

MORIARTY, PAETZOLD & SHERWOOD

ATTORNEYS AT LAW

2230 MAIN STREET – P.O. BOX 1420

GLASTONBURY, CONNECTICUT 06033

DAVID F. SHERWOOD
dfsherwood@gmail.com

TELEPHONE (860) 657-1010
TELECOPIER (860) 657-1011

August 11, 2022

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

Reference: Connecticut Siting Council Docket No. 509 -Application of Homeland Towers, LLC for a Certificate of Environmental Compatibility and Public Need for the Construction, Maintenance and Operation of a Telecommunications Facility at 1837 Ponus Ridge Road, New Canaan, Connecticut

Dear Attorney Bachman:

Please find enclosed an original and 15 copies of a Supplemental Exhibit List dated August 11, 2022, for the JMB parties.

Thank you for your attention to this matter.

Very truly yours,

MORIARTY, PAETZOLD & SHERWOOD

David F. Sherwood

/mds

cc: Service List
Mark Buschmann
Jamie Buschmann

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE: :

:

APPLICATION OF HOMELAND : DOCKET NO. 509
TOWERS, LLC FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY :
AND PUBLIC NEED FOR THE :
CONSTRUCTION, MAINTENANCE AND :
OPERATION OF A :
TELECOMMUNICATIONS FACILITY AT :
1837 PONUS RIDGE ROAD, NEW :
CANAAN, CONNECTICUT :

: AUGUST 11, 2022

SUPPLEMENTAL EXHIBIT LIST OF PARTIES MARK BUSCHMANN, TRUSTEE AND
JAMIE BUSCHMANN, TRUSTEE, AND MARK BUSCHMANN, INTERVENOR

Parties Mark Buschmann, Trustee and Jamie Buschmann, Trustee, and Mark Buschmann, intervenor under C.G.S. § 22a-19, intend to offer the following additional exhibit relating to the above-referenced application in response to the applicants' late-filed submissions:

1. E-Mail Correspondence dated August 10, 2022 from Mary Lou Kramer, Paralegal, Office of Legal Counsel, Office of the Commissioner, Connecticut Department of Energy and Environmental Protection re Inclusion of Aquarion Water Company Land in Centennial Watershed State Forest

We reserve the right to offer additional exhibits as may be necessary during the hearing process.

PARTIES MARK BUSCHMANN, TRUSTEE
AND JAMIE BUSCHMANN, TRUSTEE, AND
MARK BUSCHMANN, INTERVENOR

By s/ David F. Sherwood

David F. Sherwood
Moriarty, Paetzold & Sherwood
2230 Main Street, P.O. Box 1420
Glastonbury, CT 06033-6620
Tel. (860) 657-1010
Fax (860) 657-1011
dfsherwood@gmail.com
Juris No. 412152
Their Attorneys

CERTIFICATE OF SERVICE

I hereby certify that copies of this exhibit list and all exhibits listed thereon were electronically mailed to the following service list on August 11, 2022.

Lucia Chiocchio, Esq.
Kristen Motel, Esq.
445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
lchiocchio@cuddyfeder.com
kmotel@cuddyfeder.com

Raymond Vergati
Manuel Vicente
Homeland Towers, LLC
9 Harmony Street, 2nd Floor
Danbury, CT 06810
rv@homelandtowers.us
mv@homelandtowers.us

Brian Leyden
Harry Carey
AT&T
84 Deerfield Lane
Meriden, CT 06067
bl5326@att.com
hc3635@att.com

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP

280 Trumbull Street
Hartford, CT 06103-3597

kbaldwin@rc.com

Justin Nishioka
60 Squires Lane
New Canaan, CT 06840
Justin.nishioka@gmailcom

s/ David F. Sherwood
David F. Sherwood
Commissioner of the Superior Court



David Sherwood <dfsherwood@gmail.com>

FW: Attorney -client FW: Connecticut Siting Council, Docket No. 509, 1837 Ponus Ridge Road, New Canaan (F-22-570)

Kramer, MaryLou <MaryLou.Kramer@ct.gov>
To: "dfsherwood@gmail.com" <dfsherwood@gmail.com>

Wed, Aug 10, 2022 at 2:56 PM

Mr. Sherwood,

The following is in response to your inquiries.

Centennial Watershed State Forest consists of both Class 1 land owned by Aquarion Water Company and Class 2 land owned by DEEP, as shown on the map. DEEP also owns Class 3 land in Centennial, but there doesn't happen to be any in this area.

