



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

September 30, 2016

TO: Parties & Intervenors

FROM: Melanie Bachman, Acting Executive Director *MAB*

RE: **DOCKET NO. 463A** – American Towers, LLC and New Cingular Wireless PCS, LLC amended application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 351A Boston Post Road, East Lyme, Connecticut or for the construction, maintenance and operation of a telecommunications facility at an alternative site located at 2 Arbor Crossing, East Lyme, Connecticut pursuant to Connecticut General Statutes §4-181a(a).

Enclosed please find a copy of the Council's notice of public hearing for the above-referenced matter.

MB/RDM/cm

Enclosure (1)

- c: Secretary of the State (via e-mail service)
- Council Members
- Application Service Recipients
- BCT Reporting LLC
- Pryme Tyme Entertainment



CONNECTICUT SITING COUNCIL

Affirmative Action / Equal Opportunity Employer



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HEARING NOTICE

Pursuant to provisions of Connecticut General Statutes § 16-50m and § 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, November 1, 2016, beginning with an evidentiary session at 3:00 p.m., and continuing with a public comment session at 7:00 p.m., at the East Lyme Town Hall, Upper Meeting Room, 108 Pennsylvania Avenue, Niantic, Connecticut, and thereafter as necessary. The hearing will be on an amended application from American Towers, LLC and New Cingular Wireless PCS, LLC for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 351A Boston Post Road, East Lyme, Connecticut or for the construction, maintenance and operation of a telecommunications facility at an alternative site located at 2 Arbor Crossing, East Lyme, Connecticut, pursuant to Connecticut General Statutes §4-181a(a).

On September 29, 2016, the Council, pursuant to the provisions of Connecticut General Statute § 4-181a(a), reopened the final decision rendered in this docket. The reopening will allow the Council to consider a new proposed location for the facility. 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, and maintenance of the project. The 3:00 p.m. evidentiary session will provide the applicant, parties, and intervenors an opportunity to cross-examine positions. The 7:00 p.m. public comment 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 alternative site on Tuesday, November 1, 2016, beginning at 2:00 p.m.

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

The Council directs that all testimony and exhibits be pre-filed with the Council and all parties and intervenors by October 25, 2016. 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.



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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 October 25, 2016.

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 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 East Lyme 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 October 25, 2016.

The applicant is represented by the following:

Applicant

American Tower Corporation &
New Cingular Wireless PCS, LLC

Its Representative

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 the Council website at <http://www.ct.gov/csc> under the link "Pending Matters." The Council has assigned this amended application Docket No. 463A.

September 30, 2016

Connecticut Siting Council



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September 30, 2016

Mark Nickerson, First Selectman
Town of East Lyme
P.O. Box 519
Niantic, CT 06357

RE: **Hearing Date** – November 1, 2016, in connection with **DOCKET NO. 463A** – American Towers, LLC and New Cingular Wireless PCS, LLC amended application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 351A Boston Post Road, East Lyme, Connecticut or for the construction, maintenance and operation of a telecommunications facility at an alternative site located at 2 Arbor Crossing, East Lyme, Connecticut pursuant to Connecticut General Statutes §4-181a(a).

Dear First Selectman Nickerson:

The Connecticut Siting Council (Council) has scheduled a public hearing in your municipality in connection with the above-referenced application. Pursuant to C.G.S. §16-50m, at least one hearing session shall be held at a location selected by the Council in the county in which the facility or any part thereof is to be located after 6:30 PM for the convenience of the general public. Accordingly, I am extending to you my personal invitation to participate in the public hearing that is scheduled on November 1, 2016.

After an application is filed with the Council, a public inspection of the proposed site and at least one public hearing are held in the host municipality to hear concerns from residents. The municipality's participation at the public hearing may take many forms. Municipal officials may request Party or Intervenor Status to actively participate in the evidentiary portion of the public hearing, present oral statements to the Council during the public comment session of the public hearing or submit written statements to the Council at any time before, during or within 30 days after the close of the public hearing.

Our staff is available to assist you in understanding our process and your options. In the event that you have legal questions, please contact our Staff Attorney Melanie Bachman at (860) 827-2951.

The Council weighs many issues before rendering its decisions. We encourage you to take part in our public hearing process.

