

From: Bachman, Melanie <Melanie.Bachman@ct.gov>
Sent: Wednesday, August 10, 2022 10:47 AM
To: don bergmann <donlbergmann@sbcglobal.net>; Nicholas R. Bamonte <nbamonte@berchemmoses.com>; Ira Bloom <ibloom@berchemmoses.com>; CSC-DL Siting Council <Siting.Council@ct.gov>
Cc: Baldwin, Kenneth <kbaldwin@rc.com>; Ball, David A. <dball@cohenandwolf.com>; Pires, Philip C. <ppires@cohenandwolf.com>; Lucia Chiocchio, Esq. <lchiocchio@cuddyfeder.com>; kmotel@cuddyfeder.com
Subject: RE: Docket # 510 Cell Tower at 92 Greens Farms Rd. Westport CT Public Hearing Speaking

Good morning, Mr. Bergmann,

Certainly, not allowing the First Selectwoman to speak during the public comment session last night was not because you were precluded from speaking as an intervenor. **It was for the same reason that you were precluded from speaking as an intervenor.** Parties and intervenors in the proceeding may not also participate in the public comment session. The Town of Westport is a party to these proceedings. Please see the highlighted section of the Council's regulation below.

Sec. 16-50j-15b. Limited appearance

(a) Status of Limited Appearance.

Pursuant to Section 4-177 and Section 16-50n of the Connecticut General Statutes, prior to, during or not later than 30 days after the close of a hearing, any person may make a limited appearance. All oral and written limited appearance statements shall become part of the record. **No person making a limited appearance shall be a party or intervenor**, or shall have the right to cross-examine witnesses, parties or intervenors. No party or intervenor shall have a right to cross-examine a person making a limited appearance. The Council may require a limited appearance statement to be given under oath.

(b) Form of Limited Appearance.

A limited appearance may be made in the following forms:

- (1) a written statement submitted to the Council prior to, during or after the close of a hearing;
or
- (2) an oral statement made during the public comment session of a hearing held after 6:30 PM pursuant to Section 16-50m of the Connecticut General Statutes.

(Effective May 28, 1985; Amended September 7, 2012)

Should you have any questions, please feel free to contact me at your convenience.

Thanks. Have a great day.

Melanie

Melanie A. Bachman, Esq.
Executive Director/Staff Attorney
Connecticut Siting Council

10 Franklin Square
New Britain, CT 06051
860-827-2951



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From: don bergmann <donlbergmann@sbcglobal.net>
Sent: Wednesday, August 10, 2022 10:29 AM
To: Nicholas R. Bamonte <nbamonte@berchemmoses.com>; Ira Bloom <ibloom@berchemmoses.com>;
Bachman, Melanie <Melanie.Bachman@ct.gov>
Cc: Baldwin, Kenneth <kbaldwin@rc.com>; Ball, David A. <dball@cohenandwolf.com>; Pires, Philip C.
<ppires@cohenandwolf.com>; Lucia Chiocchio, Esq. <lchiocchio@cuddyfeder.com>;
kmotel@cuddyfeder.com
Subject: Re: Docket # 510 Cell Tower at 92 Greens Farms Rd. Westport CT Public Hearing Speaking

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Hi Melanie,

It almost sounds as if you decided not to let Jen Tooker speak because I was precluded from speaking as an intervenor. If true, that is unfortunate. I would have of course withdrawn my request to speak had I known that would result. It is regrettable that you did not permit our First Selectwoman to speak. She strongly opposes the 92 Greens Farms Rd. site and would have brought some real emotion and commitment to the issue. I hope you give Ms. Tooker a chance again to speak in the future.
Don Bergmann

On Tuesday, August 9, 2022 at 04:52:50 PM EDT, Bachman, Melanie <melanie.bachman@ct.gov> wrote:

Good evening.

Out of respect for Mr. Bergmann, who is an Intervenor that also asked to speak during the 6:30 PM public comment session, in fairness to the residents who signed up to speak and are not parties or intervenors, and to abide by our regulations, which preclude parties, intervenors and their witnesses from also speaking during the public comment session, the First Selectwoman will not be allowed to speak during the 6:30 PM public comment session.

Thank you.

Melanie A. Bachman, Esq.

Executive Director/Staff Attorney

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From: don bergmann <donbergmann@sbcglobal.net>

Sent: Tuesday, August 9, 2022 9:35 AM

To: Bachman, Melanie <Melanie.Bachman@ct.gov>

Cc: Stephen Goldstein <stephengoldstein@gmail.com>

Subject: Re: Docket # 510 Cell Tower at 92 Greens Farms Rd. Westport CT Public Hearing Speaking

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Melanie,

I thought that might be the case. I fully understand. Don Bergmann

On Tuesday, August 9, 2022 at 07:18:22 AM EDT, Bachman, Melanie <melanie.bachman@ct.gov> wrote:

Good morning, Mr. Bergmann.

As an intervenor, you may not also participate in the public comment session of the hearing. Please refer to the Siting Council Guide to Party and Intervenor Status that was sent to you when you were granted intervenor status. Here is a link for your convenience:

<https://portal.ct.gov/-/media/CSC/Guides/Guides2015/CONNECTICUTSITINGCOUNCILINFORMATIONGUIDETOPARTYANDINTERVENORSTATUSnewpdf.pdf>

Please also refer to the Hearing Procedures Memorandum posted on the Docket 510 webpage.

https://portal.ct.gov/-/media/CSC/1_Dockets-medialibrary/1_MEDIA_DO500_600/DO510/Hearing/20220809/DO510-RemotePHC_zoom_.pdf

Thank you.

Melanie A. Bachman, Esq.

Executive Director/Staff Attorney

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From: don bergmann <donbergmann@sbcglobal.net>
Sent: Monday, August 8, 2022 7:18 PM
To: CSC-DL Siting Council <Siting.Council@ct.gov>
Cc: Stephen Goldstein <stephengoldstein@gmail.com>
Subject: Docket # 510 Cell Tower at 92 Greens Farms Rd. Westport CT Public Hearing Speaking

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To: CT Siting Council, Attn. M. Bachman, Executive Director

From: Donald L. Bergmann, 32 Sherwood Drive Westport CT tel: 203 226 8712 E
Mail: donbergmann@sbcglobal.net

Re: Request to Speak at Public Hearing on August 9, 2022

Kindly add my name to the list of likely speakers at the above meeting. I note I am an intervenor, but do not know if that has any relevance to my decision to speak for up to three minutes. I will be on the zoom connection at the home of a friend, Stephen Goldstein, since my computer does not do zoom properly.

Thank you, Don Bergmann