ROBINSON & COLE LLP

JOEY LEE MIRANDA

280 Trumbull Street
Hartford, CT 06103-3597
Main (860) 275-8200
Fax (860) 275-8299
jmiranda@rc.com
Direct (860) 275-8227

Also admitted in District of Columbia and Massachusetts

Via First Class Mail

March 19, 2008

Jeffrey Ollendorf
Planning Department
Town of Farmington
1 Monteith Drive
Farmington, CT 06032

Re: **Cellco Partnership d/b/a Verizon Wireless Proposed Wireless Telecommunication Facility, 199 Town Farm Road**

Dear Mr. Ollendorf:

I am writing in response to your February 14, 2008 letter regarding concerns raised by Ronald Simmons about the access road, the demolition of a storage building and access to the canal road in connection with Cellco Partnership d/b/a Verizon Wireless' (Cellco) proposal for the construction, maintenance and operation of a wireless telecommunications facility (Facility) at the above-referenced property.

In his February 11, 2008 letter to the Town of Farmington (Town), Mr. Simmons expressed concern about the maintenance of the access road and the use of salt on the access road. Cellco will maintain the access road being constructed as part of its proposal. As part of this maintenance, Cellco will not use salt on the access road.

Mr. Simmons also raised concerns about the impact of the construction of the access road on plans by the U.S. Department of Agriculture (USDA) to install diversion ditches on the property. Representatives from Cellco's engineering firm, URS Corporation (URS), have spoken with both the USDA and Mr. Simmons regarding these concerns and have obtained copies of the plans for these ditches. Based on these conversations and a review of the plans (copy attached), Cellco has determined that the construction of the access road associated with Cellco's proposed wireless telecommunications facility will not disrupt or in any way interfere with the construction, operation or maintenance of the diversion ditches.

In his letter to the Town, Mr. Simmons also expressed concern about the demolition of an existing machinery/storage building. Cellco does not intend to demolish any of the existing buildings on the property.

Mr. Simmons also raised concerns that the access road being constructed as part of Cellco's proposal will block access to the canal road. In response to Mr. Simmons' letter, URS further reviewed the location of the canal road and determined that Cellco's proposed access road will not block access to the canal road.

Finally, we have confirmed with Cellco's Real Estate Consultant, Robert Bennett, that before entering into the lease with the Town, Mr. Bennett met with Mr. Simmons to inform him about the plans for the Facility and that Mr. Simmons did not express any concerns about the proposed Facility at that time. In addition, Cellco has kept and will continue to keep Mr. Simmons informed about visits to the property by Cellco representatives related to the proposed Facility.

We trust this letter addresses Mr. Simmons' concerns. However, if you have any questions or require additional information, please do not hesitate to contact me. Thank you.

Sincerely,

JL Miranda

Joey Lee Miranda

Enclosures

Copy to: Sandy Carter

DESIGN: DIVERSION AND ACCESS ROAD
PREPARED FOR: SIMMONS FARM
PREPARED BY: NATURAL RESOURCES CONSERVATION SERVICE; WINDSOR, CT.
IN COOPERATION WITH: NORTH CENTRAL CONSERVATION DISTRICT
DRAWING NO.: CT-01-H-07-01
ENGINEERING JOB CLASS I

APPROVED BY: _____
TITLE: _____

QUANTITIES

DIVERSION	400 L.F.
1. EXCAVATION	250 C.Y.
2. EARTHFILL	235 C.Y.
3. JUTE MAT	1,350 S.Y.
4. LIME, FERTILZER, SEED, MULCH	0.75 AC.
ACCESS ROAD	515 L.F.
1. GRAVEL FOR ROAD	267 C.Y.
2. WOVEN GEOTEXTILE	716 S.Y.

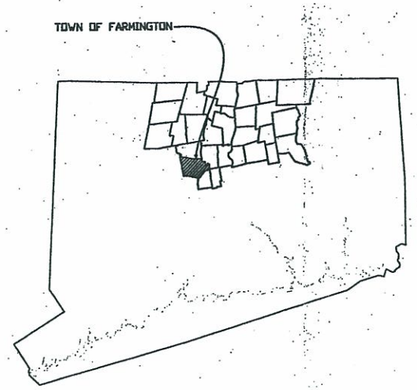
INDEX

NOTE: THE LAND OWNER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.

