

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

August 4, 2011

TO: Council Members

FROM: Linda Roberts, Executive Director 

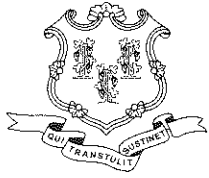
RE: **DOCKET NO. 420** - SBA Towers III and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility at one of three sites located at 49 Mountain Avenue; 23/25 Northwest Corner Road; or 350B Cossaduck Hill Road, North Stonington, Connecticut.

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

LR/laf

Enclosure (1)

c: Secretary of the State (via e-mail service)
Robert L. Marconi, Assistant Attorney General
Melanie A. Bachman, Staff Attorney
Parties and Intervenors
Application Service Recipients
Ginger Teubner, PURA (via e-mail service)



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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, September 20, 2011, beginning at 3:00 p.m., and continued at 7:00 p.m., at the North Stonington Volunteer Fire Company Main Meeting Room, 267 Norwich-Westerly Road, North Stonington, Connecticut, and thereafter as necessary. The hearing will be on an application from SBA Towers III and New Cingular Wireless PCS, LLC for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility at one of three sites located at 49 Mountain Avenue; 23/25 Northwest Corner Road; or 350B Cossaduck Hill Road, North Stonington, 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 3:00 p.m. hearing session will provide the applicant, parties, and intervenors an opportunity to cross-examine positions. 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 sites on Tuesday, September 20, 2011, beginning at 1:30 p.m. The applicant will fly balloons during the field review at each site to simulate the heights of the proposed facilities, weather permitting.

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 Friday, August 19, 2011, beginning at 10:00 a.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 13, 2011. In accordance with the State Solid Waste Management Plan, the Council requests that all filings be submitted on recyclable 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 13, 2011.

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 up to 30 days after the close of the hearing. 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 North Stonington 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 13, 2011.

The applicant of this facility is represented by the following:

Applicant

SBA Towers III (SBA)
and New Cingular Wireless PCS, LLC
(AT&T)

Its Representative

Daniel M. Laub, Esq.
Christopher B Fisher, Esq.
Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, NY 10601

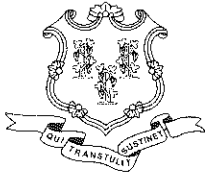
A copy of the application is available for review at the Council's office during office hours at 10 Franklin Square, New Britain, Connecticut, (860) 827-2935 or on Council website at <http://www.ct.gov/csc> under the link "Pending Proceedings." The Council has assigned this application docket no. 420.

August 4, 2011

Connecticut Siting Council

**LIST OF PARTIES AND INTERVENORS
SERVICE LIST**

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> U.S. Mail	SBA Towers III (SBA) and New Cingular Wireless PCS, LLC (AT&T)	<p>Daniel M. Laub, Esq. Christopher B Fisher, Esq. Cuddy & Feder LLP 445 Hamilton Avenue, 14th Floor White Plains, NY 10601 (914) 761-1300 (914) 761-5372 fax dlaub@cuddyfeder.com cfisher@cuddyfeder.com</p> <p>Hollis Redding SBA One Research Drive, Suite 200C Westborough, MA 01581 hredding@sbsite.com</p> <p>Michele Briggs AT&T 500 Enterprise Drive Rocky Hill, CT 06067-3900 michele.g.briggs@cingular.com</p>



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August 4, 2011

The Honorable Nicholas H. Mullane II
First Selectman
New Town Hall
40 Main Street
North Stonington, CT 06359

RE: Hearing Date - September 20, 2011 in connection with **DOCKET NO. 420** - SBA Towers III and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility at one of three sites located at 49 Mountain Avenue; 23/25 Northwest Corner Road; or 350B Cossaduck Hill Road, North Stonington, Connecticut.

Dear First Selectman Mullane:

The Connecticut Siting Council (Council) has scheduled a public hearing in your town in connection with the above-referenced proceeding. 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 Tuesday, September 20, 2011.

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 sites. 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. In the event you have specific legal questions, please contact our Staff Attorney Melanie Bachman (860 827-2951). Otherwise, you may contact Executive Director Linda Roberts (860 827-2935).

