture about anything  
19 from within the home. But because of its proximity  
20 certainly there is potential for views, but I think it's  
21 primarily going to be when the leaves are off the trees.

22 Q. Do you think you'll be able to see the  
23 compound from that area?

24 A. I believe after its constructed and

1 landscaped, I don't believe they're going to see the  
2 compound.

3 Q. Now, according to your visibility map, Second  
4 Hill Road is designated Town Scenic Road.

5 A. That's correct.

6 Q. So, if you could just characterize the views.  
7 Say, if you're going from north -- excuse me -- south to  
8 north.

9 A. Certainly. We did fly balloons multiple times  
10 at this site. Not only for purposes of visibility, but  
11 also for the State Historic Preservation Office. So,  
12 we've been able to go up and down that road several  
13 times under good conditions.

14 Essentially as you come off Route 67 and enter  
15 the road the facility is not going to be visible as you  
16 make the rise at all.

17 If I could refer you to the visibility map at  
18 the end of Tab 5, which is the 11/17 fold-out map,  
19 you'll notice that just along the east side of the road  
20 there is full visibility being shown. Those are fairly  
21 open fields. It does not significantly extend onto the  
22 road itself as you're driving, however, you do start to  
23 pick it up as you crest the hill, and it's more of what  
24 I would -- I guess I would consider to be a treetop

1 view. Primarily when the leaves are off the trees. You  
2 really don't get a full view of the tower until you  
3 reach a point that's actually just -- I guess I'll call  
4 it south of the site, really at where the site -- excuse  
5 me, the hill does kind of branch out. Essentially  
6 almost across the street from the state tower that we  
7 just discussed. And it's kind of intermittent in terms  
8 of the view when the leaves are on the trees, just  
9 because you've got such a good tree cover there.

10 So, certainly during the part of the year when  
11 the leaves are off the trees you're going to look  
12 through the trees and you will be able to see the tower.

13 It's a fairly short stretch. I want to say  
14 that it's approximately -- well, it's intermittent, but  
15 it's about a half a mile along the road to a point where  
16 the road then starts -- as you're heading north past the  
17 site you start to dip down in elevation, and obviously  
18 you'd have to be coming from the north south -- north  
19 looking south to have that in your line of site. But  
20 it's about a half mile stretch where it's a mix of  
21 seasonal and year round visibility along the road. And  
22 that's just a function of the vegetation that lies along  
23 the road and the interior of those properties.

24 Q. Okay. So, you just described going south to

1 north, and then you did a little bit of north to south.

2 A. Correct.

3 Q. Are there any other areas of views going from  
4 north to south?

5 A. No, it's within the same general half mile  
6 stretch of road where in either direction you've got  
7 those views.

8 The views from the north coming to the south  
9 tend to be a little bit more open, only in the sense  
10 that's a -- that fairly large field that's north of the  
11 host property. So, you tend to be looking over that  
12 field. There is some vegetation along the -- Second  
13 Hill Road, on the east side of the road, such that  
14 during this time of the year those views are heavily  
15 obscured. During the winter time we did note that  
16 because the leaves were off the trees that you had a  
17 little bit clearer view as you came from north to south,  
18 and again, starting at about not quite a half mile out  
19 from the site.

20 Q. Okay. You just mentioned the State Historic  
21 Preservation Office requested a balloon fly, which is  
22 actually a letter in Tab 6. It talks about the  
23 additional balloon fly. What was that in regards to?  
24 Why did they want another -- a balloon fly there?

1           A.     (Mr. LaMontagne) The farm property to the  
2 south and east of our host property was determined to be  
3 eligible for listing on the national register. So,  
4 during the initial consultation with the State Historic  
5 Preservation Office there was some discussion as to the  
6 visibility on that farm. And, you know, it was clear  
7 that over the open fields on that property there are  
8 going to be some views, and so we offered to do a  
9 balloon float so that representatives from that office  
10 could come out and see it for themselves and just get an  
11 idea of what the character of the views might be.

12           Q.     Did they provide a follow-up letter? I didn't  
13 see one in this submittal?

14           A.     Actually, that particular letter that is  
15 behind number 6, Tab Number 6, which is dated November  
16 26th. That's actually stamped with a no adverse effect  
17 dated 1/4/13.