OPERATION AND MAINTENANCE

1. ERODED AREAS SHOULD BE RESEEDED OR SODDED PROMPTLY.
2. APPLY 400 LBS. TO 500 LBS. PER ACRE OF 10-10-10 FERTILIZER TO NEWLY SEEDED DIVERSION DURING THE SECOND GROWING SEASON AND AS NEEDED THEREAFTER TO MAINTAIN VIGOROUS COVER.
3. THE DIVERSION SHALL BE MAINTAINED BY KEEPING IT FREE AND CLEAN OF FLOW REDUCING MATERIALS.
4. ANY SPREADING OF MANURE ON ADJACENT FIELDS SHALL BE KEPT A MINIMUM OF 50 FT. AWAY FROM DIVERSION EDGES.
5. MOW THE VEGETATION IN THE CHANNEL AT LEAST ONCE PER YEAR TO PREVENT ESTABLISHMENT OF WOODY VEGETATION.

GENERAL LOCATION MAP



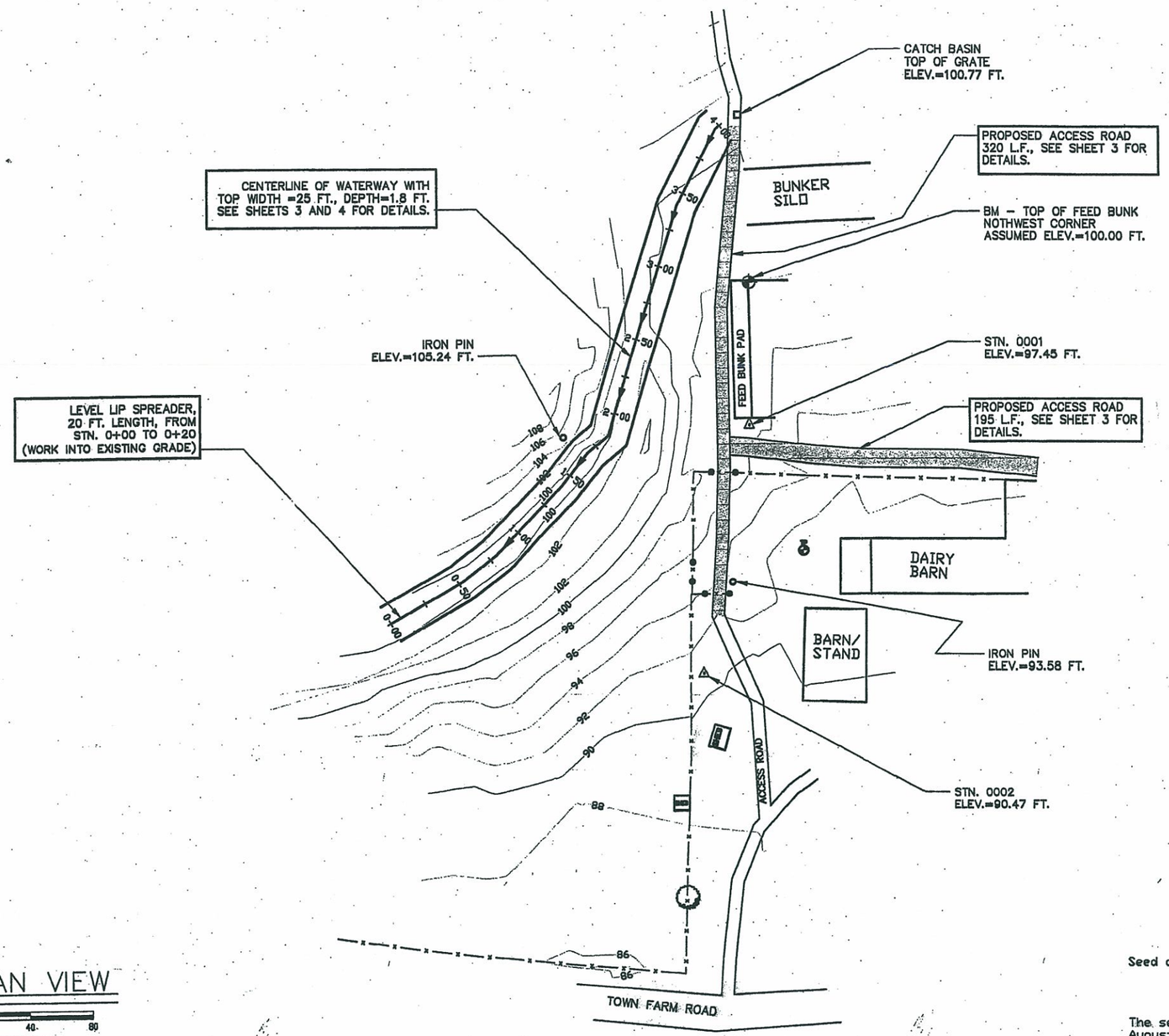
TOWN OF FARMINGTON

Date			
Designed JEG	1/07	Approved By: John Martin	
Drawn JEG	3/07	Title: Civil Engineer	
Checked JML	4/07		

SIMMONS FARM
TOWN OF FARMINGTON, HARTFORD COUNTY, CONNECTICUT
DIVERSION AND ACCESS ROAD
COVER SHEET

USDA NRCS
U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE

Cad File: WORKING.DWG
Drawing No. CT-01-H-07-1
Sheet 1 of 5



PLAN VIEW

0 40 80
SCALE IN FEET

NOTE: THE LANDOWNER IS RESPONSIBLE FOR NOTIFYING ALL UTILITIES BY CALLING BEFORE YOU DIG (1–800–922–4455).

