

Leigh C. Cintron

Please Reply To Bridgeport E-Mail: lcintron@cohenandwolf.com

July 31, 2019

VIA FEDERAL EXPRESS

Attorney Melanie Bachman, Executive Director Connecticut Siting Council Ten Franklin Square New Britain, CT 06051

Re: Docket No. 486: Tarpon Towers II, LLC Application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility at 796 Woodin Street, Hamden, Connecticut

Dear Attorney Bachman:

On behalf of Tarpon Towers II, LLC, enclosed please find an original and fifteen (15) copies of the Applicant's Responses to the Siting Council's First Set of Interrogatories dated July 23, 2019.

If you have any questions, please do not hesitate to give me a call.

Very truly yours,

Leigh C. Cintron

Paralegal/Legal Assistant to Vincent M. Marino, Esq.

Enclosures

cc: Service List

Vincent M. Marino, Esq.

Town of Hamden City of New Haven

STATE OF CONNECTICUT CONNECTICUT SITING COUNCIL

RE: TARPON TOWERS II, LLC APPLICATION FOR A CERTIFICATE OF ENVIRONMENTAL

COMPATIBILITY AND PUBLIC NEED

FOR A TELECOMMUNICATIONS FACILITY

AT 796 WOODIN STREET IN THE TOWN OF HAMDEN, CONNECTICUT

Date: July 31, 2019

DOCKET NO. 486

INTERROGATORY RESPONSES TO CONNECTICUT SITING COUNCIL FROM APPLICANT TARPON TOWERS II, LLC

The Applicant, Tarpon Towers II, LLC ("Applicant"), submits the following responses to the First Set of Pre-Hearing Interrogatories propounded by the Connecticut Siting Council in connection with the above-referenced Application.

- 1. Application p. 6 states, pursuant to CGS §16-50/(b) the Applicant published notice of the intent to file the Application on two occasions in the New Haven Register and copies of the legal notices and publisher's certificates are attached in Exhibit C. However, Exhibit C only contains an Affidavit of Publication for a public information meeting held on March 7, 2019. Please provide the required information per CGS §16-50/(b).
- A1 Legal notice of the intent to file ran in the New Haven Register on July 11, 2019. The legal notice and affidavit of publication are attached hereto as Attachment 1.
- 2. Application p. 6 states, pursuant to CGS §16-50/(b), the Applicant sent notices to abutting property owners and a sample notice letter, certification of such notice, and a list of abutting property owners is included in Exhibit D. However, Exhibit D only contains a sample notice letter for a public information meeting held on March 7, 2019. Pursuant to CGS §16-50/(b), provide a copy of the letter sent to property abutters that states the intent to file an application with the Council, a certification of such service and a list of property owners whom the letter was sent to.
- A2 Exhibit D of the Application included a sample notice mailed to abutting property owners dated February 18, 2019 which stated Applicant's intent to file the application with the Connecticut Siting Council. A second mailing was sent July 15, 2019 with attached public notice which appeared in the

