

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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CONNECTICUT
SITING COUNCIL

IN RE:

APPLICATION OF OPTASITE TOWERS LLC
AND OMNIPOINT COMMUNICATIONS, INC.
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR
THE CONSTRUCTION, MAINTENANCE AND
OPERATION OF A TELECOMMUNICATIONS
FACILITY AT 52 STADLEY ROUGH ROAD,
DANBURY, CONNECTICUT

DOCKET NO. 366


February 11, 2009

**CITY OF DANBURY'S SUBMISSION
OF SUPPLEMENTAL INFORMATION**

The City of Danbury respectfully submits the attached testimony on an alternate site solution as requested at the hearing on January 26, 2009. Attached hereto is the supplemental testimony of Richard A. Comi regarding a proposed multi-site solution.

Dated at Danbury, Connecticut, this 11th day of February 2009.

City of Danbury



Robin L. Edwards
Assistant Corporation Counsel
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810
(203) 797-4518


CERTIFICATE OF SERVICE

I hereby certify that the original and twenty (20) copies of the foregoing was delivered to the Connecticut Siting Council via overnight mail, with an electronic copy sent via email, and two (2) copies of the above was mailed to the Applicant's legal counsel via overnight mail, with a copy also electronically delivered, as follows:

Christopher Fisher, Esq.
Lucia Chiochio, Esq.
Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, NY 10601
lchiochio@cuddyfeder.com
cfisher@cuddyfeder.com

Dated: February 11, 2009

City of Danbury



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Assistant Corporation Counsel
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**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

DOCKET 366

Additional Testimony of

Richard A. Comi

The Center for Municipal Solutions

**Re: City Solution for T-Mobile Wireless Coverage for All Remaining Areas in Northeast Danbury,
Including All Areas Covered by the Proposed Stadley Rough Road Site**

At the Siting Council meeting of January 26, 2009 on the above Docket 366, the Council asked the City of Danbury if it wished to present a solution that the City urges is preferable to the proposed one hundred and forty (140) foot tower at 52 Stadley Rough Road. The City asked that I undertake studying such a request and in furtherance of this request, I have worked with the City staff to present the material in this report.

The following assumptions were made in preparing this report:

1. The report would only include utilization of sites that had been presented to the Council.
2. The City has a reasonable expectation that the site(s) are available.
3. That utilization of the material such as propagation maps as presented by the applicant would be the best method for the City to present its solution.
4. The solution should cover at least the same area as the proposed site.
5. That the proposed solution should minimize the aesthetic impact on nearby properties.
6. If possible, the solution should attempt to comply with the City's setback requirement for a new tower of the height of the tower plus twenty-five (25) feet.
7. All exhibits use the same scale as the maps presented by the applicant (1:63,360), and the coverage is shown at -84dBm which is the coverage requirement specified by the applicant.

A number of exhibits are attached to this report:

Exhibit 1: Existing T-Mobile on Air Coverage

Exhibit 2: Existing T-Mobile on Air Coverage with CT11796G @ 127' AGL (This is the minimum AGL that T-Mobile states it requires)

Exhibit 3: Danbury Police Athletic League Property @ 147'

Exhibit 4: Existing T-Mobile on Air Coverage with Danbury Police Athletic League Property @ 147'

Exhibit 5: Existing T-Mobile on Air Coverage with Danbury Police Athletic League (PAL) Property @ 147' and Danbury WaterTank2 (Kaufman Property) at 87'.

Exhibit 6: Density within 1,000 feet of (1) the subject site; (2) the PAL site, and (3) the Kaufman site.

The solution being presented in this report Covers of All Remaining Areas in Northeast Danbury where there was no coverage shown on the Existing T-Mobile on Air Coverage Map. This includes All Areas Covered by the Proposed Stadley Rough Road Site.

The solution set forth is proposed to have a site at the Danbury PAL with an antenna center line of one hundred and forty-seven (147) feet AGL and a site at the Danbury WaterTank2 (Kaufman Property) with an antenna center line of eighty-seven (87) feet AGL. There could then be approximately 6-8 DAS nodes in the northern area of the city to cover the small remaining area not covered by the two sites.

What assumptions were used to construct the exhibits?

1. Exhibits 1 thru 4 are identical to T-Mobile's maps at -84dBm.
2. Exhibit 5 was constructed using the coverage of the PAL site with the site center being at the Kaufman water tank. In that the AGL of the water tank is eight hundred and fourteen (814) feet above sea level and assuming that an antenna center line of eighty-seven (77) feet will exceed the tree line, (a lower height may be possible and still have the antennas above the trees) this proposed antenna height of nine hundred and one (901) feet above sea level is at least three hundred (300) feet higher than any location on the ridge line that runs North and South to the west of the proposed Stadley Rough Road site. It is also over three hundred (300) feet higher than the antennas proposed at the PAL property. The PAL coverage map is covering terrain that in no case is three hundred (300) feet less than the antennas. It is thus realistic and conservative to utilize the PAL coverage map from the Kaufman site. Although the coverage will not be exact due to terrain differences it should cover at least the same amount of area.
3. If desired by T-Mobile to cover the small area(s) on the City's North Eastern and Eastern boundaries, a maximum of two to four DAS nodes at each location are all that should be required. (This area may already be, or in the future may be covered by a site from the community to the north or east and therefore, not necessary.) If utilized, the area to be covered by each DAS node would be less than one thousand (1000) feet from the node. (This was a distance stated in Docket 309 for coverage off the Merritt which has considerably more trees and hills. It is also a distance that other PCS carriers have deemed acceptable in similar residential areas.

Why is this solution vastly superior to that of the tower proposed by the applicant?

