



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. _____

Date: JUNE 30, 2008

APPLICATION FOR CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED

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LIST OF ATTACHMENTS

1. Pre-Filed Testimony of Charles Regalbuto
2. Statement of Need with Plots
3. Site Selection Summary
4. Description and Design of Proposed Facility
5. Visual Evaluation Report
6. Letter of Intent to Share Use of the Facility, Verizon Wireless; Copy of Sprint-Nextel Tower Lease Agreement
7. Correspondence with State Agencies
8. Correspondence with the City of Danbury (A copy of the Technical Report is included in the Bulk Filing)
9. Certification of Service on Governmental Officials including List of Officials Served
10. Legal Notice in The News-Times
11. Notice to Abutting Landowners; Certification of Service; List of Abutting Landowners
12. Connecticut Siting Council Application Guide

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

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**APPLICATION FOR CERTIFICATE OF
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I. Introduction

A. Purpose and Authority

Pursuant to Chapter 277a, Sections 16-50g *et seq.* of the Connecticut General Statutes (“CGS”), as amended, and Sections 16-50j-1 *et seq.* of the Regulations of Connecticut State Agencies (“RCSA”), as amended, Optasite Towers LLC (“Optasite”) and Omnipoint Communications, Inc., a subsidiary of T-Mobile USA, Inc. (“T-Mobile”) (collectively, the “Applicants”) hereby submit an application and supporting documentation (collectively, the “Application”) for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a wireless communications facility (the “Facility”) in the City of Danbury. The proposed Facility is a necessary component in the network plan of T-Mobile to provide personal wireless communications services in the State of Connecticut and Fairfield County. The proposed Facility will provide wireless service in the northeast portion of the City of Danbury, particularly north of the I-84 junction with Route 7 in an area between Candlewood Lake, the Town of Brookfield border and Padanaram Road.

B. Executive Summary

The proposed Facility will consist of a 140 foot, self-supporting monopole with flush mounted antennas, associated equipment and other site improvements integral to a wireless communications facility. Optasite identified the Premises owned by Christ the Shepherd Church, located at 52 Stadley Rough Road (the "Premises") for the construction and operation of its proposed Facility. The Premises consists of approximately 5.0 acres, has been developed for use as a religious facility and is mostly cleared and graded. The Premises is locally classified in the RA-40 Single Family Residential Zoning District.

Optasite will lease a 100 foot by 100 foot parcel in the southwestern corner of the Premises. A copy of Optasite's ground lease is included in the bulk filing. Optasite proposes to install a 140 foot monopole with flush mounted antennas and an equipment area at the base thereof within a 55-foot by 90-foot fenced and landscaped equipment compound (the "Site"). Vehicular access to the facility would extend from Stadley Rough Road over an existing paved driveway to the rear of the Premises, then along a proposed gravel driveway a distance of approximately 175 feet. Underground utility connections would extend from existing service on Stadley Rough Road to the Site.

The proposed Facility will be designed to accommodate use by all of the wireless carriers active in Connecticut and Danbury public safety communications, if requested. T-Mobile has committed to locating at the Site and will serve as the anchor tenant. Sprint-Nextel Corporation ("Sprint") and Verizon Wireless have also expressed their need for the proposed Facility and interest in co-locating at the Site, if approved. The compound will be enclosed by an 8-foot high security fence. All equipment would be monitored 24 hours a day, 7 days a week from a remote location.

Included in this Application and the attachments attached hereto, are survey-based plans and other information detailing the Facility proposed at the Site and potential environmental impacts associated therewith. The Applicants respectfully submit that the reports and other supporting documentation included in this Application contain relevant site specific information as required by Statute and the regulations of the Connecticut Siting Council (the "Siting Council" or "Council"). A copy of the Council's Community Antenna Television and Telecommunication Facilities Application Guide with page references from this Application is included in Attachment 12.

C. The Applicants

The applicant, Optasite, is a Delaware limited liability company with offices at One Research Drive, Suite 200C, Westborough, Massachusetts 01581. Optasite will construct and maintain the proposed Facility. The co-applicant, T-Mobile, is a Delaware corporation with a Connecticut office at 35 Griffin Road South, Bloomfield, Connecticut, 06002. T-Mobile and its affiliated entities are licensed by the Federal Communications Commission ("FCC") to operate a personal services wireless services system in Connecticut, as interpreted as a "cellular system" within the meaning of CGS Section 16-50i(a)(6). T-Mobile does not conduct any other business in the State of Connecticut other than the provision of cellular service under FCC rules and regulations. T-Mobile is committed to use the proposed Facility as the anchor tenant.

Correspondence and/or communications regarding this Application shall be addressed to the attorneys for the Applicant:

Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
Attention: Christopher B. Fisher, Esq.
Lucia Chiochio, Esq.

D. Application Fee

Pursuant to RCSA Section 16-50v-1a(b), a check made payable to the Siting Council in the amount of \$1,000.00 accompanies this Application. The estimated total construction cost is \$216,000.00. As such, the applicable application fee is \$1,000.00 in accordance with RCSA Section 16-50v-1a(b).

E. Compliance with CGS Section 16-50/(c)

Neither Optasite nor T-Mobile engages in generating electric power in the State of Connecticut. As such, the proposed Facility is not subject to CGS Section 16-50r. The proposed Facility has not been identified in any annual forecast reports. As such, the proposed Facility is not subject to CGS Section 16-50/(c).

II. Service and Notice Required by CGS Section 16-50/(b)

Pursuant to CGS Section 16-50/(b), copies of this Application have been sent by certified mail, return receipt requested, to municipal, regional, State, and Federal officials. A certificate of service, along with a list of the parties served with a copy of the Application is included in Attachment 9. Pursuant to CGS 16-50/(b), notice of the Applicant's intent to submit this application was published on two occasions in The News-Times. Copies of the published legal notices are included in Attachment 10. The publisher's affidavit of service will be forwarded upon receipt. Further, in compliance with CGS 16-50/(b), notices were sent to each person appearing of record as owner of a Premises which abuts the Site. Certification of such notice, a sample notice letter, and the list of abutting property owners to whom the notice was mailed are included in Attachment 11.

III. Statements of Need and Benefits

A. Statement of Need

As the Council is aware, the United States Congress, through adoption of the Telecommunications Act of 1996, recognized the important public need for high quality telecommunication services throughout the United States. The purpose of the Telecommunication Act's overhaul of the Communications Act of 1934 was to "provide for a competitive, deregulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies to all Americans." H.R. Conf. Rep. No. 104-458, 206, 104th Cong., Sess. 1 (1996). With respect to wireless communications services, the Telecommunications Act of 1996 expressly preserved State and/or local land use authority over wireless facilities, placed several requirements and legal limitations on the exercise of such authority and preempted State or local regulatory oversight in the area of emissions as more fully set forth in 47 U.S.C. § 332(c)(7). In essence, Congress struck a balance between legitimate areas of State and/or local regulatory control over wireless infrastructure and the public's interest in its timely deployment to meet the public need for wireless services.

The Facility proposed in this Application is an integral component of T-Mobile's wireless network in this area of the State of Connecticut. Currently, a gap in coverage exists in T-Mobile's network in the Danbury area, specifically along I-84 west of the junction with Route 7, and in the area north of I-84 and south of Candlewood Lake. The proposed Facility, in conjunction with other existing and future facilities in Danbury and surrounding towns is needed by T-Mobile to provide its wireless services to people living in and traveling through this area of the State. Moreover, as noted herein, both Sprint and Verizon Wireless have indicated their need to co-locate on the proposed Facility to provide service.

T-Mobile's specific need for the proposed Facility is detailed in the propagation plots included in Attachment 2. Attachment 2 also includes propagation plots prepared by Sprint-Nextel demonstrating its need for the proposed Facility to fill gaps in its network. The Sprint-Nextel plots were prepared in conjunction with the technical report and while not expected to intervene, has agreed to share use of the proposed Facility as evidenced by its agreement with Optasite, a copy of which is included in Attachment 6. Attachment 6 also includes Verizon Wireless's letter of intent indicating its need for the proposed Facility.

Based on the location of the proposed Facility and the lack of coverage in this area, Optasite cannot readily predict a point in time at which the Facility might reach maximum capacity.

B. Statement of Benefits

T-Mobile is a leading provider of advanced wireless voice and data services throughout the United States. T-Mobile is actively involved in the deployment of next generation wireless services. In recent years, T-Mobile has seen the public's demand for traditional cellular telephone services in a highly mobile environment migrate to a demand for anytime-anywhere wireless connectivity with the ability to send and receive voice, text, image and video. Wireless devices have become integral to the telecommunications needs of the public and their benefits can no longer be considered a luxury. People today are using their wireless devices more and more as their primary form of communication for both personal and business needs. Modern devices allow for calls to be made, the internet to be reached and other services to be provided irrespective of whether a user is mobile or stationary and provided network service is available.

In an effort to ensure the benefits of wireless technologies to all Americans, Congress enacted the Wireless Communications and Public Safety Act of 1999 (the "911 Act"). The purpose of this legislation was to promote public safety through the deployment of a seamless,

nationwide emergency communications infrastructure that includes wireless communications services. In enacting the 911 Act, Congress found that networks that would provide for the rapid, efficient deployment of emergency services would enable faster delivery of emergency care with reduced fatalities and severity of injuries. With each year since passage of the 911 Act, additional anecdotal evidence supports the public safety value of improved wireless communications in aiding lost, ill or injured individuals such as motorists, hikers and boaters.

