



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

Melanie.bachman@ct.gov

December 8, 2021

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

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 City of New Britain's Written Comments to Draft Findings of Fact, Dated December 8, 2021 with regard to the above-referenced matter.

Please contact our office if there are any questions.

Thank you,
Office of Corporation Counsel

Joseph E. Skelly, Jr.
Assistant Corporation Counsel

JES/tm
Enclosure

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

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

IN 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 : December 08, 2021

**CITY OF NEW BRITAIN'S
WRITTEN COMMENTS TO DRAFT FINDINGS OF FACT**

The Intervenor, City of New Britain proposes that Draft Findings of Fact No. 173 be revised as follows:

173. *Generally, the tower would be visible from the residences immediately to the north. Views of the tower are also expected from the residences located across Beach Street. While some residences would have obstructed views due to a slight existing treeline, the tower would be visible from the majority of the abutters. Such visibility would be a mix of year-round views from those residences closest to the facility and directly across Beach Street and seasonal views for those farther away on Beach Street and subject to the intervening trees.
(Tr. 1, pp. 28-29; Tr. 3, p. 9)*

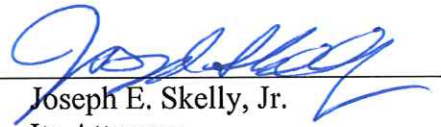
In addition, the proposed tower is in the middle of a highly concentrated urban population and is in close proximity and immediately adjacent to the residences located on 40, 46, 52, 58 and 64 Richmond Avenue. Comments of John Morrisette, Member and Presiding Officer at the December 2, 2021 meeting.

The residents to the north of the facility and the residents on Beach Street who are closest will have year round views of the cell tower. September 2, 2021 hearing, Testimony of Mr. Gaudet, p. 9, 28.

The proposed tower would have an adverse effect on the residents' quality of life who live immediately adjacent and in close proximity to 43 Osgood Avenue. September 2, 2021 hearing, Testimony of Mayor Stewart, p. 58-62.

INTERVENOR,
CITY OF NEW BRITAIN

By Office of Corporation Counsel

By 
Joseph E. Skelly, Jr.
Its Attorney

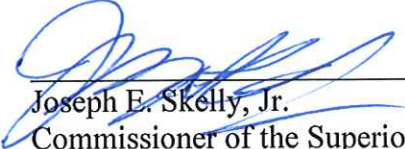
CERTIFICATION

I hereby certify that a copy of the above was or will immediately be mailed or delivered electronically or non-electronically on December 08, 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
C/O David A. Ball, Esq. and Philip C. Pires, Esq.
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604
ppires@cohenandwolf.com
DBall@cohenandwolf.com

New Cingular Wireless PCS, LLC D/B/A AT&T
C/O Thomas J. Regan, Esq.
Brown Rudnick LLP
185 Asylum Street
Hartford, CT 06103
tregan@brownrudnick.com
cmercier@brownrudnick.com



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