

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

www.ct.gov/csc

June 30, 2009

TO: Parties and Intervenors

FROM: S. Derek Phelps, Executive Director

RE: **DOCKET NO. 380** - Bay Communications, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a wireless telecommunications facility at 170 Southeast Road, New Hartford, Connecticut.

Comments have been received from the State of Connecticut Department of Public Health, Drinking Water Section, dated June 26, 2009. A copy of the comments is attached for your review

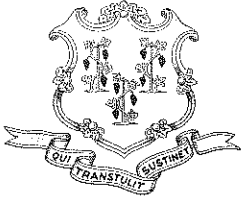
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Enclosure

c: Council Members

**LIST OF PARTIES AND INTERVENORS
SERVICE LIST**

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input type="checkbox"/> E-mail or <input checked="" type="checkbox"/> U.S. Mail	Bay Communications, LLC 16 East Washington St., Ste 207 North Attleborough, MA 02760 (508) 695-0072 (508) 695-0092 fax jriley@baycommunicationsllc.com	Thomas J. Regan, Esq. Brown Rudnick LLP CityPlace I, 38 th Floor 185 Asylum Street Hartford, CT 06103-3402 (860) 509-6522 (860) 509-6501 - fax tregan@brownrudnick.com
Intervenor (granted on April 23, 2009)	<input checked="" type="checkbox"/> E-mail or <input type="checkbox"/> U.S. Mail	Cellco Partnership d/b/a Verizon Wireless	Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200 (860) 275-8299 – fax kbaldwin@rc.com
	<input type="checkbox"/> E-mail or <input type="checkbox"/> U.S. Mail		
	<input type="checkbox"/> E-mail or <input type="checkbox"/> U.S. Mail		



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

ORIGINAL RECEIVED
MEMORANDUM
JUN 26 2009

CONNECTICUT
SITING COUNCIL

TO: S. Derek Phelps
Executive Director
Connecticut Siting Council

FROM: Lori Mathieu *JLM*
Public Health Services Manager
Drinking Water Section
Department of Public Health

DATE: 6/26/09

SUBJECT: **Docket No. 380**
DPH Project No. 2009-0246

DATE RECEIVED: 4/21/09

APPLICANT: Bay Communications, LLC

TOWN: New Hartford

PROJECT: Application for a Certificate of Environmental Compatibility and Public Need for the construction , maintenance, and operation of a wireless telecommunications facility at 170 Southeast Road, New Hartford, Connecticut.

_____ No Comments.
 X Other Comments:

Cc: Carol Youell- MDC

Phone: (860) 509-7333



Telephone Device for the Deaf: (860) 509-7191
410 Capitol Avenue - MS # 31WAT
P.O. Box 340308 Hartford, CT 06134

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From: Sara Rossetti, Environmental Analyst
Drinking Water Section
Department of Public Health

Subject: Comments on CT Siting Council
Docket No. 380
DPH Project No. 2009-0246

Date: June 26, 2009

Thank you for the provided information on CT Siting Council Docket No. 380. This activity will be located within The Metropolitan District Barkhamsted Reservoir Watershed which is an area of possible public drinking water concerns.

This proposed facility is located near Spruce Brook which flows directly to the Nepaug River a major tributary to Nepaug Reservoir. Bay Communications LLC applied for renewal of a certification of a telecommunications facility on Southeast Road in New Hartford, Connecticut. The application states there will be modifications made to the Spruce Brook Bridge crossing, the access road and construction of a telecommunication facility. This project has been assigned two previous dockets #251 and #314, in both cases construction was delayed due to design problems with the access road. An improvement was also necessary to the Spruce Brook Bridge crossing. The necessity of the bridge and road caused the telecommunications facility to continue to be delayed until these items were addressed.

The following Best Management Practices (BMP's) should be reviewed to ensure the safety of the drinking water supply:

- The Spruce Brook bridge must have erosion and sedimentation (E&S) controls and BMP's must be in place when construction begins.
- Guard rails should be provided on both sides of the bridge to help prevent any accidents which could cause the release of contaminants into the watercourse.
- The bridge should be inspected and maintained yearly to make sure the bridge is stable and no erosion is occurring.

Overall site construction recommendations:

- No equipment, machinery, or vehicles shall be cleaned, repaired, fueled or stored on the project site. Oil, solvents, or hazardous substances shall be disposed of off the watershed.
- No construction shall take place until water pollution controls and erosion and sedimentation controls are in place. It must be ensured these controls are installed, properly functioning, inspected regularly, and remain in place throughout the project.
- Any malfunction or breakdown of erosion and/or sedimentation control devices or water pollution control devices shall be repaired immediately. Construction activities shall be discontinued until repairs have been completed.
- Disturbed areas must be seeded or sodded as soon as possible to provide a vegetative cover against erosion. Seed mixtures and erosion control fabric shall be free from any herbicide or pesticide additive or treatment.
- MDC should be allowed to inspect the site during construction activities to make sure all Best Management Practices are being followed.

