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ORIGINAL

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January 7, 2008

RECEIVED
JAN - 8 2008

JAMES H. GOULD (1911-1985)

CONNECTICUT
SITING COUNCIL

Mr. S. Derek Phelps, Executive Director
State of Connecticut
Connecticut Siting Council
Ten Franklin Square
New Britain CT 06051

Re: Petition No. 792/ Docket 349
Global Signal Acquisitions II, Guilford, CT

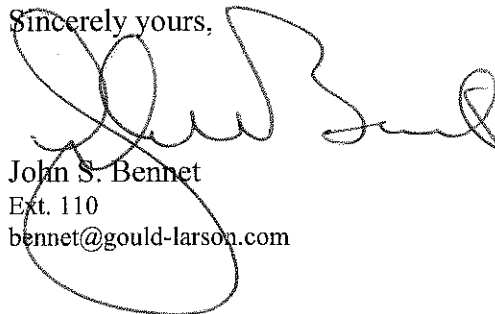
Dear Mr. Phelps,

Enclosed with this letter are the pre-filed Testimony and Exhibits of the Parties and Grouped Intervenor which I represent. Also enclosed are copies of our Witness List, List of Documents for Administrative Notice and Exhibits.

Per the agreement reached at the pre-hearing conference on the 4th, you will find also enclosed two sets of the full sized copies of the three site plans that we discussed. I have attached reduced copies of the same to each of the sets of testimony, but wanted to reiterate this particular note of explanation for the full sized copies enclosed herewith.

I have copied all of the above to counsel of record except for full size copies of the site plans as I believe they have them in their possession, having generated them. I trust counsel will advise me if this is at all inconvenient when they receive a copy of this letter and I will see that a set of full size copies get to them as well, should that be their preference.

Sincerely yours,



John S. Bennet
Ext. 110
bennet@gould-larson.com

JSB/lm

cc: Julie Kohler, Esq.
Carrie Larson, Esq.

RECEIVED

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL JAN - 8 2008

CONNECTICUT
SITING COUNCIL

RE: DOCKET NO. 349 - Global Signal Acquisitions II Application for a Certificate of Environmental Compatibility and Public Need for the Relocation, Construction, Maintenance and Operation of the Telecommunications Facility at 1919 Boston Post Road, Guilford, Ct

JANUARY 8, 2008

ORIGINAL

Pre-hearing lists on behalf of the following Parties and Grouped Intervenors:

Parties: Anthony Poccio, William and Myung Arabolos, Margaret Rose and Richard and Sandra Wilson.

Intervenors: Heather Fernandes, Diane and Alan Sholomskas, Brian Denning, Daniel Capozziello and Joel and Donna Zemke

Witness list:

Parties:

Anthony Poccio,
William Arabolos
Myung Arabolos
Margaret Rose
Richard Wilson
Sandra Wilson.

Intervenors:

Heather Fernandes
Diane Sholomskas
Alan Sholomskas
Brian Denning
Daniel Capozziello
Joel and Donna Zemke

The Party and Intervenor Witnesses will pre-file a unified statement of their testimony. Per agreement at pre-hearing conference, Counsel for these parties and intervenors will make a brief present outlining their testimony and position.

Subjects of Testimony:

1. The witnesses experience with wireless signal strength in the area of the subject tower.
2. Visual and environmental impacts of the proposed relocation on the surrounding community and neighborhoods.

Document to be Administratively Noticed:

1. Staff Report re. Connecticut Siting Council Petition No. 613 by Sprint Sites USA dated April 9, 2003. (Report regrading the existing tower at 1919Boston Post Road, Guilford).

Exhibits:

Land Development Plans, Guilford Commons, Boston Post Road (US Route I), Guilford Connecticut, prepared for DDR Guilford, LLC.

1. Sheet EX-1 "Property/Topographic Survey" dated 1-27-05
2. Sheet EX-2 "Property/Topographic Survey" dated 1-27-05
3. Sheet SP-O " Overall Site Plan" dated 10-4-06

(Per agreement at pre-hearing conference on January 4, 2008, two sets of full size copies will be pre-filed with the Siting Council for reference. Reduced copies of the same are attached to the pre-filed testimony of these Parties and Intervenors for reference.)

These parties and Intervenors will rely on the exhibits in the record attached to the Petitioner's Application for certificate of Environmental Compatibility and Public Need dated October 19, 2007 as well.

For herein named Parties and Grouped Intervenors

By 

John S. Bennet

Gould, Larson, Bennet, Wells & McDonnell, PC

Juris 024198

860 767 9055 Phone

860 767 2742 Fax

CERTIFICATION

This is to certify that the foregoing document is a true copy of the document transmitted this 8th day of January, 2008 to all counsel of record as follows:

Julie Kohler, Esq.
Carrie Larson, Esq.
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604



John S. Bennet

Commissioner of the Superior Court

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

RE: DOCKET NO. 349 - Global Signal Acquisitions II Application for a Certificate of Environmental Compatibility and Public Need for the Relocation, Construction, Maintenance and Operation of the Telecommunications Facility at 1919 Boston Post Road, Guilford, Ct

JANUARY 8, 2008

PRE-FILED TESTIMONY OF PARTIES & INTERVENORS

INTRODUCTION:

This statement constitutes the testimony of those granted Party and Grouped Intervenor status in the above captioned proceeding as noted in the November 16, 2007 letter from S. Derek Phelps, Executive Director. Those granted Party Status are: Anthony Poccia, William and Myung Arabolos, Margaret Rose and Richard and Sandra Wilson. Those given Grouped Intervenor status by the council are Heather Fernandes, Diane and Alan Sholomskas, Brian Denning, Daniel Capozziello and Joel and Donna Zemke. ¹ All Parties and Grouped Intervenors listed above have endorsed this statement and testimony and will present themselves at the hearing before the Siting Council scheduled for January 15 to be available for cross-examination.

