

**CONNECTICUT SITING COUNCIL**

**APPLICATION OF CELLCO PARTNERSHIP )**  
**d/b/a VERIZON WIRELESS TO THE ) DOCKET NO. 448**  
**CONNECTICUT SITING COUNCIL FOR A )**  
**CERTIFICATE OF ENVIRONMENTAL ) JULY 24, 2014**  
**COMPATIBILITY AND PUBLIC NEED )**  
**FOR THE CONSTRUCTION MAINTENANCE )**  
**AND OPERATION OF A TELE- )**  
**COMMUNICATIONS FACILITY LOCATED )**  
**AT ORANGE TAX ASSESSOR MAP 77, )**  
**BLOCK 3, LOT 1, 831 DERBY MILFORD )**  
**ROAD, ORANGE, CT )**

**APPLICATION OF STATE SENATOR GAYLE SLOSSBERG,**  
**STATE REPRESENTATIVE PAUL DAVIS, STATE REPRESENTATIVE**  
**THEMIS KLARIDES, AND STATE REPRESENTATIVE JAMES MARONEY**  
**TO INTERVENE UNDER C.G.S. §§ 22a-19, 4-177a, 16-50g AND 16-50n**

Pursuant to Connecticut General Statutes §§ 22a-19, 4-177a, 16-50g and 16-50n, State Senator Gayle Slossberg of 14 Honeysuckle Lane, Milford, CT, State Representative Paul Davis, of 335 Smith Farm Road, Orange, CT, State Representative Themis Klarides of 23 East Ct., Derby, CT and State Representative James Maroney of 22 Saranac Road, Milford, CT (hereinafter the “Proposed Intervenors”) hereby move and petition the Connecticut Siting Council to be party intervenors in the above application by Cellco Partnership d/b/a Verizon Wireless (hereinafter “Verizon”) for certificate of Environmental Compatibility and Public Need for the construction and maintenance of a telecommunications facility located at Orange Tax Assessor Map 77, Block 3, Lot 1, 831 Derby Milford Road, Orange, CT (hereinafter the “Application”). The Proposed Intervenors represent that their participation is in the interests of justice and the environment and that their participation will not impair the orderly conduct of the proceeding.

In support of this request, the Proposed Intervenors state the following:

1. The names and address of the Proposed Intervenors are as follows:

Senator Gayle Slossberg  
Legislative Office Building  
Room 2000  
Hartford, CT 06106  
[gslossberg@yahoo.com](mailto:gslossberg@yahoo.com)

State Representative Paul Davis  
Legislative Office Building  
Room 4045  
Hartford, CT 06106  
[paul.davis@cga.ct.gov](mailto:paul.davis@cga.ct.gov)

State Representative Themis Klarides  
Legislative Office Building  
Room 4200  
Hartford, CT 06106  
[themis.klarides@housegop.ct.gov](mailto:themis.klarides@housegop.ct.gov)

State Representative James Maroney  
Legislative Office Building  
Room 5006  
Hartford, CT 06106  
[james.maroney@cga.ct.gov](mailto:james.maroney@cga.ct.gov)

2. The Proposed Intervenors have concerns for the public need to construct a telecommunications facility at property located at Orange Tax Assessor Map 77, Block 3, Lot 1, 831 Derby Milford Road, Orange, CT (hereinafter the "Property"). The Property consists of approximately 34.6 acres of land which is currently classified as farm land, and exempt from taxation pursuant to C.G.S. § 12-107c. The telecommunications facility which Verizon proposes in the Application consists of a 100-foot self-supporting monopole telecommunications tower with up to fifteen (15) panel-type antennas, and a 12 ft. by 30 ft. shelter near the base of the tower which will enclose a diesel-fueled back-up generator (hereinafter the "Cell Tower").

Verizon estimates that the Cell Tower will have an overall height of approximately 103 ft. above ground level.

3. The construction and existence of Verizon's Cell Tower will have a severe negative impact on this very sensitive environmental area, public water sources, inland wetlands, scenic vistas, neighboring property values and the general character and harmony of the surrounding neighborhood. Pursuant to C.G.S. §§ 22a-19, 16-50n, 16-50g and 4-177a, the Proposed Intervenors have a direct interest in the proceedings which will be specifically and substantially affected as they live in close proximity to the Property. The Proposed Intervenors seek to intervene in the above proceedings for the purpose of potentially submitting testimony, briefs and other evidence relevant to the Siting Council's consideration of Docket 448.

4. Verizon's Cell Tower fails to meet the requirements of local regulations of the Town of Orange, including the Town Plan of Conservation and Development, in a way which fundamentally harms the general welfare of the community.

5. The Proposed Intervenors hereby present this verified pleading, pursuant to C.G.S. § 22a-19, for the purpose of asserting that evidence and testimony shall be presented in order to demonstrate that the activity proposed by Verizon for the Property is likely to unreasonably harm the public trust in the air, water or other natural resources of the State of Connecticut because, if granted, Verizon's Cell Tower will unreasonably impact inland wetlands, public water sources, neighboring property values and the visual quality of the environment in a residential area.

6. The Proposed Intervenors seek to present evidence and testimony that will demonstrate that the severe environmental impact from Verizon's Cell Tower could be reasonably mitigated by the use of alternate locations.

7. The Proposed Intervenors seek to present evidence and testimony that will demonstrate that there are reasonable and prudent alternatives to the Verizon Cell Tower, such as other telecommunications equipment and technology, which Verizon could implement in the area to achieve their reasonable coverage needs instead of the construction and maintenance of the proposed Cell Tower.