1. It covers all of the area in Northeast Danbury, whereas, the applicants proposed solution leaves a large area (it appears to be an area equal to or greater than the coverage of the proposed site) that is not covered that will require at least one additional site.
2. The setback from adjacent property lines at the PAL location can meet the City's setback requirement of the height of the tower plus twenty-five (25) feet. The setback at the proposed Stadley Rough Road site is a total of forty-two (42) feet which is only 25.5% of the one hundred and sixty-five (165) foot requirement.
3. There is no setback requirement if the antennas can be mounted on the Kaufman water tank. If a new tower is required it could be located to meet the City's setback requirement.
4. Since the facility at the Kaufman site would be significantly shorter than the tower proposed at Stadley Rough Road and also since the facility at the PAL site is significantly further from a property line, both **facilities would dramatically reduce the chance of ice falling on the adjacent property, (of particular concern is the home at 14 Indian Spring Road) individuals on that property, or the home, or vehicles.**
5. The total number of dwelling units located on all parcels of land within 1000 feet of the PAL site property boundary lines, including any dwelling units located on parcels containing any portion of which is within the 1000 foot radius, is 342 dwelling units. The total number of dwelling units located on all parcels of land within 1000 feet of the Kaufmann site property boundary lines,

including any dwelling units located on parcels containing any portion which is within the 1000 foot radius, is 226 dwelling units. The total number of dwelling units located on all parcels of land within 1000 feet of the 52 Stadley Rough Road site property boundary lines, including any dwelling units located on parcels containing any portion of which is within the 1000 foot radius, is 500 dwelling units. The dwelling unit densities on the PAL site and the Kaufman water tank site is demonstratively less than the dwelling unit density of subject site, 52 Stadley Rough Road. (52 Stadley Rough Road, 500 residences; PAL Site-25 Hayestown Road, as stealthed, 342 residences; Kaufman Site-21 Hollandale Road, lower height antenna placed on tank, 226 residences). Radius maps for all three sites are attached as Exhibit 6.

6. This solution will save T-Mobile, the Siting Council and the City from another application to cover the Northeast part of Danbury.
7. The applicant has refused to supply all of the documentation I requested to validate the accuracy of their propagation studies. I have repeatedly raised questions in this area and have not seen the information that I believe is necessary. Therefore, in this report I am not questioning the accuracy of their purported gap or coverage shown on their maps, and am using the maps just as they present them.
8. They have not raised the issue of redundancy at either the PAL site or the Kaufman site. (Their proposed site shows almost half of the coverage area at, or south of Interstate 84. Why have they never mentioned that this site would cause redundancy issues? Are they planning on not using the southern sector or at least greatly reducing its power?)

The statements above are true and complete to the best of my knowledge.

February 3rd, 2009

Richard A. Comi
Richard A. Comi

Subscribed and sworn to before me this 3 day of February 2009.

Julie S McNeil
Notary Public
Commission expires:

JULIE S McNEIL
Notary Public, State Of New York
No. 01MC660863
Qualified In Albany County
Commission Expires July 2, 20 11