All parties abut the subject project site (Exhibit G to Application, List of Abutters; Exhibits 1&2 hereto for locations). Intervenor Heather Fernandes occupies property at 37 Joan Drive, Guilford, which is adjacent to the subject site, Joan Drive being the northern boundary of the subject site. Intervenors Alan and Diane Sholomskas own property at 82 Russett Drive; Daniel Capozziello is an owner of property at 79 Russett Drive; Joel and Donna Zemke are owners of 131 Russett Drive; Brian Denning is owner of property at 79 Russett Drive.

All intervenors' properties are located in close proximity to the project site and well within the view of the proposed relocation site of the telecommunications tower proposed in the

¹ Party status had been granted to Gus Kardaras and to Nancy and James Kendrick. By letter of November 20, 2007 to the Council, request was made to terminate their party status.

Application.²

All of the statements contained herein, except as noted, represent the testimony and position of all parties and intervenors noted above.

TESTIMONY SUMMARY:

The above named parties and intervenors object to the Application and proposal to move the existing telecommunications tower from its present location to the proposed new location in that the re-location:

- A. Will serve no public need whatever within the purview of the Connecticut Siting Council in that the present tower provides uninterrupted cellular telephone and telecommunication service, in the experience of all the named parties and intervenors, and nothing in the presently pending Application suggests that service will be enhanced by the relocation
- B. Will have a direct impact on the adjacent preserved open space land owned by the Guilford Land Conservation Trust, enjoyed by all of the citizens of the Town of Guilford,
- C. Will have a substantial negative impact on the environment and view of the neighborhoods occupied by these parties and intervenors and their neighborhoods,

The present proposal calls for moving the existing 150' telecommunications tower from an area of a commercially zoned property which is surrounded by other commercially zoned and operating enterprises to a promontory hill immediately adjacent to designated open space and the residential subdivision in the area of Russett Drive in the Town of Guilford. The proposal will place the tower at a high elevation at and above a pristine conservation area and immediately above the waters of the Spinning Mill Brook in the Town of Guilford which runs adjacent to the open space of the Guilford Land Trust and the subdivision at Russett Drive.

The only reason stated in the Application for the relocation is contained at Page 3 of the Application. It states "The existing facility needs to be relocated because DDR [the private developer/owner] is in the process of obtaining necessary approvals to construct a lifestyle retail development on the property and the current location of the existing facility is within the footprint

² All intervenors are immediate adjacent neighbors to one or more of the parties and their properties are located immediately within the same area though they do not abut the Project site.

of a proposed building". The herein named parties and intervenors submit that this does not suggest a sufficient public need in the purview of the Connecticut Siting Council to justify relocation of the facility and the attendant compromises of the environment and view in the area.

THERE IS NO PUBLIC NEED FOR THE PROPOSED RELOCATION:

The herein named parties and intervenors all live, work or travel within the immediate area of the existing telecommunications tower. All of them subscribe to wireless or cellular service. None of the parties or intervenors herein have had any experience with the existing cellular service not providing coverage in the area in their travels, east, west, north or south of the vicinity of Guilford. Whatever public need may have existed to complete a network of cellular service in the area has been met and is met by the existing tower. There is no compelling public need to relocate the existing tower.

The Application in this matter states at Page 6, "The existing facility currently fills a gap in coverage. The coverage for all of these wireless carriers' network in the Guilford area, specifically along interstate I-895 (sic) and Boston Post Road. *The proposed relocated facility would continue to fill the existing gaps in coverage*" The Application does not suggest any existing problems with coverage, nor any enhancement by relocation of the facility as proposed in the Application.

There will be no enhanced benefit for emergency communications from the relocation. The Applicant states "The carriers that are currently located on the existing facility and will be co-located on the relocated facility, have *deployed and continue to deploy* network technologies to implement the FCC's E991 mandates." There is no compelling public need with respect to emergency communications services. See Application page 8.

There will be no enhanced benefit from additional tower sharing by wireless carriers on the relocated tower. The carriers will be the same and indeed reduced by one due to the merger of Cingular and AT&T Wireless. See Application page 10.

An effective alternative to the proposed relocation exists. Simply leaving the existing telecommunications tower in its present location will provide the same seamless network of telecommunication services in the area.

THE SITE AND TOWER LOCATION:

The existing tower is located on a commercially zoned property and its location was originally

approved in 1997 by the Guilford Planning & Zoning Commission (see Application Exhibit A). In February 2003, Sprint Sights USA petitioned for declaratory ruling, Petition 613, to add a 20' extension to the pre-existing monopole. At that time, the Council's staff report, dated April 9, 2003 made the following findings. "The existing site is located within a commercial zone behind commercial storage buildings. Surrounding land uses include commercial/industrial use to the west, three grassy areas to the east, and the town landfill to the south. There are three residences within 1,000 feet of the facility, the nearest of which is approximately 438' away."

By contrast the current Application proposes to locate the tower within 1,000 feet of 31 residences. (See Responses to Interrogatories of Connecticut Siting Council to Global Signal Acquisitions II dated December 21, 2007, Interrogatory 5 and response.) The proposal, therefore, will move the tower from an area along a commercial and industrial strip along Boston Post Road and adjacent to the Town's landfill to a location across the site and as close as possible to the Guilford Land Trust Open Space and to the subdivision occupied by the parties and intervenors herein.

The Application Exhibit C contains an aerial photograph and survey mapping showing the existing cellular tower site and the proposed cellular tower site. Attached hereto as Exhibits 1 and 2 are copies of the Site and Topographical surveys of the subject property prepared by the developer and filed with the Town of Guilford. As the topographical mapping shows, the proposed tower compound location will be at the top of a promontory substantially farther southeast than the present location and immediately above a pond and the waterway known as Spinning Mill Brook. Directly across Spinning Mill Brook to the Northeast is an extensive parcel of open space belonging to the Guilford Land Conservation Trust, Inc., an abutting owner to the site (See also Application Exhibit G, List of Abutters). The homes of the parties Arabolos and Rose, are also shown located immediately across the valley created by the watershed of the Spinning Mill Brook. The proposed tower location will be more directly and substantially in the view of those parties and indeed all parties and intervenors who are adjacent homeowners (see Page 1 of Exhibit C to the Application , aerial photograph). The base elevation shown on Exhibit 1, attached, is approximately 100 feet. The homes of the parties are at approximately 120 feet, requiring them to look down at the tower base and compound. Being located on the high promontory, as proposed, will also make the tower substantially more visible from the I- 95 and Boston Post Road corridor as the balloon test of the

subject site will also reveal.

