

Daniel F. Caruso  
Chairman

STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

Internet: [ct.gov/csc](http://ct.gov/csc)

August 6, 2007

Ruth Girolomo  
Post Reporting Service, Inc.  
2015 Dixwell Avenue  
Hamden, CT 06514

RE: **DOCKET NO. 342** - Optasite Towers LLC and Omnipoint Communications, Inc.  
application for a Certificate of Environmental Compatibility and Public Need for the  
construction, maintenance and operation of a telecommunications facility located at 425  
Litchfield Road, New Milford, Connecticut.

Dear Ms. Girolomo:

In reference to our telephone conversation, your attendance will be required at a hearing of the  
Connecticut Siting Council (Council) regarding the subject docket on:

**Monday, September 10, 2007**  
**4-5 p.m. and 7-10 p.m.**  
**New Milford High School**  
**Lecture Room**  
**388 Danbury Road**  
**New Milford, CT 06776**

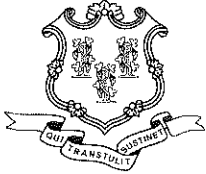
The Council will require delivery of the complete transcript, an original and one copy, within one  
week of the hearing. I am enclosing a copy of the application filing and our hearing notice for  
your convenience. If you have any questions concerning this matter, please call me.

Very truly yours,

Carriann Mulcahy  
Secretary

cm

Enclosure (2)



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Chairman

# STATE OF CONNECTICUT

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August 6, 2007

Joseph Reese  
Tech Theatrical Services, LLC  
98 Knight Street  
Watertown, CT 06795

RE: **DOCKET NO. 342** - Optasite Towers LLC and Omnipoint Communications, Inc.  
application for a Certificate of Environmental Compatibility and Public Need for the  
construction, maintenance and operation of a telecommunications facility located at 425  
Litchfield Road, New Milford, Connecticut.

Dear Mr. Reese:

Your attendance will be required at a hearing of the Connecticut Siting Council (Council)  
regarding the subject docket on:

**Monday, September 10, 2007**  
**4-5 p.m. and 7-10 p.m.**  
**New Milford High School**  
**Lecture Room**  
**388 Danbury Road**  
**New Milford, CT 06776**

I am enclosing a copy of our hearing notice for your convenience. If you have any questions  
concerning this matter, please call me.

Very truly yours,

Carriann Mulcahy  
Secretary

cm

Enclosure



Daniel F. Caruso  
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August 6, 2007

TO: Council Members

FROM: S. Derek Phelps, Executive Director



RE: **DOCKET NO. 342** - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 425 Litchfield Road, New Milford, Connecticut.

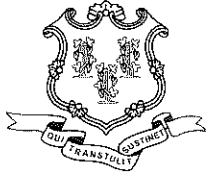
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Enclosed please find a copy of the Council's notice of public hearing.

SDP/cm

Enclosure (1)

c: Secretary of the State  
Robert L. Marconi, Assistant Attorney General  
Parties and Intervenors  
Application Service Recipients  
Ginger Teubner, DPUC



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August 6, 2007

TO: Christopher B. Fisher, Esq.  
Cuddy & Feder LP

Thomas J. Regan, Esq.  
Brown Rudnick Berlack Israels LP

Kenneth C. Baldwin, Esq.  
Robinson & Cole LLP

Michele G. Briggs  
New Cingular Wireless PCS, LLC

Sandy M. Carter  
Verizon Wireless



FROM: S. Derek Phelps, Executive Director

RE: **DOCKET NO. 342** - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 425 Litchfield Road, New Milford, Connecticut.

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The Connecticut Siting Council (Council) has received an application for a proposed telecommunications facility in New Milford. If you would like to participate in this proceeding, your response by or before September 4, 2007, will be appreciated.

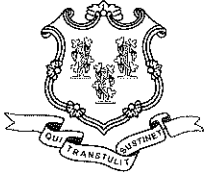
SDP/cm

Enclosure: Hearing Notice

c: Parties & Intervenors  
Council Members



CONNECTICUT SITING COUNCIL  
Affirmative Action / Equal Opportunity Employer



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Chairman

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August 6, 2007

TO: Classified/Legal Supervisor  
**342070806**  
The News Times  
333 Main Street  
Danbury, CT 06810

Classified/Legal Supervisor  
New Milford Spectrum  
45-B Main Street  
New Milford, CT 06776

FROM: Carriann Mulcahy, Secretary 

RE: **DOCKET NO. 342** - Optasite Towers LLC and Ompoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 425 Litchfield Road, New Milford, Connecticut.

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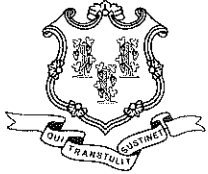
Please publish the attached legal notice for one day on the first day possible from receipt of this notice, except on Saturday, Sunday, or holiday.