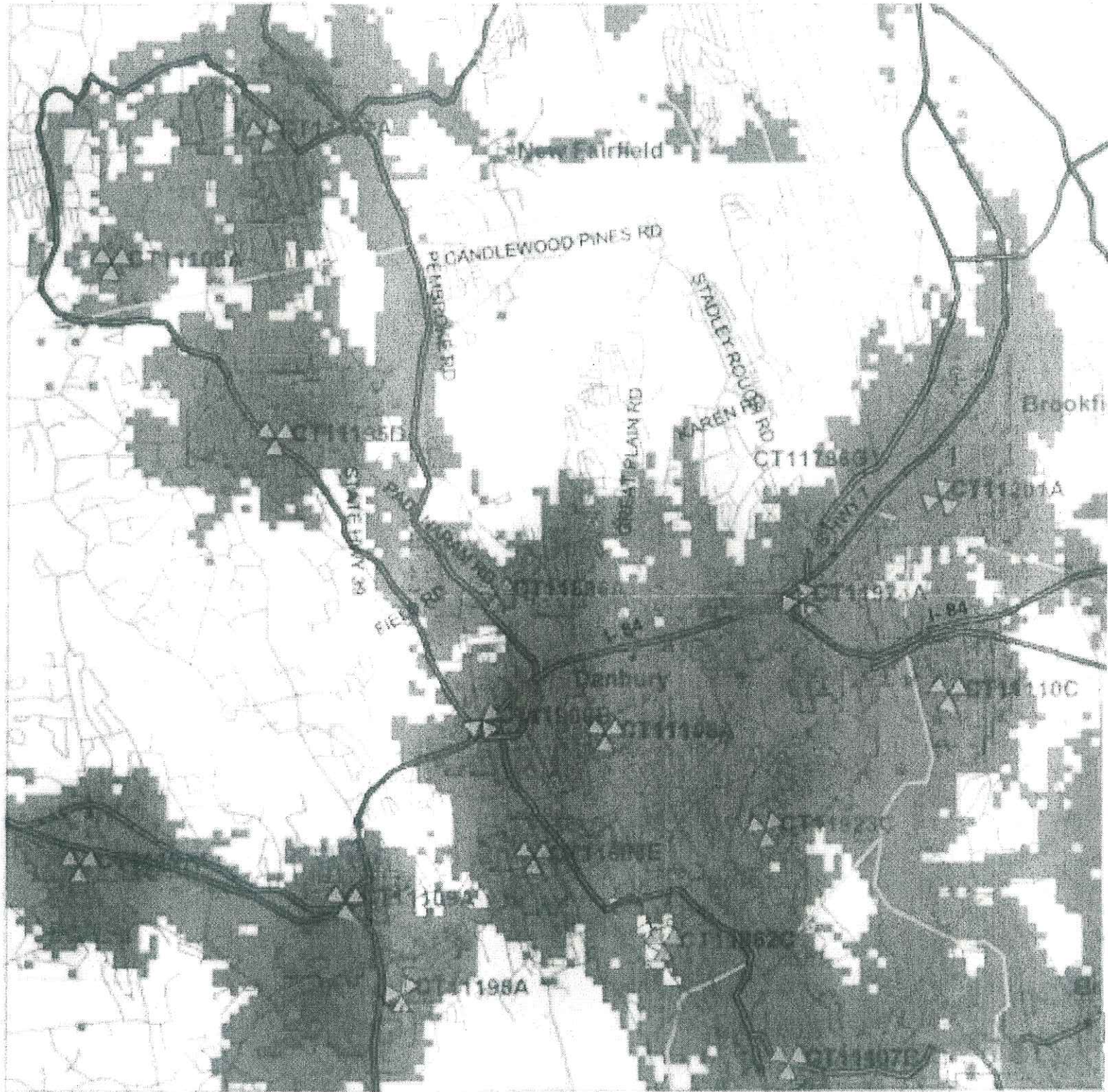


Exhibit 1 - Existing T-Mobile On Air Coverage



Exhibit 3 - Danbury Police Athletic League Property @ 147

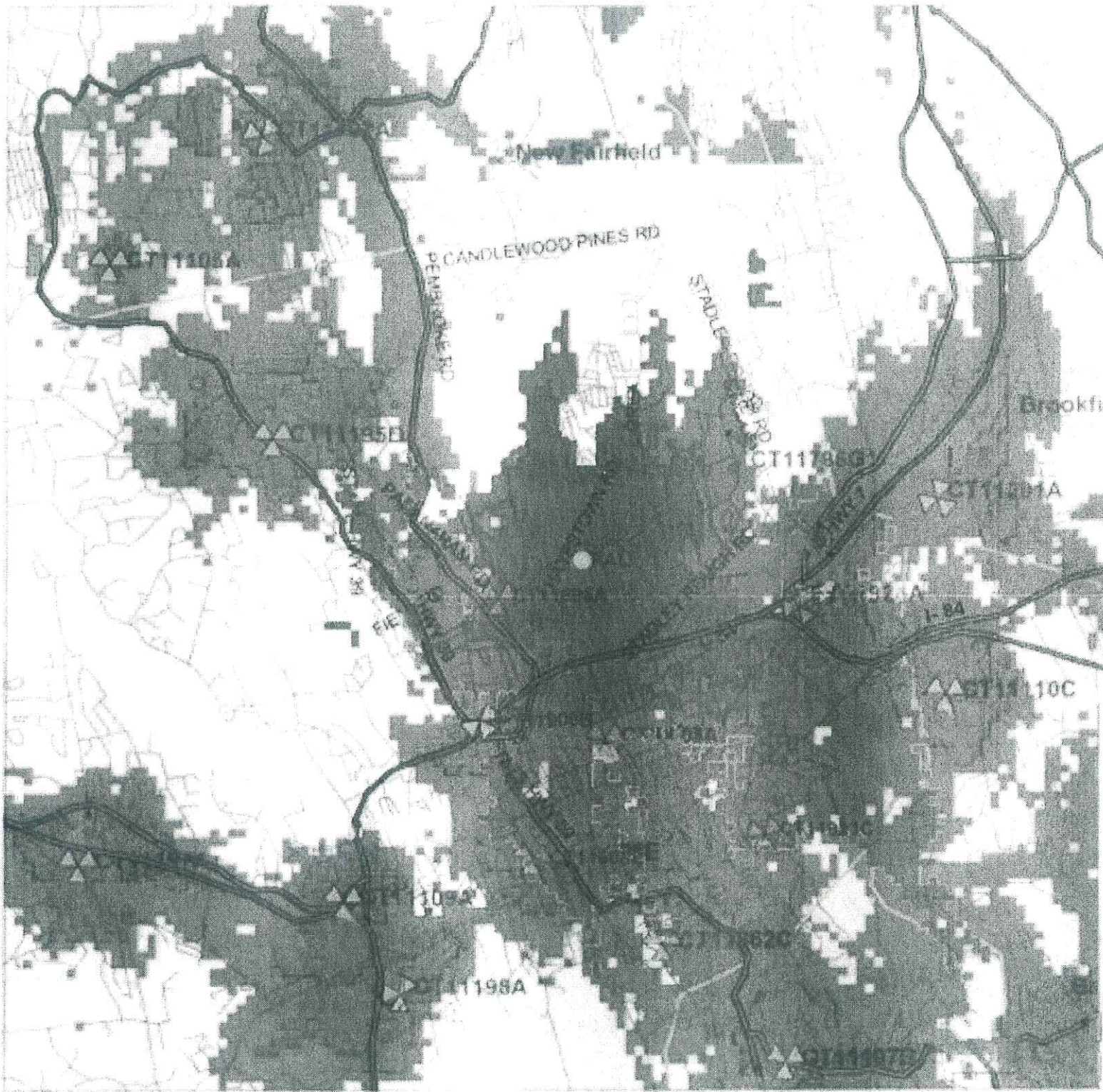


Exhibit 4 - Existing T-Mobile w/ Danbury PAL @ 147'

**CITY SOLUTION FOR T-MOBILE WIRELESS COVERAGE FOR ALL REMAINING
AREAS IN NORTHEAST DANBURY, INCLUDING ALL AREAS COVERED BY THE
PROPOSED STADLEY ROUGH ROAD SITE**