LEGEND

- HUB
- BENCHMARK
- FENCE
- PROPOSED ACCESS RD.
- CATCH BASIN
- DECIDUOUS TREE
- IRON PIN
- TEST PIT

CONTOURS ARE IN 2 FT. INTERVALS

OCTOBER 19, 2006
SOIL TEST PIT LOG

The very deep soil description is as follows: *(all textures are USDA soil textures)*

0 to 3 inches, A horizon, 7.5YR 2.5/1 loamy sand; disturbed

3 to 6 inches B horizon, 5YR3/4 loamy sand; very firm consistence

6 to 15 inches, BC horizon, 5YR3/4 gravelly loamy sand; SM Unified Soil Classification System

15 to 20 inches, C_1 horizon, 5YR3/4 gravelly sand; SM, SP-SM Unified Soil Classification System

20 to 32 inches, C_2 horizon, 5YR3/4 sand; SM, SP-SM Unified Soil Classification System

32 to 36 inches, C_3 horizon, 5YR3/4 fine sand; common, medium, distinct 5YR2.5/2 manganese stains in the matrix; SM, SP-SM Unified Soil Classification System

36 to 58 inches, C_4 horizon, 7.5YR 4/3 stratified sand and coarse sand; few, coarse, prominent 5YR4/6 redox concentrations in the matrix; SM, SP-SM Unified Soil Classification System

58 to 80 inches, C_5 horizon, 10YR4/3 sand; few, medium, distinct 7.5YR4/6 redox concentrations in the matrix; SM, SP-SM Unified Soil Classification System

80 to 85 inches, C_6 horizon, 7.5YR 4/3 fine sand; common, medium, distinct 5YR2.5/2 manganese stains in the matrix; few, medium, distinct 7.5YR4/6 and few, medium, prominent 7.5YR3/8 redox concentrations in the matrix; SM, SP-SM Unified Soil Classification System

85 to 102 inches, C_7 horizon, 7.5YR 4/3 stratified sand and coarse sand; few, coarse, prominent 5YR4/6 redox concentrations in the matrix; SM, SP-SM Unified Soil Classification System

Around the test pit area, the top soil has been removed (about 3 inches remains) and a very firm layer about 3 inches thick (the B1 horizon) has formed over the years due to compaction. This compacted layer has a moderately slow or slow saturated hydraulic conductivity resulting in ponding on the surface. In the test pit, the seasonal high water table was noted at 32 inches from the soil surface. This is where the water settles long enough to create redoximorphic features or manganese stains which indicate wetness.

SEEDING SPECIFICATION

Seed all disturbed areas with the following mixture:

Kentucky Bluegrass	20 lbs./ac.
Creeping Red Fescue	20 lbs./ac.
Perennial Ryegrass	5 lbs./ac.

The seeding dates shall be between April 1 and June 15, or between August 15 and September 15.

Apply ground limestone according to soil test reccommendations or at a rate of 2 tons per acre.

Apply fertilizer according to soil test reccommendations or apply 400 lbs. of 10-10-10 or its equivalent per acre.

Apply hay or straw mulch to all seeded areas at the rate of 1.5 to 2.0 tons per acre.