Pursuant to General Statutes § 16-50m(c), the general notice to be public shall be published in its entirety in not less than **TEN POINT BOLDFACE TYPE**. If you have any questions concerning the ten point type, please contact me. If your newspaper does not have ten point type, please so state and also state the size type actually used in the legal notice in your affidavit.

Please send affidavit of publication and invoice to: Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051

cm

Enclosure (1)



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Chairman

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August 6, 2007

TO: Commissioner Gina McCarthy  
Department of Environmental Protection

Commissioner J. Robert Galvin  
Department of Public Health

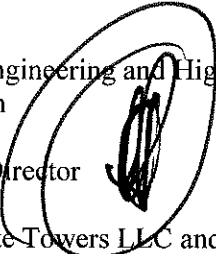
Karl Wagener, Executive Director  
Council on Environmental Quality

Commissioner Donald W. Downes, Chairman  
Department of Public Utility Control

Robert Genuario, Secretary  
Office of Policy and Management

Commissioner Joan McDonald  
Department of Economic and Community Development

Arthur W. Gruhn, P.E.  
Chief Engineer, Bureau of Engineering and Highway Operations  
Department of Transportation

FROM: S. Derek Phelps, Executive Director 

RE: **DOCKET NO. 342** - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 425 Litchfield Road, New Milford, Connecticut.

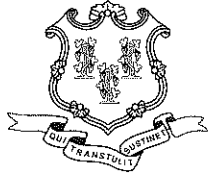
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Pursuant to General Statutes § 16-50j(h), the Connecticut Siting Council hereby solicits your written comments and consultation. Your response by or before September 4, 2007, will be appreciated.

A copy of the application with location maps has previously been provided to you, pursuant to General Statutes § 16-50l.

SDP/cm

c: Parties & Intervenors  
Council Members



Daniel F. Caruso  
Chairman

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### Screening Checklist

### Connecticut Department of Transportation Potential Transportation Infrastructure Impacts Connecticut Siting Council Docket# 342 Location: 425 Litchfield Road, New Milford

**Proposed Project:** 140-foot monopole telecommunications facility.

1. Is the proposed facility abutting the right-of-way of a State maintained highway?

*Yes – Property abuts Route 25.*

2. Is access for construction or maintenance of the proposed facility needed directly from a State maintained highway

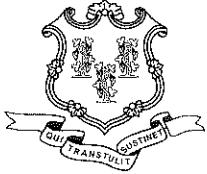
*Yes – Access is from Route 25, refer to Tab B, Sheet A01.*

3. Does the proposed construction or maintenance of the proposed facility impact any licensed aviation facility (L.A.F.)? Definition: L.A.F. is a facility licensed to operate by DOT, airport, heliport or parachute coop area.

*No – Applicant performed TOWAIR analysis. Refer to Tab N.*

4. Is the proposed facility within or abutting a State owned Railroad Right-of-Way?

*No*



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August 6, 2007

Dennie DeBellis  
Facilities Management  
New Milford Public Schools  
50 East Street  
New Milford, CT 06776

RE: **DOCKET NO. 342** - Optasite Towers LLC and Omnipoint Communications, Inc.  
application for a Certificate of Environmental Compatibility and Public Need for the  
construction, maintenance and operation of a telecommunications facility located at 425  
Litchfield Road, New Milford, Connecticut.

Dear Ms. DeBellis:

Confirming our telephone conversation of July 10, 2007, I appreciate the reservation of the  
Lecture Room at the New Milford High School for a public hearing on September 10, 2007, from  
3:00 p.m. to 10:00 p.m.

For your information, I have attached a general plan for seating arrangements.

If any other information is needed, please contact me at my office. Thank you for your  
assistance.

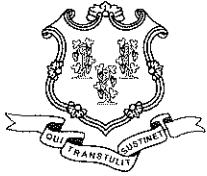
Very truly yours,

Carriann Mulcahy  
Secretary

cm

Enclosure (1)





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August 6, 2007

The Honorable Pat Murphy  
Town of New Milford  
10 Main Street  
New Milford, CT 06776

RE: **DOCKET NO. 342** - Optasite Towers LLC and Omnipoint Communications, Inc.  
application for a Certificate of Environmental Compatibility and Public Need for the  
construction, maintenance and operation of a telecommunications facility located at 425  
Litchfield Road, New Milford, Connecticut.

Dear Mayor Murphy:

The Connecticut Siting Council (Council) has scheduled a public hearing in your town in connection with the above-referenced proceeding. I am writing to invite you to participate in this hearing.

The Council fully understands that municipal input and guidance is absolutely necessary to achieve a thoughtful and balanced decision in matters such as this. Accordingly, I am extending to you my personal invitation to participate in the hearing that is scheduled on September 10, 2007.