- New Haven Register on July 11, 2019. This second mailing is attached hereto as Attachment 2 along with a certification of service.
- 3. Application Exhibit A contains an outdated Application Guide with corresponding Application information. Please submit a revised Exhibit A that contains the most recent Council Application Guide (2012) with corresponding information, as requested in the Council's July 17, 2019 notification of incomplete application.
- A3 Applicant's revised Exhibit A which contains an updated Application Guide was submitted to the Council on July 24, 2019 electronically and via overnight mail. A duplicate of the updated Exhibit A is attached hereto as Attachment 3.
- 4. Application p. 1 states the Council approved the facility at 1055 Wintergreen Avenue in Docket 56B; however, Docket 56B is for a tower in Naugatuck. Please clarify.
- A4 The facility at 1055 Wintergreen Avenue was approved in Docket 56A.
- 5. Referring to Application Exhibit P, please provide a copy of the unredacted lease for the proposed site, pursuant to CGS §16-50o(c).
- A5 A copy of the unredacted lease will be filed under seal.
- 6. Application p. 18 states a map of sites investigated is included in Exhibit G; however, no such map is present. Please provide.
- A6 The map of sites investigated is attached hereto as Attachment 4.
- The List of Exhibits on Application p. iii states Exhibit N includes a Technical Report Filing Letter, Supplemental Filing Letter and Attachment, and a Town Response and Map. No copy of the Town Response and Map was included. Please provide. Additionally, what enclosures were included with the April 11, 2019 letter to the City of New Haven Deputy Director of Zoning?
- A7 The List of Exhibits on p. iii of the Application states that Exhibit N only contains the Technical Report Filing Letters and Supplemental Filing Letter. There were no enclosures included with the April 11, 2019 letter to the City of New Haven Deputy Director of Zoning. The indication of enclosures was a clerical error.
- 8. Clarify the size of the lease area and proposed compound as different values for each are provided in the Application.
- The proposed compound is 70' x 70' situated within the lease area of 75' x 75'. See Site Plans contained in Exhibit E of the Application.

- 9. Clarify the tower ground elevation and the distances to daycares/schools as different values for each are provided in Tab E and Tab F.
- The tower ground elevation is 124 feet above ground level and 240 feet above mean sea level. No schools or commercial child day care centers are located within 250 feet of the Site. The nearest school is located approximately 0.4 mile from the proposed Site. This school is located at 195 Wilmot Road in New Haven (Clarence Rogers School). The nearest commercial day care center is located approximately 0.8 mile from the proposed Site. This day care center is located at 26 Greenhill Road in Hamden (Ja'Bean's Sprouts Family Daycare).

Respectfully Submitted,

TARPON TOWERS II, LLC

Bv:

Vincent M. Marino, Esq. Cohen and Wolf, P.C. 657 Orange Center Road

Orange, CT 06477 Tel. (203) 298-4066 Fax (203) 337-5582

vmarino@cohenandwolf.com

CERTIFICATE OF SERVICE

I hereby certify that on this day a copy of the foregoing was delivered by Electronic Mail and First-Class U.S. Mail, postage prepaid, to all parties and intervenors of record, as follows:

Kenneth C. Baldwin, Esq. Robinson and Cole 280 Trumbull Street Hartford, CT 06103

Vincent M. Marino



Connecticut Post | Greenwich Time | New Haven Register | Stamford Advocate | The Middletown Press The News-Times | The Norwalk Hour | The Register Citizen

Fairfield Citizen I New Canaan Advertiser I Shelton Herald I Shoreline Times | The Darlen Times | The Dolphin | The Footbills Trader | The Litchfield County Times The Milford Mirror I The Ridgefield Press I The Spectrum I The Trumbull Times I The Wilton Bulletin | West Hartford News I Westport News

COHEN AND WOLF P.C. PO BOX 1821 1115 BROAD STREET **BRIDGEPORT CT 06601**

AFFIDAVIT OF PUBLICATION

STATE OF CONNECTICUT COUNTY OF FAIRFIELD

PUBLIC NOTICE

Pursuant to General Statutes § 16-50I and § 16-50I-1 of the Regulations of Connecticut State Agencies, notice is hereby given that Tarpon Towers II, LLC ("Tarpon") will file an application with the Connecticut Siting Council ("Council"). Tarpon will file an Application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 796 Woodin Street, Hamden, Connecticut ("Application"). Tarpon will file the Application on or about July 12, 2019. Tarpon seeks to construct a telecommunications facility at this location on this approximately 6.75 +/- acre parcel.

Tarpon seeks to construct a 120-foot monopole structure within a 40 foot by 70 foot chain link fenced equipment compound. The tower would accommodate the antenna arrays of Celico Partnership, d'b/a Verizon Wireless ("Verizon") and three other wireless carriers. If approved, the Facility would provide wireless communications and the opportunity for improved 911 service in this area of Hamden

The location, height and other features of the Facility are subject to review and change by the Council pursuant to General Stat-

utes § 16-50g et seq.

utes § 16-50g et seq.