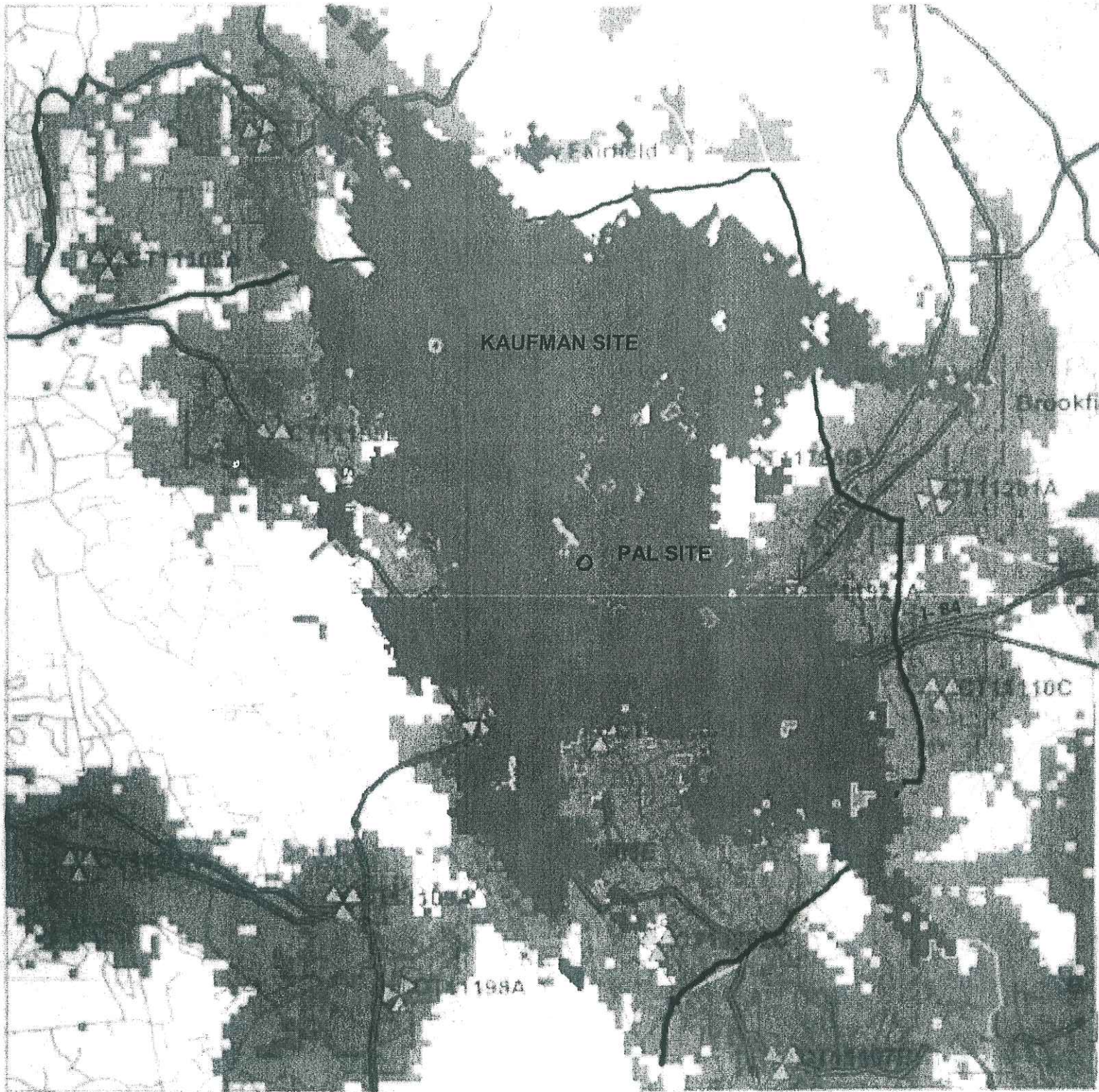


Exhibit 5 - Existing T-Mobile w/ Danbury PAL @ 147' and Danbury Water Tank (Kaufman Property) at 87'

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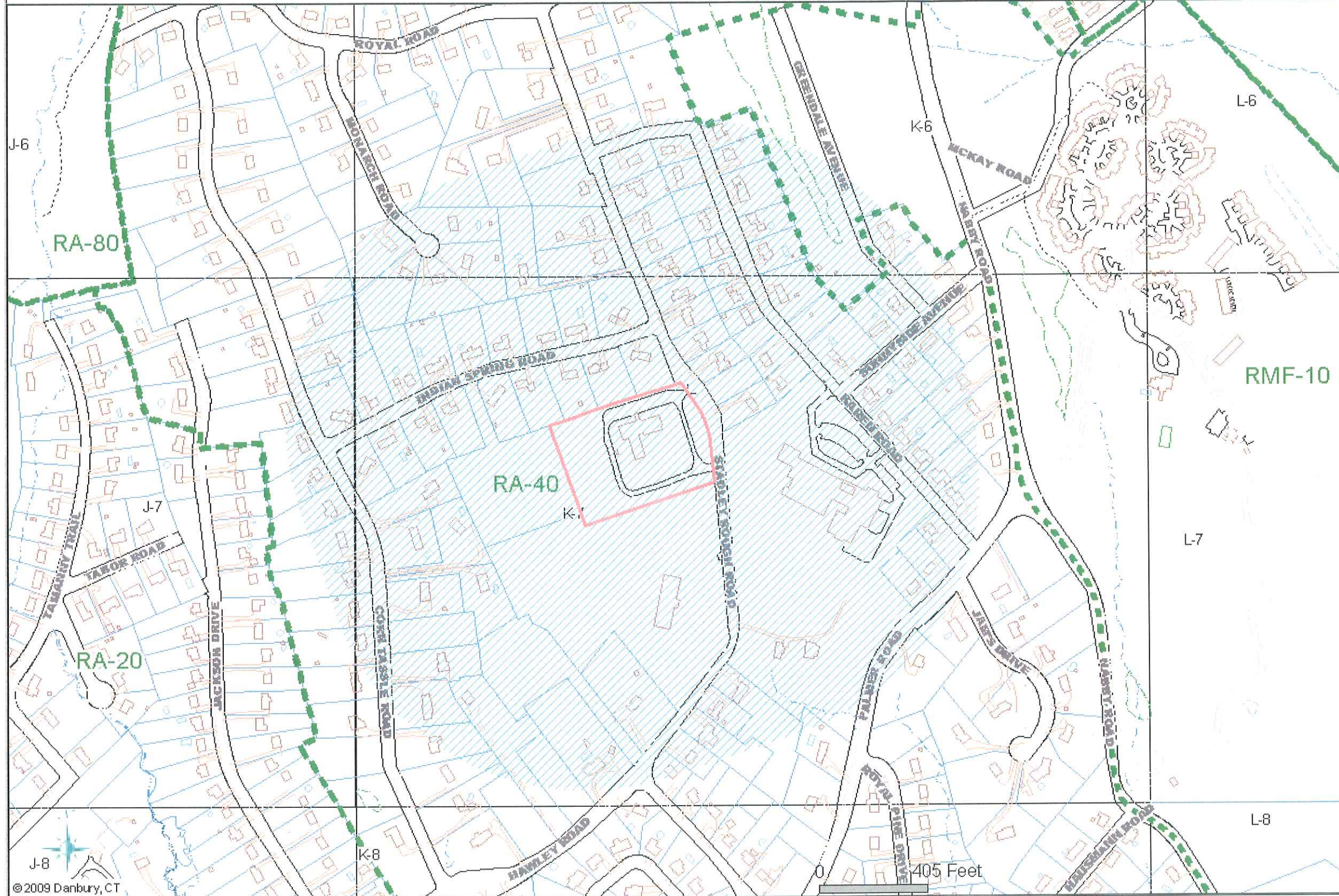
February 11, 2009