Please be advised that the Council's processes enable the affected municipal governments to engage in meaningful discourse and, if they choose, to even assert a legal role in the proceedings of applications that come before the Council. Municipalities are afforded a right of pre-filed technical information and consultation with applicants 60 days before an application is filed with the Council. During this period the municipality may conduct public hearings and meetings, as it deems necessary. Both the municipal and applicant filings become part of the Council's record.

Once an application is filed with the Council at least one public hearing is held in the affected community as well as a public inspection of the proposed site. Your participation at such hearing may take many forms; municipal officials may make opening statements to the Council, present written documents, or may seek Party or Intervenor Status and put on a case with witnesses.

Our staff is available to assist you in understanding our process and your options. If you have questions, please contact Executive Director S. Derek Phelps (860 827-2935). In the event you have legal questions, please contact our Assistant Attorney General Robert Marconi (860 827-2682).

The Council weighs many issues before rendering its decisions. It is important that we know the Town's views as part of that decision making process. We hope you will take part in our hearing process.

Sincerely,

Daniel F. Caruso  
Chairman

DFC/SDP/cm

Seating Arrangements:

X X X X X X X X X X X X

Council Table  
(seating for twelve)  
(x = chairs)

X  
X  
Table for  
Court Reporter  
(x = chairs)

Applicant Table  
(x = chairs)

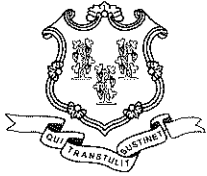
X X X X

Party Table  
(seating for three)  
(x = chairs)

X X X

Podium for public

SEATING FOR PUBLIC  
(chairs facing Council table)



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### HEARING NOTICE

Pursuant to provisions of General Statutes § 16-50m and Section 16-50j-21 of the Regulations of Connecticut State Agencies, notice is hereby given that the Connecticut Siting Council (Council) will conduct a public hearing on Monday, September 10, 2007, beginning at 4:00 p.m., and continued at 7:00 p.m., at the New Milford High School Lecture Room, 388 Danbury Road, New Milford, Connecticut, and thereafter as necessary. The hearing will be on an application from Optasite Towers LLC and Omnipoint Communications, Inc. for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 425 Litchfield Road, New Milford, Connecticut.

The purpose of the hearing is to hear evidence on the applicant's contentions that the public need for the facility outweighs any adverse environmental effects that would result from the construction, operation, or maintenance of a tower, ground equipment, and access road. The 4:00 p.m. hearing session will provide the applicant, parties, and intervenors an opportunity to cross-examine positions. The applicant will be allowed a final rebuttal. Briefs will be entertained after the close of the last hearing session. The 7:00 p.m. hearing session will be reserved for the public to make brief statements into the record. Cross-examination of parties and intervenors will resume, if necessary, after all statements have been heard.

The Council will conduct a public field review of the proposed site on Monday, September 10, 2007, beginning at 3:00 p.m. The applicant will fly a balloon during the field review to simulate the height of the proposed facility.

Applicable law for this proceeding includes the Public Utility Environmental Standards Act, General Statutes § 16-50g, et seq., and Sections 16-50j-1 through 16-50v-1a of the Regulations of Connecticut State Agencies.

The Council will hold a pre-hearing conference on procedural matters on Tuesday, August 21, 2007, beginning at 2:00 p.m. at the Council's office, 10 Franklin Square, New Britain, Connecticut.

The Council directs that all testimony and exhibits be pre-filed with the Council and all parties and intervenors by September 4, 2007. In accordance with the State Solid Waste Management Plan, the Council requests that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators.

Individuals are encouraged to participate through their elected officials, and other party/intervenor groupings.

Any person seeking to be named or admitted as a party or intervenor to the proceeding may file a written request to be so designated at the office of the Connecticut Siting Council, 10 Franklin Square, New Britain, Connecticut 06051, on or before September 4, 2007.

Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the hearing.

Any person who is not a party or intervenor to this proceeding may file a written statement with the Council at the hearing or any time up to 30 days thereafter. Such statements will become part of the record. No written statement or any other material, evidence, or other information will be accepted from any person not a party or intervenor to the proceeding after 30 days following the close of the hearing, except as otherwise prescribed by law or the Council.

A verbatim transcript of the hearing session(s) will be made and deposited with the Town Clerk's Office of the New Milford Town Hall for the convenience of the public.

Requests for information in alternative formats or for sign-language interpreter services must be submitted in writing by September 6, 2007.

The applicant of this facility is represented by the following:

**Applicant**

Optasite Towers LLC and  
Omnipoint Communications, Inc.

**Its Representative**

Julie Kohler, Esq.  
Carrie L. Larson, Esq.  
Cohen and Wolf, P.C.  
115 Broad Street  
Bridgeport, CT 06604

A copy of the application is available for review at the Council's office during office hours at 10 Franklin Square, New Britain, Connecticut, (860) 827-2935. The Council has assigned this application docket no. 342.

August 6, 2007

Connecticut Siting Council