The original NRMA called the land the "Conservation Land", which is why the Conservation Land Committee which manages the land is so named. But the term "Conservation Land" was confusing to the public. In 2003, it was renamed "Centennial Watershed State Forest", to honor the 100th anniversary of the creation of the State Forest system (1903), and to let people know that despite part of it being owned by DEEP, it is a drinking water watershed with public access regulated by the Department of Public Health.

Mary Lou Kramer

Paralegal

Office of Legal Counsel

Office of the Commissioner

Connecticut Department of Energy and Environmental Protection

[79 Elm Street, Hartford, CT 06106-5127](#)

Tel: 860.424.3058

Fax: 860.424.4053

Email: Marylou.kramer@ct.gov



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From: David Sherwood <dfsherwood@gmail.com>
Sent: Tuesday, August 9, 2022 7:04 AM
To: Kramer, MaryLou <MaryLou.Kramer@ct.gov>
Subject: Fwd: Attorney -client FW: Connecticut Siting Council, Docket No. 509, 1837 Ponus Ridge Road, New Canaan (F-22-570)

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Ms. Kramer,

Good morning. I am writing in connection with my June 11, 2022 FOIA request regarding the areas of the Centennial Watershed State Forest which are adjacent to Laurel Reservoir in New Canaan and Stamford (attached). A question has arisen whether the Aquarion Water Company land shown on the map you provided to me (also attached) is included within the Centennial Watershed State Forest boundaries. According to some, the legend on the map which you sent does not clearly indicate that *both* the Aquarion Water Company land and the CT DEEP land is included within the Centennial Watershed State Forest.

I would greatly appreciate confirmation of your receipt of this email, and clarification as to whether the Aquarion Water Company land shown on the map you provided is included within the Centennial Watershed State Forest.

Thank you for your continued assistance,

David

David F. Sherwood
Moriarty, Paetzold & Sherwood
2230 Main Street
P.O. Box 1420
Glastonbury, Connecticut 06033-6620
Telephone: (860) 657-1010

Telecopier: (860) 657-1011
E-Mail: dfsherwood@gmail.com

----- Forwarded message -----

From: **Kramer, MaryLou** <MaryLou.Kramer@ct.gov>
Date: Mon, Jun 13, 2022 at 12:08 PM
Subject: FW: Attorney -client FW: Connecticut Siting Council, Docket No. 509, [1837 Ponus Ridge Road, New Canaan \(F-22-570\)](#)
To: David Sherwood <dfsherwood@gmail.com>

Mr. Sherwood,

Attached are records responsive to your Freedom of Information Request submitted to the Department on June 11, 2022. Staff could only locate the map contained within the first attachment. However, if this map does not suffice, and you still seek the mile radius map, a further search will be required necessitating additional compliance time extending beyond your recited June 21, 2022 filing date.

Please advise if these records satisfy your request.

Thank you,

Mary Lou Kramer

Paralegal

Office of Legal Counsel

Office of the Commissioner

Connecticut Department of Energy and Environmental Protection

[79 Elm Street, Hartford, CT 06106-5127](#)

Tel: 860.424.3058

Fax: 860.424.4053

Email: Marylou.kramer@ct.gov



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Connecticut Department of
 Energy & Environmental Protection
 Office of the Commissioner
 Office of Legal Counsel

Freedom of Information Act Request

Please review important information provided on DEEP's [FOIA webpage](#) before completing this form. Completed forms may be submitted via e-mail to (DEEP.FOIA@ct.gov) (preferred most efficient approach), faxed to (860)-424-4053, or mailed to Department of Energy and Environmental Protection, FOIA Administrator, 79 Elm Street, Hartford, CT 06106. In person requests may also be made. Please note that your request is also a public record, and thus, subject to disclosure.

Part I: Requester Information

Name: David F. Sherwood

Mailing Address: 2230 Main Street, P.O. Box 1420, Glastonbury, CT 06033

City/Town: _____ State: _____ Zip Code: _____

Affiliation (optional): _____

Phone: 860-657-1010 ext. 11 Fax: 860-657-1011

*E-mail: dfsherwood@gmail.com

*By providing this e-mail address you are agreeing to receive official correspondence from the department, at this electronic address, concerning this subject form. Please remember to check your security settings to be sure you can receive e-mails from "ct.gov" addresses. Also, please notify the department if your e-mail address changes.

Part II: Description of Records

NOTE: Each request may reference only one specific property location address. Please submit separate requests for each additional location.