The Applicant suggests at Page 9 of the Application that the relocation is necessary in order to accommodate a private development of the property. The Application states at Page 3 that "The Existing Facility must be relocated because DDR [the developer] is in the process of obtaining necessary approvals to construct a lifestyle retail development on the property and the current location of the existing facility is within the footprint of the proposed building." An examination of the proposed site development plan (Exhibit 1 attached) shows that one proposed building has been notched to accommodate the proposed new location of the tower facility and its compound. As none of the buildings proposed for the development exist, some other portion of the proposed buildings could be similarly "notched" to accommodate the existing location of the tower facility with no net loss of square footage for the proposed lifestyle retail development. As this is an entirely new development, nothing compels the relocation of the tower. None of these considerations address the "public need" for a telecommunications facility. A minor reorganization of the proposed development's structures could as easily accommodate the existing tower location, a location as remote as possible from the adjacent open space preserve and residential development, as noted in the April 9, 2003 Staff Report, cited above.

LOCAL ENVIRONMENTAL CONCERNS:

The proposed relocation will substantially affect the scenic quality of the area and there are no concomitant concerns of public need or public safety concerns that require the facility be relocated.

It has been already noted herein above that the eastern boundary of the subject property is occupied by a pristine watercourse known as the Spinning Mill Brook which runs south and eventually into the Long Island Sound. The brook and its associated wetlands are located in a narrow valley along the easterly boundary of the subject site. The other side of that valley is property owned by the Guilford Land Conservation Trust, Inc. and is preserved for its natural and scenic values. As revealed in the site plan (Exhibit 3 Attached; and Application, Exhibit C, Sheet SC-1) the subject tower would be located on a promontory at the very edge of the narrow valley that makes up the Spinning Mill Brook's watercourse and substantially closer to the open space property of the Guilford Land Conservation Trust. It would also stand immediately at the lower end of the valley containing the Brook and be visible towering over the area from any location along the brook. It will be fully

visible along the entire length of the Spinning Brook Valley floor, along the Land Trust Property and will be a dominating physical feature detracting from the natural scene.

In addition, there will be a substantial visual impact to these parties and intervenors by the relocation. While the existing facility is partially visible from their properties, the new location will be at approximately the same elevation or somewhat lower than the elevation of their homes and directly across the narrow gorge containing the Spinning Mill Brook from their properties. This location will thrust the tower directly into the visual field of the parties' and intervenors' homes compromising the view with no apparent gain in service or the needs of the public.

For (The Herein Named Parties and Grouped Intervenors

By 

John S. Bennet

Gould, Larson, Bennet, Wells & McDonnell, PC

Juris 024198

860 767 9055 Phone

860 767 2742 Fax

CERTIFICATION

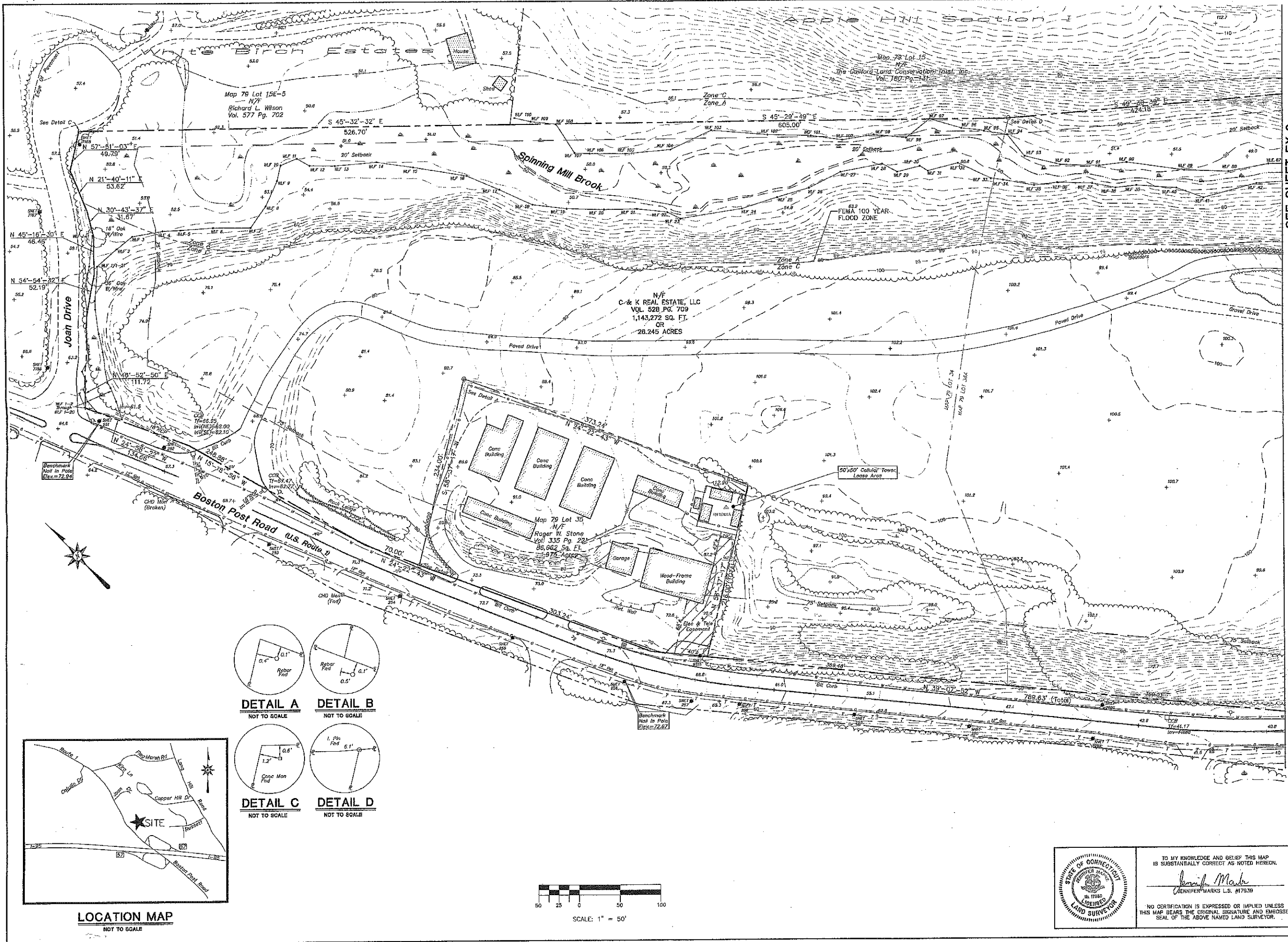
This is to certify that the foregoing document is a true copy of the document transmitted this 8th day of January, 2008 to all counsel of record as follows:

