

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

RE: APPLICATION BY T-MOBILE
NORTHEAST, LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED
FOR A TELECOMMUNICATIONS FACILITY
AT 232 SHORE ROAD IN THE TOWN
OF OLD LYME, CONNECTICUT

DOCKET NO. 391

RE: APPLICATION BY T-MOBILE
NORTHEAST, LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED
FOR A TELECOMMUNICATIONS FACILITY
AT 387 SHORE ROAD IN THE TOWN
OF OLD LYME, CONNECTICUT

DOCKET NO. 392

RE: APPLICATION BY T-MOBILE
NORTHEAST, LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED
FOR A TELECOMMUNICATIONS FACILITY
AT 61-1 BUTTONBALL ROAD IN THE TOWN
OF OLD LYME, CONNECTICUT

DOCKET NO. 393

Date: January 22, 2010

**APPLICANT T-MOBILE NORTHEAST, LLC's
INTERROGATORIES TO THE TOWN OF OLD LYME**

1. Did the Town of Old Lyme ("Town") enter into a lease with SBA Towers II LLC ("SBA") for the construction of a telecommunications facility on real property owned by the Town at 14 Cross Lane ("SBA Facility") Town?

a. If the answer to interrogatory 1 is in the affirmative, state the date the lease was executed, as well as the Tax Assessor designation of the property that would host the SBA Facility ("Property").

b. If the answer to interrogatory 1 is in the affirmative, did the Town conduct a hearing regarding the lease for the proposed SBA Facility on the Property in

accordance with General Statutes § 7-163e (“Hearing”)? If so, please provide a copy of the transcript of that hearing.

c. If the Town did conduct the Hearing please provide the dates of the public notice(s), and indicate if and when a sign was posted on the Property.

2. Did the Town make the General Statutes § 8-24 referral to the Town Planning & Zoning Commission? If so please provide a copy of the referral, indicate the date it was received by the Planning & Zoning Commission and what action if any has been taken on the referral.

3. Did SBA provide the Town with a technical report pursuant to General Statutes §16-50/ (e) for the proposed SBA Facility, and if so, on what date?

4. Has the Town conducted an assessment as to whether the proposed SBA Facility would have any adverse environmental and/or visual impact on the community of Old Lyme?

5. If the answer to interrogatory 4 is in the affirmative, state the Town’s conclusions and the bases for those conclusions.

6. Are there any wetlands on the Property or within 100 feet of the location of the proposed SBA Facility and, if so, what is the exact distance from the proposed edge of disturbance of the SBA Facility to each wetland system?

a. If the answer to interrogatory 6 is in the affirmative, state whether the Town’s Planning & Zoning Commission, the Town’s Inland Wetlands Commission and/or the public were notified that the proposed SBA facility would be located proximate to wetlands.

b. If the answer to interrogatory 6 is in the affirmative, state who was notified that the proposed SBA facility would be located proximate to wetlands and include their response, input or comment.

7. Did the Town receive a wetland impact statement /determination as part of the SBA technical report or at any point subsequent to the technical report filing?

8. If the answer to interrogatory 7 is in the affirmative, state the date it was received by the Town, the impact determination that was reached, and provide a copy of the document(s).

9. Are there any recreational areas, scenic areas, hiking trails, parks or areas of historic significance within 1 mile of the proposed SBA Facility and, if so, identify each area and how far each area is from the proposed SBA Facility.

a. If the answer to interrogatory 9 is in the affirmative, state whether the Town's Planning & Zoning Commission and the public were notified that the proposed SBA facility would be located proximate to any recreational areas, scenic areas, hiking trails, parks or areas of historic significance.

b. If the answer to interrogatory 9 is in the affirmative, state whether the Town has received and/or conducted an analysis to determine whether the proposed SBA Facility will be visible from any of those any recreational areas, scenic areas, hiking trails, parks or areas of historic significance.

c. Are there any recreational areas, scenic areas, hiking trails, parks or areas of historic significance other than those disclosed above from which the proposed SBA Facility would be visible? If so, identify each area, how far each area is from the SBA Facility, and the extent and nature of the visibility.

10. Please describe the land uses adjacent to the Property.

11. Is the Property subject to a deed restriction?

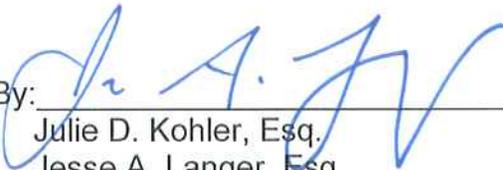
a. If the answer to interrogatory 11 is in the affirmative, state the nature of the deed restriction and provide a verified copy of the deed restriction.

b. If the answer to interrogatory 11 is in the affirmative, state the process to lift the deed restriction, whether the Town or SBA has taken any action to lift the deed restriction and, if so, state the specific actions taken concerning the deed restriction.

c. If the answer to interrogatory 11 is in the affirmative, state whether SBA can use the leased portion of the Property for the purpose of constructing, maintaining and operating the SBA Facility while the deed restriction remains in effect and, if so, explain why this is the case.

Respectfully submitted,

T-MOBILE NORTHEAST, LLC

By: 

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CERTIFICATE OF SERVICE

I hereby certify that on this day a copy of the foregoing was delivered by regular mail, postage prepaid, to all parties and interveners of record, as follows:

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Jesse A. Langer