

1 STATE OF CONNECTICUT

2 CONNECTICUT SITING COUNCIL

3
4 Docket No. 480

5 Application of SectorSite LLC and T-Mobile
6 Northeast, LLC for a Certificate of Environmental
7 Compatibility and Public Need for the
8 construction, maintenance, and operation of a
9 telecommunications facility located on town-owned
10 property behind the Southwest Fire Station located
11 at 2 Westwoods Drive, Farmington, Connecticut

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14 Continued Public Hearing (Public Comment)
15 held at the Farmington Town Hall, Council
16 Chambers, 1 Monteith Drive, Farmington,
17 Connecticut, on Thursday, February 22, 2018,
18 beginning at 6:30 p.m.

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22 H e l d B e f o r e :

23 ROBERT STEIN, Chairman
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1 A p p e a r a n c e s :

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 Council Members:

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 ROBERT SILVESTRI

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 EDWARD EDELSON

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 DANIEL P. LYNCH, JR.

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 DR. MICHAEL W. KLEMENS

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 MICHAEL HARDER

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 Council Staff:

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 MELANIE BACHMAN, ESQ.

12

 Executive Director and

13

 Staff Attorney

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 ROBERT MERCIER

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 Siting Analyst

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 For the Applicants:

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 CUDDY & FEDER LLP

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 445 Hamilton Avenue, 14th Floor

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 White Plains, New York 10601

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 BY: LUCIA CHIOCCHIO, ESQ.

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1 THE CHAIRMAN: Good evening, ladies and
2 gentlemen. I'd like to call to order this meeting
3 of the Connecticut Siting Council today, Thursday,
4 February 22, 2018, at approximately 6:30 p.m. My
5 name is Robin Stein. I'm Chairman of the
6 Connecticut Siting Council.

7 Other members of the Council present
8 are Mr. Silvestri, Dr. Klemens, Mr. Edelson, and
9 Mr. Lynch. Members of the staff present are
10 Melanie Bachman, our executive director and staff
11 attorney; and Robert Mercier, our siting analyst.

12 This is a continuation of a public
13 hearing that began at 3 p.m. this afternoon.
14 Copies of the hearing program and Council's
15 Citizens Guide to Siting Council Procedures are
16 available for members of the public. To my right
17 in the back also a sign-up sheet is available
18 there.

19 This hearing is held pursuant to the
20 Provisions of Title 16 of the Connecticut General
21 Statutes and of the Uniform Administrative
22 Procedure Act upon an application from SectorSite
23 LLC and T-Mobile Northeast, LLC for a Certificate
24 of Environmental Compatibility and Public Need for
25 the construction, maintenance, and operation of a

1 telecommunications facility located on town-owned
2 property behind the Southwest Fire Station located
3 at 2 Westwoods Drive in Farmington, Connecticut.
4 The application was received by the Council on
5 December 22, 2017.

6 This application is also governed by
7 the Telecommunications Act of 1996, which is
8 administered by the Federal Communications
9 Commission. This Act prohibits the Council from
10 considering the health effects of radio frequency
11 emissions on human health and wildlife to the
12 extent that emissions from towers are within the
13 federal acceptable safe limit standard, which
14 standard is also followed by the State Department
15 of Public Health. The Federal Act also prohibits
16 this Council from discriminating between and
17 amongst providers of functionally equivalent
18 services. This means that if one carrier already
19 provides service for an area, other carriers have
20 the right to compete and provide service in the
21 same area.

22 The applicant published notice of the
23 filing of the application to the Council in the
24 Hartford Courant on December 20 and December 21,
25 2017. The Council's legal notice of the date and

1 time of this hearing was published in the Valley
2 Press on January 25, 2018. Upon this Council's
3 request, the applicant erected a sign at the
4 proposed site so as to inform the public of the
5 name of the applicant, type of facility, the
6 hearing date and location, and contact information
7 for the Council.

8 This afternoon members of the Council,
9 staff and the public personally conducted a field
10 review of the proposed site in order to observe
11 firsthand the potential effects of the proposal.

12 This hearing tonight has been reserved
13 for the public to make short statements into the
14 record. These public statements are not subject
15 to questions from the applicant or the Council,
16 and members of the public making statements may
17 not ask questions of the applicant or the Council.
18 These statements will become part of the record
19 for Council consideration. Again, there is a
20 sign-up sheet near the door to my right.

21 As a reminder to all, off-the-record
22 communication with a member of the Council or a
23 member of the Council staff upon the merits of
24 this application is prohibited by law.

