

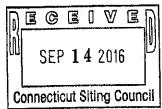
445 Hamilton Avenue, 14th Floor White Plains, New York 10601 T 914 761 1300 F 914 761 5372 cuddyfeder.com

September 13, 2016

## **OVERNIGHT DELIVERY**

Hon. Robert Stein, Chairman and Members of the Connecticut Siting Council 10 Franklin Square New Britain, Connecticut 06051





Re:

Connecticut Siting Council Docket 463

American Towers, LLC (ATC) & New Cingular Wireless PCS, LLC (AT&T)

Proposed Wireless Telecommunications Tower Facility

East Lyme, Connecticut

Dear Chairman Stein and Members of the Siting Council:

On behalf of American Towers, LLC (ATC) and New Cingular Wireless PCS, LLC (AT&T) and in connection with the above referenced Docket, enclosed please find an original and twenty copies of an amended application including an alternative facility location at 2 Arbor Crossing in East Lyme, Connecticut for the Council's consideration. A CD is included with the electronic version for the Council's use as well as the original affidavit of notice publication.

Should the Siting Council or Staff have any questions regarding this matter, please do not hesitate to contact us.

<u>Very truly yours.</u>

Daniel M. Laub

cc: Service List

Matthew Russell, ATC Jessica Rincon, AT&T



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### CERTIFICATE OF SERVICE

I hereby certify that on this day, an original and twenty (20) copies of the enclosed application was sent by overnight delivery to the Connecticut Siting Council with copy to:

The Town of East Lyme First Selectman Mark C. Nickerson P.O. Box 519 108 Pennsylvania Avenue Niantic, Connecticut 06357 mnickerson@eltownhall.com

Tracy M. Collins, Esq. Waller, Smith & Palmer, P.C. 52 Eugene O'Neill Drive New London, CT 06320 tmcollins@wallersmithpalmer.com

BHSO Community Conservancy Craig Tooker 342 Boston Post Road East Lyme, CT 06333 ctooker@sbcglobal.net

Dated: September 13, 2016

Daniel M. Laub

# **PUBLISHER'S CERTIFICATE**

State of Connecticut
County of New London, ss. New London

Personally appeared before the undersigned, a Notary Public within and for said County and State, Billie Jean Durgin, Legal Advertising Clerk, of The Day Publishing Company Classifieds dept, a newspaper published at New London, County of New London, state of Connecticut who being duly sworn, states on oath, that the Order of Notice in the case of

21671 NOTICE Notice is hereby given, pursuant to Section

A true copy of which is hereunto annexed, was published in said newspaper in its issue(s) of

08/19/2016, 08/22/2016

Cust: CUDDY & FEDER LLP

Ad #: d00677424

Subscribed and sworn to before me

This Monday, August 22, 2016

Duran is Carall

Notary Public

My commission expires

9-30-17

SEP 1 4 2016
Connecticut Siting Council

### NOTICE

Notice is hereby given, pursuant to Section 16-50(b) of the Connecticut General Statutes and Section 16-50(-1(e) of the Regulations of Connecticut State Agencies of an Amendment to a pending Application to be filed with the Connecticut Siting Council ("Siting Council") on or after August 23, 2016 by American Tower Corp. and New Cingular Wireless PCS, LLC (the "Applicants"). The Application as Amended is for a certificate of environmental compatibility and public need for the construction and maintendance of a replacement wireless telecommunications tower facility in East Lyme, Connecticut. Two alternative tower site locations are proposed but only one facility will be constructed.

An existing 150' tall tower located off Scott Road within the development known as "The Orchards" ("Existing Facility") must be decommissioned in 2017. A replacement tower is needed by AT&T for service that would otherwise be disrupted. The Applicants submitted an Application for a replacement tower facility on property located at 351A Boston Post Road in East Lyme ("Boston Post Road Facility") currently under review by the Siting Council as part of Siting Council Docket 463.

The Applicants Intend to amend the application (Application Amendment) to propose an alternative near the Existing Facility on the Same overall parcel within the Orchard Woods subdivision and identified by the Town of East Lyme Tax Assessor's mapping as 2 Arbor Crossing ("Orchard Woods Facility"). The proposed Orchard Woods Facility consists of a 105-foot tall faux silo and a 35-foot by 50-foot equipment building in the style of a barn situated within a 44-foot by 58-foot area. ATBT would install up to twelve (12) panel antennas internal to the silo. The equipment building and silo will be designed to accommodate other carriers. Vehicular access to the facility will be provided from Arbor Crossing over a small paved apron and thereafter over a 12-foot gravel access drive over two properties (2 and 4 Arbor Crossing) a distance of approximately 375 feet to the silo/barn facility.

Only one facility will be constructed by the Applicants and subject to a Siting Council decision in Docket 463A. The final location, height and other features are subject to review and potential change under provisions of the Connecticut General Statutes Sections 16-50g et. seq. The purpose of the original Application and this Amendment is to assure that AT&T may continue to provide reliable service in this area of the state after decommissioning of the Existing Facility.

At the discretion of the Siting Council, a balloon representative of the height of the proposed Orchard Woods Facility may be flown at the site on a date and time specified by the Siting Council but typically between the hours of 12pm and 5pm.

Interested parties and residents are invited to review the Application Amendment during normal business hours after August 23, 2016 at any of the following offices:

Connecticut Siting Council 10 Franklin Square New Britain, Connecticut 06051 Town of East Lyme Town Clerk PO Box 519 Niantic, CT 06357

or the offices of the undersigned. All inquiries should be addressed to the Connecticut Siting Council or to the undersigned.

Christopher B. Fisher, Esq. Cuddy & Feder LLP 445 Hamilton Ave, 14th Floor White Plains, New York 10601 (914) 761-1300 Attorneys for the Applicants 21671

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