18           Q.     Thank you. I didn't see that.

19           A.     No, and that -- unfortunately they're stamping  
20 letters now as opposed to providing letters, separate  
21 letters. So, that was their final determination.

22           Q.     Back to sheet two. I had a question about  
23 drainage. It showed a catch basin at the entrance of  
24 the driveway. Where's that discharging to? Is that an



1 open ditch or some underground drainage pipe?

2 A. (Mr. LaMontagne) There's an existing  
3 underground drainage system that we will be tying into.

4 MR. MERCIER: I have no other questions  
5 at this time.

6 CHAIRMAN MURPHY: Thank you, Mr. Mercier.  
7 We will now move to Council  
8 cross-examinaion.

9 Dr. Bell, do you have anything?

10 DR. BELL: Thank you, Mr. Chair.

11 CROSS-EXAMINATION

12 BY DR. BELL:

13 Q. After Tab 1, Attachment 2 and 3, which is a  
14 coverage map, the original coverage maps would show  
15 larger amounts of territory. Down to the south you're  
16 showing a site at 316 Perkins Road. Do you see that?

17 My question is is that the one that we  
18 approved some time ago that apparently is not going  
19 forward, or is this another site that was subsequent to  
20 that, or what is that site?

21 A. (Mr. Wells) That is -- it's actually referred  
22 to as -- it's actually a search ring at this point, but  
23 as a place holder it is the location of that site that  
24 was approved and is no longer --.

1 Q. I see. So, it isn't even -- it hasn't even  
2 come to us yet.

3 A. Right. At this stage it is a search ring for  
4 us

5 Q. But it's in the same vicinity as the one that  
6 we approved but will not go forward?

7 A. That is correct.

8 Q. Thank you.

9 Mr. Libertine, in the Tab 5 Simulations, Photo  
10 11, but this applies to some of the other photos. In  
11 the simulation we're not -- we're seeing kind of a  
12 straight tower without platforms, visible platforms on  
13 it. I'm wondering is that because it's far enough away  
14 so that the platforms are kind of blurred out and we  
15 don't really -- aren't seeing them, or is that something  
16 with the simulation?

17 A. Well, it's-- what we try to do, and this is  
18 always a bit of a challenge. There are platforms, full  
19 platforms, that are proposed for this. As you notice,  
20 we had kind of washed out conditions when we took the  
21 pictures, and so what we try to do is to match those  
22 conditions to what you would actually see in the field,  
23 you know, with the human eye on that day, and one of the  
24 challenges we have is we just drop in a tower, so to

1 speak. It's gonna jump out. It's not really going to  
2 be indicative of that day. It's about a mile away, so  
3 you're going to get a bit of a washed out effect under  
4 these particular conditions.

5 That would change on a sunny day that had blue  
6 skies. And I think -- well, I guess we do it to varying  
7 degrees, because I look and Photo #12 is not quite as  
8 washed out, but that was really what we were trying to  
9 do is to try to give the effect of what you would see  
10 under these type of conditions. And it was a low cloud  
11 day that we took these photos. We had great wind  
12 conditions, unfortunately, we didn't have the best of  
13 clear skies.

14 So, that was really what we were trying to do  
15 in terms of that -- and why you see that in that way.  
16 And I'm sorry, I'm a little confused, because I seem to  
17 have double photos of number 11 here. So, that confuses  
18 me. I'm sorry, but that's the answer.

19 Q. Alright. Okay.

20 A. There are full platforms proposed for this.

21 Q. Yeah. I'm clear on that. I just didn't quite  
22 understand the simulation. But I do understand your  
23 intention.

24 A. If you look at Photo 10 -- in Photo Simulation

1 10, there you'll see where obviously we're very close.  
2 We're only within a quarter mile or so. But again, it's  
3 a bit of a washed out effect because, again, those are  
4 the conditions that we were shooting in. So, it does  
5 become a bit of an art form where we're tryign to match  
6 the actual conditions that we're taking the photos in  
7 with what we would then project seeing once the facility  
8 is filled.

9 That may be a little too washed out in Number  
10 11 now that I'm looking at it, so -- becaue it certainly  
11 does resemble more of what we call our traditional stick  
12 as opposed to the full arrays. But they are there.  
13 They're just a little bit more washed out than maybe  
14 they should be.