	Date	
Designed JEG	1/07	Approved By :
Drawn JEG	3/07	Title :
Checked JML	4/07	

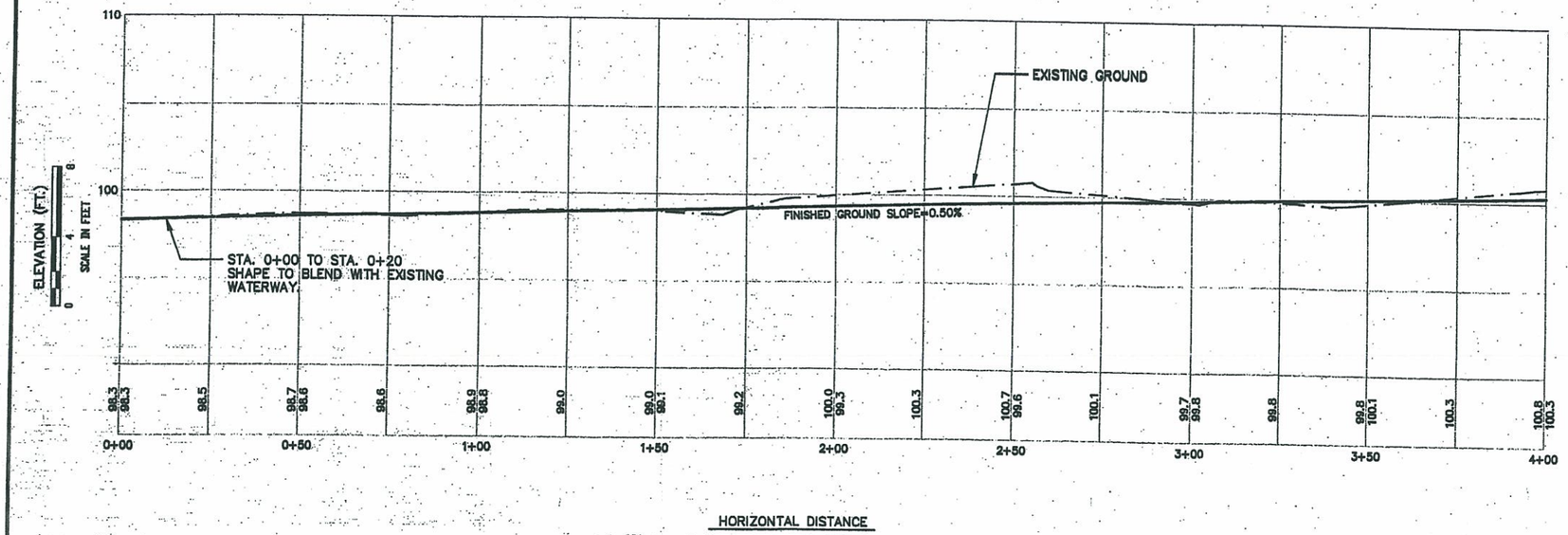
SIMMONS FARM
TOWN OF FARMINGTON, HARTFORD COUNTY, CONNECTICUT
DIVERSION AND ACCESS ROAD
PLAN VIEW

USDA NRCS
U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE

Cad File
WORKING.DWG

Drawing No.
CT-01-H-07-1

Sheet 2 of 5



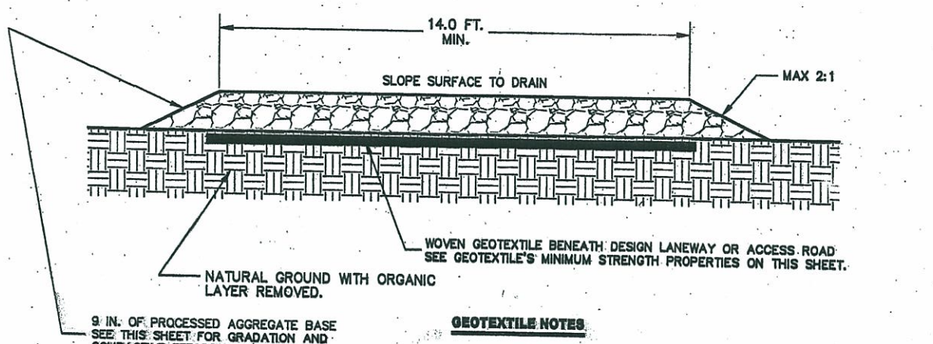
PROFILE OF CENTERLINE OF DIVERSION

CONSTRUCTION NOTES

1. THE LANDOWNER IS RESPONSIBLE FOR NOTIFYING ALL UTILITIES BY CALLING BEFORE YOU DIG 1-800-922-4455.
2. THE OUTLETS AND GRATES ON THE EXISTING CATCH BASINS SHALL BE KEPT FREE AND CLEAN FROM ALL FLOW REDUCING MATERIALS.
3. THE DIVERSION SHALL BE EXCAVATED AS SHOWN ON THE DRAWINGS.
4. ALL BRUSH, TREES, STUMPS AND SIMILAR MATERIAL SHALL BE REMOVED FROM THE CONSTRUCTION AREA AND DISPOSED OF IN SUCH A MANNER AS NOT TO INTERFERE WITH PROPER FUNCTIONING OF THE DIVERSION.
5. SOIL REMOVED FROM DIVERSION SHALL BE DEPOSITED WHERE IT WILL NOT INTERFERE WITH FLOW OF WATER IN THE DIVERSION.
7. THE TOPSOIL MAY BE SAVED AND SPREAD IN THE CONSTRUCTED DIVERSION IF NECESSARY FOR OBTAINING A GOOD VEGETATIVE COVER. WHERE THIS IS DONE THE DIVERSION SHALL BE OVER-EXCAVATED TO ALLOW FOR REPLACEMENT OF THE TOPSOIL WITHOUT ENCROACHING ON THE DESIGN CROSS SECTION.
8. VEGETATION IN DIVERSION SHALL BE ESTABLISHED BY SEEDING, SEE SHEET 2 FOR SEEDING SPECIFICATION.
9. JUTE MESH WITH MULCH AND TACKIFIER SHALL BE USED TO PROTECT THE CENTER PORTION OF THE WATERWAY UNTIL VEGETATION BECOMES ESTABLISHED.
10. INSTALL JUTE MESH ACCORRDING TO MANUFACTURERS RECCOMENDATIONS.