The Facility would replace an existing telecommunications facility located at 1055 Wintergreen Avenue, Hamden, and would provide service primarily to the north of West Rock Ridge and provide significant capacity relief to Verizon's wireless network in the Town of Hamden. The Application will set forth the need, purpose and benefits of the Facility and will also describe the environmental impact, if any, of the Facility.

Tarpon will conduct a balloon float at the proposed height of the Facility on the day of the public hearing on the Application as scheduled by the Council. The Council will provide notice of the public hearing date. The Council will conduct that public hearing in Hamden. Tarpon will conduct the balloon float from 12:00 p.m. until 5:00 p.m. or as set by the Council.

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Interested parties and residents of the Town of Hamden and the City of New Haven are invited to review the Application during normal business hours at and of the following offices:

Connecticut Siting Council 10 Franklin Square New Britain, CT 06051

Hamden Government-Center 2750 Dixwell Avenue Hamden, CT 06518

City Clerk City of New Haven 200 Orange Street Room 202 New Haven, CT 06510

or at the offices of Tarpon's legal counsel:

Vincent M. Marino, Esq. Cohen and Wolf, P.C. 657 Orange Center Road Orange, CT 06477 Tel. (203) 298-4066 Fax (203) 337-5582

All inquiries should be addressed to the Council or to Tarpon's legal counsel as listed above.

sworn Being duly deposé and say Representative that I а iπ the employ of HEARST CONNECTICUT MEDIA GROUP, Publisher of the New Haven Register, that LEGAL NOTICE as stated below was published the New Haven Register.

Subscribed and sworn to before me

this 24th Day of July, A.D. 2019.

SHELLEY D. NEVILLE My commission expires NOTARY PUBLIC OF COMMECTICAL My Commission Expires 3/31/2023

PO Number Ad Caption

PUBLIC NOTICE Pursuant to G

Ad Number **Publication** New Haven Register 0002481535-01

Publication Schedule 7/11/2019





Vincent Marino

Please Reply To Bridgeport E-Mail: vmarino@cohenandwolf.com

July 15, 2019

VIA CERTIFIED MAIL

Town of Hamden 2750 Dixwell Avenue Hamden, CT 06518

Re:

Proposed Telecommunications Facility

796 Woodin Street, Hamden

Application for a Certificate of Environmental Compatibility and

Public Need

Dear Abutting Property Owner:

This firm represents Tarpon Towers II, LLC ("Tarpon"). Tarpon intends to file an Application for a Certificate of Environmental Compatibility and Public Need ("Application") with the Connecticut Siting Council ("Council") to construct, operate and maintain a telecommunications facility on real property commonly known as 796 Woodin St, Hamden ("Property"). Tarpon seeks to construct, maintain and operate a telecommunications facility on the Property.

This letter serves as notice to you as an abutting property owner pursuant to General Statutes § 16-50/ (b). Tarpon will file the Application on July 15, 2019 and will request that the Council place the Application on some future agenda.

Please find enclosed a copy of the legal notice that ran in the New Haven Register on July 11, 2019.

If you have any questions or concerns regarding this matter, please contact our office or the City of New Haven.

∜ery truly/yours,

Vincent Manno

PUBLIC NOTICE

Pursuant to General Statutes § 16-50/ and § 16-50/-1 of the Regulations of Connecticut State Agencies, notice is hereby given that Tarpon Towers II, LLC ("Tarpon") will file an application with the Connecticut Siting Council ("Council"). Tarpon will file an Application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 796 Woodin Street, Hamden, Connecticut ("Application"). Tarpon will file the Application on or about July 12, 2019. Tarpon seeks to construct a telecommunications facility at this location on this approximately 6.75 +/- acre parcel.

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The location, height and other features of the Facility are subject to review and change by the Council pursuant to General Statutes § 16-50g *et seq*.