As an outgrowth of the 911 Act, the FCC mandated wireless carriers, such as T-Mobile, to provide enhanced 911 services (“E911”) as part of their communications networks. These services ultimately allow 911 public safety dispatchers to identify a wireless caller’s geographical location within several hundred feet. T-Mobile has deployed and continues to deploy network technologies to implement the FCC’s E911 mandates.

The proposed Facility in Danbury will become an integral component of T-Mobile’s E911 network in this area of the state. These factors will apply equally to other wireless carriers such as Sprint-Nextel and Verizon Wireless as they expand their needed service in the Danbury area through co-location on the proposed Facility.

C. Technological Alternatives

The FCC licenses granted to T-Mobile and other wireless carriers authorize them to provide cellular and PCS services in this area of the State through deployment of a network of wireless transmitting sites. The proposed Facility is a necessary component of T-Mobile’s, Sprint-Nextel’s and Verizon Wireless’s wireless networks. The proposed Facility will also allow other wireless carriers to provide services in this area.

Repeaters, microcell transmitters, distributed antenna systems and other types of transmitting technologies are not a practicable or feasible means to providing service within the sizeable coverage gap in this area. Significant terrain variations and tree cover in Danbury and the

surrounding area, as well as other practical considerations limit the use of such technologies. As such, they are not an alternative to the proposed Facility. The Applicants submit that there are no equally effective technological alternatives to construction of a new tower Facility for providing reliable personal wireless services in this area of Connecticut.

IV. Site Selection and Tower Sharing

A. Site Selection

Optasite conducted the site search for this Facility in this area of Danbury. A search area is an area where a coverage and/or capacity problem exists within a carrier's network and where a new wireless facility is needed to provide service to the public. In general, wireless carriers and tower developers attempt to identify any existing towers or other structures of adequate height in a site search area and the surrounding environs which might accommodate the height and structural requirements for a wireless facility. Optasite and T-Mobile analyzed the existing towers within four miles of the search ring and determined that no existing sites are available for collocation to provide service in the area targeted for service. Indeed, T-Mobile is using or proposing to collocate on several of these existing towers to provide service outside of the area targeted for service by the proposed Facility.

The towers located within four miles of the search area are identified in the table titled "Existing Tower Listing" included in Attachment 3.

Once it was determined that a new tower facility was required, Optasite's goal was to find properties upon which a tower could be constructed and provide service to the public while at the same time minimizing any potential environmental impact to the extent practicable and feasible. The Site Selection narrative and map of rejected sites, attached hereto as Attachment 3, provides a complete explanation of Optasite's methodology and actual search for potential sites in Danbury and depicts the locations reviewed during Optasite's search, including sites identified during the

municipal consultation and the reasons for elimination from consideration of all but the proposed Site.

B. Tower Sharing

To promote the sharing of wireless facilities in the Danbury area, Optasite has proposed a Facility that can accommodate the facilities for up to four wireless carriers in the Connecticut marketplace and the Danbury public safety functions. Details of the design are included in Attachment 4. T-Mobile has committed to use the Facility, if approved. Sprint-Nextel and Verizon Wireless have also indicated its need for the proposed Facility and its intentions to co-locate. Optasite has committed to provide, free of charge, space on the proposed monopole for the Danbury public safety communications antennas.

V. Facility Design

Optasite has leased a 100-foot by 100-foot area in the south west corner of the approximately 5.0 acre Premises. The proposed Facility would require the construction of a 140-foot high self-supporting monopole. T-Mobile would install up to six panel antennas flush-mounted at 137 feet AGL and install associated unmanned equipment cabinets within the 55 foot by 90 foot equipment compound. The top of the proposed monopole with appurtenances would not exceed 140 feet AGL. The compound would be enclosed by a security fence, eight (8) feet in height. The monopole and equipment compound are designed to accommodate the facilities of all wireless carriers active in the Connecticut marketplace and Danbury emergency services, if requested.

Vehicular access to the Facility would extend from Stadley Rough Road over an existing paved driveway to the rear of the Premises and then along a proposed gravel driveway a distance of approximately 175 feet. Construction will result in the removal of eleven (11) trees of 6" in diameter or greater at breast height. Underground utility connections would extend from existing

service on Stadley Rough Road to the compound. Attachment 4 contains the specifications for the proposed Facility at the Site including a site plan, a compound plan, tower elevation, access map and other relevant information. Included in Attachment 5 is a Visual Resources Evaluation Report with a computer-based, predictive viewshed model and photosimulations. Some of the relevant information included in these exhibits for the Site reveals that:

- The Premises is classified in the RA-40 Residential Zoning District;
- Pockets of wetland soils were delineated approximately 6 feet from the proposed Site, but will not be disturbed;
- The Premises is fully developed;
- Minimal grading of the proposed access drive and minimal grading of the proposed compound area would be required for the construction of the proposed Facility;
- The proposed Facility will have no effect on cultural, historic or architectural resources according to the State Historic Preservation Officer;
- According to the Department of Environmental Protection, there are no known extant populations of Federal or State Endangered, Threatened or Special Concern Species at the site; and
- The proposed Facility will have no impact on water flow, water quality, or air quality and will not emit any noise.

VI. Environmental Compatibility

Pursuant to CGS Section 16-50p, the Council is required to find and to determine as part of the Application process any probable environmental impact of the facility on the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forest and parks, air and water purity and fish and wildlife. As demonstrated in this Application

and the accompanying Attachments and documentation, the proposed Facility will have no significant adverse environmental impacts.

A. Visual Assessment

The visual impact of the proposed Facility would vary from different locations around the towers depending upon factors such as vegetation, topography, distance from the towers, and the location of structures around the towers. Attachment 5 contains a computer-based, predictive viewshed model which depicts the potential impact of the proposed Facility from surrounding views for the Site as well as a Visual Resource Evaluation.

Optasite retained Vanasse Hangen Brustlin (“VHB”) to prepare the Visual Resource Evaluation. In addition to prior field work, VHB conducted a balloon test at 140 feet AGL at the proposed Site on May 28, 2008 in order to evaluate the potential visual impact of the proposed Facility and account for local, state and federal historic, hiking and recreational sites within a two-mile radius of the proposed Site (“Study Area”).

The Visual Resources Evaluation demonstrates that the Facility will be visible above the tree canopy within only less than one-half of one percent of the Study Area.

The existing vegetation in the area of the proposed Site is mature, mixed deciduous hardwood species with an average tree canopy height of 65 feet. Based on the viewshed analysis contained in Attachment 5, year round visibility of the proposed Facility above the tree canopy will occur on the Premises and immediate vicinity of the Site. Overall, fourteen (14) residences will have partial year round views of the Facility. These properties are located along Stadley Rough Road and Great Plain Road. Ten (10) additional residences will have partial, seasonal views of the Facility, and these properties are located along portions of Stadley Rough Road and Indian Spring Lane.

The compound area will have a de minimis visual impact as it will be screened by the proposed fencing and extensive landscaping. In addition, the Premises itself provides a vegetative buffer around the Site. Finally, the tower and flush mounted antenna installations will be painted brown to blend in with the trees in the vicinity to further reduce the overall visibility of the Site.

Approximately 53 residences are located within 1,000 feet of the proposed tower. The closest residence is located approximately 142' to the northwest at 14 Indian Spring Lane.

The Visual Resources Evaluation Report confirms that the location of the proposed Facility at the proposed Site will not have a significant visual impact on any hiking or recreational sites, scenic highways or historic sites.

Weather permitting, Optasite will raise a balloon with a diameter of at least three (3) feet at the proposed Site on the day of the Council's first hearing session on this Application, or at a time otherwise specified by the Council.

B. Solicitation of State Agency Comments

Optasite submitted a request for review and comment for the proposed Site to the Connecticut State Historic Preservation Officer ("SHPO") and the Connecticut Department of Environmental Protection ("DEP") representatives responsible for the Natural Diversity Data Base and endangered species review. At SHPO's request, Optasite conducted an archaeological reconnaissance study of the Site and the study indicated that no prehistoric or historical archaeological resources were identified within the project area. Accordingly, SHPO determined that the proposed Facility will have no effect upon Connecticut's archaeological heritage. No other resources such as historic structures were identified by SHPO as an area of concern.

According to the DEP, there are no known extant populations of Federal or State Endangered, Threatened or Special Concern Species at the Site. Copies of the SHPO's and DEP's determinations are included in Attachment 7.

C. Power Density Analysis

The FCC adopted a standard for exposure to Radio Frequency (“RF”) emissions from telecommunications facilities like those proposed in this Application. To ensure compliance with applicable standards, T-Mobile has performed maximum power density calculations for the proposed Facility assuming that the antennas were pointed at the base of the tower and all channels were operating simultaneously. The resulting power density for T-Mobile’s operation at the proposed site would be approximately 3.182% of the applicable MPE standards. Copies of the Power Density Calculations and Memorandum are included in Attachment 4.

D. Other Environmental Factors

The proposed Facility would be unmanned, requiring monthly maintenance visits by each carrier that will last approximately one hour. T-Mobile’s equipment at the Facility will be monitored 24 hours a day, 7 days a week from a remote location. The proposed Facility at the Site would not require a water supply or wastewater utilities. No outdoor storage or solid waste receptacles will be needed. Further, the proposed Facility will not create or emit any smoke, gas, dust or other air contaminants, noise, odors or vibrations. The construction and operation of the proposed Facility will have no significant impact on the air, water, or noise quality at the site.