EXHIBIT 6

52 Stadley Rough Road
Subject Site

Danbury, CT

1000' Buffer for 52 Stadley Rough Road - K07019

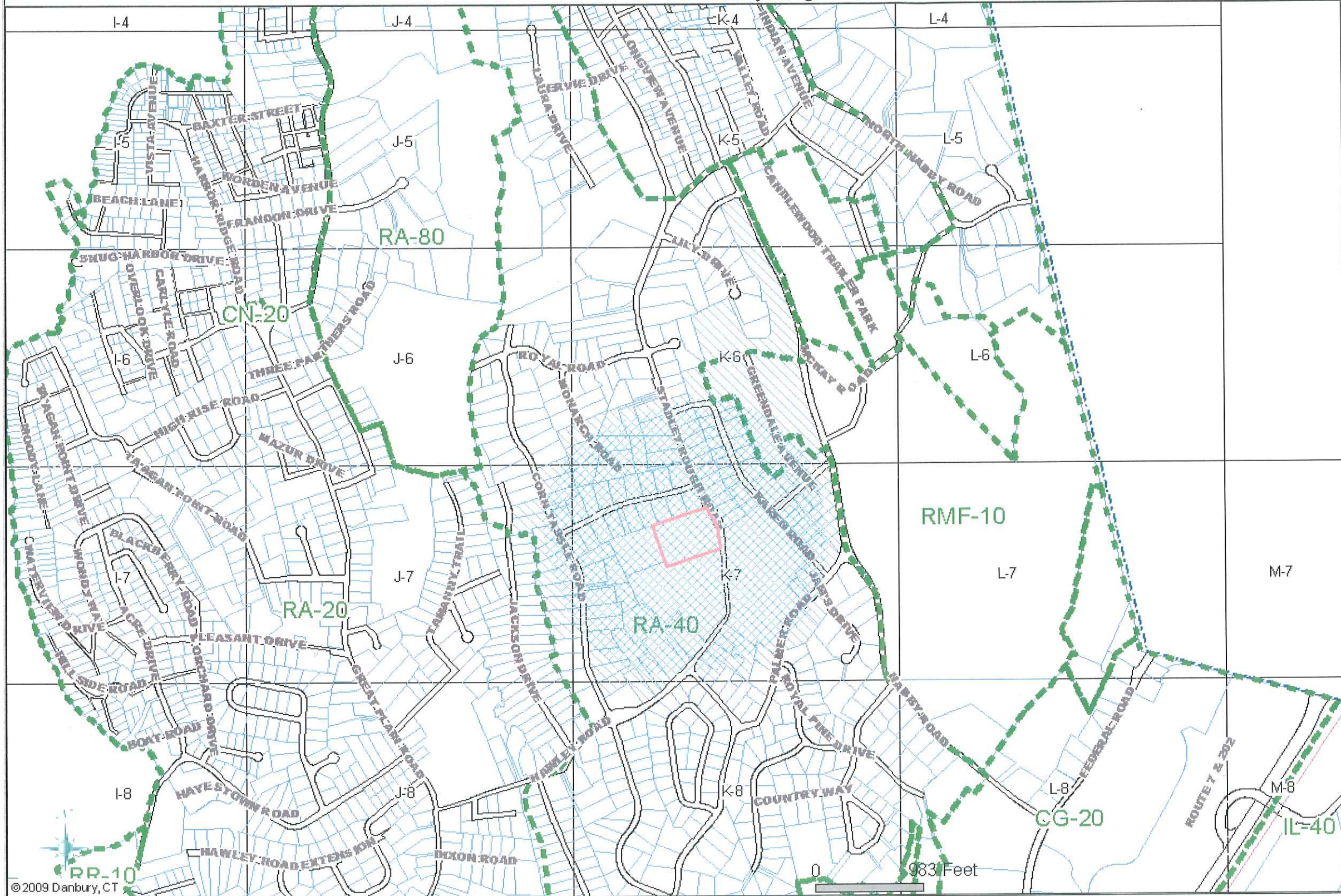


- | | |
|-------------------------|-------------------------|
| ⊙ Flagpole | — Paved Driveway |
| ■ Mailbox | — Unpaved Driveway |
| ● Post | — Bridge |
| □ Sign | --- Path or Trail |
| — Easement | — Paved Road |
| — Utility Right of Way | — Unpaved Road |
| — original parcel lines | — Fence |
| ▲ Softwood Tree | — Retaining Wall |
| ● Hardwood Tree | — Elevated Wall |
| ⌈ Lightpole | — Stone Wall |
| + Valve | — Guardrail |
| ⊕ Electrical Tower | — Hedge |
| ⊞ Catchbasin | — Swamp Outline |
| □ Electrical Box | — Stream or River |
| ⊕ Hydrant | — Lake or Pond |
| ⊕ Utility Pole | — Treeline |
| ⊙ Manhole | — Brush |
| — Dam | — Paved Parking Lot |
| — Paved Waterway | — Unpaved Parking Lot |
| — Sign or Billboard | — Railroad Tracks |
| — Culvert | — Golf Course Outline |
| --- Ditch | — Sports Field |
| — Building | — Swimming Pool |
| — Canopy | — Public Sidewalk |
| — Cement Pad | — Tanks |
| — Deck | — Private Right of Way |
| — Foundation | — Public Right of Way |
| — Greenhouse | — Railroad Right of Way |
| — Trailer | — Island, Parcel |

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Danbury, CT
52 Stadley Rough Road - K07019