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City of New Haven
200 Orange Street Room 202
New Haven, CT 06510

or at the offices of Tarpon's legal counsel:

Vincent M. Marino, Esq. Cohen and Wolf, P.C. 657 Orange Center Road Orange, CT 06477 Tel. (203) 298-4066 Fax (203) 337-5582

All inquiries should be addressed to the Council or to Tarpon's legal counsel as listed above.

CERTIFICATION OF SERVICE

I hereby certify that a copy of the foregoing letter was sent by certified mail, return receipt requested, on July 15, 2019 to the following abutting landowners:

Mr. Paul Messaneo, Ms. Sarah Nezario and Survivors 784 Woodin Street Hamden, CT 06514

City of New Haven Nature Center 1090 Wintergreen Avenue Hamden, CT 06514

State of Connecticut
Department of Transportation
2800 Berlin Turnpike
Newington, CT 06111

Town of Hamden 2750 Dixwell Avenue Hamden, CT 06518

Respectfully submitted,

TARPON TOWERS II, LLC

By:

Vincent M. Maryo, Esq. Cohen and Wolf, P.C. 657 Orange Center Road

Orange, CT 06477 Tel. (203) 298-4066 Fax (203) 337-5582

vmarino@cohenandwolf.com

Location in Application Application Guideline Executive Summary, pages 1-3 (A) An Executive Summary containing the addresses and proposed locations of the IV. Facility Design, pages 6-7 proposed facility and any alternatives, VII.C. MPE Limits/Power Density including: Height of the tower and its Analysis, page 21 1. associated antennas including a maximum Exhibit E, Site Plans "not to exceed height" for the facility, which Exhibit F, Propagation Plots may be higher than the height proposed by Exhibit J. Power Density the Applicant; Calculations Access roads and utility services; 2. Special design features; 3. Type, size, and number of 4. transmitters and receivers, as well as the signal frequency and conservative worstcase and estimated operational level approximation of electro magnetic radiofrequency power density levels (facility using FCC Office of Engineering and Technology Bulletin 65, August 1997) at the base of the tower base, site compound boundary where persons are likely to be exposed to maximum power densities from the facility; A map showing any fixed facilities with which the proposed facility would interact: The coverage signal strength, and 6. integration of the proposed facility with any adjacent fixed facility, to be accompanied by multi-colored propagation maps of red, green and yellow (exact colors may differ depending on computer modeling used, but a legend is required to explain each color used) showing interfaces with any adjacent service areas, including a map scale and north arrows; and For cellular systems, a forecast of 7. when maximum capability would be reached for the proposed facility and for facilities that would be integrated with the proposed facility. (B) A statement of the need for the IV.B. Coverage to be Achieved,

page 7

IV.A. Statement of Need, pages 8-

proposed facility with as much specific

information as is practicable to demonstrate the need including a

Application Guideline	Location in Application
description of the proposed system and how the proposed facility would eliminate or alleviate any existing deficiency or limitation;	 IV.C. Technological Alternatives, page 16 Exhibit F, Propagation Plots
(C) A statement of the benefits expected from the proposed facility with as much specific information as is practicable;	 IV.B. Coverage to be Achieved, page 7
(D) Maps and drawings for the proposed facility and any alternatives, including: 1. The most recent U.S.G.S. topographic quadrangle map (scale 1 inch = 2,000 feet) marked to show the site of the facility and any significant changes within a one mile radius of the site; 2. A map (scale not less than 1 inch = 200 feet) of the lot or tract on which the facility is proposed to be located showing the acreage and dimensions of such site, the name and location of adjoining public roads or the nearest public road, and the names and addresses of the site owners and abutting owners and the portions of their lands abutting the site; 3. A site plan (scale not less than 1 inch = 40 feet) showing the proposed facility, set back radius, existing and proposed contour elevations, 100 year flood zones, waterways, wetlands, and all associated equipment and structures on the site; 4. Where relevant, a terrain profile showing the proposed facility and access road with existing and proposed grades; and 5. The most recent aerial photograph (scale not less than 1 inch = 1,000 feet) showing the proposed site, access roads,	 USGS Map Aerial Photograph IV. Facility Design, pages 6-7 Exhibit E, Site Plans
and all abutting properties. (E) A description of the proposed site and any alternative sites, including the zoning classification, planned land uses and surrounding areas;	 Executive Summary, pages 1-3 VII. Consistency with the Hamden Land Use Regulations, pages 24-29 VII.C. Planned and Existing Land Uses, page 28
(F) A description of the scenic, natural, historic, and recreational characteristics of	 VI. Environmental Compatibility, pages 18-24