Optasite has evaluated the Site in accordance with the FCC’s regulations implementing the National Environmental Policy Act of 1969 (“NEPA”). The Site was not identified as a Federal Wilderness Area. No National Parks, National Forests, National Parkways or Scenic Rivers, State Forest, State Designated Scenic Rivers or State Gamelands are located in the vicinity of the Site. The Site is not located in or adjacent to any areas identified as a Federal Wildlife Preserve. Further, according to the site survey and NEPA analysis, no federally regulated wetlands or watercourses are located at or within close proximity to the proposed Site. Federal Emergency Management Agency (“FEMA”) Flood Insurance Rate Maps of the proposed site indicate that the

site is not located within a 100-year floodplain. As such, and based on the information contained in other reports included in this Application, the Site is categorically excluded from any requirement for further environmental review by the FCC in accordance with NEPA and no permit is required by that agency prior to construction of the proposed Facility. See 47 C.F.R. §§ 1.1306(b) and 1.1307(a).

VII. Consistency with the Danbury Land Use Regulations

Pursuant to the Council's Application Guide, included in this section is a narrative summary of the consistency of the project with the local municipality's zoning and wetland regulations and plan of conservation and development. A description of the zoning classification of the Site and the planned and existing uses of the proposed site locations are also detailed in this section.

A. Danbury Plan of Conservation and Development

The City of Danbury's 2002 Plan of Conservation & Development (the "Plan"), a copy of which is included in the bulk filing, does not specifically address wireless communications facilities. The Plan does acknowledge that public utilities and facilities will need to be modified and expanded where necessary to meet the evolving service needs of the public. See Bulk Filing, Plan of Conservation and Development at IV.41. Accordingly, the Applicants respectfully submit that the proposed Facility, which will provide needed wireless communications service within the City, is consistent with the City's Plan, to the extent it addresses public utility facilities.

B. Danbury Zoning Regulations and Zoning Classification

According to the City's zoning map and municipal tax records, the Site is classified in RA-40 Residential Zoning District. Wireless telecommunications facilities are permitted in all zoning districts subject to special exception use approval by the Planning Commission. See Applicant's Bulk Filing, Zoning Regulations, Section 3.E.6, page 3-6.

Section 3.E.6 of the City’s Zoning Regulations sets forth the general standards, including dimensional requirements for proposed wireless communications facilities. See Bulk Filing, Zoning Regulations, Sec. 3.E.6. Consistency of the proposed Facility with these standards is illustrated in the table below. The first two columns of the table provide the requirements set forth in the zoning regulations and the remaining columns apply these standards to the proposed Facility

Standards and Dimensional Requirements

Regulation Section	Requirement of Regulation	Proposed Facility
Section 3.E.6(d)(1) Maximum Height	Minimum height necessary to satisfy technical requirements.	Proposed Height 140' to accommodate minimum height for all carriers
Section 3.E.6(d)(2) Setbacks	Underlying zoning district setbacks or height of tower + 25'; whichever is greater: height of tower + 25'= 165'	Approximate Distance Front yard: 480' Side Yard: 78'; 340' Rear Yard: 42' * (tower to be engineering accordingly)
Section 3.E.6(d)(3) Minimum Lot Area	RA-40 Zoning District: 40,000 sq. ft. (0.92 acres)	5.0 acres
Section 3.E.6(d)(4) Tower Design in Residential Zoning Districts	Monopole	Monopole Design with flush mounted antennas
Section 3.E.6(d)(5) Fence	Security Fence Required	8' tall security fence to enclose facility
Section 3.E.6(d)(6) Landscaping	Required - minimum height 6'	Landscaping of facility proposed with 6' tall plantings
Section 3.E.6(d)(7) Accessory Buildings/Structures Setbacks	Maximum 360 sq. ft. floor area; maximum height 12'	Approximately 200 square feet in area and approximately 12' in height
Regulation Section	Requirement of Regulation	Proposed Facility
Section 3.E.6(d)(9) Lighting	No illumination	No lighting proposed

Regulation Section	Requirement of Regulation	Proposed Facility
Section 3.E.6(d)(10) Signs	No advertising signs	No advertising signs proposed
Section 3.E.6(d)(11) Collocation	Accommodate a minimum of 3 users and local fire, police and ambulance facilities	Designed for up to 4 carriers and local emergency facilities

C. Planned and Existing Land Uses

The proposed Site will be located in the southwestern portion of an approximately 5.0 acre Premises. The Premises is developed for use as a religious facility and is primarily cleared and graded. No development other than the proposed Facility is planned. A church is located adjacent to the Site to the south; a City school is located to the southeast, and dense residential development is found in the surrounding areas. Consultation with municipal officials and observations did not indicate any known or planned changes in surrounding land uses.

D. Danbury Inland Wetlands and Watercourses Regulations

The Danbury Inland Wetlands and Watercourses Regulations (“Local Wetlands Regulations”) regulate certain activities conducted in or adjacent to “wetlands” as defined therein. One such regulated activity is “any operation within or use of a wetland or watercourse involving removal or deposition of materials, or any obstruction, construction, alteration or pollution, of such wetland or watercourse, or any operation within or use of any land which may disturb the natural and indigenous character of a wetland or watercourse.” See Bulk Filing, Inland Wetlands and Watercourses Regulations, § 2. Wetlands Upland Review Areas are defined as being within 100 feet from the boundary of any wetland or watercourse, and within 100 feet of the mean high water line of any watercourse. See Bulk Filing, Inland Wetlands and Watercourses Regulations, § 2.

According to the site survey and field investigations conducted at the Site, two small isolated wetland pockets were delineated on site. The compound has been sited to avoid these areas. No activities will take place within the wetlands and the proposed Facility is located down-gradient of the wetland area. In accordance with the Connecticut Soil Erosion Control Guidelines, as established by the Council of Soil and Water Conservation, soil erosion control measures and other best management practices will be established and maintained throughout the construction of the proposed Facility, to protect the integrity of nearby wetlands. As such, Optasite respectfully submits that the activity, as compared with other activities outlined in Section 4 of the Wetlands Regulations, would have no significant impact. See Bulk Filing, Section 4, pgs. 9-11.

VIII. Consultations with Local, State and Federal Officials

A. Local Consultations

CGS Section 16-50/(e) requires an applicant to consult with the local municipality in which a proposed facility may be located and with any adjoining municipality having a boundary of 2,500 feet from the proposed facility concerning the proposed and alternate sites of the facility.

On January 31, 2006, Optasite submitted a letter and a technical report to the City of Danbury with respect to the proposed Facility at the Site. Copies of the letter to the City of Danbury are attached hereto as Attachment 8. The technical report, a copy of which is being bulk-filed, included specifics about the proposed Site and addressed the public need for the facility, the site selection process and the environmental effects of the proposed Facility.

On March 21, 2006, representatives of Optasite met with the Mayor, Corporation Counsel and Associate Planner to discuss the proposed Facility. At that meeting, the City suggested that an information session be held before the Planning Commission. The public information session

was held on May 3, 2006 and the City provided written comments on the proposed Facility in a letter dated May 23, 2006. A copy of the letter from the City is included in Attachment 8.

After the public information session, Optasite and T-Mobile worked with other wireless carriers who expressed a need for service in this area of the City, the facility design team and the new owners of the Premises to address the City's comments. As detailed herein and in Attachment 3, Optasite investigated several alternative sites, including the alternatives suggested by the City. Optasite also redesigned and relocated its proposed Facility in response to the City's comments. Since the public information session, both Sprint-Nextel and Verizon Wireless have committed to share use of the proposed Facility as each of these carriers have a need to provide service in this area of the City.

In a letter to the Mayor dated June 10, 2008, Optasite provided a summary of its efforts to address the City's comments. A copy of this letter is also included in Attachment 8.

B. Consultations with State Officials

As noted in Section VI.B of this Application, Optasite consulted with and requested review of the proposed Site Facility from the SHPO and the DEP. Copies of the SHPO's and DEP's determinations are included in Attachment 7.

C. Consultation with Federal Agencies

Optasite has received a determination from the Federal Aviation Administration ("FAA") for the Site, which is included in Attachment 4. The FAA determination indicates that the proposed Facility would not require FAA registration, let alone FAA review as a potential air navigation obstruction or hazard. As such, no FAA lighting or marking would be required for the tower proposed in this Application.

T-Mobile's FCC license permits it to modify its network by building wireless facilities within its licensed area without prior approval from the FCC provided that a proposed facility does

not fall within one of the “listed” categories requiring review under NEPA. The “listed” categories, included in 47 CFR §1.1307, are activities that may affect wilderness areas, wilderness preserves, endangered or threatened species, critical habitats, National Register historic districts, sites, buildings, structures or objects, Indian religious sites, flood plains and federal wetlands. As noted in Section VI.D of this Application, Optasite conducted a review for the Site and determined that the Site does not fall under any of the NEPA “listed” categories of 47 CFR §1.1307.

Therefore, the proposed Facility does not require review by the FCC pursuant to NEPA.