Julie Kohler, Esq.
Carrie Larson, Esq.
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604



John S. Bennet

Commissioner of the Superior Court



SEE SHEET EX-2

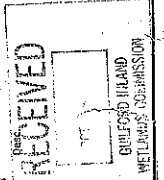
SEE SHEET EX-2



ARCHITECTURE
PLANNING
LANDSCAPE ARCHITECTURE
LAND SURVEYING
ENVIRONMENTAL SCIENCES

555 Research Parkway
Meriden, CT 06450
(203) 230-1400
(203) 655-2515 Fax

LAND OF
C&K REAL ESTATE, LLC
BOSTON POST ROAD (U.S. ROUTE 1)
GUILFORD, CONNECTICUT

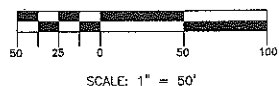
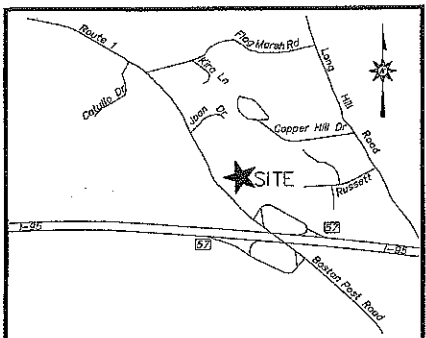
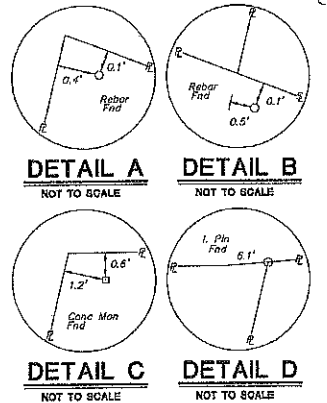


REVISIONS	Date	By

Surveyed S.L. E.S.
Drawn S.L.
Checked J.M.
Approved J.M.
Scale 1" = 50'
Project No. 04C105
Date 01/27/09
CAD File EX04C10501
Field Book 370

Title
**PROPERTY/
TOPOGRAPHIC
SURVEY**
Sheet No.

EX-1



TO MY KNOWLEDGE AND BELIEF THIS MAP
IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

Jennifer Marks
JENNIFER MARKS L.S. #17939

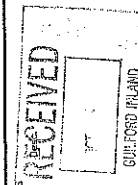
NO CERTIFICATION IS EXPRESSED OR IMPLIED UNLESS
THIS MAP BEARS THE ORIGINAL SIGNATURE AND ENGROSSED
SEAL OF THE ABOVE NAMED LAND SURVEYOR.

THESE DRAWINGS SHALL NOT BE UTILIZED BY ANY PERSON, FIRM OR CORPORATION WITHOUT THE SPECIFIC WRITTEN PERMISSION OF BL COMPANIES