15 Q. Okay. I understand the intention and the  
16 difficulty. Thank you.

17 DR. BELL: Those are my questions, Mr.  
18 Chair.

19 CHAIRMAN MURPHY: Thank you, Dr. Bell.  
20 Mr. Ashton.

21 MR. ASHTON: The first question. The  
22 most important one, to settle the pool .....

23 CROSS-EXAMINATION

24 BY MR. ASHTON:

1 Q. What's the height of the existing trees around  
2 the compound?

3 A. (Mr. Libertine) In the compound area itself.  
4 In that general wooded area. Well, obviously they would  
5 range --

6 Q. Think carefully about your answer

7 A. Well, they do range, obviously, but I'd say on  
8 average they're probably in the 60 to 80 foot range,  
9 depending upon the different tree species that we're  
10 talking about there. So, on average, I'll be  
11 conservative and say 65 feet, 65/70 feet, on average,  
12 for that whole canopy in that area.

13 Q. Okay. We'll have to determine the pool winner  
14 subsequently.

15 With regard to utilities, you say they're  
16 coming off a pole on the street. Now, CL&P does not  
17 want to set another pole further in, do they? Or are we  
18 going to have the underground go right up that first  
19 pole?

20 A. (Mr. LaMontagne) That's correct. We don't  
21 want to set any poles along the road. It's going to be  
22 all underground.

23 Q. Okay. Good. Thank you.

24 Any proposed use by the Town?

1 A. None that we know of.

2 Q. Okay. There are a number of sites in my  
3 parlence that I would call nearby that we've approved  
4 relatively recently. There's one just south of here and  
5 there's one in Roxbury on -- near Transylvania Rd, that  
6 area. Are those sites in operationtion, under  
7 construction, or what?

8 A. The site further south in Bridgewater, that  
9 will be going into construction in the near future.

10 Q. Okay.

11 A. And then the Roxbury site, 1876, we will be  
12 filing the development and management plan also in the  
13 near future, so ...

14 Q. Okay. The D&M plan for the Bridgewater site  
15 has been filed recently. Is that correct?

16 A. That's correct.

17 Q. Okay. Are there any others that are in the  
18 hopper one way or another? That would be in  
19 communication with this tower anyway.

20 A. The only one that I know of is the search ring  
21 that I just spoke about, the 2040. That's the Service  
22 Road, Southbury.

23 Q. Okay. The catchbasin near the driveway  
24 entrance, by my calculations it's roughly 50 feet from

1 the existing catch basin. You've got a gravel road.

2 What's the need for that catch basin?

3 A. Second Hill Road -- it's crowned and there's  
4 somewhat of a swale on the east side of the road and we  
5 want it to collect any water and pass it under a  
6 proposed road instead of letting it flow across it and  
7 deteriorate it.

8 Q. Yeah. But you're only 50 feet from the  
9 existing basin. How much are you going to pick up with  
10 this proposed basin.

11 A. I don't know exactly how much it will pick up,  
12 but it will pick up whatever's not caught -- really not  
13 picked up by the other one.

14 Q. Do you really need it?

15 A. It's also collecting runoff from our proposed  
16 driveway.

17 Q. Now, your proposed driveway is gravel?

18 A. Right.

19 Q. And that's presumably on top of a permeable  
20 soil.

21 A. Right. But --

22 Q. So, you shouldn't have runoff off a gravel  
23 driveway absent a flood of biblical proportion?

24 A. A compacted gravel driveway surface does have

1 runoff.

2 Q. Okay. Alright. I'm frankly surprised to see  
3 that.

4 When we walked into the site a number of us --  
5 several of us noticed the ground was awfully wet. Does  
6 that portend a problem of drainage for this site?

7 A. No. It should not present any drainage  
8 problems.

9 Q. Okay.

10 MR. ASHTON: Those are my questions.

11 Thank you, Mr. Chairman.

12 CHAIRMAN MURPHY: Thank you, Mr. Ashton.

13 Before we move on to Mr. Hannon, Mr.  
14 Ashton talked about the scheule for the adjacent  
15 coveragewise communication towers that have been  
16 approved. If this application is approved what's AT&T's  
17 intention timewise as far as construction of this  
18 particular tower? If you know.

19 MR. LaMONTAGNE: Construction would be  
20 anticipated after we -- if approved, we get a building  
21 permit, Att&T would look to schedule then.