Property Location Address (street and city): Centennial Watershed State Forest

Name of facility (past or present), if applicable: Laurel Reservoir, New Canaan & Stamford

Associated case file numbers (e.g., application, permit, enforcement case numbers):

Associated DEEP Programs: Gerard Milne, State Forester

Date range of records requested: 2002-present

Detailed description of records being sought to review:

I am requesting a copy of the 2002 agreement⁵ among the CTDEEP, Aquarion Water Company and the Nature Conservancy relating to the creation of Centennial Watershed State Forest. I would prefer an electronic copy if available.

I am also requesting a map of the location of the forest within 1 mile from Laurel Reservoir in New Canaan and Stamford -as detailed as possible

TIME IS OF THE ESSENCE - I HAVE A SUBMISSION DATE OF JUNE 21, 2022 AND THE SUBMISSION MUST INCLUDE THESE DOCUMENTS

Check here if additional sheets are necessary, and label and attach them to this sheet.



David Sherwood <dfsherwood@gmail.com>

Connecticut Siting Council, Docket No. 509, 1837 Ponus Ridge Road

1 message

Gaudio, Rachael <Rachael.Gaudio@ct.gov>
To: "dfsherwood@gmail.com" <dfsherwood@gmail.com>
Cc: "Milne, Gerard" <Gerard.Milne@ct.gov>

Fri, Jun 10, 2022 at 11:52 AM

Good morning, Attorney Sherwood –

I understand that you have been in contact with Mr. Milne of DEEP regarding the above-captioned proposed cell phone tower, and would like to review the agreement relating to the creation of the Centennial Watershed State Forest as well as a map of the affected land around Laurel Reservoir. The best way to obtain that information from DEEP is through a FOIA request. You can make the request for those documents by emailing DEEP.FOIA@ct.gov. The request can be written into the email body itself, or you may fill out a form (Freedom of Information Act Request) and attach it to the email.

Please let me know if you have any questions.

Many thanks,

Rachael

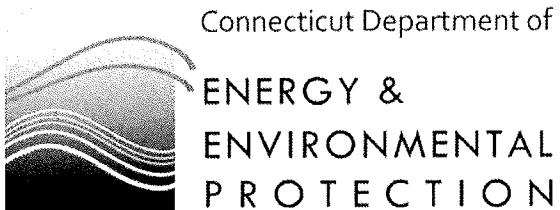
Rachael M. Gaudio

Staff Attorney II

Environmental Conservation Division

Connecticut Department of Energy and Environmental Protection
79 Elm Street, Hartford, CT 06106-5127

P: (860) 424-3319 | E: rachael.gaudio@ct.gov



www.ct.gov/deep

Conserving, improving and protecting our natural resources and environment;



David Sherwood <dfsherwood@gmail.com>

Connecticut Siting Council, Docket No. 509, 1837 Ponus Ridge Road

1 message

David Sherwood <dfsherwood@gmail.com>

Mon, Jun 6, 2022 at 3:39 PM

To: Gerard.milne@ct.gov

Bcc: mark buschmann <buschmann.mark@gmail.com>, "Buschmann, Mark" <Buschmann@pjtpartners.com>, "Jamie Buschmann (jnbuschmann@mac.com)" <jnbuschmann@mac.com>, Justin Nishioka <justin.nishioka@gmail.com>

Mr. Milne,

Thank you for the telephone call today. I appreciate your sending me the agreement relating to the creation of the Centennial Watershed State Forest.

As I explained, one of the factual issues I am grappling with is the location of the State Forest. If you look at the finding aid on your website and zoom into Laurel Reservoir in Stamford and New Canaan, the land surrounding the Reservoir does not appear to be designated State Forest.:

Connecticut Department of Energy and Environmental Protection, Find a State Park or Forest <https://ctdeep.maps.arcgis.com/apps/webappviewer/index.html?id=950da678b13b458ba4cbe5687e902c19&deepNav=>

However, I followed your suggestion and checked the Stamford and New Canaan assessor's maps and the entire Laurel Reservoir shorefront is owned by Aquarion Water Company of Connecticut:

1. Town of New Canaan Connecticut Tax Map 23 October 2012 https://cms3.revize.com/revize/newcanaant/Departments/Assessor/Tax%20Maps/TaxMap_23.pdf
2. Town of New Canaan Property Record Card MBL 23 6 2 <https://www.propertyrecordcards.com/PrintPage.aspx?towncode=090&uniqueid=23%20%2026%20%202>
3. City of Stamford, Connecticut Assessment Parcel Map October 2020 Map 5 https://scans.stamfordgis.org/TaxMap/taxmap2020_42x36_5.pdf
4. City of Stamford, Connecticut Assessment Parcel Map October 2020 Map 10 https://scans.stamfordgis.org/TaxMap/taxmap2020_42x36_10.pdf
5. Vision Government Solutions Property Card MBLu 004/2787 <https://gis.vgsi.com/stamfordct/Parcel.aspx?pid=184022>

Is the shorefront land owned by Aquarion part of the State Forest? If not, why not?