GRAVEL FOR ACCESS ROAD

LOCATION	MATERIAL	MAX. ROCK SIZE	MAX. LIFT THICKNESS	WATER CONTENT	COMPACTION REQUIREMENT	SQUARE MESH SIEVES	% PASSING BY WEIGHT
ALL FILL AREAS FOR ACCESS ROADS.	GRADATION SHALL CONFORM WITH CT. D.O.T. "PROCESSED AGGREGATE BASE", SECTION M.05.01, FORM 815, 1995 EDITION, AND NO MORE THAN 5% BY WEIGHT SHALL PASS THE #200 SIEVE.	2½"	8"	THOROUGHLY WET BUT NOT SO WET AS TO CAUSE ADHERENCE OF THE MATERIAL TO THE COMPACTION EQUIPMENT.	CLASS II HAND COMPACTION WITH A MINIMUM OF 3 PASSES PER 8" LIFT OF A MANUALLY DIRECTED POWER TAMPER OR PLATE VIBRATOR WEIGHING AT LEAST 200 LBS. OR AN EQUIVALENT METHOD.	2½" 2" ½" ¼" #40 #100 #200	100 95-100 50-75 25-45 5-20 2-12 0-5



GEOTEXTILE NOTES

GEOTEXTILE SHALL BE USED BENEATH DESIGN HEAVY USE AREA GRAVEL LAYER AS NOTED IN THE DRAWINGS, OR AS SPECIFIED BY THE NRCS PROJECT ENGINEER.

THIS MATERIAL MUST MEET "HIGH SURVIVABILITY CRITERIA":
- -GRAB STRENGTH= ASTM D-1682 = 130 LBS. OR BETTER
- -PUNCTURE STRENGTH= ASTM D-751-68 = 65 LBS. OR BETTER
- -BURST STRENGTH= ASTM D-751-68 = 290 PSI OR BETTER
- -TEAR STRENGTH= ASTM D-1117 = 55 LBS. OR BETTER

TYPICAL SECTION OF ACCESS ROAD
N.T.S.

Date	
Designed JEG	1/07
Drawn JEG	3/07
Checked JML	4/07

Approved By :

Title :