EXHIBIT 2

EXHIBIT 2

EXHIBIT 2



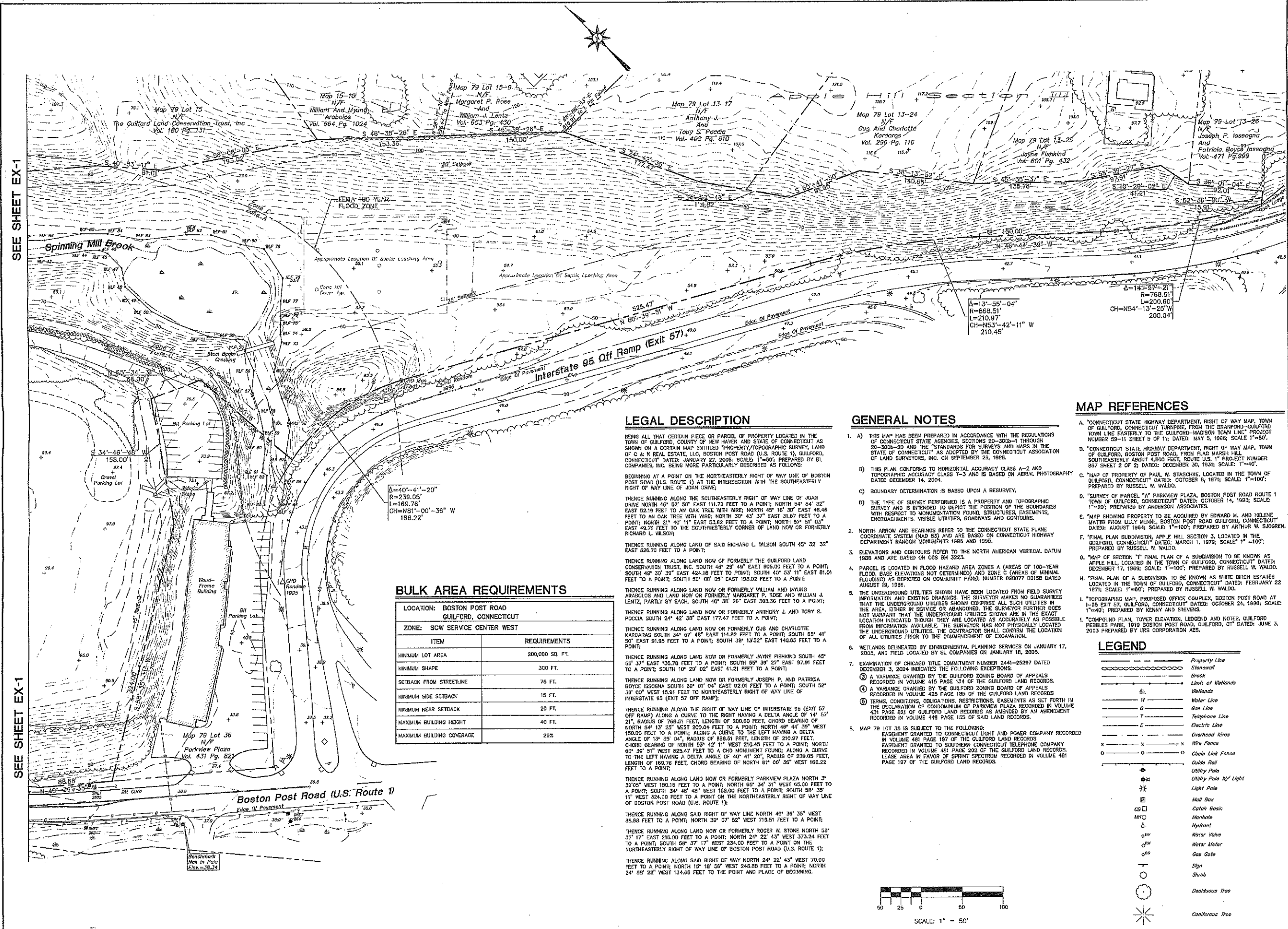
Surveyed S.L. E.S.
Drawn S.L.
Checked J.M.
Approved J.M.
Scale 1"=50'
Project No. 04C1105
Date 01/27/05
CAD File EX04C110501
Field Book 370

PROPERTY/
TOPOGRAPHIC
SURVEY

Sheet No.

EX-2

NOT TO SCALE



SEE SHEET EX-1

SEE SHEET EX-1

LEGAL DESCRIPTION

BEING ALL THAT CERTAIN PIECE OR PARCEL OF PROPERTY LOCATED IN THE TOWN OF GUILFORD, COUNTY OF NEW HAVEN AND STATE OF CONNECTICUT AS SHOWN ON A CERTAIN MAP ENTITLED "PROPERTY/TOPOGRAPHIC SURVEY, LAND OF C & K REAL ESTATE, LLC, BOSTON POST ROAD (U.S. ROUTE 1), GUILFORD, CONNECTICUT" DATED JANUARY 27, 2005, SCALE 1"=50', PREPARED BY BL COMPANIES, INC. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF BOSTON POST ROAD (U.S. ROUTE 1) AT THE INTERSECTION WITH THE SOUTHEASTERLY RIGHT OF WAY LINE OF JUDAN DRIVE;

THENCE RUNNING ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF JOAHN DRIVE NORTH 46° 32' 50" EAST 111.72 FEET TO A POINT; NORTH 54° 54' 32" EAST 52.19 FEET TO AN OAK TREE WITH WIRE; NORTH 45° 16' 30" EAST 46.46 FEET TO AN OAK TREE WITH WIRE; NORTH 30° 43' 37" EAST 31.67 FEET TO A POINT; NORTH 21° 40' 11" EAST 62.82 FEET TO A POINT; NORTH 57° 51' 03" EAST 49.75 FEET TO THE SOUTHWESTERLY CORNER OF LAND NOW OR FORMERLY RICHARD L. WILSON;

THENCE RUNNING ALONG LAND OF SAID RICHARD L. WILSON SOUTH 45° 32' 32" EAST 526.70 FEET TO A POINT;

THENCE RUNNING ALONG LAND NOW OR FORMERLY THE GUILFORD LAND CONSERVATION TRUST, INC. SOUTH 45° 29' 49" EAST 905.00 FEET TO A POINT; SOUTH 49° 30' 33" EAST 424.18 FEET TO POINT; SOUTH 40° 53' 11" EAST 81.01 FEET TO A POINT; SOUTH 69° 09' 08" EAST 102.02 FEET TO A POINT;

THENCE RUNNING ALONG LAND NOW OR FORMERLY WILLIAM AND MYUNG ARABOLAS AND LAND NOW OR FORMERLY MARGARET P. ROSE AND WILLIAM J. LENTZ, PARTLY BY EACH, SOUTH 46° 38' 26" EAST 303.36 FEET TO A POINT;

THENCE RUNNING ALONG LAND NOW OR FORMERLY ANTHONY J. AND TOBY S. POCILLA SOUTH 24° 42' 35" EAST 177.47 FEET TO A POINT;

THENCE RUNNING ALONG LAND NOW OR FORMERLY GUS AND CHARLOTTE KARDARAS SOUTH 34° 07' 48" EAST 114.82 FEET TO A POINT; NORTH 85° 41' 50" EAST 91.95 FEET TO A POINT; SOUTH 38° 13' 52" EAST 140.65 FEET TO A POINT;

THENCE RUNNING ALONG LAND NOW OR FORMERLY JAYNE FISHKIND SOUTH 45° 55' 37" EAST 135.78 FEET TO A POINT; SOUTH 55° 39' 27" EAST 97.91 FEET TO A POINT; SOUTH 10° 20' 02" EAST 41.21 FEET TO A POINT;