22 CHAIRMAN MURPHY: So, the indication in  
23 the application that you intend build it somewhat  
24 forthwith if it's approved is pretty accurate?



1 MR. LaMONTAGNE: Yes. That's accurate.

2 CHAIRMAN MURPHY: Thank you.

3 Mr. Hannon.

4 MR. HANNON: Thank you, Mr. Chairman.

5 Yes, I do have some questions.

6 The first question I had I think was  
7 pretty much answered, but I just want to make sure and  
8 follow up, because I asked the question in the field,  
9 so ....

10 CROSS-EXAMINATION

11 BY MR. HANNON:

12 Q. What you had talked about in part if the  
13 report saying the vehicular access was starting at  
14 Second Hill Road. It was all gravel. And then there  
15 was one comment in there, back on Tab 3, Page 3, which I  
16 think there was a correction on. I just want to make  
17 sure that it is strictly all gravel and it's not  
18 associated with the existing driveway that's there?

19 A. (Mr. Lusitani) Yes. The road is all gravel  
20 and it's not associated with the existing driveway.

21 Q. The next question I have is Tab 2, Page 2.  
22 And it's surrounding terraine, vegetation, wetlands.  
23 I'm kinda surprised there just wasn't a comment there  
24 that the site was actually -- the wetlands were actually

1 flagged. That doesn't really matter that much, but  
2 there's a comment in here --

3 ATTORNEY LAUB: Is that Tab 2 or Tab 3?

4 MR. HANNON: I'm sorry, Tab 3. My  
5 apologies.

6 BY MR. HANNON:

7 Q. It states in here that there's a presense of a  
8 wetland and a small section of property through which  
9 the existing and approved access drive are located, but  
10 when you look at Tab 4 there, I believe -- lets see on  
11 page 8 where there's a comment there that talks about  
12 the access drive is located in close proximity to the  
13 wetlands, about eight feet away. Which is it?

14 A. (Mr. Gustafson) The access road is  
15 approximately eight feet from the nearest wetland  
16 location.

17 Q. Okay. So, it is not going through the  
18 wetlands? It's about eight feet away.

19 A. Yeah. There will be no direct wetland impact  
20 associated with the proposed development.

21 Q. Okay. Thank you.

22 In Tab 3 with the Map CO-2. I mean, there's a  
23 lot of information here. One of the issues I'm having  
24 .... if you've gone to the detail of identifying an 18

1 inch culvert, you've got the invert elevation, the out  
2 fall elevation, and my issue is that I don't see any  
3 details in here associated with the gravel drive, the  
4 utilities, the depression to meet the culvert invert  
5 elevation, the pipe under the driveway. The various  
6 swales running along the compound as well as the drive.  
7 I don't see anything on erosion, sedimentation control  
8 or anything on the proposed catch basin. That is  
9 something that I would like to see even if it comes in  
10 as a late filing.

11 Yeah, I do believe that this stuff can be  
12 constructed, but I'd like to have a better idea of what  
13 it is that's being proposed on the site.

14 ATTORNEY LAUB: Well, in the past we've  
15 provided those level of details as part of our D&M  
16 filing once a site is approved because you never know  
17 when you go into the Siting Council process -- you know,  
18 it's first of all an element of taking measure of the  
19 sitetself and whether it's appropriate given the state  
20 statutory balancing analysis to put a south tower site  
21 there. And going through -- sometimes -- some dockets  
22 you have multiple sites as alternate candidates and  
23 sometimes you have alternates that come up in the  
24 process and you move. So, engineering each and every

1 iteration or possibility becomes a huge task for the  
2 applicant. So, typically in the past we put that in as  
3 a D&M once there's an approval, because I think that's  
4 -- it's an awful lot of work to do that.

5 MR. HANNON: I'm simply looking for  
6 simple details.

7 MR. GUSTAFSON: Yeah, we can supply --  
8 for these sites usually the details are pretty standard,  
9 so ....

10 MR. HANNON: And I agree with that, and  
11 that's --I'm just -- if I could see something.

12 MR. HANNON: Because, for example, you've  
13 got the swale that's at the back end of the pipe. I  
14 don't know if that's brass. I don't know if it's  
15 rewrapped. I have no clue as to what it is. That's why  
16 I'm looking for sort of a general detail to give me a  
17 better idea of what's being proposed for the site.