- | | |
|-------------------------|-------------------------|
| ⊙ Flagpole | — Paved Driveway |
| ■ Mailbox | — Unpaved Driveway |
| ⦿ Post | — Bridge |
| □ Sign | --- Path or Trail |
| — Easement | — Paved Road |
| — Utility Right of Way | — Unpaved Road |
| — original parcel lines | — Fence |
| ▲ Softwood Tree | — Retaining Wall |
| ▲ Hardwood Tree | — Elevated Wall |
| ⌋ Lightpole | — Stone Wall |
| + Valve | — Guardrail |
| ⌘ Electrical Tower | — Hedge |
| ⊞ Catchbasin | — Swamp Outline |
| □ Electrical Box | — Stream or River |
| ⦿ Hydrant | — Lake or Pond |
| ⌋ Utility Pole | — Treeline |
| ⊙ Manhole | — Brush |
| — Dam | — Paved Parking Lot |
| --- Paved Waterway | — Unpaved Parking Lot |
| — Sign or Billboard | — Railroad Tracks |
| — Culvert | — Golf Course Outline |
| — Ditch | — Sports Field |
| — Building | — Swimming Pool |
| — Canopy | — Public Sidewalk |
| — Cement Pad | — Tanks |
| — Deck | ▭ Private Right of Way |
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| — Trailer | ▭ Island; Parcel |

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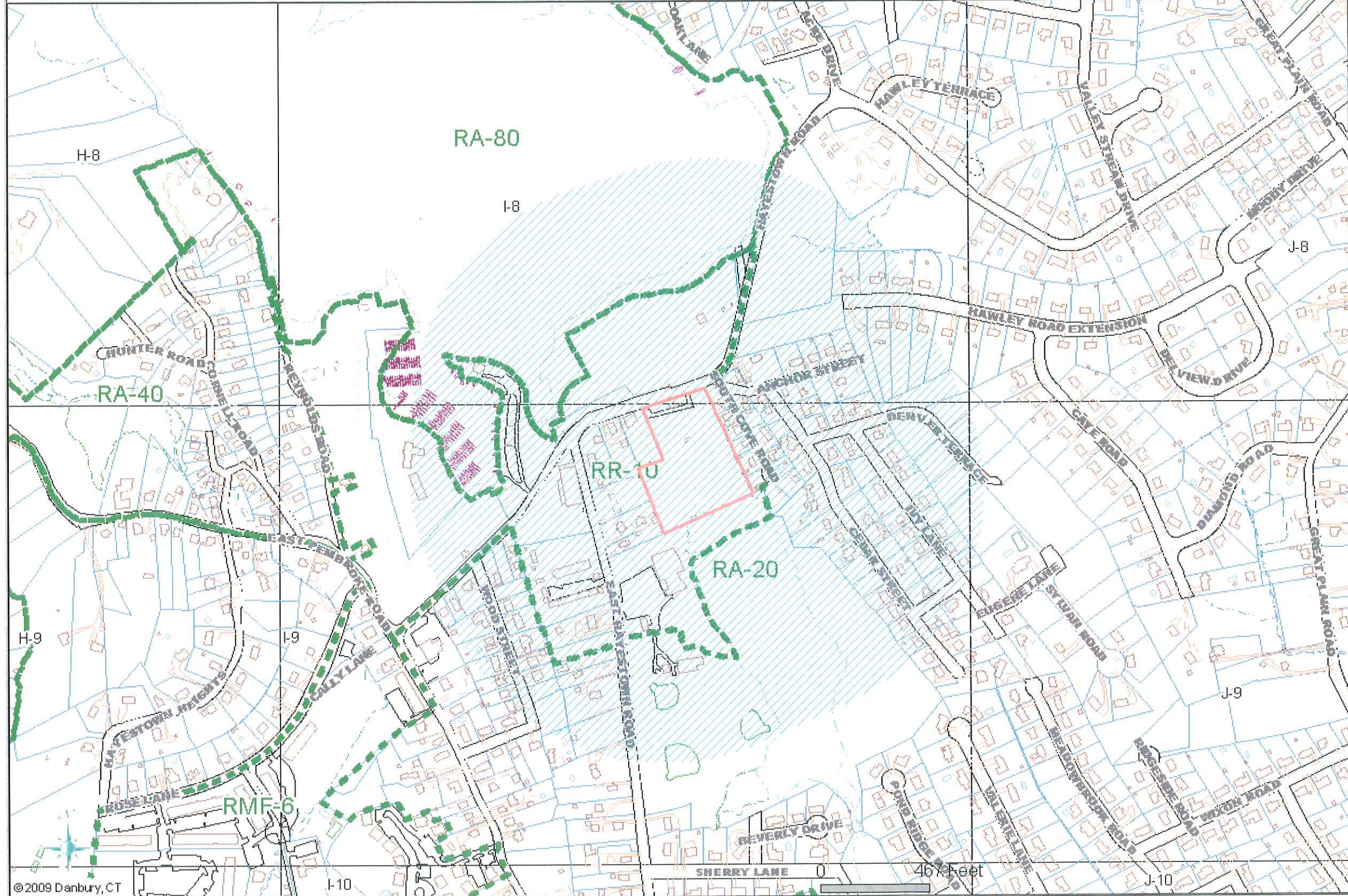
EXHIBIT 6