25 I wish to note for those who are here,

1 and for the benefit of your friends and neighbors
2 who are unable to join us for the public comment
3 session that you or they may send written
4 statements to the Council within 30 days of the
5 date hereof, and such written statements will be
6 given the same weight as if spoken at the hearing.

7 We ask each person making a public
8 statement in the proceeding to confine his or her
9 statements to the subject matter before the
10 Council. Please be advised that the Council
11 cannot answer questions from the public at this
12 time.

13 A verbatim transcript will be made of
14 the hearing and deposited at the Farmington Town
15 Clerk's Office for the convenience of the public.

16 Before calling on the members of the
17 public, I'd request the applicant to make a very
18 brief presentation describing the facility that is
19 proposed.

20 DOUGLAS ROBERTS: Good evening. My
21 name is Doug Roberts. I'm an architect at Hudson
22 Design Group.

23 I'll briefly go over our site project
24 with everyone. I'm hoping everyone from the
25 public can see this. But basically we have a

1 compound, 50 by 50 lease area. We're coming off
2 the paved area that leads to the back of the fire
3 department.

4 And our utilities are going to be
5 underground from the utility pole on Westwoods
6 Drive along this access right here.

7 The disturbance is approximately 3,600
8 square feet, which would consist of the driveway
9 itself, the compound, and the utility run.

10 Our 48 by 48 foot compound has within
11 it exterior equipment that is T-Mobile's with
12 their back-up generator and propane tank, 130 foot
13 flagpole, which all the antennas are placed within
14 that flagpole. And that's pretty much it.

15 THE CHAIRMAN: Okay. Thank you.

16 The first speaker -- and I'd ask when
17 you come up to just spell your last name to be
18 sure the stenographer has it.

19 And Rochelle Levins is the first and
20 only.

21 ROCHELLE LEVINS: Hi, I'm Rochelle
22 Levins. I live on 88 Old Turnpike Road in
23 Bristol.

24 Part of our property is in Farmington
25 in the back of our house, so we are on the golf

1 course. I have a huge concern about this. Mainly
2 my two biggest concerns are health, which I am
3 understanding that the Chairman did mention that
4 you cannot address. But from everything that I'm
5 reading, it could be, and it does, emit so many
6 things that it affects our soft tissues
7 consistently, and that there's no way around that.
8 That's been proven. Many countries are looking
9 elsewhere to do this. They've pulled the towers
10 out.

11 And I'm just reading in your hearing
12 notice. It says the purpose of the hearing is to
13 hear evidence on the applicant's contentions that
14 the public need for the facility outweighs any
15 adverse environmental effects that would result
16 from the construction, operation and maintenance
17 of the property. To me that infers right there
18 that there's an issue.

19 And, you know, I only ask the Committee
20 would you want it in your backyard? We certainly
21 don't. We do have the golf course lights already,
22 so this is going to add more lighting.

23 And the second big issue that I have is
24 we're retired now. Our properties are part of our
25 savings, our estate. As you get older, we look to

1 go into assisted living, or whatever you're going
2 to plan, you know, your estate planning. And is
3 it fair now that because the tower that today
4 these gentlemen said was not even going to be
5 optimal, is it fair that I'm going to lose maybe
6 50,000 or 100,000, or maybe not even going to be
7 able to sell my property, a lovely home on the
8 golf course that we've spent 52 years in? I just
9 don't think that it is worth, you know, the
10 trade-off. And I would like the Town of
11 Farmington to reconsider that.

12 They have a lot of property down in the
13 flats. Why not there? Tunxis Community College,
14 my granddaughter just graduated from there two
15 years ago. She didn't have any issues.

16 So thank you very much for listening.

17 THE CHAIRMAN: Thank you.

18 Is there anybody else from the public?

19 KEN JOHNSON: Good afternoon. My name
20 is Ken Johnson. I live at 2 Pine Hollow Road
21 directly across from the fire house. I'll be the
22 closest neighbor to this tower.

23 I have two young kids. And out of that
24 whole piece of property over there, I'm surprised
25 it's right out in the open, it can't be tucked in

1 the corner.

2 Besides the health risks, I'm also
3 worried about my property. I mean, I've been
4 there 35 years, and some day I'll have to sell it
5 and retire. But how much am I going to lose from
6 property values from this 130 foot tower being
7 next to my house?

8 So I'd like you to really think hard
9 about it. Thank you.

10 THE CHAIRMAN: Thank you.

11 Anybody else?

12 (No response.)

13 THE CHAIRMAN: I'll close the public
14 hearing portion.

15 The applicant had a homework
16 assignment, and they apparently were able to do it
17 without going home. So hopefully, Mr. Gustafson,
18 you can report back.