SIMMONS FARM
TOWN OF FARMINGTON, HARTFORD COUNTY, CONNECTICUT
DIVERSION AND ACCESS ROAD

PROFILE OF DIVERSION & ACCESS ROAD DETAIL

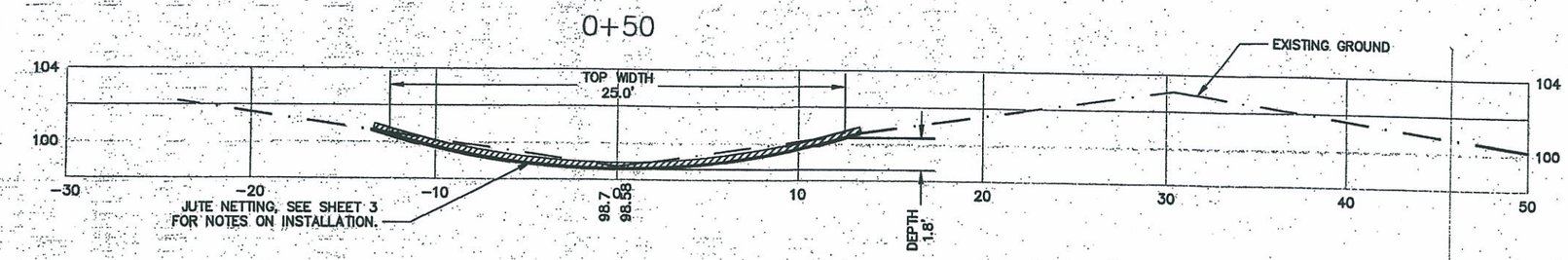
USDA NRCS

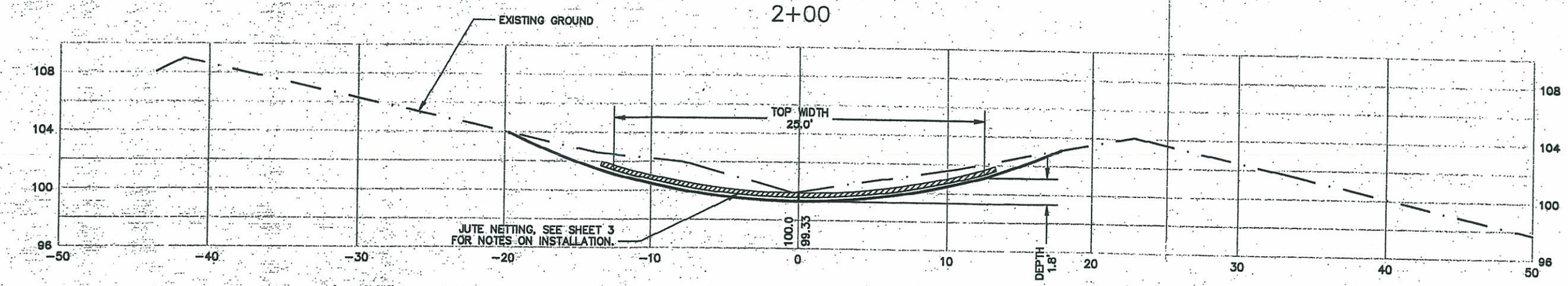
U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE

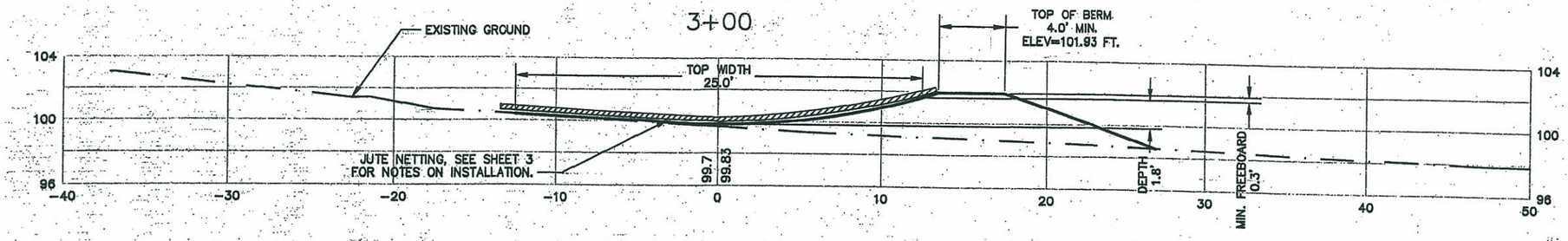
Cad File
WORKING.DWG

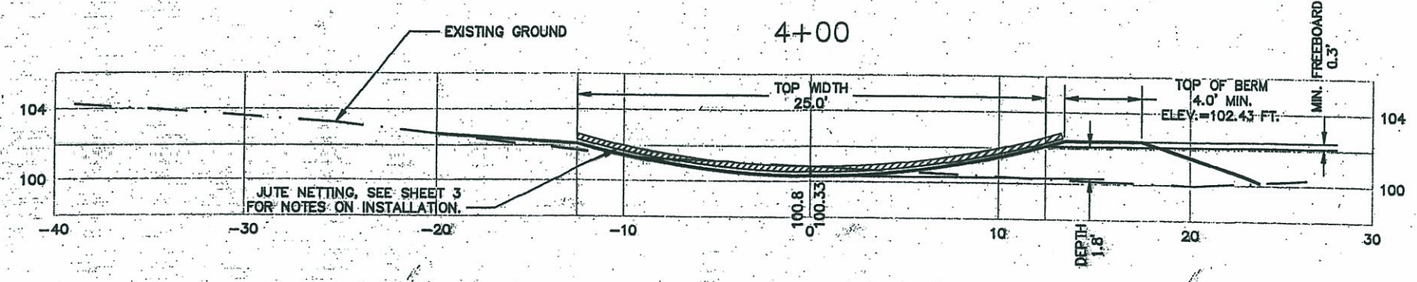
Drawing No.
CT-01-H-07-1

Sheet 3 of 5









CROSS SECTIONS OF DIVERSION (LOOKING UPSTREAM)