Application Guideline	Location in Application
the proposed site and any alternative sites and surrounding areas including but not limited to officially designated nearby hiking trails, nature preserves and scenic roads;	 Exhibit H, Visual Resource Evaluation Report Exhibit I, Correspondence with State Agencies Exhibit K, NEPA Summary Report Bulk Filing
(G) Visibility Analyses of the proposed site area and any alternative site areas including, but not limited to: 1. A viewshed analysis consisting of a two-mile radius from visually impacted areas such as residential developments, recreational areas, and historic sites; 2. Photographic documentation; 3. Balloon float photographs; 4. Photographic simulations in "leafon" and "leaf-off" conditions, where possible, and; 5. If proposed in close proximity to a shoreline, including lakes and rivers, photographic documentation from open waters, where possible.	Exhibit H, Visual Assessment Report.
(H) An affidavit for each balloon float conducted at the proposed site and any alternative sites including the date, time and demonstrated height.	 Exhibit H, Visual Assessment Report
(I) A list describing the type and height of all existing and proposed towers and facilities within a four mile radius within the site search area, or within any other area from which use of the proposed towers might be feasible from a location standpoint for purposes of the application;	 Exhibit G, Site Search Summary, Map of Sites Searched and 4 Mile Tower Map
(J) A description of efforts to share existing towers, including but not limited to installations on electric transmission poles, or to consolidate telecommunications antennas of public and private services onto the proposed facility including efforts to offer tower space, where feasible, at no charge for space for municipal antennas;	 V. Site Selection and Tower Sharing, pages 17-18 Exhibit E, Site Plans
 (K) A description of technological alternatives and a statement containing justification for the proposed facility; 	IV.C. Technological Alternatives, page 16
(L) A description of rejected sites with a	V. Site Selection and Tower

Application Guideline	Location in Application
U.S.G.S. topographic quadrangle map (scale 1 inch = 2,000 feet) marked to show the location of rejected sites;	Sharing, pages 17-18 Exhibit G, Site Search Summary and Map of Sites Searched
(M) A detailed description and justification for the site(s) selected, including a description of siting criteria and the narrowing process by which other possible sites were considered and eliminated including, but not limited to, environmental effects, cost differential, coverage lost or gained, potential interference with other facilities, and signal loss due to geographical features compared to the proposed site(s);	 V. Site Selection and Tower Sharing, pages 17-18 Exhibit F, Propagation Plots Exhibit G, Site Search Summary, Map of Sites Searched and 4 Mile Tower Map
(N) A statement describing hazards to human health, if any, with such supporting data, including signal frequency, power density and references to regulatory standards;	 VI.C. MPE Limits/Power Density Analysis, page 21 Exhibit J, Power Density Calculations
(O) A statement of estimated costs for site acquisition, construction, and equipment for a facility at the various proposed sites of the facility, including all candidates referred to in the application;	IX.A. Overall Estimated Cost, page 32
(P) A schedule showing the proposed program of site acquisition, construction, completion, operation and relocation or removal of existing facilities for the named sites:	IX.B. Overall Scheduling, page 33
(Q) A statement indicating that, weather permitting, the applicant will raise a balloon with a diameter of at least three feet, at the sites of the various proposed sites of the facility, including all candidates referred to in the application, on the day of the Council's first hearing session on the application or at a time otherwise specified by the Council.	VI.A. Visual Assessment, page 19
 (R) Such information as any department or agency of the State exercising environmental controls may, by regulation, require including but not limited to: 1. A listing of any federal, State, regional, district, and municipal agencies, including but not limited to the Federal 	 VI.B. Solicitation of State Agency Comments, pages 20-21 VI.C. MPE Limits/Power Density Analysis, page 21 VI.D. Other Environmental Factors, pages 22-24 VIII. Consultation with Local, State