18 ATTORNEY LAUB: So, we could do that as a late file.

19 MR. HANNON: That would be fine.

20 BY MR. HANNON:

21 Q. Tab 4, Page 1. What's your definition of  
22 significant? Under A, no significant water found. I'm  
23 just curious as to what your definition is. Because I  
24 see that you've got to build a -- you're building a

1 depression area. You're piping it. It looks as though  
2 there may be a swale tunneling along the driveway which  
3 goes to the catch basin. So, I'm just not sure what the  
4 definition of significant is?

5 A. (Mr. Gustafson) It's classified as not  
6 significant because it's a small -- small development.  
7 So, it's creating minimal runoff and and we're  
8 controlling the runoff with drainage features.  
9 So, I guess that's why it's classified as not  
10 significant.

11 Q. Okay. I'm just trying to get clarifications  
12 to where your coming from on that.

13 And then the only other comment I have -- and  
14 I may have missed it, and I will admit that, but the  
15 only thing I've seen associated with erosion and  
16 sedimentation control is the sum -- the last -- well,  
17 the summary attached, Attachment 4 or Tab 4, where  
18 there's a comment that impacts associated with  
19 construction activities or anticipated -- or provided  
20 sedimentation erosion controls are designed and solved  
21 and maintained during construction in accordance with  
22 2002 Connecticut Guidelines, but yet I haven't seen  
23 anything else in the plan anywhere that identifies any  
24 type of erosion sedimentation control. And the only

1 reason I bring that up, or the primary reason I bring  
2 that up is because of the response dealing with the  
3 Natural Diversity Database. I think they're making --  
4 the agency is making an assumption about silk fence.  
5 But I don't know if it's silk fence. I don't know if  
6 it's hay bails. I don't know if it's anything. So, I'm  
7 just trying to make sure that I've got a better  
8 understanding of what's being proposed. Especially in  
9 lieu of the fact that there may be some species here  
10 that need to be considered.

11 A. I can address -- although the details of the  
12 plan are not in this docket, I can provide those  
13 details. We've done -- developed similar plans for  
14 protection of various turtle species, including Wood,  
15 Bog Turtle and Eastern Box Turtle. And one of the  
16 primary methods of protecting them during construction  
17 is to set up a restriction zone. And for that purpose  
18 we use silk fence. We install it as -- have the  
19 contractor install it as an erosion control method, but  
20 it does present an effective barrier to keep turtles out  
21 of construction zones. So, silk fence will be used on  
22 this project to ring the entire development.

23 MR. HANNON: And that will be fine.

24 Thank you.

1 I have no further questions.

2 CHAIRMAN MURPHY: Thank you, Mr. Hannon.

3 Mr. Leveque.

4 CROSS-EXAMINATION

5 BY MR. LEVEQUE:

6 Q. Mr. Libertine, the tower that you labeled  
7 existing Connecticut DEP -- DEEP Tower, what's the  
8 height of that tower?

9 A. (Mr. Libertine) I'm not sure of that. I'm  
10 going to have to do a little research on that.

11 I thought it's 110 feet, but --

12 Q. Oh, yeah, in your --

13 A. But, again, I know we --

14 Q. Your Attachment 2 -- or somebody else's. The  
15 site search summary says a DOT tower.

16 A. Correct. It's one in the same. Again, we're  
17 not sure as to who actually owns that, but I believe  
18 it's 110. It is 110 feet.

19 Q. Yeah. That's what they have here.

20 Now, are you saying that's the same one -- is  
21 that the same one that --

22 A. It's one in the same.

23 Q. On the west side of the road?

24 A. Yeah.

1 Q. That's just south of the property?

2 A. That's correct.

3 Q. It was that tall?

4 A. It's a state owned facility. We're just --  
5 again, we had some confusion among the team members  
6 and we didn't catch it until after we had filed  
7 this as to, again, which agency actually maintains that  
8 tower.