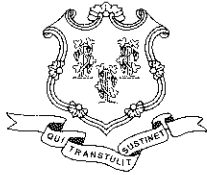
The Council weighs many issues before rendering its decisions. It is important that we know the Town's views as part of that decision making process. We hope you will take part in our hearing process.

Sincerely,

A handwritten signature in cursive script that reads "Robert Stein".

Robert Stein
Chairman

RS/LR/laf



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August 4, 2011

TO: Kenneth C. Baldwin, Esq.
Robinson & Cole LLP

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

Sandy M. Carter
Verizon Wireless

Julie M. Kohler, Esq.
Cohen and Wolf P.C.

Diane Whitney, Esq./Lee Hoffinan, Esq.
Pullman & Comley, LLC

Hans Fiedler
T-Mobile

FROM: Linda Roberts, Executive Director *LR*

RE: **DOCKET NO. 420** - SBA Towers III and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility at one of three sites located at 49 Mountain Avenue; 23/25 Northwest Corner Road; or 350B Cossaduck Hill Road, North Stonington, Connecticut.

The Connecticut Siting Council has received an application for a proposed telecommunications facility in North Stonington.

If you would like to participate in this proceeding, your response on or before September 13, 2011, will be appreciated. Moreover, in furtherance of the spirit of C.G.S. §16-50aa, we ask that each carrier affirmatively state whether that carrier would likely seek to be located on this proposed facility any time within the foreseeable future.

LR/MP/laf

Enclosure: Hearing Notice

c: Parties & Intervenors
Council Members



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August 4, 2011

TO: Commissioner Dan Esty
Dept. of Energy & Environmental Protection

Commissioner Steven Reviczky
Department of Agriculture

Commissioner Jewel Mullen
Department of Public Health

Karl Wagener, Executive Director
Council on Environmental Quality

Chairman Kevin M. DelGobbo
Public Utilities Regulatory Authority

Benjamin Barnes, Secretary
Office of Policy and Management

Commissioner Catherine Smith
Department of Economic and
Community Development

Thomas A. Harley, P.E., Chief Engineer
Bureau of Engineering and Construction
Department of Transportation

Commissioner Peter J. Boynton
Department of Emergency Management
and Homeland Security

FROM: Linda Roberts, Executive Director *LR*

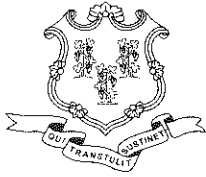
RE: **DOCKET NO. 420** - SBA Towers III and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility at one of three sites located at 49 Mountain Avenue; 23/25 Northwest Corner Road; or 350B Cossaduck Hill Road, North Stonington, Connecticut.

Pursuant to General Statutes § 16-50j(h), the Connecticut Siting Council hereby solicits your written comments and consultation. Your response by or before Thursday, September 13, 2011 will be appreciated.

A copy of the application with location maps has previously been provided to you, pursuant to General Statutes § 16-50f. You may access the application and other documents from this proceeding on our website at www.ct.gov/csc under the link "Pending Proceedings."

LR/laf

c: Parties & Intervenors
Council Members



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Screening Checklist

Connecticut Department of Transportation

Potential Transportation Infrastructure Impacts

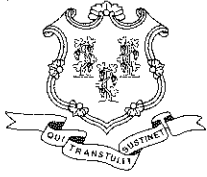
Connecticut Siting Council Docket# 420

Location:

49 Mountain Avenue; 23/25 Northwest Corner Road; or 350B

Cossaduck Hill Road, North Stonington, Connecticut

- 1. Is the proposed facility abutting the right-of-way of a State maintained highway?
___ No
___ Yes - Specify the location and show location on a detail site plan.
2. Is access for construction or maintenance of the proposed facility needed directly from a State maintained highway
___ No
___ Yes - Identify specific needs and access location.
3. Does the proposed construction or maintenance of the proposed facility impact any licensed aviation facility (L.A.F.)?
___ No
___ Yes - Please provide an area and site plan.
4. Is the proposed facility within or abutting a State owned Railroad Right-of-Way?
___ No
___ Yes - Please provide an area and site plan.
5. Is the proposed facility within a two mile radius of any lands classified as preserved scenic land...
___ No
___ Yes - Specify the location of the preserved scenic land and/or road on a detailed site plan.