If you can find the time to prepare a map of the State Forest in the vicinity of Laurel Reservoir, I would be very grateful.

Thank you again for your help.

David

David F. Sherwood
Moriarty, Paetzold & Sherwood
2230 Main Street
P.O. Box 1420
Glastonbury, Connecticut 06033-6620
Telephone: (860) 657-1010
Telecopier: (860) 657-1011
E-Mail: dfsherwood@gmail.com

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M. JODI RELL
GOVERNOR

STATE OF CONNECTICUT
EXECUTIVE CHAMBERS
HARTFORD, CONNECTICUT 06106

FOR IMMEDIATE RELEASE
September 16, 2004

Contact: Dennis Schain
860-524-7313
dennis.schain@po.state.ct.us

Governor Rell Announces the Dedication Of Centennial Watershed State Forest

Largest open space acquisition in state history encompasses more than 15,000 acres

Governor M. Jodi Rell today announced the designation of the new Centennial Watershed State Forest, the largest open space acquisition in the state's history. The new state forest encompasses more than 15,000 acres of land the state acquired in 2002 from the Aquarion Water Company largely in Fairfield County as well as land in Litchfield, New Haven and Hartford Counties. The name was chosen in recognition of the 100-year anniversary of forest management in the State of Connecticut.

"The Centennial Watershed State Forest, in addition to being the state's largest open space acquisition, also bears the distinction of being the first new state forest designated in more than 30 years," said Governor Rell. "The Centennial Watershed State Forest pays tribute to Connecticut's commitment to the protection of the beauty and character of our state and to the contributions made by hundreds of men and women over the last hundred years who have helped shape our rich landscapes.

"Open space is a nonrenewable resource that we owe it to our children to preserve," Governor Rell added. "Every acre we can preserve is an acre for future generations to enjoy."

With the addition of the Centennial Watershed State Forest, the state forest system has grown to more than 30 state forests, totaling over 149,000 acres.

In 2002, the Department of Environmental Protection (DEP), in partnership with the Nature Conservancy, closed on the acquisition of rights to the 15,300 acres of watershed land with the Aquarion Water Company, a subsidiary of Kelda Group. The purchase price was \$90 million. The state acquired conservation

and public access easements to properties directly adjacent to reservoirs and streams and to the title to properties in close proximity to the reservoirs and throughout the watersheds. Since the acquisition, the DEP has been working with Aquarion and the Nature Conservancy to develop management plans for the different parcels.

The 15,000 acres that make up the Centennial Watershed State Forest are heavily forested with miles of pristine streams, upland ridges, and reservoir shorefront. About 90% of the new state forest is located in Fairfield County, with additional property in Litchfield, New Haven and Hartford Counties.

The property includes additions to Housatonic State Forest in Canaan, Naugatuck State Forest in Oxford and Indian Well State Park in Shelton. The acquisition includes frontage along the Saugatuck Reservoir (Redding, Easton, and Weston), the Hemlock Reservoir in Easton and Fairfield, Trap Falls Reservoir in Shelton, Lake Wagnum in Canaan, the Laurel Reservoir in Stamford and New Canaan and the Simsbury Reservoir in Simsbury. Portions of the property surround Trout Brook Valley, The Nature Conservancy's Cathedral Pines Preserve and the state's Canaan Mountain Natural Area Preserve.

The Connecticut State Forest System was created in January 1903. In that year, the state purchased 70 acres of brush land in Portland and named it Portland State Forest. The name was later changed to Meshomasic State Forest. From that first small purchase, Connecticut's State Forest system has grown to more than 30 state forests.

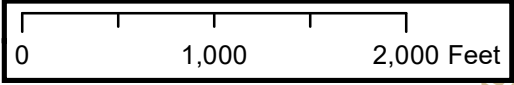
Content Last Modified on 10/22/2004 4:18:24 PM

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Centennial Watershed State Forest Adjacent to Laurel Reservoir



Legend

-  Class_1 - Aquarion Water Company
-  Class_2 - CT DEEP
-  Town Line