35 Hayestown Road
PAL Site



Danbury, CT

1000' Buffer for PAL - 35 Hayestown Road - I09081



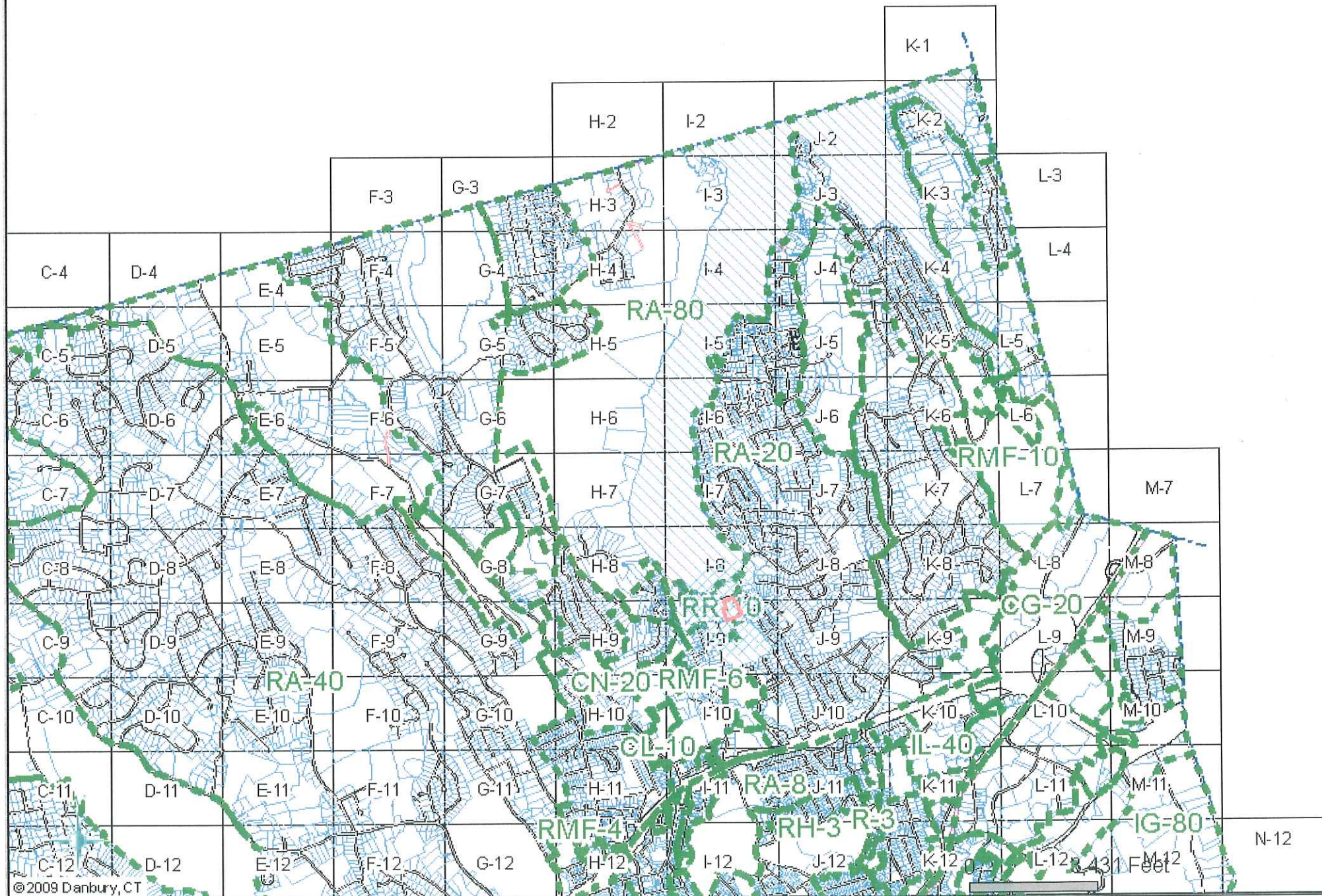
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| ⊙ Flagpole | — Paved Driveway |
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| ● Post | — Bridge |
| □ Sign | --- Path or Trail |
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Danbury, CT

PAL - 35 Hayestown Road - I09081



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|-------------------------|-------------------------|
| ⊙ Flagpole | — Paved Driveway |
| ■ Mailbox | — Unpaved Driveway |
| ● Post | — Bridge |
| □ Sign | --- Path or Trail |
| — Easement | — Paved Road |
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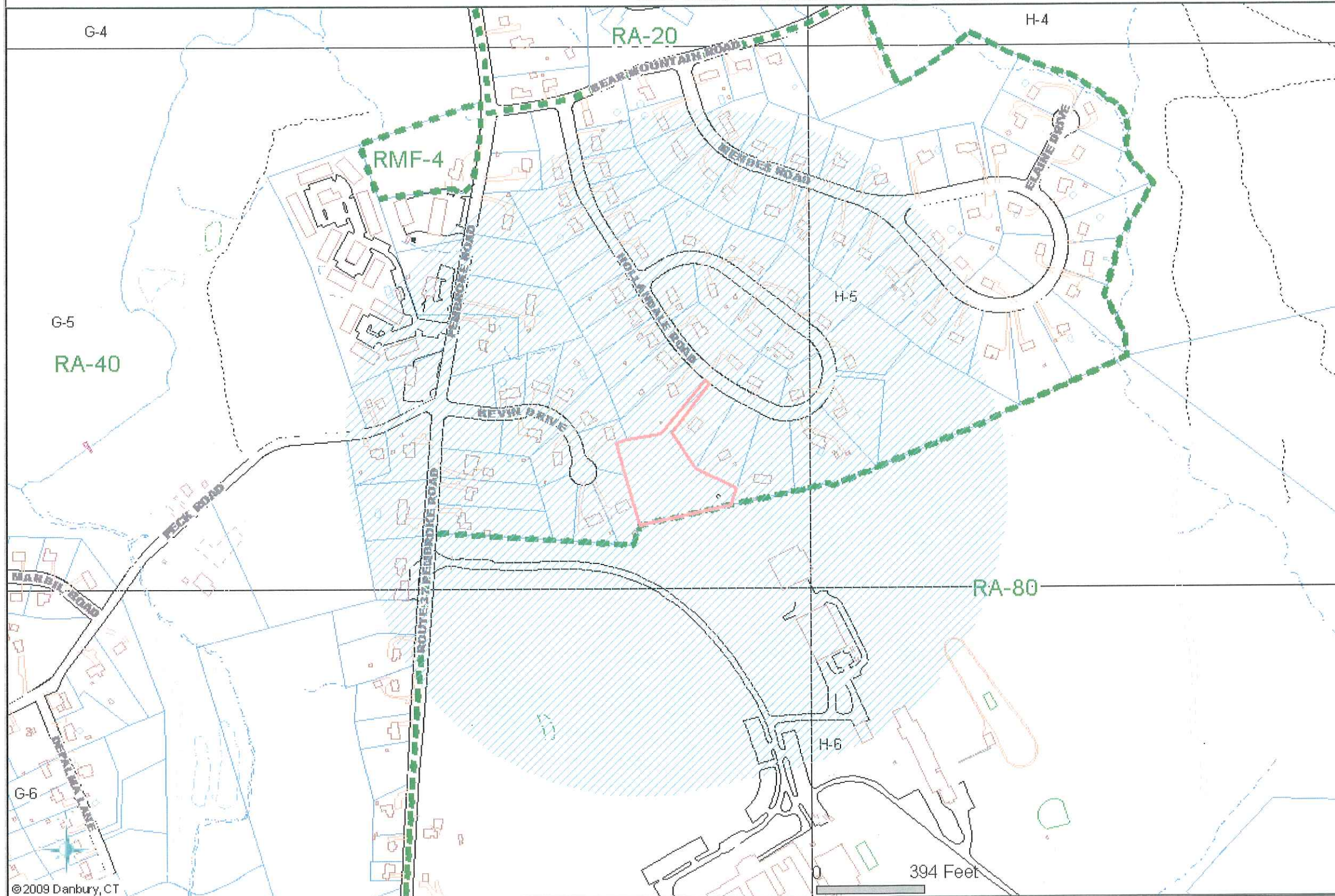
EXHIBIT 6

