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***VIA HAND DELIVERY AND  
ELECTRONIC MAIL***

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Ms. Melanie A. Bachman, Esq., Executive Director  
Connecticut Siting Council  
Ten Franklin Square  
New Britain, CT 06051

**Re: Docket No. 545 – 306 Flanders Road, East Lyme, Connecticut**

Dear Attorney Bachman:

Mostowy Towers LLC (“Mostowy”) responds briefly to the applicants’ objection.

- The applicants appear to acknowledge that the Connecticut Siting Council (“Council”) has the authority to investigate whether another existing structure, in this case a 180 foot lattice tower, would satisfy the coverage objectives of the participating wireless providers.
- Mostowy alerted the Council of the existing tower within the vicinity of the proposed facility and the lack of its consideration in this matter. This is a sufficient basis for an investigation under General Statutes § 16-50p(b)(2), which is inextricably linked with the important public policies codified in General Statutes §§ 16-50aa and 16-50gg to avoid the unnecessary proliferation of towers.
- The Council is well within its discretion to require an assessment of the existing tower to ensure compliance with § 16-50p(b), § 16-50aa and § 16-50gg. The important public policies codified in these statutes verify that Mostowy’s request is neither frivolous nor legally incorrect.
- The record appears to be devoid of any evidence regarding the evaluation of the existing tower. At this point, one can only surmise whether the absence of any coverage analysis in applicants’ response means the existing tower may serve the coverage objectives of one or more of the participating wireless providers.

Updike, Kelly & Spellacy, P.C.

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- It is reasonable for the participating wireless providers to submit a coverage analysis, supported by propagation mapping, to show whether the existing tower would satisfy the coverage objectives of one or more providers. This relatively limited request, made before the filing of a development and management (“D&M”) plan, protects the public interest because it will either confirm the need for the proposed facility or show that the existing tower would satisfy the coverage needs of one or more wireless providers.
- The applicants’ assertion that the public is entitled to “finality in this docket” – particularly before they have filed a D&M plan – does not outweigh the important legislative policies embodied in § 16-50p(b), § 16-50aa and § 16-50gg to avoid the unnecessary proliferation of towers.

Please do not hesitate to contact me with any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jesse A. Langer", with a stylized flourish at the end.

Jesse A. Langer

cc: Service List (*via email*)  
The Honorable Daniel R. Cunningham (*via email*)