HORIZONTAL DISTANCE

0 4 8

SCALE IN FEET

VERTICAL ELEVATION

0 4 8

SCALE IN FEET

SIMMONS FARM
TOWN OF FARMINGTON, HARTFORD COUNTY, CONNECTICUT
DIVERSION & ACCESS ROAD
DIVERSION SECTION VIEW

	Date	Designed JEG	1/07
		Drawn JEG	3/07
		Checked JML	4/07

Approved by :

Title :

USDA NRCS

U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE

Cad File
WORKING.DWG

Drawing No.
CT-01-H-07-1

Sheet 34 of 5

EROSION AND SEDIMENT CONTROL NOTES

–)Erosion and sediment control measures will be installed prior to and during clearing, grading, and excavation. Silt fence (bale type or fabric type) shall be installed as needed, or as instructed by the NRCS project engineer.

–)Posts shall (36) inch minimum length constructed of either of the following materials: Steel "T" or "U" type, or 2" x 2" hardwood.

–)Woven wire used as additional fence support shall be minimum 14.5 gauge with (6) inch maximum mesh spacing.

–)Woven wire shall be placed along the uphill side of the fence and fastened with wire ties or (1) inch staples along the uphill side of the posts.

–)Filter fabric shall be fastened to woven wire according to manufacturers recommendation, or with ties every (24) inches at top and mid–section.

–)Where two pieces of filter fabric adjoin each other they shall be overlapped by (6) inches and folded.

–)Where two posts meet to join fence sections, the tops of the posts shall be secured together with wire.

–)The fence shall be constructed along the contour as much as possible.

–)Ends of fences shall be extended up the slope to prevent runoff from migrating around the end of the fence.

–)Inspection of the fence shall be performed weekly, or immediately after a rain event, or when bulges appear in the fence. Accumulated silt shall not be allowed to exceed (1/2) height of the fabric. Repair and or replacement of damaged fence shall be completed promptly, as needed.

–)Accumulated silt shall be removed and disposed of in an approved site in such a manner that it will not contribute to off–site siltation.

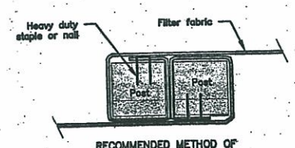
–)Mulching and final seeding shall follow completed segments of the work. See specification for seeding requirements.

–)All fencing shall be removed when the construction site is fully stabilized so as to not impede storm flow or drainage.

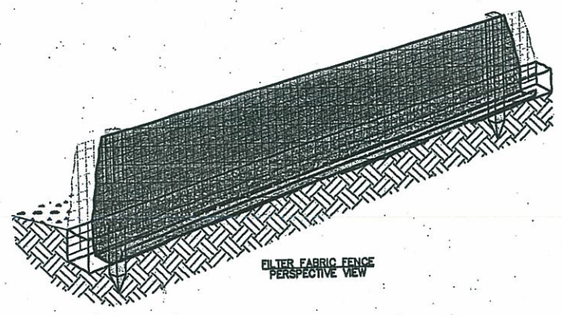
–)All chemicals, fuels, and lubrications, shall be located, stored, and disposed of in such a manner as to prevent their entry into wetland or watercourse. No equipment or machinery shall be stored, cleaned or repaired within a wetland or watercourse.

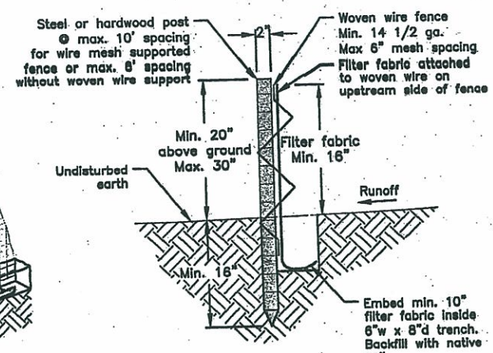
SEEDING RECOMMENDATIONS AND SPECIFICATIONS

1. APPLY LIMESTONE AND FERTILIZER ACCORDING TO SOIL TEST RESULTS OR 300 POUNDS 10–10–10 AND 2 TONS OF LIME PER ACRE.
2. RECOMMENDED SEEDING DATES ARE APRIL 1 – JUNE 15 AND AUGUST 15 – SEPTEMBER 30.
3. MULCH ALL DISTURBED AREAS WITH STRAW OR HAY AT THE RATE OF 100LBS/1000 FT .