9 Q. Yeah. There's a free standing sign.

10 A. Correct.

11 Q. That's just north of the tower. What's the  
12 label and the time?

13 A. Just State of Connecticut.

14 Q. Maybe you can check it again. I thought it  
15 might have said DEEP. Maybe that's why --

16 A. I'm sorry. Say it again?

17 Q. It just says State of Connecticut?

18 A. Well, the one that's on the actual compound  
19 associated with the tower itself.

20 There may have been another marker. I --

21 Q. There's one in the opened field just west of  
22 Second Hill Road.

23 A. One theory we actually had, but we have no  
24 confirmation, is that maybe the property is listed under



1 DEEP, but maybe the tower itself is for Conn DOT  
2 purposes.

3 We've gotten mixed information, and when you  
4 go into Connecticut databases there's a lot of  
5 information on the buildings now -- OPM has been very  
6 good on getting the information on buildings. But you  
7 don't get -- smaller assests like this it's harder to  
8 dig down.

9 Q. Could you --

10 A. We can try to find an answer and clarify it.

11 Q. Can you find out who owns it?

12 A. Yes.

13 Q. And then see if they still use it, or even ask  
14 them to take it down. Maybe it's -- they abandon some  
15 and then they forget about them.

16 A. We will certainly try to endeavor to find out  
17 what the latest status of it, yes.

18 Q. Okay.

19 MR. LEVESQUE: You took care of my other  
20 questions.

21 Thank you.

22 CHARIMAN MURPHY: Mr. Wilensky.

23 MR. WILENSKY: Yes. I know the question  
24 was asked, but I'm gonna ask it again.

## CROSS-EXAMINATION

1  
2 BY MR. WILENSKY:

3 Q. The tower that was approved going back a few  
4 years ago will be built or will not be built?

5 A. (Mr. Libertine) Is that in reference to the  
6 other one in Bridgewater, Mr. Wilensky?

7 Q. The only tower that we approved in Bridgewater  
8 -- the last tower we approved in Bridgewater. That's  
9 what I'm talking about. I don't remember the docket  
10 number. But it's got to be in the last couple of years.

11 A. Yes. You probably recall earlier this spring  
12 the D&M plan was approved for that. And given protocols  
13 that were imposed by the Army Corp. construction  
14 couldn't start until, I think, June. And actually I  
15 think construction is going to commence I think some  
16 time mid July.

17 There were other restrictions on that in terms  
18 of construction but the construction window to get the  
19 bridgen -- that's the Wewaka Brook property, and our  
20 understanding is that that's imminent to get the Bridge  
21 established.

22 Q. So, that was the problem with the lack of  
23 building of that tower then, is that it?

24 A. Well, there were some permitting issues

1 associated with that.

2 Q. When that tower was before us, at that time --  
3 in fact, I think subsequent to that we did receive  
4 another docket that just laid there and did nothing for  
5 a while. Is this the site -- did you people have  
6 another docket or another site at that time?

7 And maybe it was another carrier, I don't  
8 know. But I thought you people had another site?

9 A. For Bridgewater?

10 Q. An additional site at that time?

11 ATTORNEY LAUB: Mr. Wilensky, I do recall  
12 that this particular site was discussed during the  
13 Wowaka Road project as a future site that was under  
14 consideration. But I'm not sure if that's what you're  
15 referring to or not. I'm not aware of another site in  
16 Bridgewater.

17 MR. WILENSKY: I was under the  
18 impression that the administration preferred this site  
19 if it was built -- if it was presented. Does that sound  
20 right?

21 MR. LIBERTINE: When we were going  
22 through the docket for the Wewaka Brook site the Town  
23 did intervene and they were interested in seeing if the  
24 tower at Second Hill could in theory, and maybe Mr.

1 Wells can help out with this, but I think that the  
2 questions were geared towards whether a taller tower at  
3 Second Hill could lower the tower at Wewaka Brook.

4 Now, Mr. Wells, I don't know if you want  
5 to.

6 MR. WELLS: Yeah ... Mr. Wells's memory  
7 is a little too short to help out here. I'm sorry, I  
8 can't. I just --

9 MR. WILENSKY: I'll get off that for a  
10 minute.

11 ATTORNEY LAUB: But those were the -- but  
12 these were to the two sites basically. These are the  
13 two sites that AT&T is looking to utilize in  
14 Bridgewater.

15 MR. WILENSKY: Along with that, have you  
16 met with the administration as far as this site goes?  
17 Have you had a meetig with the Town?

18 ATTORNEY LAUB: No. They didn't request  
19 a meeting. We had correspondence with the First  
20 Selectman and I followed up at the office, but there was  
21 no request for --

22 MR. WILENSKY: Was there any objection to  
23 this site from any of the letters that you wrote to the  
24 first selctman?