2 Hollandale Road
The Kaufman Water Tank



Danbury, CT

1000' Buffer - 21 Hollandale Road - G05056



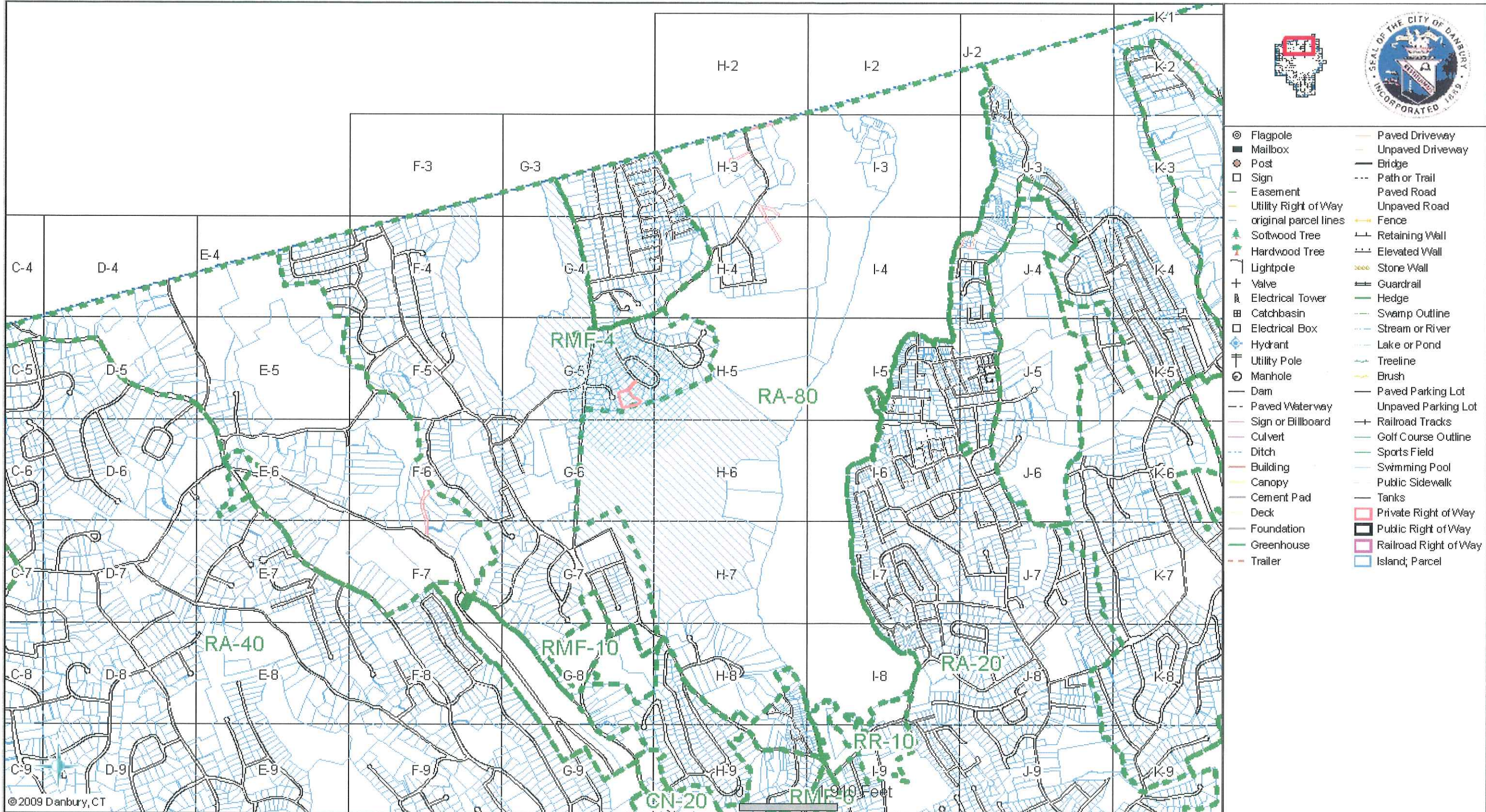
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Danbury, CT

1000' Buffer - 21 Hollandale Road - G05056







<ul style="list-style-type: none"> ⊙ Flagpole ■ Mailbox ⦿ Post □ Sign — Easement — Utility Right of Way — original parcel lines ▲ Softwood Tree ▲ Hardwood Tree ⌋ Lightpole + Valve ⌋ Electrical Tower ⊞ Catchbasin □ Electrical Box ⦿ Hydrant ⌋ Utility Pole ⊙ Manhole — Dam — Paved Waterway — Sign or Billboard — Culvert — Ditch — Building — Canopy — Cement Pad — Deck — Foundation — Greenhouse — Trailer 	<ul style="list-style-type: none"> — Paved Driveway — Unpaved Driveway — Bridge — Path or Trail — Paved Road — Unpaved Road — Fence — Retaining Wall — Elevated Wall — Stone Wall — Guardrail — Hedge — Swamp Outline — Stream or River — Lake or Pond — Treeline — Brush — Paved Parking Lot — Unpaved Parking Lot — Railroad Tracks — Golf Course Outline — Sports Field — Swimming Pool — Public Sidewalk — Tanks — Private Right of Way — Public Right of Way — Railroad Right of Way — Island; Parcel
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