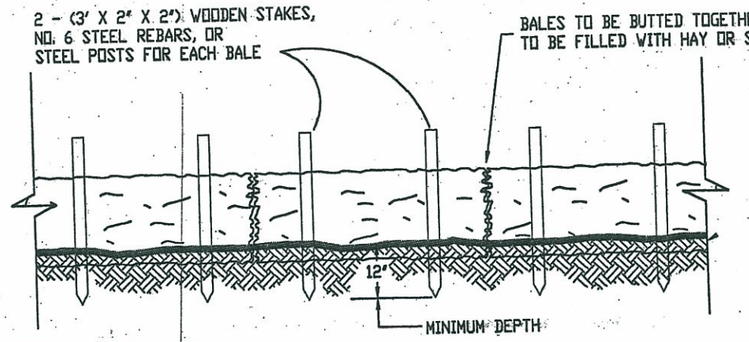


RECOMMENDED METHOD OF JOINING FENCE SECTIONS


FILTER FABRIC FENCE PERSPECTIVE VIEW



FILTER FABRIC FENCE DETAIL TYPICAL SECTION



NOTE: EXISTING GROUND TO BE EXCAVATED THE MINIMUM WIDTH OF A BALE TO A DEPTH OF 4". BACKFILL AND COMPACT EXCAVATED SOIL ON THE UPHILL SIDE OF THE BARRIER.

HAY OR STRAW BALE TYPICAL SECTION

SEEDING REQUIREMENTS

SEED MIXTURE	LBS/ACRE	LBS/1,000 Sq. Ft.
KENTUCKY BLUEGRASS	20	.5
PERENNIAL RYE	5	.125
CREEPING RED FESCUE	20	.5
	Total 45	Total 1.125

* NOTE: OTHER SUITABLE SEED MIXTURES MAY BE USED INSTEAD OF THE ABOVE

Date		
Designed JEG	1/07	Approved By :
Drawn JEG	3/07	Title :
Checked JML	4/07	

SIMMONS FARM
TOWN OF FARMINGTON, HARTFORD COUNTY, CONNECTICUT
DIVERSION AND ACCESS ROAD
POLLUTION AND SEDIMENT CONTROL

USDA NRCS
U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE

Cad File WORKING.DWG
Drawing No. CT–01–H–07–1
Sheet 5 of 5

1 Monteith Drive, Farmington CT. 06032 (860) 675-2325

Farmington Planning Department

Fax

To:	Joey Lee Miranda, Esquire	**From:**	Jeffrey Ollendorf, Town Planner
Fax:	275-8299	**Pages:**	3 inc. this sheet
Phone:		**Date:**	February 14, 2008
Re:	Verizon Wireless	**CC:**	

THE TOWN OF FARMINGTON

INCORPORATED 1645

TOWN HALL
1 MONTEITH DRIVE
FARMINGTON, CONNECTICUT 06032-1053

INFORMATION (860) 675-2300
FAX (860) 675-7140
"TOWN TALK" (860) 675-2301

February 14, 2008

Joey Lee Miranda, Esquire
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT. 06103-3597

Re: Telecommunications Facility for Verizon Wireless
199 Town Farm Road

Dear Attorney Miranda

I have just received the attached correspondence form Mr. Ronald Simmons, the lessee who currently operates a dairy farm on the site, a portion of which has been leased for the above referenced improvement. I would appreciate if your client could prepare a response to comments 2, 3 and 4 and submit them to me.

According to Exhibit B of the lease agreement between the Town and Cellco Partnership there is no note identifying a building designated for demolition.

During the negotiations leading up to the signature of the lease I was assured by Mr. Robert Bennett (an agent for Verizon Wireless) that the operator of the farm was being properly informed of this proposal and had no objection to the plans.

I would really appreciate a response to these issues as soon as possible.

Thank you so much for your assistance.

Sincerely

Jeffrey Ollendorf
Town Planner
Planning Division
Department of Public Works

c. File

Ronald Simmons
199 Town Farm Road
Farmington, CT 06032
thesimmonsfarm@aol.com
860-679-9388

February 11, 2008

Concerns regarding proposed telecommunications tower at the farm:

1. Legality of double leasing farm property.

2. Maintenance of road leading to tower. Who is going to maintain it and how? Cattle are moved around in that area. If cows consume salt, they die. The town has signed a contract with the Federal Government to put in diversion ditches in this same area.

3. According to proposed tower building blueprints, a machinery building will be taken down in order to construct the telecommunications tower. Will the storage building be replaced and where will the new one be built?

4. According to the proposed tower blueprints, the driveway going into the canal road will be blocked. Another driveway would have to be carved around to the right of the tower so emergency vehicles can get to the back woods that border the Devonwood community.

5. Who will police the tower area? We have had history of kids coming through the back and vandalizing.

6. Liability. Our insurance policy was rated higher because we Border Avon Old Farms School. If our insurance is rated even higher due the tower installation, who is going to pay the increase?

7. Deed restrictions regarding income generated on farm property.