



STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

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July 30, 2014

Kenneth C. Baldwin, Esq.  
Robinson & Cole LLP  
280 Trumbull Street  
Hartford, CT 06103-3597

RE: **DOCKET NO. 438** - Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 53 Gallup Road, Voluntown, Connecticut. Request to Lift Seasonal Restriction.

Dear Attorney Baldwin:

At a special meeting of the Connecticut Siting Council (Council) held on July 29, 2014, the Council considered and approved the Request to Lift the Seasonal Restriction submitted for this project on July 21, 2014, with the condition that Verizon's environmental contractor meet with the construction contractor when activities are resumed to review the Eastern box turtle Protection Plan and Wetland and Vernal Pool Protection Plan and ensure requirements are followed.

This approval applies only to the D&M Plan - Part I submitted on November 13, 2013, and the D&M Plan - Part II submitted on March 7, 2014. Requests for any changes to the D&M Plan shall be approved by Council staff in accordance RCSA §16-50j-77(b). Furthermore, the Certificate Holder is responsible for reporting requirements pursuant to Regulations of Connecticut State Agencies Section 16-50j-77.

Please be advised that deviations from this plan are enforceable under the provisions of the Connecticut General Statutes § 16-50u. Enclosed is a copy of the staff report on this D&M Plan, dated July 29, 2014.

Thank you for your attention and cooperation.

Very truly yours,

Robert Stein  
Chairman

RS/CDM/cm

Enclosure: Staff Report, dated July 29, 2014

c: Parties and Intervenors  
The Honorable Robert A. Sirpenski, First Selectman, Town of Voluntown  
Peter Zvingilas, Zoning Enforcement Officer, Town of Voluntown

**Docket 438**  
**Voluntown – Gallup Road**  
**Cellco/Verizon Wireless**  
**Development and Management Plan:**  
**Request to Lift Seasonal Restriction**  
**Staff Report**  
**July 29, 2014**

On March 20, 2014 the Connecticut Siting Council (Council) approved Part II of the Development and Management Plan (D&M) for this project with the condition that, in order to avoid unintentional impact or mortality to vernal pool herpetofauna, the construction activities shall be restricted during peak amphibian movement periods (early spring breeding between March 1 and May 15 and late summer dispersal between July 15 and September 15).

Verizon commenced construction at this site on May 15 and suspended construction activities on July 15, in compliance with the conditions of the Council's approval. Verizon's environmental consultant/monitor (All-Points Technology – APT) inspected the site on July 17 and found the nearby vernal pool to be dry. APT concluded that the species dependent on the vernal pool have dispersed into the surrounding terrestrial habitat and that there is minimal likelihood that resuming construction activities at this site will harm any of these species. The location of the facility at the edge of the forest, rather than deeper in the forest interior, makes it less likely that vernal pool herpetofauna would be injured during construction were it to resume. Additional protection is afforded by the isolation barrier that was installed as part measures taken to protect the Eastern box turtle that may occur in this vicinity.

As the vernal pool is now dry and the species dependent on it have dispersed into the surrounding forest, Verizon is requesting that the Council lift the seasonal restriction on construction activity from July 15 to September 15 in order to complete work on this facility. Should the Council allow Verizon to resume work, it should also direct APT to resume working with the contractor to turtle and other herpetofauna protection protocols are followed.

Staff recommends approval of this request.