THENCE RUNNING ALONG LAND NOW OR FORMERLY JOSEPH P. AND PATRICIA BOYCE BOYCE SOUTH 39° 01' 04" EAST 92.01 FEET TO A POINT; SOUTH 52° 30' 00" WEST 15.91 FEET TO NORTHEASTERLY RIGHT OF WAY LINE OF INTERSTATE 95 (EXIT 57 OFF RAMP);

THENCE RUNNING ALONG THE RIGHT OF WAY LINE OF INTERSTATE 95 (EXIT 57 OFF RAMP) ALONG A CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 14° 57' 21", RADIUS OF 769.51 FEET, LENGTH OF 200.60 FEET, CHORD BEARING OF NORTH 54° 12' 28" WEST 200.00 FEET TO A POINT; NORTH 48° 44' 39" WEST 150.00 FEET TO A POINT; ALONG A CURVE TO THE LEFT HAVING A DELTA ANGLE OF 13° 55' 04", RADIUS OF 858.51 FEET, LENGTH OF 210.57 FEET, CHORD BEARING OF NORTH 53° 42' 11" WEST 210.45 FEET TO A POINT; NORTH 02° 30' 51" WEST 829.47 FEET TO A CHD MONUMENT FOUND; ALONG A CURVE TO THE LEFT HAVING A DELTA ANGLE OF 40° 41' 20", RADIUS OF 239.05 FEET, LENGTH OF 169.76 FEET, CHORD BEARING OF NORTH 51° 00' 35" WEST 166.22 FEET TO A POINT;

THENCE RUNNING ALONG LAND NOW OR FORMERLY PARKVIEW PLAZA NORTH 3° 30' 05" WEST 190.18 FEET TO A POINT; NORTH 62° 34' 31" WEST 45.00 FEET TO A POINT; SOUTH 34° 48' 48" WEST 150.00 FEET TO A POINT; SOUTH 58° 35' 11" WEST 324.00 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF BOSTON POST ROAD (U.S. ROUTE 1);

THENCE RUNNING ALONG SAID RIGHT OF WAY LINE NORTH 45° 36' 35" WEST 88.88 FEET TO A POINT; NORTH 30° 07' 52" WEST 71.81 FEET TO A POINT;

THENCE RUNNING ALONG LAND NOW OR FORMERLY ROGER W. STONE NORTH 58° 37' 17" EAST 218.00 FEET TO A POINT; NORTH 24° 22' 43" WEST 373.24 FEET TO A POINT; SOUTH 89° 37' 17" WEST 234.00 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF BOSTON POST ROAD (U.S. ROUTE 1);

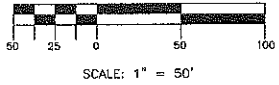
THENCE RUNNING ALONG SAID RIGHT OF WAY LINE NORTH 24° 22' 43" WEST 70.09 FEET TO A POINT; NORTH 15° 18' 25" WEST 248.33 FEET TO A POINT; NORTH 24° 28' 22" WEST 134.68 FEET TO THE POINT AND PLACE OF BEGINNING.

BULK AREA REQUIREMENTS

LOCATION: BOSTON POST ROAD GUILFORD, CONNECTICUT	
ZONE: SCW SERVICE CENTER WEST	
ITEM	REQUIREMENTS
MINIMUM LOT AREA	200,000 SQ. FT.
MINIMUM SHAPE	300 FT.
SETBACK FROM STREETLINE	75 FT.
MINIMUM SIDE SETBACK	15 FT.
MINIMUM REAR SETBACK	20 FT.
MAXIMUM BUILDING HEIGHT	40 FT.
MAXIMUM BUILDING COVERAGE	25%

GENERAL NOTES

- A) THIS MAP HAS BEEN PREPARED IN ACCORDANCE WITH THE REGULATIONS OF CONNECTICUT STATE AGENCIES, SECTIONS 20-300B-1 THROUGH 20-300B-20 AND THE "STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. ON SEPTEMBER 26, 1995.
- B) THIS PLAN CONFORMS TO HORIZONTAL ACCURACY CLASS A-2 AND TOPOGRAPHIC ACCURACY CLASS T-3 AND IS BASED ON AERIAL PHOTOGRAPHY DATED DECEMBER 14, 2004.
- C) BOUNDARY DETERMINATION IS BASED UPON A RESURVEY.
- D) THE TYPE OF SURVEY PERFORMED IS A PROPERTY AND TOPOGRAPHIC SURVEY AND IS INTENDED TO DEFINE THE POSITION OF THE BOUNDARIES WITH RESPECT TO MONUMENTATION, FIELDS, STRUCTURES, EASEMENTS, ENCROACHMENTS, VISIBLE UTILITIES, ROADWAYS AND CONTOURS.
- E) NORTH ARROW AND BEARINGS REFER TO THE CONNECTICUT STATE PLANE COORDINATE SYSTEM (NAD 83) AND ARE BASED ON CONNECTICUT HIGHWAY DEPARTMENT RANDOM MONUMENTS 1998 AND 1995.
- F) ELEVATIONS AND CONTOURS REFER TO THE NORTH AMERICAN VERTICAL DATUM 1988 AND ARE BASED ON CGS BM 3223.
- G) PARCEL IS LOCATED IN FLOOD HAZARD AREA ZONE A (AREAS OF 100-YEAR FLOOD, BASE ELEVATIONS NOT DETERMINED) AND ZONE C (AREAS OF MINIMAL FLOODING) AS DEPICTED ON COMMUNITY PANEL NUMBER 05077 CRISB DATED AUGUST 19, 1996.
- H) THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED THOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. THE CONTRACTOR SHALL CONFIRM THE LOCATION OF ALL UTILITIES PRIOR TO THE COMMENCEMENT OF EXCAVATION.
- I) WETLANDS DELINEATED BY ENVIRONMENTAL PLANNING SERVICES ON JANUARY 17, 2005, AND FIELD LOCATED BY BL COMPANIES ON JANUARY 18, 2005.
- J) EXAMINATION OF CHICAGO TITLE COMMITMENT NUMBER 2441-25297 DATED DECEMBER 3, 2004 INDICATES THE FOLLOWING EXCEPTIONS:
 (1) A VARIANCE GRANTED BY THE GUILFORD ZONING BOARD OF APPEALS RECORDED IN VOLUME 415 PAGE 134 OF THE GUILFORD LAND RECORDS.
 (2) A VARIANCE GRANTED BY THE GUILFORD ZONING BOARD OF APPEALS RECORDED IN VOLUME 425 PAGE 195 OF THE GUILFORD LAND RECORDS.
 (3) TERMS, CONDITIONS, OBLIGATIONS, RESTRICTIONS, EASEMENTS AS SET FORTH IN THE DECLARATION OF CONDOMINIUM OF PARKVIEW PLAZA RECORDED IN VOLUME 431 PAGE 821 OF GUILFORD LAND RECORDS AS AMENDED BY AN AMENDMENT RECORDED IN VOLUME 448 PAGE 125 OF SAID LAND RECORDS.
- K) MAP 79 LOT 36 IS SUBJECT TO THE FOLLOWING:
 EASEMENT GRANTED TO CONNECTICUT LIGHT AND POWER COMPANY RECORDED IN VOLUME 481 PAGE 197 OF THE GUILFORD LAND RECORDS.
 EASEMENT GRANTED TO SOUTHERN CONNECTICUT TELEPHONE COMPANY RECORDED IN VOLUME 481 PAGE 202 OF THE GUILFORD LAND RECORDS.
 LEASE AREA IN FAVOR OF SPRINT SPECTRUM RECORDED IN VOLUME 481 PAGE 197 OF THE GUILFORD LAND RECORDS.



