



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](mailto:siting.council@ct.gov)  
[www.ct.gov/csc](http://www.ct.gov/csc)

January 25, 2010

Joseph Raia  
97 West Main Street, Unit 9  
Niantic, CT 06357

RE: **DOCKET NO. 396** – SBA Towers II, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 49 Brainerd Road, Niantic (East Lyme), Connecticut.

Dear Mr. Raia:

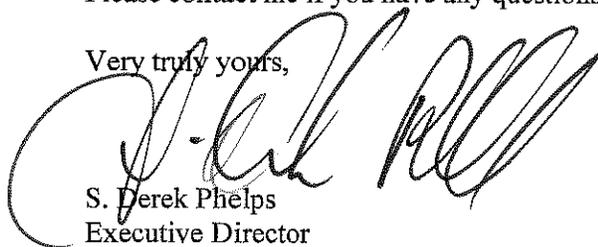
We are in receipt of your letter of January 12, 2010, requesting Intervenor status in Docket No. 396.

Your request will be placed on the next meeting agenda, a copy of which will be sent to you. Your attendance is welcome, but is not required. You will be notified of the Council's determination immediately thereafter.

Copies of the application are available at the East Lyme Town Hall. All documents filed to date are available at the Council's office or on our website.

Please contact me if you have any questions.

Very truly yours,



S. Derek Phelps  
Executive Director

SDP/MP/laf

c: Parties and Intervenors



ORIGINAL

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**CONNECTICUT SITING COUNCIL  
INTERVENOR STATUS REQUEST FORM**

**RECEIVED**  
JAN 13 2010  
CONNECTICUT  
SITING COUNCIL

**Docket/Petition No.** 396

**Town/City:** Niantic (East Lyme)

**Name:** Joseph Raia

**Address:** 97 West Main St, Unit 9

**City:** Niantic

**State:** CT

**Zip:** 06357

**Phone:** 860-691-1005

**Fax:** 860-739-0036

**E-Mail:** raia.joseph@sbcglobal.net

**1. Manner in which petitioner claims to be substantially and specifically affected:**

I represent the Pondcliff Condominium Association which is situated on a 80 acre of land located at 97 West Main St, Niantic, CT. The Association wishes to offer as an alternate site for the Cell Tower proposed in Docket No. 396 on a 40 acre piece of unused/unimproved woodland on the Association's property. This parcel meets all of the criteria specified for the proposed 49 Brainerd Rd. location and is within a half-mile of the 49 Brainerd Rd site. The acceptable radius for siting the tower as specified within the Application encompasses this land. The location will not affect as many homeowners as the Brainerd Rd site due to the more favorable sightlines and is at an elevation of 120 feet above sea level. Due to the much higher starting elevation a shorter tower could be constructed thereby reducing the environmental impact. This property was never considered for placement of this Cell Tower as part of the SBA Tower II requirements to consider alternative locations.

**2. Manner and extent to which petitioner proposes to participate:**

I will present a Professional Engineer's report and drawings as evidence which will address the issues of suitability of the Condominium Association land for the siting of this tower.



Copies of this request shall be mailed to all participants at least five (5) business days before the date of the hearing.

Signed Joseph Rana

Date: 1-12-2010

**LIST OF PARTIES AND INTERVENORS  
SERVICE LIST**

<b>Status Granted</b>	<b>Document Service</b>	<b>Status Holder (name, address &amp; phone number)</b>	<b>Representative (name, address &amp; phone number)</b>
<b>Applicant</b>	<input checked="" type="checkbox"/> U.S. Mail	SBA Towers II LLC	Carrie L. Larson, Esq. Pullman & Comley, LLC 90 State House Square Hartford, CT 06103-3702 (860) 424-4312 (860) 424-4370 fax <a href="mailto:clarson@pullcom.com">clarson@pullcom.com</a>
<b>Intervenor (granted 01/07/2010)</b>	<input checked="" type="checkbox"/> E-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 <a href="mailto:kbaldwin@rc.com">kbaldwin@rc.com</a>
<b>Intervenor (granted 01/07/2010)</b>	<input checked="" type="checkbox"/> E-mail	Russell L. Brown 41 Brainerd Road Niantic, CT 06357 (860) 739-5984 (860) 691-1145 fax <a href="mailto:rds@businessbookpress.com">rds@businessbookpress.com</a>	
<b>Party (granted 01/07/2010)</b>	<input checked="" type="checkbox"/> U.S. Mail	Town of East Lyme	Edward B. O'Connell, Esq. Waller, Smith & Palmer, P.C. 52 Eugene O'Neill Drive P.O. Box 88 New London, CT 06320 (860) 442-0367 (860) 447-9915 fax <a href="mailto:eboconnell@wallersmithpalmer.com">eboconnell@wallersmithpalmer.com</a> <a href="mailto:tmcollins@wallersmithpalmer.com">tmcollins@wallersmithpalmer.com</a>
<b>Intervenor (if granted 02/11/2010)</b>	<input checked="" type="checkbox"/> U.S. Mail	New Cingular Wireless PCS, LLC	Daniel M. Laub, Esq. Christopher B. Fisher, Esq. Cuddy & Feder LLP 445 Hamilton Avenue, 14 <sup>th</sup> floor White Plain, NY 10601 (914) 761-1300 (914) 761-5372 fax <a href="mailto:cfisher@cuddyfeder.com">cfisher@cuddyfeder.com</a> <a href="mailto:dlaub@cuddyfeder.com">dlaub@cuddyfeder.com</a>

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Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
<p align="center"><b>Party (if granted 02/11/2010)</b></p>	<p align="center"><input checked="" type="checkbox"/> E-mail</p>	<p align="center">Friends of the Pattagansett Trust</p>	<p>Keith R. Ainsworth, Esq. Evans Feldman &amp; Ainsworth, LLC 261 Bradley Street P.O. Box 1694 New Haven, CT 06507-1594 (203) 772-4900 (203) 782-1356 fax <a href="mailto:krainsworth@snet.net">krainsworth@snet.net</a></p>
<p align="center"><b>Intervenor (if granted 02/11/2010)</b></p>	<p align="center"><input checked="" type="checkbox"/> U.S. Mail</p>	<p>Joseph Raia 97 West Main Street, Unit 9 Niantic, CT 06357 (860) 691-1005 (860) 739-0036 <a href="mailto:Raia.joseph@sbcglobal.net">Raia.joseph@sbcglobal.net</a></p>	