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The Honorable Nicholas H. Mullane II
First Selectman
New Town Hall
40 Main Street
North Stonington, CT 06359

RE: **DOCKET NO. 420** - SBA Towers III and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility at one of three sites located at 49 Mountain Avenue; 23/25 Northwest Corner Road; or 350B Cossaduck Hill Road, North Stonington, Connecticut.

Dear Mr. Mullane:

Confirming our telephone conversation of July 25, 2011, I appreciate the reservation of the Main Meeting Room at the North Stonington Volunteer Fire Company for a public hearing on Tuesday, September 20, 2011 from 1:30 p.m. to 10:00 p.m.

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

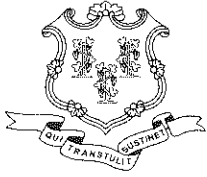
If any other information is needed, please contact me at my office. Thank you for your assistance.

Very truly yours,

Lisa A. Fontaine
Fiscal Administrative Officer

laf

Enclosures



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Seating Arrangements:

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

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

X
Table
for
Court
Reporter
& Audio
Tech
X
(x =
chairs)

Party Table X
(seating for X
four) X
(x = chairs) X
X

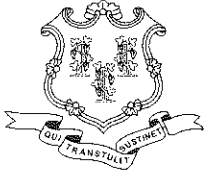
Applicant Table
(x = chairs)

X X X X X

Podium for
public

SEATING FOR PUBLIC
(chairs facing Council table)





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www.ct.gov/esc

August 4, 2011

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

RE: **DOCKET NO. 420** - SBA Towers III and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility at one of three sites located at 49 Mountain Avenue; 23/25 Northwest Corner Road; or 350B Cossaduck Hill Road, North Stonington, Connecticut.

Dear Mr. Reese:

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

Tuesday, September 20, 2011
3:00 to 5:00 p.m./7:00 p.m. to conclusion
North Stonington Volunteer Fire Company
Main Meeting Room
267 Norwich-Westerly Road
North Stonington, CT 06359

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

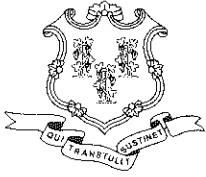
Very truly yours,

A handwritten signature in black ink, appearing to read "Lisa A. Fontaine".

Lisa A. Fontaine
Fiscal Administrative Officer

laf

Enclosure



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August 4, 2011

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

RE: **DOCKET NO. 420** - SBA Towers III and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility at one of three sites located at 49 Mountain Avenue; 23/25 Northwest Corner Road; or 350B Cossaduck Hill Road, North Stonington, Connecticut.

Dear Ms. Girolomo:

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

**Tuesday, September 20, 2011
3:00 to 5:00 p.m./7:00 p.m. to conclusion
North Stonington Volunteer Fire Company
Main Meeting Room
267 Norwich-Westerly Road
North Stonington, CT 06359**

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.

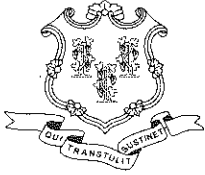
Very truly yours,

A handwritten signature in cursive script that reads "Lisa A. Fontaine".

Lisa A. Fontaine
Fiscal Administrative Officer

laf

Enclosure (2)



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August 4, 2011

TO: Classified/Legal Supervisor
420110920
Day, The (Daily)
47 Eugene O'Neill Drive, P. O. Box 1231
New London, CT 06320-1231

FROM: Lisa A. Fontaine, Fiscal Administrative Officer

RE: **DOCKET NO. 420** - SBA Towers III and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility at one of three sites located at 49 Mountain Avenue; 23/25 Northwest Corner Road; or 350B Cossaduck Hill Road, North Stonington, 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

laf

Enclosure (1)