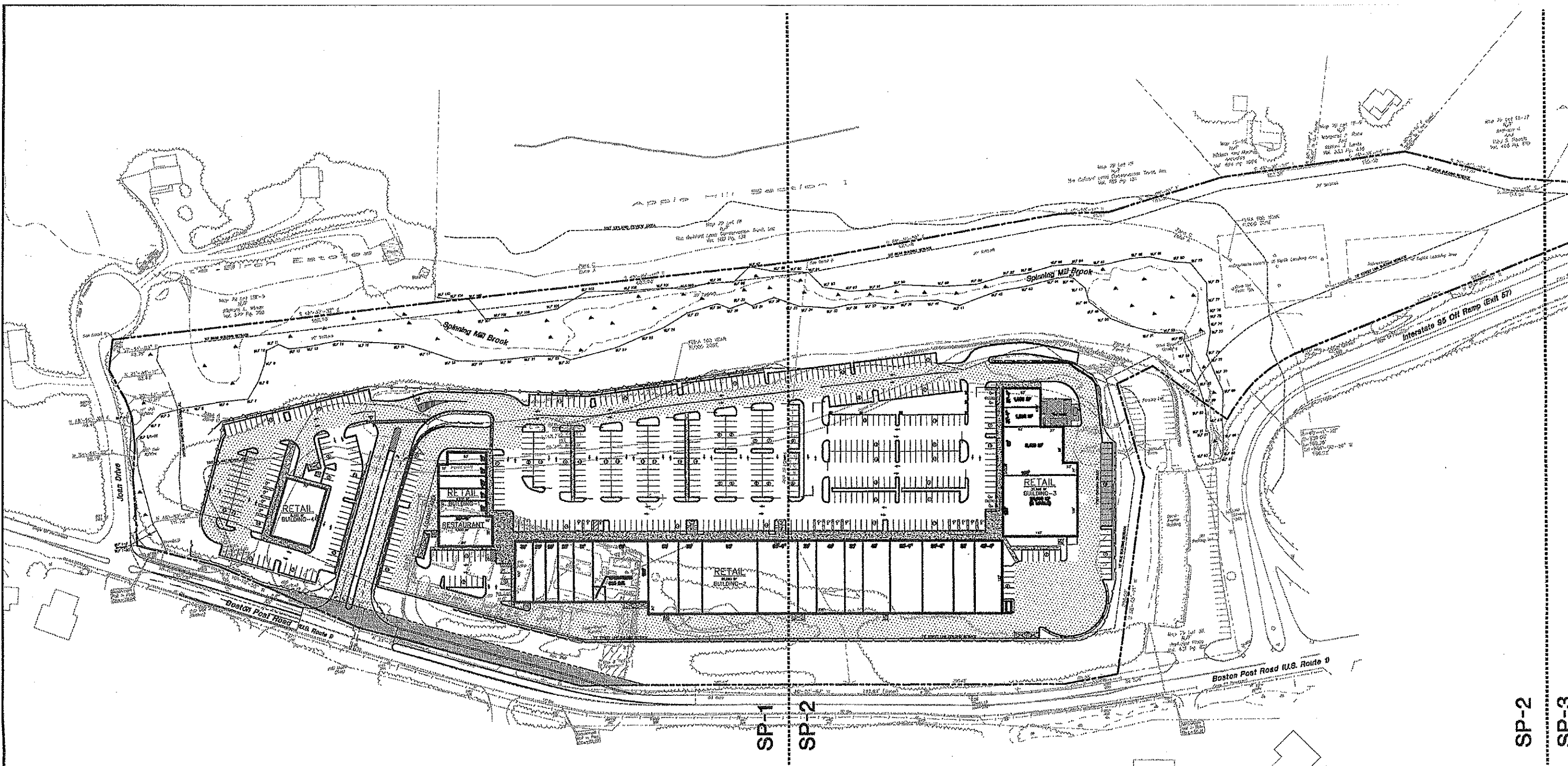
MAP REFERENCES

- "CONNECTICUT STATE HIGHWAY DEPARTMENT, RIGHT OF WAY MAP, TOWN OF GUILFORD, CONNECTICUT TURNPIKE, FROM THE BRANFORD-GUILFORD TOWN LINE EASTERLY TO THE GUILFORD-MADISON TOWN LINE" PROJECT NUMBER 69-11 SHEET 5 OF 11, DATED: MAY 5, 1996; SCALE 1"=80'.
- "CONNECTICUT STATE HIGHWAY DEPARTMENT, RIGHT OF WAY MAP, TOWN OF GUILFORD, BOSTON POST ROAD, FROM FLAG MARSH HILL SOUTHEASTERLY ABOUT 4,800 FEET, ROUTE U.S. 1" PROJECT NUMBER 857 SHEET 2 OF 2, DATED: DECEMBER 30, 1931; SCALE: 1"=40'.
- "MAP OF PROPERTY OF PAUL W. STASCHKE, LOCATED IN THE TOWN OF GUILFORD, CONNECTICUT" DATED: OCTOBER 6, 1974; SCALE: 1"=100'; PREPARED BY RUSSELL W. WALDO.
- "SURVEY OF PARCEL 'A' PARKVIEW PLAZA, BOSTON POST ROAD ROUTE 1 TOWN OF GUILFORD, CONNECTICUT" DATED: OCTOBER 14, 1993; SCALE 1"=20'; PREPARED BY ANDERSON ASSOCIATES.
- "MAP SHOWING PROPERTY TO BE ACQUIRED BY EDWARD W. AND HELENE MATHE FROM LILLY KWINE, BOSTON POST ROAD GUILFORD, CONNECTICUT" DATED: AUGUST 1984; SCALE: 1"=100'; PREPARED BY ARTHUR W. SJOGREN.
- "FINAL PLAN SUBDIVISION, APPLE HILL SECTION 3, LOCATED IN THE GUILFORD, CONNECTICUT" DATED: MARCH 1, 1979; SCALE: 1"=100'; PREPARED BY RUSSELL W. WALDO.
- "MAP OF SECTION 'F' FINAL PLAN OF A SUBDIVISION TO BE KNOWN AS APPLE HILL, LOCATED IN THE TOWN OF GUILFORD, CONNECTICUT" DATED: DECEMBER 17, 1989; SCALE: 1"=100'; PREPARED BY RUSSELL W. WALDO.
- "FINAL PLAN OF A SUBDIVISION TO BE KNOWN AS WHITE BIRCH ESTATES LOCATED IN THE TOWN OF GUILFORD, CONNECTICUT" DATED: FEBRUARY 22 1971; SCALE: 1"=80'; PREPARED BY RUSSELL W. WALDO.
- "TOPOGRAPHIC MAP, PROPOSED OFFICE COMPLEX, BOSTON POST ROAD AT I-95 EXIT 57, GUILFORD, CONNECTICUT" DATED: OCTOBER 24, 1989; SCALE: 1"=40'; PREPARED BY KENNY AND STEVENS.