Application Guideline	Location in Application
Aviation Administration; Federal Communications Commission; State Historic Preservation Officer; State Department of Environmental Protection; and local conservation, inland wetland, and planning and zoning commissions with which reviews were conducted concerning the facility, including a copy of any agency position or decision with respect to the facility; and 2. The most recent conservation, inland wetland, zoning, and plan of development documents of the municipality, including a description of the zoning classification of the site and surrounding areas, and a narrative summary of the consistency of the project with the Town's regulations and plans.	 and Federal Officials, pages 30-32 VII. Consistency with the Hamden Land Use Regulations, pages 24-29 Exhibit I, State Agency Correspondence Exhibit J, Power Density Calculations Exhibit K, NEPA Summary Report Exhibit N, Municipal Consultation Materials Exhibit O, FAA Letter Bulk Filing
(S) Description of proposed site clearing for access road and compound including type of vegetation scheduled for removal and quantity of trees greater than six inches diameter at breast height and involvement with wetlands;	Exhibit E, Site Plans
 (T) A statement explaining mitigation measures for the proposed facility including, but not limited to: 1. Construction techniques designed specifically to minimize adverse effects on natural areas and sensitive areas; 2. Special design features made specifically to avoid or minimize adverse effects on natural areas and sensitive areas; 3. Establishment of vegetation proposed near residential, recreation, and scenic areas; 4. Methods for preservation of vegetation for wildlife habitat and screening; 5. Other environmental concerns identified by the applicant, the Council, or any public agency, including but not limited to, where applicable: Coastal Consistency Analysis 	 IV. Facility Design, pages 6-7 IV.C. Technological Alternatives, page 16 VII.B. Solicitation of State Agency Comments, pages 20-21 Exhibit E, Site Plans Exhibit G, Site Search Summary, Map of Sites Searched and 4 Mile Tower Map Exhibit I, Correspondence with State Agencies Exhibit P, Redacted Lease

Application Guideline	Location in Application
(C.G.S. §22a-90)	
Connecticut Heritage Areas (C.G.S.	
§16a-27)	
Ridgeline Protection Zones (C.G.S.	
§8-laa)	
· Aquifer Protection Zones (C.G.S.	
§22a-354b)	
DOT Scenic Lands (C.G.S. §13a-	
85a)	
State Parks and Forests (C.G.S.	
§23-5)	
· Agricultural Lands (C.G.S. §22-	
26aa)	
· Wild and Scenic Rivers (C.G.S.	
§25-199)	· · · · · · · · · · · · · · · · · · ·
Protected Rivers (C.G.S. §25-200)	
Endangered, Threatened or Special	
Concern Species (C.G.S. §26-303); and	
6. Such information as the applicant	
may consider relevant.	



Legend

Site Investigated

Approximate Parcel Boundary

Municipal Boundary

Sites Investigated:

- 1 645 Wintergreen Avenue, Hamden, CT
- 2 670 Wintergreen Avenue, Hamden, CT
- 3 230 Wintergreen Avenue, Hamden, CT
- 4 847 Woodin Street, Hamden, CT
- 5 985 Wintergreen Avenue, Hamden, CT
- 6 95 Building Brook Road, Hamden, CT
- 796 Woodin Street, Hamden, CT

Site Search Summary Map

Connecticut Siting Council Docket No. 486 Tarpon Towers II, LLC and Verizon Wireless Hamden II Facility 796 Woodin Street Hamden, CT