IX. Estimated Cost and Schedule

A. Overall Estimated Cost

The total estimated cost of construction for the proposed Site facility is \$216,000.00. This estimate includes:

- (1) Tower and foundation costs (including installation) of approximately \$112,000.00;
- (2) Site development costs of approximately \$66,000.00; and
- (3) Utility installation costs of approximately \$38,000.00.


B. Overall Scheduling

Site preparation and engineering would commence immediately following Council approval of Optasite’s Development and Management (“D&M”) Plan and is expected to be completed within three (3) to four (4) weeks. Installation of monopole, antennas and associated equipment is expected to take an additional four (4) weeks. The duration of the total construction schedule is approximately eight (8) to ten (10) weeks. Facility integration and system testing is expected to require an additional two (2) weeks after the construction is completed.

X. Conclusion

This Application and the accompanying materials and documentation clearly demonstrate that a public need exists in the Danbury area for improved wireless services. The foregoing information and attachments also demonstrate that the proposed Facility will not have any substantial adverse environmental effects. The Applicants respectfully submit that the public need for the proposed Facility outweighs any potential environmental effects resulting from the construction of the proposed Facility at the Site. As such, the Applicants respectfully request that the Council grant a Certificate of Environmental Compatibility and Public Need to Optasite for a proposed wireless telecommunication facility at 52 Stadley Rough Road, Danbury, Connecticut.

Respectfully Submitted,

By: 

Attorneys for the Applicant
Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, New York 10601

PRE-FILED TESTIMONY OF CHARLES REGULBUTO

1.Q. Mr. Regulbuto, please summarize your professional background in telecommunications.

A. I am the Director of Northeast Development at Optasite where I head a development team in our growing Northeast Region telecommunications development and site acquisition activities. My responsibilities include site selection and design, municipal and community relations associated with Optasite's and T-Mobile's efforts to develop new tower sites in Connecticut, coordination and support during the approval process and supervision of project construction once approved. I have been part of the telecommunications industry for more than ten years and have been involved in all aspects of the development of telecommunications facilities. I joined Optasite from Northstar Site Development, LLC where I was a partner. I have successfully completed all aspects of development activities for more than 150 sites in Connecticut and Massachusetts.

2.Q. What is the purpose of your testimony?

A. My testimony provides background information about Optasite's and T-Mobile's application for a certificate of environmental compatibility and public need for the proposed Danbury facility. My testimony will address Optasite's efforts in its search and selection of the site proposed in this application and Optasite's activities prior to the filing of this application.

3.Q. How does Optasite conduct a site search?

A. As a tower developer, Optasite conforms to State policy and sensible business practice and does not search for a new tower site in an area where an existing structure can meet the needs of the various carriers for providing service. In areas where no existing structures are available, Optasite works in conjunction with carriers to review the area where service is needed

to find potential tower sites. When searching for locations, Optasite will survey the search area to determine zoning designations; existing land use; and the existence of large parcels of land for potential suitable sites.

4.Q. Please describe Optasite's search for the proposed Danbury facility.

A. In the northeast corner of Danbury, where carriers have a need for providing service, there are no existing towers or other tall structures available for co-location. As shown in Attachments 2 and 3 to the Application, T-Mobile's existing system design makes use of eleven existing and proposed towers in the surrounding area to provide service to other portions of the City outside of the search area. Other carriers are located or propose to co-locate on these sites also.

Once it was determined that no existing tower sites were located in the area where service is required, a water tank located approximately 0.7 miles east of the proposed Danbury facility was investigated for use. This water tank was ultimately rejected due to the fact that a facility on the water tank would not provide coverage to the area where service is needed.

Optasite also reached out to other churches within the search area, including the church located adjacent to the proposed site location. None of these churches were interested in leasing space for a tower facility. Optasite contacted the City for use of the two elementary schools located within the search area and outside of the search area and learned that the City was not interested in providing space for tower sites at these locations.

As part of its search for sites, Optasite contacted the owners of large residentially zoned parcels within in the search area and these owners were not willing to lease space for a tower site as they have plans to develop their properties. Also, at the suggestion of the City, Optasite and T-Mobile investigated a Department of Public Works garage located at the intersection of

Stadley Rough Road and Rockwell Road. Due to this suggested site's location and the terrain in this area, a facility at this site would not provide service to the area targeted for service.

Details of Optasite's search for the Danbury facility proposed in this application are provided in Attachment 3. Based on its extensive investigations in conjunction with the carriers, Optasite concluded that the proposed site is only available suitable site for providing service in this area of the City.

5.Q. Has Optasite consulted with municipal officials in Danbury about the proposed facility?

A. Yes. In accordance with Section 16-50l(e), Optasite provided technical information about its proposal to the Mayor of Danbury on or about January 31, 2006. A meeting was held with the Mayor's office in March of 2006 to discuss the proposal and a public information session before the Planning and Zoning Commission was held on May 3, 2006.

The City provided comments on Optasite's proposal in a letter to the Siting Council dated May 23, 2006.

A copy of Optasite's technical report is included in the bulk filing and copies of the City's correspondence are included in Attachment 8.

As a result of the consultation with the City, Optasite investigated other suggested sites and worked with the church and wireless carriers to re-design its facility.

6.Q. Please describe Optasite's activities since the 2006 municipal consultation and its response to the City's comments.

A. Since the municipal consultation activities from 2006, Optasite worked with wireless carriers who indicated a need for providing service in area of the City, the owner of the church property, which ownership changed, and its technical team to address the City's comments while designing a facility that addressed the carriers needs.

In this time, Optasite learned that other carriers needed a facility in this area. And, Sprint/Nextel and Verizon Wireless have committed to use of the facility, if approved, to fill gaps in their networks. Through collaboration with all of the carriers, the height of the proposed Facility was increased by 10' to accommodate the minimum height required by all carriers for providing needed service.

As noted in detail in this application, Optasite also spent considerable time investigating alternative sites, including sites suggested by the City, such as the water tank site and Department of Public Works site.

Also, Optasite worked closely with the church to relocate and redesign the facility in response to the City's comments. The proposed tower was redesigned to include flush-mounted antennas and was relocated further from the adjacent property to the west. Optasite investigated a bell tower design, however, the church determined that this design was too visually obtrusive.

Optasite held another meeting with the Mayor's office in September of 2007 to update the City on its investigations and facility redesign. On June 10, 2008, a letter was sent to the City detailing the efforts by Optasite to address the City's comments prior to the filing of the application. A copy of the June 10, 2008 correspondence is included in Attachment 8.

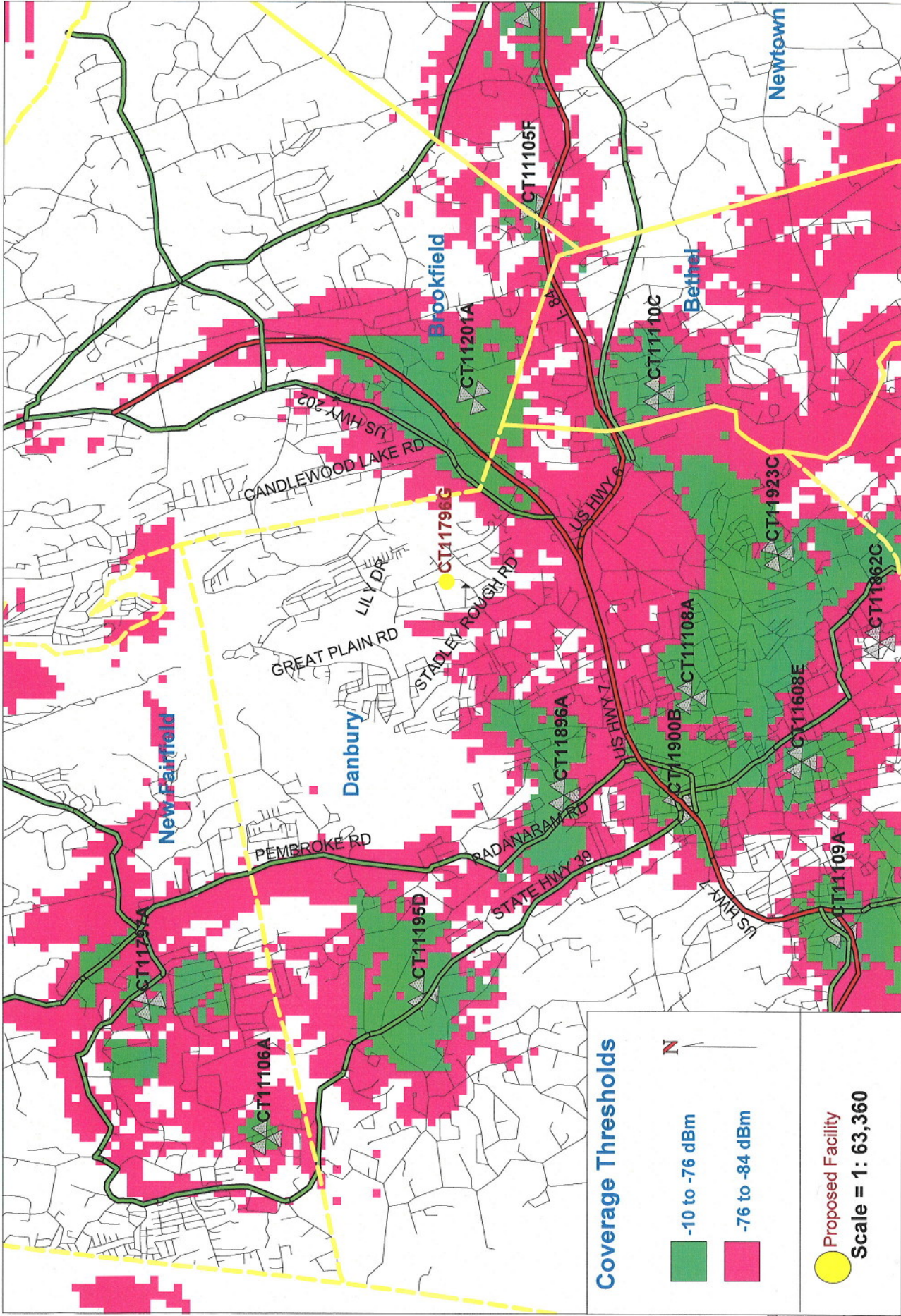
Statement of Need & Coverage Plots

The proposed Danbury Facility would be used to provide wireless telecommunications service in areas north and west of the intersection of Route 7 and Interstate 84 (I-84), between Candlewood Lake and the Town of Brookfield border and Padanaram Road and surrounding areas in the City of Danbury for T-Mobile and for other carriers providing wireless services to the public. The proposed Danbury Facility is needed by T-Mobile in conjunction with other existing and proposed facilities in the area.

