

CONNECTICUT SITING COUNCIL
PARTY STATUS REQUEST FORM

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CONNECTICUT
SITING COUNCIL

Docket/Petition No. 980 **Town/City:** Prospect, Connecticut

Name: John Lamontagne and Cheryl Lamontagne

Address: 225 New Haven Road

ORIGINAL

Name: Thomas Satkunas and Eileen Satkunas

Address: 232 New Haven Road

City: Prospect **State:** CT **Zip:** 06712

Phone: 203-509-4158; 203-592-1344

E-Mail: john@lamontagneconstco.com; tom.satkunas@snet.net

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1. Manner in which the Petitioners claim to be substantially and specifically affected:

Petition No. 980 seeks declaratory enablement of construction for two massive structures and appurtenances for the purpose of generating wind power on the premises at 178 New Haven Road, Prospect, Connecticut. The petition, if granted, may enable such activity without due consideration for the environment, public health and safety, and any other community consideration. Public convenience and necessity would not be considered, and the values and interests of the neighbors would not be considered.

Petitioners are neighbors of the proposed location which is subject of the application. The Satkunas reside approximately 400 feet, property line to property line, from the proposed site and the Lamontagnes reside within 800 feet, property line to property line, of the proposed site. According to all generally accepted engineering information each residence is within the noise impact area, within the ice shedding area and within a catastrophic throw area of the blades of

the proposed Wind Power generation facility. Each property would also have significant visual impact from the massive structures.

If the declaratory ruling is granted petitioners will suffer health risks attendant to noise, flicker, ice throw, great property loss of value and violation of rights at law due to the substance and process of these structures.

2. Contentions of the Petitioners:

The Declaratory ruling process under CGS § 16-50k is flawed and inappropriate. It purports to enable the construction of these massive structures without any consideration of the environment, public health and safety, and the deep seated interests of the neighbors and community. The action requested by the Applicant if granted would be violative of the U.S. Constitution and the Connecticut Constitution, The Zoning Powers of the town of Prospect, and the substance of the Connecticut Laws on Public Utilities and Siting.

The petitioners further claim that the proposed structures after due hearing may be found to be inappropriate to the proposed location due to size, noise, environmental impacts, and other risks to public health and safety.

The petitioners further claim that the laws of the State of Connecticut inherently impose the requirements that the Connecticut Siting Council establish regulations setting forth appropriate standards for consideration and action before any application can be considered or acted upon under Connecticut General Statutes §§ 16-50k and Section 4-176(a).

3. Relief sought by Petitioners:

The petitioners wish the Siting Council to adopt standards, rules and regulations and procedures for the full participation of towns and neighbors appropriate for the siting of these facilities within the State of Connecticut.

The petitioners further wish the Siting Council to initiate a process where full and specific details of the Applicant Proposal will be presented for review and consideration, and where there will be a full and complete public hearing considering the merits of each application and fully weighing the benefits and burdens to be imposed by the granting of any permit.

4. Statutory or other authority therefore:

Connecticut General Statutes §§ 16-50g-hh and Regulations § 16-50j,
Connecticut General Statutes §§ 22a-15 through 22a-20,
Connecticut General Statutes § 4-177a
Connecticut General Statutes § 8-1 et seq

The United States Constitution
The Constitution of the State of Connecticut

5. Other comments:

The petitioners respectfully request the Council's consideration of the absurdity that the Declaratory Ruling Statute, CGS § 16-50k under the reading requested by the Applicant. Such an interpretation would enable the construction of one of these massive high speed, whirling machines on a one acre lot in the middle of many residential neighborhoods in the State of Connecticut by the Siting Council without so much as a public hearing. This cannot be a proper interpretation.

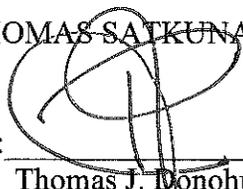
6. Request:

The petitioners, John and Cheryl Lamontagne and Thomas and Eileen Satkunas , hereby respectfully request that they be granted Party Status in Docket/Petition No. 980 as provided by statute and regulation.

Respectfully submitted,

JOHN LAMONTAGNE, CHERYL LAMONTAGNE

THOMAS SATKUNAS, EILEEN SATKUNAS

By: 

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Their Attorney

Certification

This is to certify that a copy of the foregoing has been sent by first class mail, postage prepaid, to all participants, this ^{20th} day of January, 2011, ~~at least five (5) business days before the meeting/hearing scheduled for January 6, 2011.~~

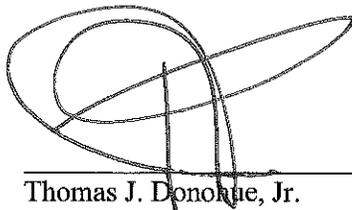
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Thomas J. Donohue, Jr.
Commissioner of the Superior Court