



**STATE OF CONNECTICUT**  
**DEPARTMENT OF TRANSPORTATION**



2800 BERLIN TURNPIKE, P.O. BOX 317546  
NEWINGTON, CONNECTICUT 06131-7546

Phone:

**NOTICE OF HEARING**

[www.ct.gov/dot](http://www.ct.gov/dot)

**PETITION NO. 0808-142-RR**

IN THE MATTER OF THE PETITION OF JOHN W. KUCK OF  
YSAB, LLC, TO ESTABLISH ADDITIONAL CROSSING USAGE  
RIGHTS, AT A PRIVATE AT-GRADE RAILROAD CROSSING ON  
THE BERKSHIRE LINE OF THE HOUSATONIC RAILROAD,  
LOCATED ON RIVER ROAD IN NEW MILFORD, CONNECTICUT.

**PETITIONER**

Mr. John Kuck  
YSAB, LLC  
35 McNulty Drive  
New Milford, Connecticut 06776

**HEARING ASSIGNED:**

**December 2, 2010 at 10:00 a.m.**

**LOCATION:**

Connecticut Department of Transportation  
Bureau of Public Transportation  
2800 Berlin Turnpike  
Newington, Connecticut 06131  
Conference Room A



By petition filed with the Department of Transportation, pursuant to Connecticut General Statutes Sections 13b-292, by John W. Kuck on behalf of YSAB, LLC, petitioner seeks to establish crossing usage rights at a private, at-grade railroad crossing on the Berkshire Line of the Housatonic Railroad located on River Road in New Milford, Connecticut.

In order to obtain party status:

1. A written petition must be submitted to the agency;
2. A copy of such petition must be mailed to all known parties (usually Petitioner); and
3. The petition must state facts that demonstrate that the petitioner's LEGAL RIGHTS, DUTIES OR PRIVILEGES will be SPECIALLY AFFECTED by the agency's decision.

In order to obtain intervenor status:

1. A written petition must be submitted to the agency;
2. A copy of such petition must be mailed to all known parties (usually Petitioner); and
3. The petition must state facts that demonstrate that the Petitioner's participation is in the INTEREST OF JUSTICE AND WILL NOT IMPAIR ORDERLY CONDUCT OF THE PROCEEDING.

All petitions and certifications of party notification must be received by this agency five (5) days prior to the date of hearing, otherwise, such requested status shall be subject to denial.

Also, the five-day requirement, as stated above, may be waived at any time before or after commencement of the hearing on a showing of GOOD CAUSE.

Finally, it shall be noted that the revised Uniform Administrative Procedures Act delegates authority to this agency to promulgate regulations relative to the above subject matter. Therefore, the scope of criteria for accepting petitions for party or intervenor status may change upon adoption of new procedural regulations.

An original and FOUR (4) copies of all prepared documents and exhibits intended to be introduced as evidence in this matter by the Petitioner or any other party or intervenor must be file with the Department not less than SEVEN (7) prior to the date of the hearing. All filings must be mailed to:

**CONNECTICUT DEPARTMENT OF TRANSPORTATION**  
**2800 Berlin Turnpike**  
**P.O. Box 317546**  
**Newington, CT 06131-7546**  
**Attn: Linda Dillon**

Deaf and hearing impaired persons wishing to attend this public hearing or requiring an interpreter may make arrangements by contacting the Department of Transportation's Office of Communications at (860) 594-3062 (VOICE ONLY) at least five (5) working days prior to the hearing.

Parties and intervenors requiring an interpreter (translator) for this public hearing must provide a court certified interpreter and must notify the Department of Transportation by contacting the Department's Administrative Law Unit at (860) 594-2875 at least five (5) working days prior to the hearing.

If the hearing is postponed due to inclement weather, the hearing will be rescheduled for the next available date. Confirmation will be sent of the new date of hearing. For any questions regarding postponements, please call (860) 594-2875.

Date at Newington, Connecticut, this 2nd day of November 2010.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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Linda Dillon, Secretary  
Administrative Law Unit  
Bureau of Finance and Administration