1                   ATTORNEY LAUB: Not that I know of.

2           BY MR. WILENSKY:

3           Q.     Mr. Wells, the tower is going to be 160 feet,  
4           and I think AT&T proposed to go on at 157 feet. Can  
5           this tower be at a lesser height, which would cut down  
6           the visibility?

7           A.     (Mr. Wells) For AT&T if it's a lesser height  
8           it starts to open up gaps along Route 67 and then a  
9           smaller gab along Route 133 to the south. So, we'd very  
10          much prefer to keep it at the current height because  
11          there's significant challenges in the area, as you can  
12          probably tell by driving around just as the terrain as  
13          it is. And if you look at the distance from our  
14          surrounding sites that are either built or in various  
15          approval stages. There are significant distances  
16          between those. So, covering this area is a challenge  
17          and finding another site to augment any coverage gaps  
18          that would exist by lowering this site would be -- be  
19          quite a challenge, so ....

20          Q.     Have any carriers given any indication that  
21          they would go on this site?

22          A.     (Mr. LaMontagne) Not at this time.

23          Q.     So, in other words AT&T is driving the height  
24          of this tower, not other carriers?

1           A.     (Mr. Wells) That's correct

2           Q.     The other thing, the road is designated as a  
3 scenic road. Who -- is that a town scenic road or is  
4 that a state scenic road? I think it's a town road?

5           A.     It is. You're correct. It's a local -- local  
6 town scenic road.

7           Q.     Is there any restrictions on buildings  
8 facilities of this type, a tower of this type, on a  
9 scenic road? On a town approved scenic road. Are there  
10 any -- does the town have any restrictions on that that  
11 you might know of?

12          A.     (Mr. Libertine) I don't know specifically if  
13 there are restrictions, but certainly the tower is not  
14 banned from being -- it's not restricted to build this  
15 type of facility.

16          Q.     Okay.

17          A.     And, Mr. Wilensky, I might add, on the  
18 shortening of the tower scenairo that you just went  
19 through with Mr. Wells, one of the challenges out here,  
20 just like the RF folks have, from a visibility  
21 standpoint it's the same. It's not a highly visible  
22 facility in terms of overall footprints. But on some of  
23 the higher locations where it is visible from a distance  
24 it's significantly above the tree line, so even a

1 reduction of 10 feet or 15 feet really wouldn't change  
2 the character of that view because we are so far above  
3 from those perspectives. So, it was a challenge for  
4 us, you know, in terms of trying to find the right  
5 property and all of the other elements that go into it.  
6 So, it's -- I don't know if that helps any but --

7 Q. No, it does. In other words, at 160, 150, 140  
8 you'd still have the same visibility is what you're  
9 saying -- I think that's what you're saying

10 A. It's pretty much gonna be above the tree line  
11 significantly.

12 Q. I can see that from your renderings here.

13 A. Yeah. You'd have to get down to about the  
14 tree line itself, 80 feet, which certainly wouldn't work  
15 for these -- for the RF engineers.

16 MR. WILENSKY: Mr. Chairman, that  
17 completes my questions. Thank you very much.

18 CHAIRMAN MURPHY: Thank you, Mr.  
19 Wilensky.

20 Mr. Hannon, do you have a further  
21 question.

22 MR. HANNON: Yes, I do. One additional  
23 question.

24 One of the things that the Council has

1     been looking at is the generators at an existing site  
2     And I know what's shown on the compound plan is a four  
3     foot by eleven foot pad for a generator, but is this  
4     something that can be looked at maybe a little closer so  
5     that we don't have four generators out there at some  
6     point in time, because again, I think what we're trying  
7     to do is see if we can consolidate that aspect of a  
8     project, so ....

9                     I don't know if that's something that  
10     requires going back looking at the pad. Maybe it needs  
11     to be a little bit larger to accomodate all of the  
12     carriers that might be out there at the same time.

13                    That is it. Thank you.

14                    CHAIRMAN MURPHY: Thank you, Mr. Hannon.  
15                    Mr. Mercier.

16                    MR. MERCIER: Mr. Wells, you just  
17     mentioned if you lowered the tower given the terraine  
18     challenges some gaps would open up. Could you repeat  
19     where those -- say it went down to 140, whereabouts  
20     would their area of weakness be?