Included herein are coverage propagation plots prepared by T-Mobile for the proposed site. The plots depict existing coverage from surrounding sites; coverage from the proposed site at an antenna centerline height of 137' AGL and coverage from the proposed site and existing sites. Also included is a chart identifying the existing surrounding sites shown on the enclosed propagation plots.

Also enclosed are propagation plots demonstrating Sprint-Nextel's need for the proposed Facility. These plots were prepared at the time of the technical report filing with the City in 2006. Sprint-Nextel also evidenced its need for the proposed Facility through its tower site lease agreement with Optasite.

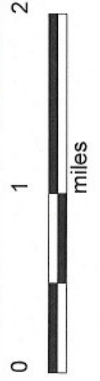
These propagation maps confirm the need for a site in the north east part of the City and the effectiveness of the proposed site in meeting the coverage needs for the area.



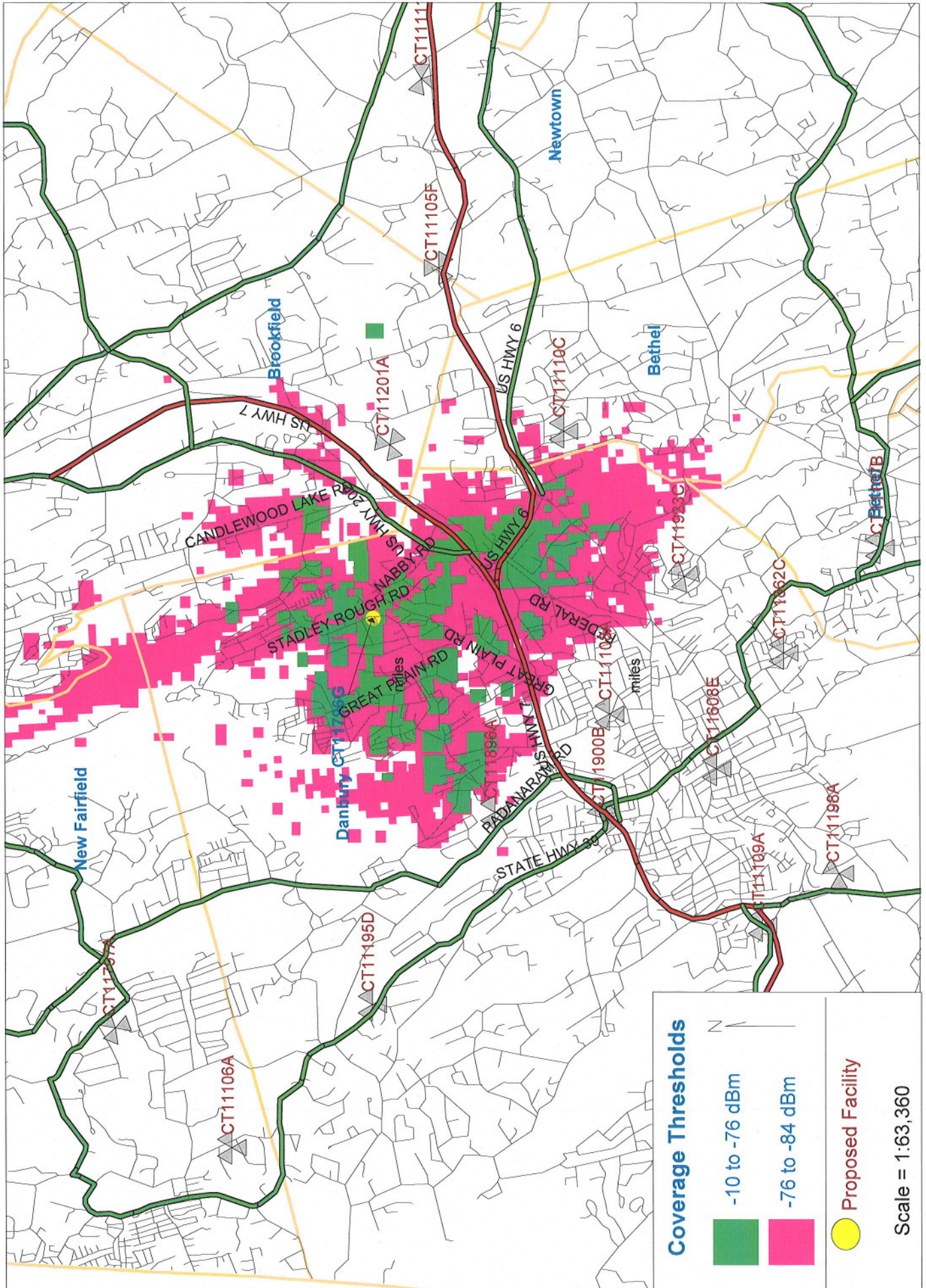
Coverage Thresholds

- 10 to -76 dBm
- 76 to -84 dBm

Proposed Facility
Scale = 1 : 63,360



Existing T-Mobile On Air Coverage



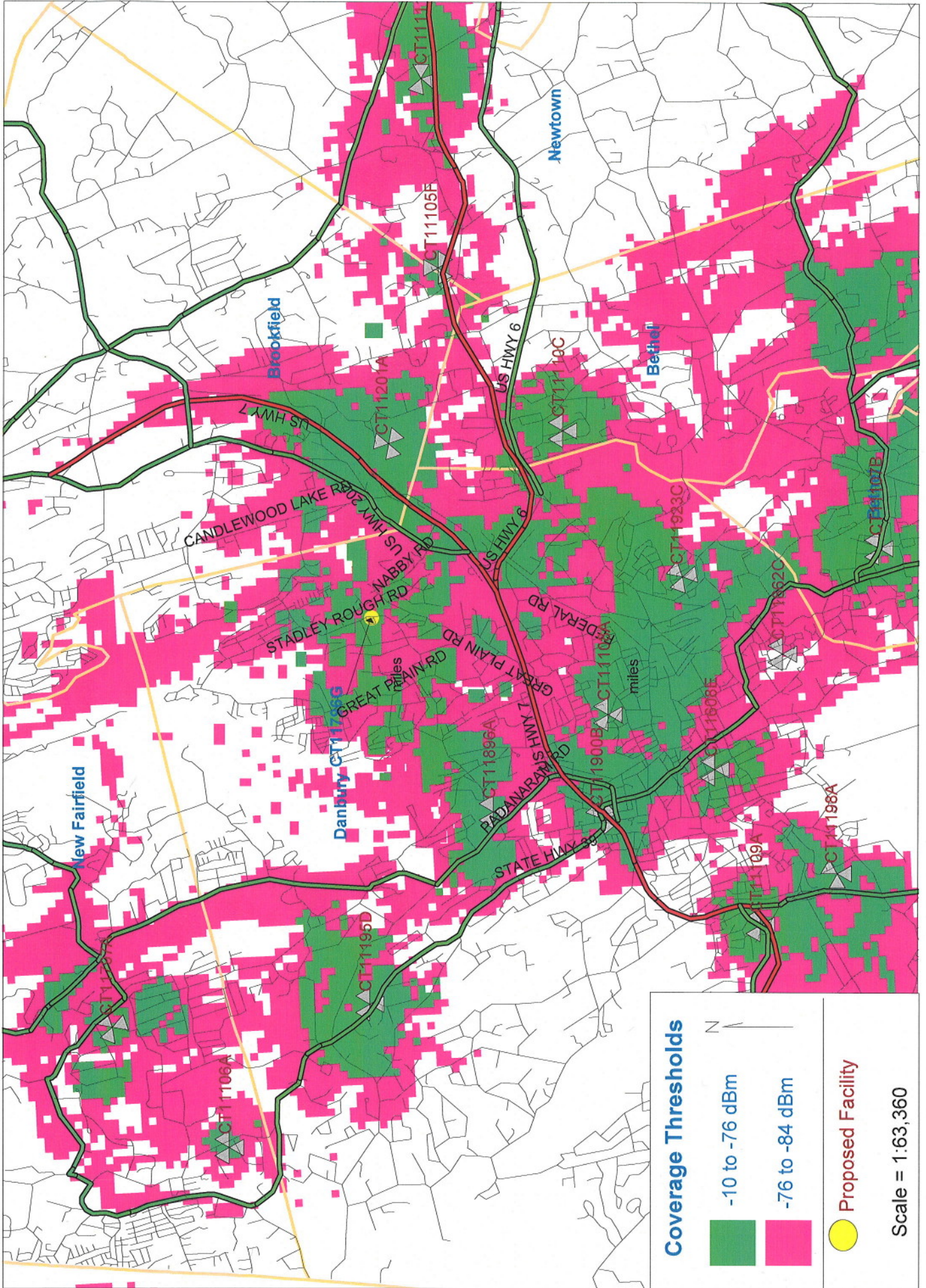
Coverage Thresholds

- 10 to -76 dBm
- 76 to -84 dBm
- Proposed Facility

Scale = 1:63,360

T-Mobile Proposed CT11796G @ 137' AGL





Coverage Thresholds

- 10 to -76 dBm
- 76 to -84 dBm
- Proposed Facility

Scale = 1:63,360

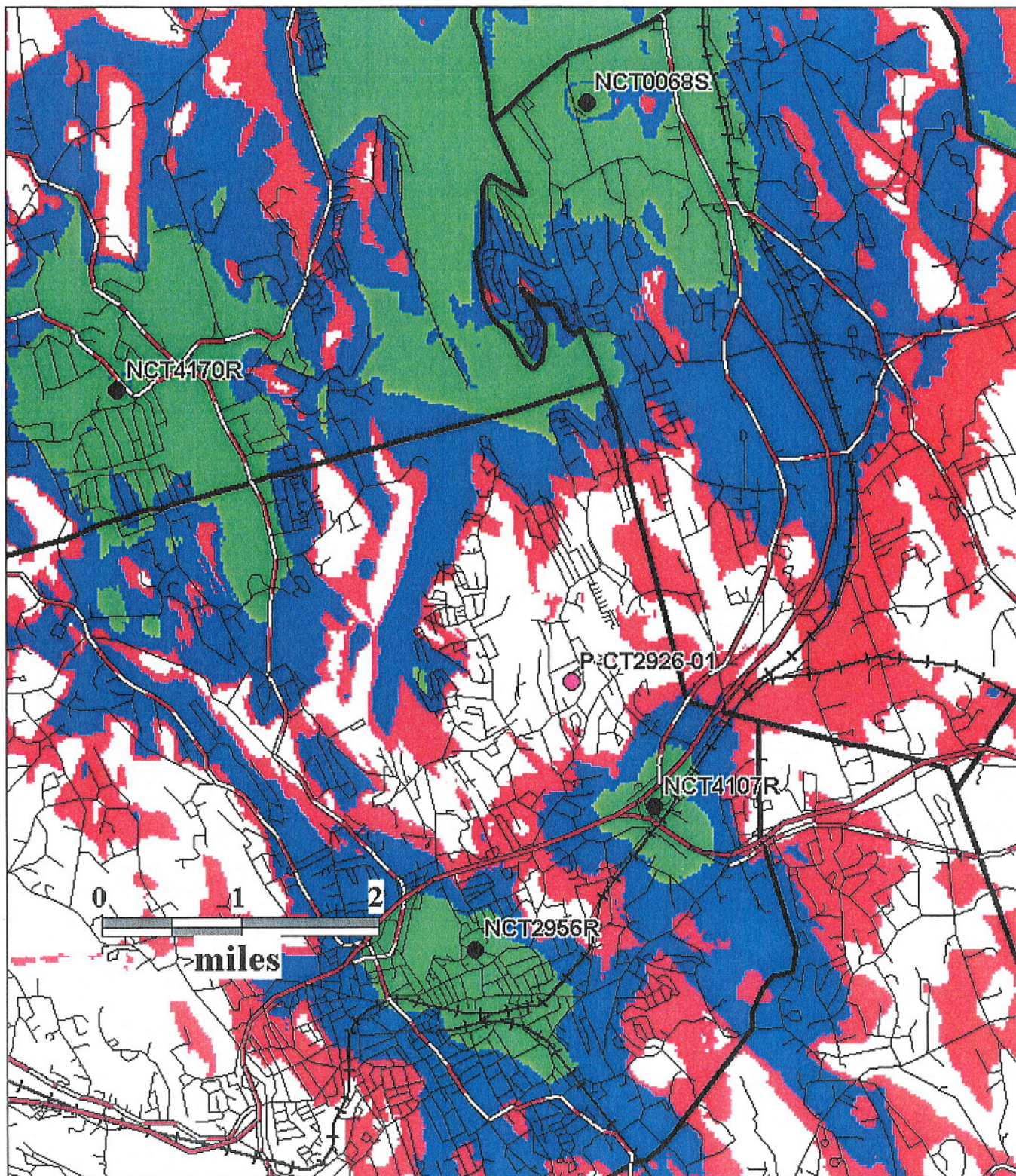
Existing T-Mobile Coverage With Proposed CT11796G @ 137' AGL



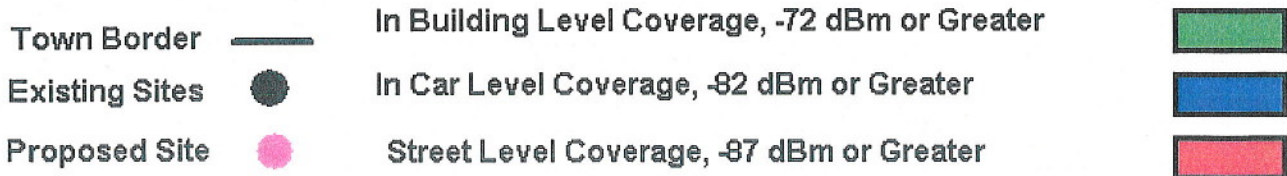
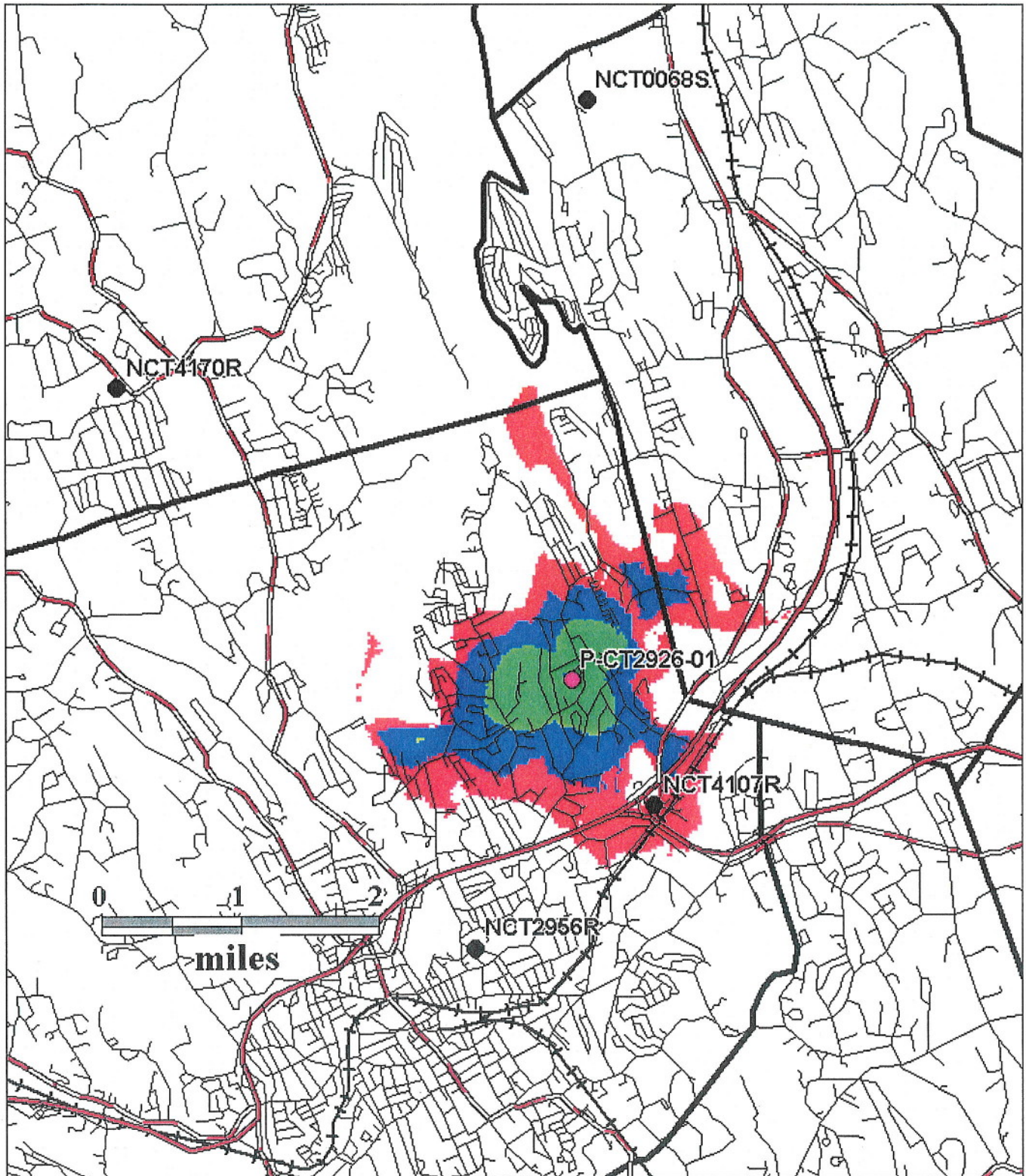
T-MOBILE SURROUNDING SITES

