

STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone:

**REVISED**  
**NOTICE OF HEARING AS TO DATE**

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

**PETITION NO. 1603-23-RR**

IN THE MATTER OF THE PETITION OF STATE OF CONNECTICUT  
TO PERMANENTLY CLOSE A PUBLIC AT-GRADE CROSSING  
LOCATED ON WALLER ROAD IN NEW MILFORD

**PETITIONER:** Department of Transportation  
Office of Rail  
2800 Berlin Turnpike  
Newington, Connecticut 06131-7546

**HEARING ASSIGNED:** Thursday, May 19, 2016 at 10:00 a.m.

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

The Connecticut Department of Transportation's Office of Rail is proposing that the subject public at-grade crossing on Waller Road in New Milford on the New Milford Secondary rail line (Berkshire Line), located at milepost 8 be closed to vehicle and pedestrian traffic. The public hearing is to be in accordance with Section 13b-270 of the Connecticut General Statutes, as revised.

The issues which have an impact on the crossing include the following: the rail line curvature restricts the view of the train engineer, the road sight lines are restricted by the track curvature, longer based wheels cannot navigate the crossing and drainage problems due to the steep downgrade. In addition, the Waller Road crossing is considered redundant because of the two other crossings in close vicinity.

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: Judith Almeida

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.

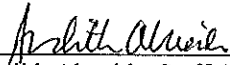
Parties and intervenors requiring an interpreter (translator) for this public hearing must provide a court certified interpreter and must notify the Department of Transportation by contacting the Department's Administrative Law Unit at (860) 594-2875 at least five (5) working days prior to the hearing.

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, on this 8th day of April 2016.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

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Judith Almeida, Staff Attorney III  
Administrative Law Unit  
Bureau of Finance and Administration