

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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

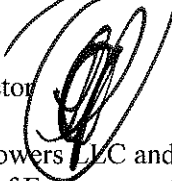
E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

Daniel F. Caruso
Chairman

February 8, 2008

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.

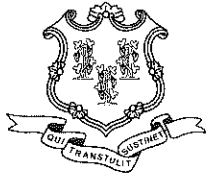
DOCKET NO. 355 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 359 Litchfield Road, New Milford, Connecticut.

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



Daniel F. Caruso
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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 Tuesday, March 11, 2008, beginning at 3:00 p.m. and continued at 7:00 p.m., at the New Milford High School Cafeteria, 388 Danbury Road, New Milford, Connecticut and thereafter as necessary. The hearing will be on two applications filed with the Council for the development of a wireless telecommunications facility in the Northville section of New Milford. The first application, Docket 342, was filed by 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 second application, Docket 355, was filed by Cellco Partnership d/b/a Verizon Wireless for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 359 Litchfield Road, New Milford, Connecticut.

The purpose of the hearing is to hear evidence on the applicants' contentions that the public need for a facility outweighs any adverse environmental effects that would result from the construction, operation, or maintenance of a tower, equipment building, and access road. The 3:00 p.m. hearing session will provide the applicants, parties, and intervenors an opportunity to cross-examine positions. The applicants will be allowed a final rebuttal. Arguments will be entertained in writing 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 Verizon Wireless site on Tuesday March 11, 2008, beginning at 2:00 p.m. at 395 Litchfield Road, New Milford, Connecticut. Verizon Wireless will fly a balloon, weather permitting, at the proposed site during the field review to simulate the height of the proposed tower.

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.



CONNECTICUT SITING COUNCIL

Affirmative Action / Equal Opportunity Employer

The Council will hold a pre-hearing conference on procedural matters on Wednesday, February 22, 2008, beginning at 11:00 a.m. at the Council's office, 10 Franklin Square, New Britain, Connecticut.

The Council requests that all testimony and exhibits be pre-filed with the Council and all parties and intervenors by March 4, 2008. 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 will be 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 March 4, 2008.

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 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 March 4, 2008.

The applicants of the proposed facilities are represented by the following:

Applicants

Docket 342

Optasite Towers LLC and
Omnipoint Communications, Inc.

Docket 355

Celco Partnership d/b/a Verizon Wireless

Its Representative

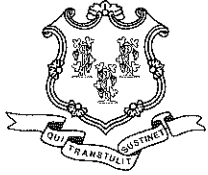
Julie Kohler, Esq.
Carrie L. Larson, Esq.
Cohen and Wolf, P.C.
115 Broad Street
Bridgeport, CT 06604

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597

A copy of each application is available for review at the Council's office during office hours at 10 Franklin Square, New Britain, Connecticut, (860) 827-2935.

February 8, 2008

Connecticut Siting Council



Daniel F. Caruso
Chairman

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February 8, 2008

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.

DOCKET NO. 355 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 359 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:

Tuesday, March 11, 2008
3:00-5:00 p.m. and 7:00-10:00 p.m.
New Milford High School
Cafeteria
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 I

cm

Enclosure



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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February 8, 2008

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.

DOCKET NO. 355 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 359 Litchfield Road, New Milford, Connecticut.

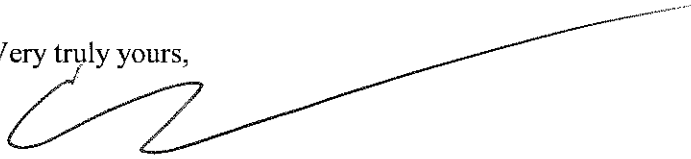
Dear Ms. DeBellis:

Confirming our telephone conversation of December 17, 2007, I appreciate the reservation of the Cafeteria at the New Milford High School for a public hearing on March 11, 2008, from 2:00 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 I

cm

Enclosure (1)

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)



Daniel F. Caruso
Chairman

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February 8, 2008

TO: Christopher B. Fisher, Esq. Thomas J. Regan, Esq.
Cuddy & Feder LP Brown Rudnick Berlack Israels LP

Michele G. Briggs
New Cingular Wireless PCS, LLC

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.

DOCKET NO. 355 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 359 Litchfield Road, New Milford, Connecticut.

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 March 4, 2008, will be appreciated.

SDP/cm

Enclosure: Hearing Notice

c: Parties & Intervenors
Council Members



Daniel F. Caruso
Chairman

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February 8, 2008

The Honorable Pat Murphy
Mayor
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.

DOCKET NO. 355 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 359 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 proceedings. 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 March 11, 2008.

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(s). 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

Daniel F. Caruso
Chairman

A handwritten signature in black ink, appearing to be 'Daniel F. Caruso', written in a cursive style. The signature is positioned to the right of the printed name and title.

DFC/SDP/cm



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

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February 8, 2008

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.

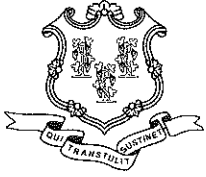
DOCKET NO. 355 - Celco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 359 Litchfield Road, New Milford, Connecticut.

Pursuant to General Statutes § 16-50j(h), the Connecticut Siting Council hereby solicits your written comments and consultation. Your response by or before March 4, 2008, 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

STATE OF CONNECTICUT

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Screening Checklist

Connecticut Department of Transportation

Potential Transportation Infrastructure Impacts

Connecticut Siting Council Docket# 355

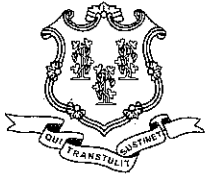
Location: 359 Litchfield Road, New Milford, Connecticut

1. Is the proposed facility abutting the right-of-way of a State maintained highway?
Yes – Property abuts Route 202.

2. Is access for construction or maintenance of the proposed facility needed directly from a State maintained highway
No

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

4. Is the proposed facility within or abutting a State owned Railroad Right-of-Way?
No



Daniel F. Caruso
Chairman

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February 8, 2008

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.

DOCKET NO. 355 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 359 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:

Tuesday, March 11, 2008
3:00-5:00 p.m. and 7:00-10:00 p.m.
New Milford High School
Cafeteria
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 I

cm

Enclosure (2)



Daniel F. Caruso
Chairman

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February 8, 2008

TO: Classified/Legal Supervisor
342355080208
The News Times
333 Main Street
Danbury, CT 06810

Classified/Legal Supervisor
342355080208
New Milford Spectrum
45-B Main Street
New Milford, CT 06776

FROM: Carriann Mulcahy, Secretary

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.

DOCKET NO. 355 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 359 Litchfield Road, New Milford, Connecticut.

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)