Site ID	Address	Town	Site Type	Existing Structure Height (feet AGL)	Antenna Height (Feet AGL)	Status
CT11195D	181 Clapboard Ridge	Danbury	Flagpole	85	82	On Air
CT11896A	41 Padanaram Road	Danbury	Wood Pole	80	80	On Air
CT11900B	457 Main Street	Danbury	Rooftop	42	46	On Air
CT11108A	94 Hospital Avenue	Danbury	Rooftop	134	155	On Air
CT11924A	78 Federal Road	Danbury	Billboard	78	81	On Air
CT11201A	20 Vale Road (Tower # 10247)	Danbury	Utility Pole	115	130	On Air
CT11106A	37 Titicus Mountain Road	New Fairfield	Self Support Tower	187	191	On Air
CT11797A	302 Ball Pond Road	New Fairfield	Monopole	175	145	On Air
CT11196A	37 Carmen Hill Road	Brookfield	Self Support Tower	450	298	On Air
CT11923C	7 West View Drive	Danbury	Self Support Tower	110	50	On Air
CT11092J	39 Sugar Hollow Lake Road	Danbury	Monopole	108	105	On Air
CT11109A	21 Lake Street (Ethan Allen Inn)	Danbury	Rooftop	52	61	On Air
CT11197A	18 Old Ridgebury Road	Danbury	Rooftop	125	122	On Air
CT11198A	83 Wooster Heights Road	Danbury	Rooftop	55	65	On Air
CT11608E	164 Deer Hill Road	Danbury	Steeple	122	112	On Air
CT11862C	1 Fairfield Drive	Danbury	Stealth Chimney	33	36	On Air
CT11110C	8 Chimney Drive (GL&P Pole 321)	Bethel	Utility Pole	150	173	On Air
CT11105F	6 Fairfield Drive	Brookfield	Monopole	152	163	On Air

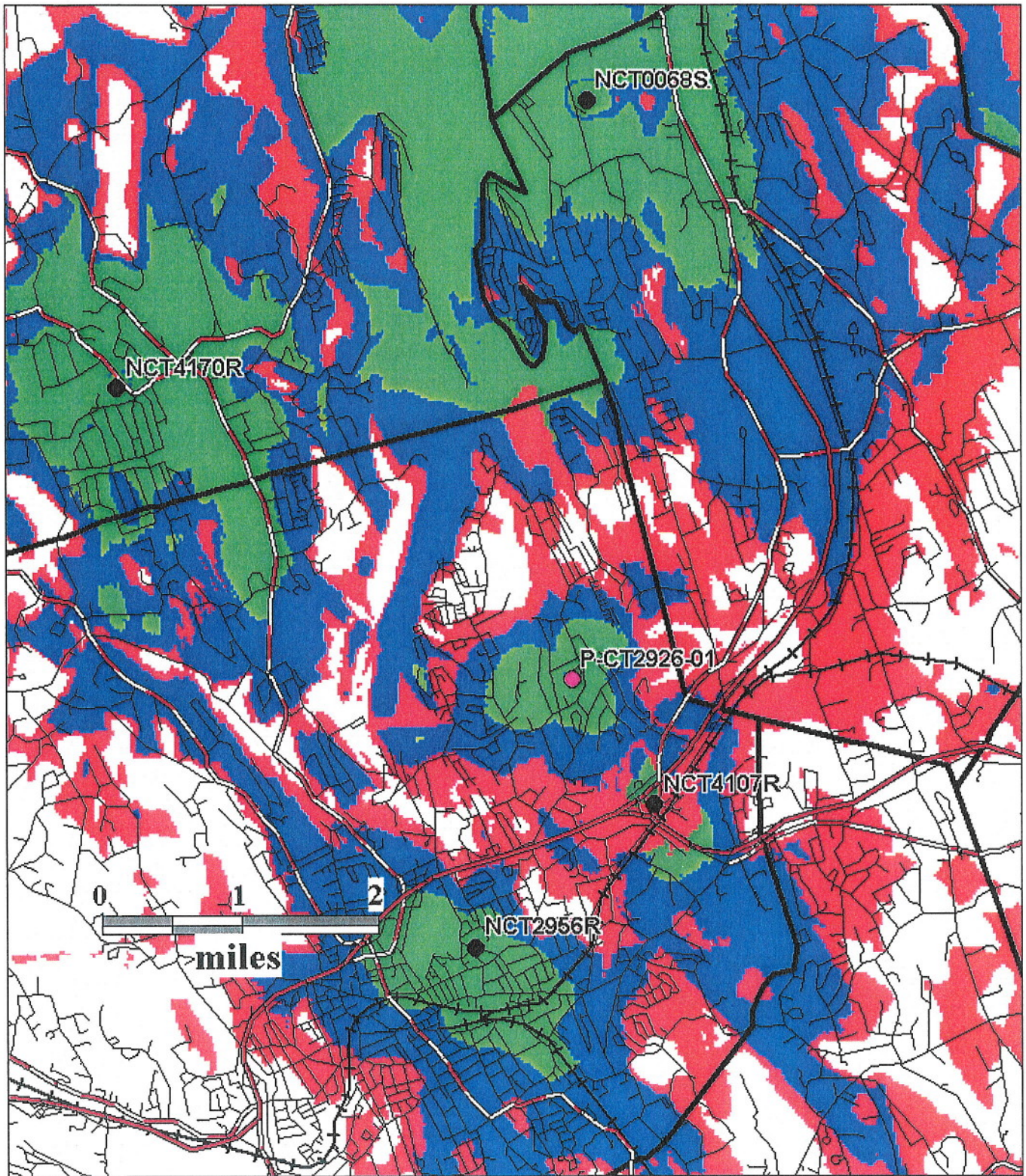
Surrounding Sites Existing Coverage



Proposed Site Coverage at 130 ft



Existing Surrounding Sites and Proposed Site Coverage at 130 ft



- | | | | |
|----------------|---|--|---|
| Town Border | — | In Building Level Coverage, -72 dBm or Greater |  |
| Existing Sites | ● | In Car Level Coverage, -82 dBm or Greater |  |
| Proposed Site | ● | Street Level Coverage, -87 dBm or Greater |  |

Surrounding Sites - Nextel

Site ID	Address	City
CT4170	302 Ball Pond Rd	New Fairfield
CT0068	39 Carmen Hill Rd	Brookfield
CT4107	78 Federal Rd	Danbury
CT2956	24 Hospital Ave	Danbury

Site Search Summary

Analysis of the communications towers located within 4 miles of the search area indicated that none of these towers would provide adequate coverage to the area targeted for service by the proposed Danbury Facility. There are no existing structures within the search area adequate to meet the coverage requirements of the proposed Facility.

Optasite and T-Mobile investigated several locations where the construction of a new tower might be feasible. The description of the individual sites investigated are set forth below. Where applicable, the reasons for eliminating the property also included. Following these descriptions is a map indicating the location of all sites investigated.

1. Address: 52 Stadley Rough Road
Owner: Christ the Sheppard Church
Map/Lot: K07 019
Deed: 1948/939
Zoning District: RA-40
Lot Size: Approximately 5.2 Acres

This property is the candidate site. The previous owners were the Candlewood Baptist Church.

2. Address: 40 Stadley Rough Road
Map/Lot: K05 105
Deed: 654/122
Owner: Colonial Baptist Church
Zoning District: RA-40
Lot Size: Approximately 10.5 Acres

The owner of this property initially showed interest in leasing space for a tower site, but then ceased responding to Optasite's requests. The owners may have other development plans for this location.

3. Address: 85 Great Plains Road
Map/Lot: J07 72
Deed: 429/395
Owner: St Gregory the Great RC Church Corp.
Zoning District: RA-20
Lot Size: Approximately 14.3 Acres

The owner of this location initially showed interest in the concept, however, the proposal was ultimately rejected by the diocese and their legal counsel.

4. Address: Great Plains Road
Map/Lot: J07 72
Deed: 819/968
Owner: Albert Salame
Address of Property Owner: dba Scope Realty 131 West St., Danbury CT 06810
Zoning District: RA-20
Lot Size: Approximately 15.37 Acres

The owner of this property has plans to develop this property and as such, is not interested in leasing space for a tower facility.

Optasite's proposal to lease space for a tower facility was rejected for all parcels owned by this group as listed below (numbers 5, 6 & 7):

5. Address: Great Plains Road

Map/Lot: J05 101

Deed: 664-615

Owner: Albert Salame

Address of Property Owner: dba Scope Realty 131 West St., Danbury CT 06810

Zoning District: RA-80

Lot Size: Approximately 28.62 Acres

6. Address: Great Meadows Road

Map/Lot: J06 081

Deed: 819/968

Owner: Albert Salame

Address of Property Owner: dba Scope Realty 131 West St., Danbury CT 06810

Zoning District: RA-20

Lot Size: Approximately 37.06 Acres

7. Address: Stadley Rough Road

Map/Lot: J05 102

Deed: 664/614

Owner: Albert Salame

Address of Property Owner: dba Scope Realty 131 West St., Danbury CT 06810

Zoning District: RA-40

Lot Size: Approximately 7.0 Acres

8. Address: 73-79 Stadley Rough Road (aka 25 Karen Road)

Map/Lot: K07 28

Deed: 463/271

Property Owner: City of Danbury

Address of Property Owner: 155 Deer Hill Road, Danbury, CT 06810

Zoning District: RA-40

Lot Size: Approximately 15.93 Acres

This location is the site of the Stadley Rough Elementary School. The Mayor's office informed Optasite that they were not interested in leasing space for tower facilities on any City school properties.