21                    MR. WELLS: Along Roue 67. Near the  
22     Roxbury line. And then approximately -- approximately a  
23     quarter mile south -- south of the intersection of 67  
24     and 133 going south along Route 133. And then -- and



1 then just -- you know, so those are the particular areas  
2 on the roads that are --

3 MR. MERCIER: Okay. So, for those two,  
4 is that in vehicle that's degenerating or is it the in  
5 building service?

6 MR. WELLS: It is in vehicle in that  
7 case.

8 And then there's just the -- which is a  
9 little more -- which is a little harder to quantify.  
10 It's just the general areas. Even some of the  
11 residential areas that become a challenge to try to pick  
12 up.

13 MR. MERCIER: I noticed in Tab 5, your  
14 site search summary this particular location was at the  
15 very north end of all the sites you looked at. By being  
16 that far north, is this the optimal location for you? Is  
17 it -- what challenges are left for AT&T here or are you  
18 satisfied where you don't have to come back for another  
19 facility in the short term?

20 MR. WELLS: Certainly in the short term  
21 this satisfies those, because even if, as you mentioned,  
22 it is further north, but if you look at the terrain,  
23 the terrain also increases further north. So, that  
24 helps offset that. It's not all distance.

1           And some of the remaining areas are in  
2 the southwest area of Bridgewater. There's some gaps in  
3 there that you can see clearly on the map in the white  
4 areas. There are no plans to fill that area right now.

5           MR. MERCIER: Okay. My last comment, or  
6 question, has to do with the bulk file of the  
7 conservation developpe plan. On page 20 -- I have a  
8 black ands white copy, but it does show conservaton  
9 resources. It's a map. Conservation resources is all  
10 types of open space marked and different designations.  
11 According to this map it shows the surrounding property  
12 around your tower site property as being some type of  
13 conservation land or designation I can't read. So, is  
14 it possible over the break to get a colored version so  
15 you can just tell me what that says.

16           ATTORNEY LAUB: Yeah. We'll get you --  
17 we'll get a colored version.

18           MR. MERCIER: Thank you.

19           That's all I have. My last question.  
20 Thank you.

21           CHAIRMAN MURPHY: Thank you, Mr. Mercier.

22           Does any other member of the Council have  
23 any further questions before we break.

24           If not, we will break now and we will

1 resume for the public comment session at 7:00 p.m.

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

I N D E X   O F   W I T N E S S E S

APPLICANT WITNESS PANEL	PAGE
Dean Gustafson	
Mike Libertine	
Tony Wells	
Peter Lamontange	
Paul Lusitani	
Direct Examination by Daniel Laub	7
Cross-Examination by Council Staff	10
Cross-Examination by Council Members	25

I N D E X   O F   E X H I B I T S

INDEX OF APPLICANT EXHIBITS	PAGE
Exhibit 1 - Application for Certificate of Environmental Compatibility submitted by AT&T.	9
Bulk File Exhibits:	
a. Plan of Conservation and Development.	
b. Zoning map	
c. Zoning regulations	
d. Inland wetland watercourse regulations.	
e. Technical report	
Exhibit 2 - Responses to Siting Council Interrogatories dated May 23, 2013.	9
Exhibit 3 - Affidavit of sign posting dated June 11, 2013	9
Exhibit 4 - Resumes of the witnesses	9

1  
2  
3 C E R T I F I C A T I O N4 STATE OF CONNECTICUT)  
5 )  
6 COUNTY OF HARTFORD )7 I, Nancy E. Paretti, a Notary Public in  
8 and for the State of Connecticut, do hereby certify that  
9 the forgoing record is a correct and verbatim  
10 computer-aided transcription of the proceeding herein  
11 set forth.12 I further certify that I am neither  
13 counsel for, nor related to, nor employed by any of the  
14 parties to the action in which this proceeding is taken,  
15 and further certify that I am not related to, nor an  
16 employee of any attorney or representative employed by  
17 the parties thereto, nor am I financially interested in  
18 this action.19 In witness whereof I have hereunto  
20 set my hand and affixed my notarial seal this date  
21 July 25, 2013.22 \_\_\_\_\_  
23 Nancy E. Paretti  
24 Notary Public

My commission expires February 28, 2017