19 (Whereupon, Dean Gustafson, Douglas
20 Roberts and Daniel Gechtman, having been
21 previously duly sworn, continued to testify on
22 their oaths as follows.)

23 THE WITNESS (Gustafson): I'd be happy
24 to answer Dr. Klemens' question. With the
25 assistance from our legal team, I was able to

1 review the Farmington Valley Biodiversity Project
2 Map, and the proposed tower facility is not
3 located within a primary or a secondary
4 conservation area.

5 DR. KLEMENS: Thank you.

6 THE WITNESS (Gustafson): You're
7 welcome.

8 MR. MERCIER: I just had one question
9 regarding the shared generator. It had to do with
10 Interrogatory Response 34, and it basically said
11 you could install one. I just want to make a
12 clarification as to when that would happen. We'll
13 just say if the tower was approved and T-Mobile
14 went on and they had their own unit, and then
15 later in time Cellco came out, would you
16 anticipate a shared generator at that point, or,
17 since T-Mobile already installed theirs, that
18 therefore Cellco would also install their own
19 rather than having a shared? Is timing key, I
20 guess is my question?

21 THE WITNESS (Gechtman): Yes. As you
22 pointed out, currently T-Mobile is proposing a DC
23 generator back-up propane on their further
24 installation. So a shared generator would not be
25 needed until we had more than one user of the

1 flagpole. So at the time where a second carrier
2 came on the tower, at that point we would look
3 into a shared generator at that point.

4 MR. MERCIER: Thank you.

5 MR. LYNCH: Just as a follow-up. If a
6 second carrier did come on, and maybe even a
7 third, but just a second for now, and they'd be
8 able to possibly use the back-up generator, would
9 that require a larger back-up tank, propane tank?

10 THE WITNESS (Roberts): Yes, it would.
11 Right now the DC generator that T-Mobile is
12 proposing is basically going to handle their
13 equipment. If we went to a larger generator set
14 similar to, you know, some of the large sites
15 we've done over the years, substantially bigger
16 than that propane tank, huge.

17 MR. LYNCH: So that would mean the
18 buffer around the tank would also expand?

19 THE WITNESS (Roberts): No, the 10 foot
20 clear, until you reach a substantial amount -- I
21 think it's 10,000 gallons -- then the buffer
22 changes. But on most tanks it's the 10 foot clear
23 from the spark. So if we had a 500 gallon propane
24 tank, which is 400 gallons of fuel, we would still
25 have that 10 foot.

1 MR. LYNCH: If it was a 500 gallon tank
2 or 1,000 gallon tank, would that have to be fenced
3 in on its own, or could it stand alone within your
4 fenced-in area?

5 THE WITNESS (Roberts): It can stand
6 alone within our fenced area.

7 MR. LYNCH: Thank you, Mr. Chairman.

8 THE CHAIRMAN: Okay. Before closing
9 the evidentiary record of this matter, the
10 Connecticut Siting Council announces that briefs
11 and proposed findings of fact may be filed with
12 the Council no later than March 26, 2018. The
13 submission of briefs or proposed findings of fact
14 are not required, rather we leave it to the choice
15 of the applicant.

16 Anyone who has not become a party, but
17 who desires to make his or her views known to the
18 Council, may file written statements with the
19 Council within 30 days of the date hereof.

20 The Council will issue draft findings
21 of fact, and thereafter the applicant may identify
22 errors or inconsistencies between the Council's
23 draft findings of fact and the record; however, no
24 new information or no new evidence or argument or
25 reply briefs will be considered without our

1 permission.

2 Copies of the transcript of this
3 hearing will be filed at the Farmington Town
4 Clerk's Office.

5 I hereby declare this hearing
6 adjourned. And thank you all for your
7 participation. And drive home carefully.

8 (Whereupon, the above proceedings
9 adjourned at 6:45 p.m.)

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CERTIFICATE

I hereby certify that the foregoing 14 pages are a complete and accurate computer-aided transcription of my original stenotype notes taken of the Continued Public Hearing (Public Comment) in Re: DOCKET NO. 480, APPLICATION OF SECTORSITE LLC AND T-MOBILE NORTHEAST, LLC FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF A TELECOMMUNICATIONS FACILITY LOCATED ON TOWN-OWNED PROPERTY BEHIND THE SOUTHWEST FIRE STATION LOCATED AT 2 WESTWOODS DRIVE, FARMINGTON, CONNECTICUT, which was held before ROBERT STEIN, CHAIRMAN, at the Farmington Town Hall, Council Chambers, 1 Monteith Drive, Farmington, Connecticut, on February 22, 2018.



Lisa L. Warner, L.S.R., 061
Court Reporter