- "COMPOUND PLAN, TOWER ELEVATION, LEDGEND AND NOTES, GUILFORD PEBBLES PARK, 1919 BOSTON POST ROAD, GUILFORD, CT" DATED: JUNE 3, 2003 PREPARED BY URS CORPORATION AES.

LEGEND

- Property Line
- Stone Wall
- Brook
- Limit of Wetlands
- Wetlands
- Water Line
- Gas Line
- Telephone Line
- Electric Line
- Overhead Wires
- Wire Fence
- Chain Link Fence
- Guide Rail
- Utility Pole
- Utility Pole W/ Light
- Light Pole
- Mail Box
- Catch Basin
- Manhole
- Hydrant
- Water Valve
- Water Meter
- Gas Gate
- Sign
- Shrub
- Deciduous Tree
- Coniferous Tree

THESE QUANTITIES SHALL NOT BE UTILIZED BY ANY PERSON, FIRM OR CORPORATION WITHOUT THE SPECIFIC WRITTEN PERMISSION OF BL COMPANIES



ZONING INFORMATION

LOCATION: GUILFORD, CT NEW HAVEN COUNTY			
ZONE: SERVICE CENTER WEST DISTRICT (SCW)			
USE: (PERMITTED USE) RETAIL STORE, RESTAURANT			
ITEM #	ITEM	REQUIREMENTS	PROPOSED
1	MINIMUM LOT AREA	200,000 S.F.	1,213,590.81 S.F. (2) 27.860 ACRES
2	MINIMUM LOT FRONTAGE	300 FEET	1,635.09 FEET
3	MINIMUM LOT DEPTH	NONE REQUIRED	388.64 FEET
4	MINIMUM LOT SHAPE	300 FEET	388 FEET±

PAVEMENT HATCH LEGEND

	STANDARD DUTY BIT. CONC. PAVEMENT STRUCTURE		CONCRETE PAVEMENT/SIDEWALK
	HEAVY DUTY BIT. CONC. PAVEMENT STRUCTURE		PROPOSED GRAVEL AREA AT TOWER
			PROPOSED BRICK PAVER CROSSWALK

SIGN LEGEND

NO.	CT DOT NO.	LEGEND	QTY.	NO.	CT DOT NO.	LEGEND	QTY.
A	31-00017		24	C	31-064R		1

SITE PLAN NOTES

- ALL CONSTRUCTION SHALL COMPLY WITH PROJECT SPECIFICATION MANUAL; TOWN OF DEPARTMENT OF TRANSPORTATION STANDARDS AND SPECIFICATIONS IN THE ABOVE REF SPECIFICATIONS ARE IN CONFLICT, THE MORE STRINGENT SPECIFICATION SHALL APPLY. PERFORMED IN ACCORDANCE WITH ALL APPLICABLE OSHA, FEDERAL, STATE AND LOCAL
- THE OWNER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY ZONING PERMITS REQU AGENCIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL OBTAIN ALL STATE AND PERMITS, INCLUDING DOT PERMITS AND SEWER AND WATER CONNECTION PERMITS. THE