Sincerely,

Robert Stein
Chairman

RS/RDM/cm



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VIA ELECTRONIC MAIL

September 30, 2016

TO: Thomas Regan, Esq., Brown Rudnick LLP
Sam Simons, T-Mobile
Michele Thomas, T-Mobile
Kenneth C. Baldwin, Esq., Robinson & Cole LLP

FROM: Melanie Bachman, Acting Executive Director *NAB*

RE: **DOCKET NO. 463A** – American Towers, LLC and New Cingular Wireless PCS, LLC amended application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 351A Boston Post Road, East Lyme, Connecticut or for the construction, maintenance and operation of a telecommunications facility at an alternative site located at 2 Arbor Crossing, East Lyme, Connecticut pursuant to Connecticut General Statutes §4-181a(a).

Enclosed please find a copy of the Council's notice of public hearing for the above-referenced matter.

In furtherance of the state tower sharing policy pursuant to C.G.S. §16-50aa, we ask that each telecommunications carrier affirmatively state whether that carrier would likely seek to be located on this proposed facility at any time within the foreseeable future. If any carrier would like to participate in this proceeding, a response on or before October 25, 2016, will be appreciated.

MB/RDM/cm

Enclosure (1)

c: Parties and Intervenors



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September 30, 2016

TO: Commissioner Robert Klee
Department of Energy & Environmental Protection

Commissioner Steven Reviczky
Department of Agriculture

Acting Commissioner Dr. Raul Pino
Department of Public Health

Karl Wagener, Executive Director
Council on Environmental Quality

Chairman Arthur House
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

Robert Bruno, Director of Planning,
Engineering & Environmental
Connecticut Airport Authority

Kevin Dillon, Executive Director
Connecticut Airport Authority

Todd Levine
Historian/Environmental Reviewer
State Historic Preservation Office

Commissioner Dora B. Schiro
Department of Emergency Services
and Public Protection

FROM: Melanie Bachman, Acting Executive Director *WAB*

RE: **DOCKET NO. 463A** – American Towers, LLC and New Cingular Wireless PCS, LLC amended application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 351A Boston Post Road, East Lyme, Connecticut or for the construction, maintenance and operation of a telecommunications facility at an alternative site located at 2 Arbor Crossing, East Lyme, Connecticut pursuant to Connecticut General Statutes §4-181a(a).

Pursuant to General Statutes § 16-50j(g), the Connecticut Siting Council hereby solicits your written comments on the above-referenced amended application. Your response on or before October 25, 2016 would be appreciated.

You may access the application and other documents for this proceeding on our website at www.ct.gov/csc under the link "Pending Matters."

MB/RDM/cm



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VIA ELECTRONIC MAIL

September 30, 2016

Darlene Stevens
Executive Assistant to the First Selectman
Town of East Lyme
dstevens@eltownhall.com
kgalbo@eltownhall.com

RE: **DOCKET NO. 463A** – American Towers, LLC and New Cingular Wireless PCS, LLC amended application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 351A Boston Post Road, East Lyme, Connecticut or for the construction, maintenance and operation of a telecommunications facility at an alternative site located at 2 Arbor Crossing, East Lyme, Connecticut pursuant to Connecticut General Statutes §4-181a(a).

Dear Ms. Stevens:

Confirming our telephone conversation of September 16, 2016, I appreciate the reservation of the Upper Meeting Room at the East Lyme Town Hall for a public hearing on November 1, 2016 from 1:00 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 feel free to contact me.

Thank you for your assistance.

Very truly yours,

Carriann Mulcahy
Secretary II

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

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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VIA ELECTRONIC MAIL

September 30, 2016

TO: Classified/Legal Supervisor
463A160930
The New London Day
P.O. Box 1231
New London, CT 06320

FROM: Carriann Mulcahy, Secretary 

RE: **DOCKET NO. 463A** – American Towers, LLC and New Cingular Wireless PCS, LLC amended application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 351A Boston Post Road, East Lyme, Connecticut or for the construction, maintenance and operation of a telecommunications facility at an alternative site located at 2 Arbor Crossing, East Lyme, Connecticut pursuant to Connecticut General Statutes §4-181a(a).

Please provide a quote with an affidavit of publication for the attached legal notice for one day, 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.

Please respond to siting.council@ct.gov with the quote at your earliest convenience. Thank you.



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September 30, 2016

TO: Classified/Legal Supervisor
463A160930
The New London Day
P.O. Box 1231
New London, CT 06320

FROM: Carriann Mulcahy, Secretary II *CM*

RE: **DOCKET NO. 463A** – American Towers, LLC and New Cingular Wireless PCS, LLC amended application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 351A Boston Post Road, East Lyme, Connecticut or for the construction, maintenance and operation of a telecommunications facility at an alternative site located at 2 Arbor Crossing, East Lyme, Connecticut pursuant to Connecticut General Statutes §4-181a(a).

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

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