8. The Proposed Intervenors seek to present evidence and testimony that will demonstrate that pursuant to C.G.S. § 16-50g, any need for adequate and reliable public utility service that will be fulfilled by the Verizon Cell Tower will be significantly outweighed by the need to protect the environment and ecology of the State and to minimize damage to scenic, historic and recreational values.

9. The Connecticut Siting Council should be aware of the statutory requirements that apply to interventions pursuant to C.G.S. § 22a-19, also known as the Connecticut Environmental Protection Act (hereinafter “EPA”). Section 22a-19(a) provides that any person “may intervene as a party on the filing of a verified pleading asserting that the proceeding or action for judicial review involves conduct which has, or which is reasonably likely to have, the effect of unreasonably polluting, impairing or destroying the public trust in the air, water or other natural resources of the state.” Section 22a-19(b) provides that the Connecticut Siting Council “shall consider the alleged unreasonable pollution, impairment or destruction of the public trust in the air, water or other natural resources of the state and no conduct shall be authorized or approved which does, or is reasonably likely to, have such effect as long as, considering all relevant surrounding circumstances and facts, there is a feasible and prudent alternative consistent with the reasonable requirements of the public health, safety and welfare.”

For the above stated reasons, the Proposed Intervenor respectfully request that their application for intervenor status, pursuant to C.G.S. §§ 22a-19, 16-50n and 4-177a, be granted by this Honorable Connecticut Siting Council.

**RESPECTFULLY SUBMITTED BY:**

\_\_\_\_\_  
STATE SENATOR GAYLE SLOSSBERG

  
\_\_\_\_\_  
STATE REPRESENTATIVE PAUL DAVIS

  
\_\_\_\_\_  
STATE REPRESENTATIVE THEMIS KLARIDES

  
\_\_\_\_\_  
STATE REPRESENTATIVE JAMES MARONEY

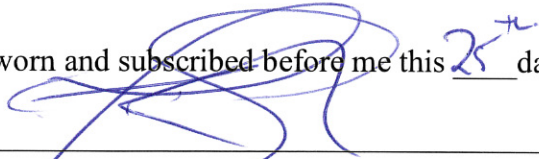
**The Proposed Intervenor request copies of all filings made in the course of this Petition 1010 to date and from this date forward via regular U.S. Mail.**

**VERIFICATION**

I, STATE SENATOR GAYLE SLOSSBERG , duly sworn, hereby verify that the above application is true and accurate to the best of my knowledge and belief.

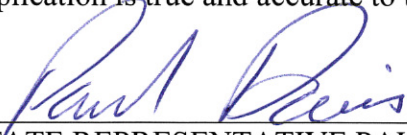
  
STATE SENATOR GAYLE SLOSSBERG

Sworn and subscribed before me this 25<sup>th</sup> day of July, 2014.

  
LAURENCE S. GROSSMAN  
Commissioner of Superior Court /  
~~Notary Public~~

**VERIFICATION**

I, STATE REPRESENTATIVE PAUL DAVIS, duly sworn, hereby verify that the above application is true and accurate to the best of my knowledge and belief.



STATE REPRESENTATIVE PAUL DAVIS

Sworn and subscribed before me this 21 day of July, 2014.




Lawrence S. Crossman  
Commissioner of Superior Court /  
~~Notary Public~~

**VERIFICATION**

I, STATE REPRESENTATIVE THEMIS KLARIDES, duly sworn, hereby verify that the above application is true and accurate to the best of my knowledge and belief.

  
STATE REPRESENTATIVE THEMIS KLARIDES

Sworn and subscribed before me this 24 day of July, 2014.

  
AMY E. SOUCHUNS, ESQ.  
Commissioner of Superior Court /  
~~Notary Public~~



**VERIFICATION**

I, STATE REPRESENTATIVE JAMES MARONEY, duly sworn, hereby verify that the above application is true and accurate to the best of my knowledge and belief.

  
STATE REPRESENTATIVE JAMES MARONEY

Sworn and subscribed before me this 24<sup>th</sup> day of July, 2014.

  
\_\_\_\_\_

~~Commissioner of Superior Court~~  
Notary Public      **KATHARINA V. CIRKO**  
                                 **NOTARY PUBLIC**  
                                 MY COMMISSION EXPIRES NOV. 30, 2014

**CERTIFICATE OF SERVICE**

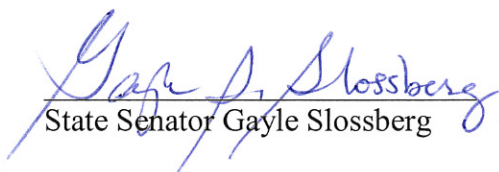
This is to certify that on July 25, 2014 a true copy of the foregoing has been sent by U.S.

Mail, first-class, postage pre-paid, to the following parties of record:

Melanie Bachman, Esq., Executive Director, Connecticut Siting Council, 10 Franklin Sq., New Britain, CT 06051 (1 original, 15 copies, plus 1 electronic)

Cellco Partnership d/b/a Verizon Wireless, Kenneth Baldwin, Esq., Robinson & Cole, 280 Trumbull Street, Hartford, CT 06103

Mario Coppola, Esq., Berchem, Moses & Devlin, PC, 1221 Post Rd., E., Westport, CT 06880

  
State Senator Gayle Slossberg