



CITY OF NEW BRITAIN

EST. 1871

CORPORATION COUNSEL

WWW.NEWBRITAINCT.GOV

Gennaro Bizzarro, Corporation Counsel
Joseph E. Skelly, Jr., Assistant Corporation Counsel
Mary C. Pokorski, Associate City Attorney
John F. Diakun, City Attorney

HAND-DELIVERED/EMAIL

September 29, 2021

Melanie A. Bachman, Esq.
Executive Director/Staff Attorney
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Melanie.bachman@ct.gov

RE: **DOCKET NO. 503** - Arx Wireless Infrastructure, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 43 Osgood Avenue, New Britain, Connecticut.

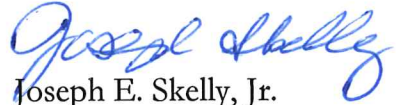
Dear Attorney Bachman:

Attached please find 15 copies of Justin Dorsey's Affidavit on behalf of the City of New Britain.

Due to the quick scheduling of the evidentiary hearing on October 5, 2021 and the requirement to provide documents no later than September 30, 2021, the City of New Britain did not have enough time to retain its own expert on the viability of 48 Allen Street and 148 Farmington Avenue as alternative cell tower sites. The City of New Britain would like the opportunity to ask representatives of ARX Wireless Infrastructure, LLC or New Cingular Wireless PCS, LLC ("AT&T") at the October 5, 2021 hearing about whether either site is a better alternative than 43 Osgood Avenue.

Please contact our office if there are any questions.

Thank you,
Office of Corporation Counsel



Joseph E. Skelly, Jr.
Assistant Corporation Counsel

Enclosures: 15 copies of the City of New Britain's Letter and Affidavit.

cc: Electronic copy served via e-mail to:
1) Service List dated July 15, 2021
2) siting.council@ct.gov

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

RE: APPLICATION BY ARX WIRELESS
INFRASTRUCTURE LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED
FOR A TELECOMMUNICATIONS FACILITY
AT 43 OSGOOD AVENUE IN THE
CITY OF NEW BRITAIN, CONNECTICUT

DOCKET NO. 503

Date: September 29, 2021

AFFIDAVIT OF JUSTIN DORSEY

The undersigned, being duly sworn, does hereby depose and states the following:

1. I am over the age of eighteen (18) years old and believe in the obligations of an oath;
2. I am employed by the City of New Britain as Chief of Staff for Mayor Erin E. Stewart and have been working in the Mayor's Office since November of 2013;
3. Attorney Seth Feigenbaum represents Bethalom Cemetery Association Inc., the owner of the cemetery located at 48 Allen Street in New Britain, Connecticut;
4. 48 Allen Street was listed in the Site Search Summary filed by the Applicant but not considered as a potential site because the property owner failed to respond to a certified letter;

5. I have had two telephone conversations with Attorney Feigenbaum, the first to determine if there was any interest in his client having a cell tower on cemetery property and the second conversation took place as Attorney Feigenbaum was walking the cemetery property;

6. During the second telephone conversation, Attorney Feigenbaum said there is more than sufficient space on the property to accommodate the placement of a cell tower and he is interested in conducting negotiations with the Applicant;

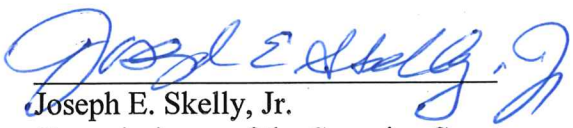
7. I have recently been advised Attorney Feigenbaum is out of the country on a European cruise and will not be returning to Connecticut until after the October 5, 2021 hearing.

8. The City of New Britain has no objection to either 48 Allen Street or 148 Farmington Avenue as alternative cell tower sites.

Dated at New Britain, CT this 29th day of September, 2021


Justin Dorsey

Subscribed and sworn to before me this 29th day of September, 2021.


Joseph E. Skelly, Jr.
Commissioner of the Superior Court

CERTIFICATION


I hereby certify that a copy of the above was or will immediately be mailed or delivered electronically or non-electronically on September 29, 2021 to all counsel and self-represented parties of record:

Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051
Siting.council@ct.gov
Melanie.bachman@ct.gov
Lisa.A.Mathews@ct.gov

Arx Wireless Infrastructure LLC
110 Washington Avenue
North Haven, CT 06473

Arx Wireless Infrastructure, LLC
C/O David A. Ball, Esq. and Philip C. Pires, Esq.
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604
dball@cohenandwolf.com
ppires@cohenandwolf.com

Thomas J. Regan, Esq.
Brown Rudnik, LLP
185 Asylum Street
Hartford, CT 06103
TRegan@brownrudnick.com
cmercier@brownrudnick.com



Joseph E. Skelly, Jr.
Commissioner of the Superior Court