

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. 2002-1-RR**

IN THE MATTER OF THE PETITION OF SAFETY-KLEEN  
SYSTEMS, INC. TO ESTABLISH A NEW PRIVATE  
RAILROAD/HIGHWAY CROSSING AT 120 FORBES  
AVENUE IN THE CITY OF NEW HAVEN

**PETITIONER:** Mr. Jesse A Langer (On behalf of Safety-Kleen)  
Updike, Kelly & Spellacy, P.C.  
8 Frontage Road  
East Haven, Connecticut 06512

**HEARING ASSIGNED:** **March 3, 2020 at 10:00 AM**

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

On November 11, 2019, Mr. Jesse A. Langer of Updike, Kelly & Spellacy, P.C. representing Safety-Kleen Systems, Inc. contacted the Bureau of Public Transportation's System Safety Administration Unit to request the establishment of a new private railroad/highway at-grade crossing at the driveway located at 120 Forbes Avenue in the City of New Haven. As required under Section 13b-292(d) of the Connecticut General Statutes, a public hearing is being requested to establish a private crossing and to prescribe the traffic control devices to be erected and maintained at the subject crossing.

Safety-Kleen Systems, Inc. is proposing two new railroad spur tracks off Providence and Worcester Railroad Company's Belle Dock Industrial Track. The spur tracks will traverse through Safety-Kleen's driveway thereby creating a need for a new at-grade crossing. The proposed construction of the railroad spur tracks and the at-grade crossing will be governed by the provisions and standards of the American Railway Engineering and Maintenance of Way Association.

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**

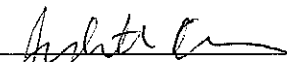
The meeting facility is ADA accessible. Language assistance may be requested by contacting the Department's Language Assistance Call Line at (860) 594-2109, requests should be made at least five (5) business days prior to the meeting. Persons having a hearing and/or speech disability may dial 711 for Telecommunications Relay Service (TRS) and instruct the operator to contact (860) 594-2243. Language assistance is provided at no cost to the public, and efforts will be made to respond to timely requests for assistance.

Parties and intervenors requiring an interpreter (translator) for this public hearing 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.

Dated at Newington, Connecticut, on this the 14<sup>th</sup> day of February 2020.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

  
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Judith Almeida  
Staff Attorney 3  
Administrative Law Unit  
Bureau of Finance and Administration