9. Address: 14 Indian Spring Road

Map/Lot: K07 20

Deed: 1813/1177

Property Owner: Jose & Christina Carvalheiro (Formerly De Gross)

Address: 14 Indian Spring Road, Danbury CT 06810

Zoning District: RA-40
Lot Size: Approximately 3.52 Acres

This property was recently subdivided during the initial research period. There is now one single family home present on this parcel.

10. Address: 10 Stadley Rough Road
Map/Lot: K09 18
Deed: 355/489
Property Owner: City of Danbury
Address of Property Owner: 155 Deer Hill Road, Danbury, CT 06810
Zoning District: RA-20
Lot Size: Approximately 8.8 Acres

This locations is the site of the Great Plain Elementary School. As noted above, the City has no interest in leasing space for tower facilities on school properties.

11. Sterling Woods Condominium Complex
Map/Lot:
Deed:
Property Owner: Sterling Woods Condominium Complex
Zoning District: RMF-10
Lot Size:

The City Danbury Water Department leases space on this property for its 80' AGL water tank. This site was analyzed and ultimately rejected by T-Mobile Radio Frequency engineers as it would not provide coverage to the area intended for service. This water tank is located approximately 0.7 miles to the east of the proposed Facility site.

12. Department of Public Works Garage
Map/Lot:
Deed:
Property Owner: City of Danbury
Address of Property Owner: 155 Deer Hill Road, Danbury, CT 06810
Zoning District:
Lot Size:

This property was analyzed by T-Mobile's Radio Frequency engineer and determined to be too far south to provide coverage to the target area. This site is also located at the base of a plateau, which would cause shadowing of the radio frequency propagation, thereby preventing coverage to the target area.



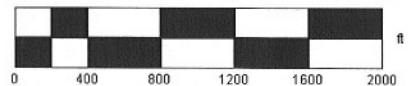
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MN (13.7° W)



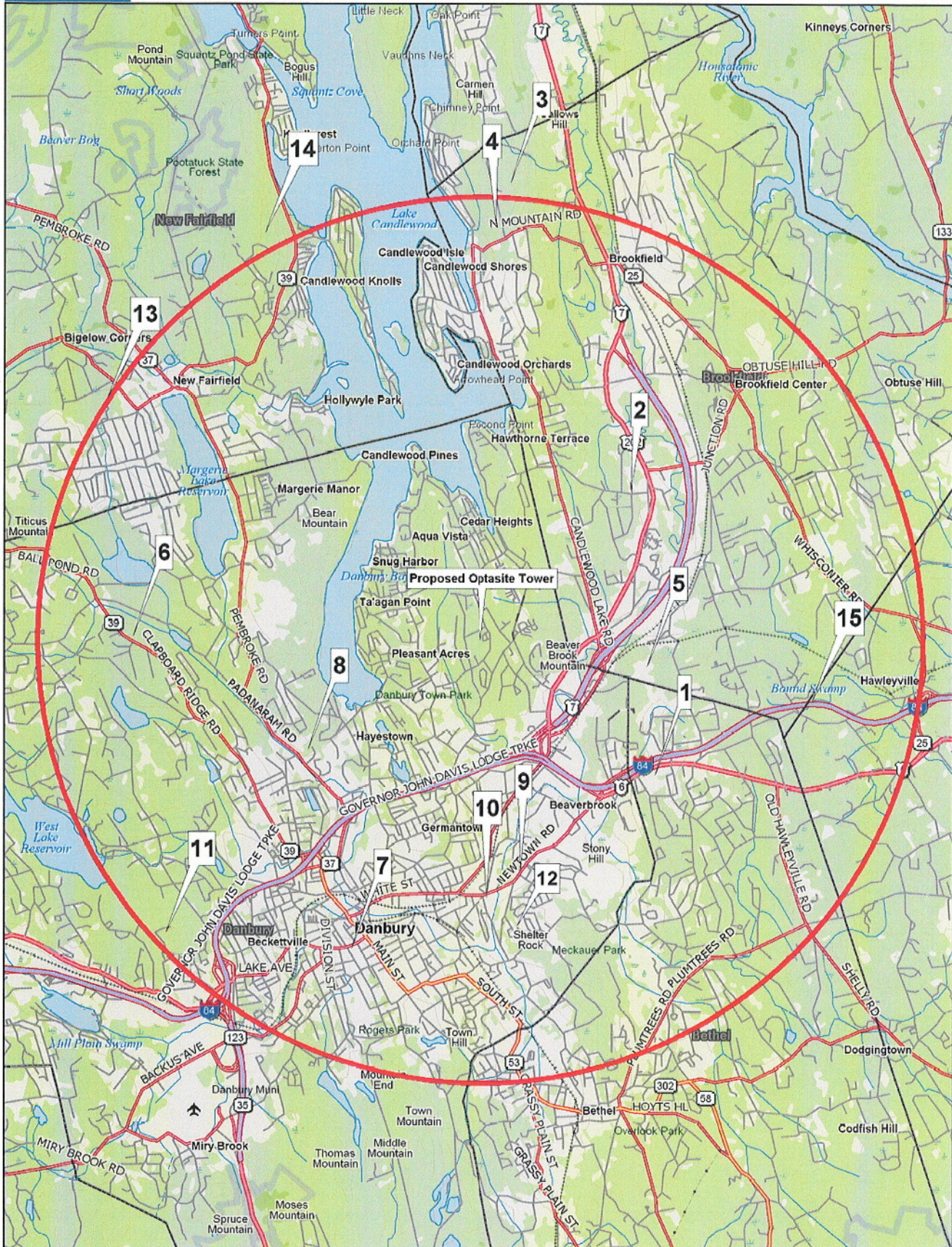
Data Zoom 14-1

EXISTING TOWER LISTING

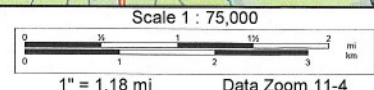
There are 15 communications towers located within approximately four miles of the site search area for the proposed Danbury site. Each location is also shown on the following map, numbered in the order appearing on this list. Not one of the below existing towers would provide adequate coverage to the target area. Indeed, some of the towers listed below are currently being used or proposed for use by T-Mobile to provide service outside of the area targeted for service by the proposed Danbury Facility.

<u>No.</u>	<u>OWNER/OPERATOR</u>	<u>TOWER LOCATION</u>	<u>HEIGHT</u>	<u>SOURCE</u>	<u>COORDINATES</u>
1.	CL&P	7 Stony Hill Road	140.00	CSC Database	Lat 41-24-56 Long 73-24-05
2.	AT&T	2 Huckleberry Hill Road	60.00	CSC Database	Lat 41-27-10 Long 73-24-20
3.	Charter Communication	33 Carmen Hill Rd.	80.00	CSC Database	Lat 41-29-35 Long 73-25-37
4.	Aurora of Danbury	39 Carmen Hill Rd.	500'	CSC Database	Lat 41-29-14.78 Long 73-25-44.93
5.	CL&P	Park Ridge Road	115.00	CSC Database	Lat 41-25-47 Long 73-24-10
6.	T-Mobile	181 Clapboard	85.00	CSC Database	Lat 41-26-01 Long 73-29-33
7.	SNET	39 West Street	70.00	CSC Database	Lat 41-23-34 Long 73-27-16
8.	T-Mobile	41 Padanaram Rd.	80.00	CSC Database	Lat 41-25-08.1 Long 73-27-43
9.	Fifty Newtown Rd.	48 Newtown Road	100.00	CSC Database	Lat 41-24-12 Long 73-25-29.5
10.	Fifty Newtown Rd.	50 Newtown Road	100.00	CSC Database	Lat 41-23-58 Long 73-25-51
11.	WCSU	Boxwood Lane Ext	100.00	CSC Database	Lat 41-23-41.93 Long 73-29-12.2
12.	Robert Kaufman	7 West View Drive	133.00	CSC Database	Lat 41-23-45.3 Long 73-25-31.4

<u>No.</u>	<u>OWNER/OPERATOR</u>	<u>TOWER LOCATION</u>	<u>HEIGHT</u>	<u>SOURCE</u>	<u>COORDINATES</u>
13.	Town of New Fairfield	302 Ball Pond Road	175.00	CSC Database	Lat 41-27-53.2 Long 73-29-49
14.	Crown Media	Dick Finn Road	60.00	CSC Database	Lat 41-29-11 Long 73-28-10
15.	SpectraSite	6 Fairfield Drive	163.00	CSC Database	Lat 41-25-31.1 Long 73-22-26.8



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PROPOSED SITE

**52 Stadley Rough Road
Danbury, Connecticut**

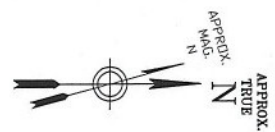
Land of
Christ the Shepherd Church

Assessor's Map K07, Lot 19

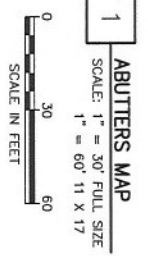
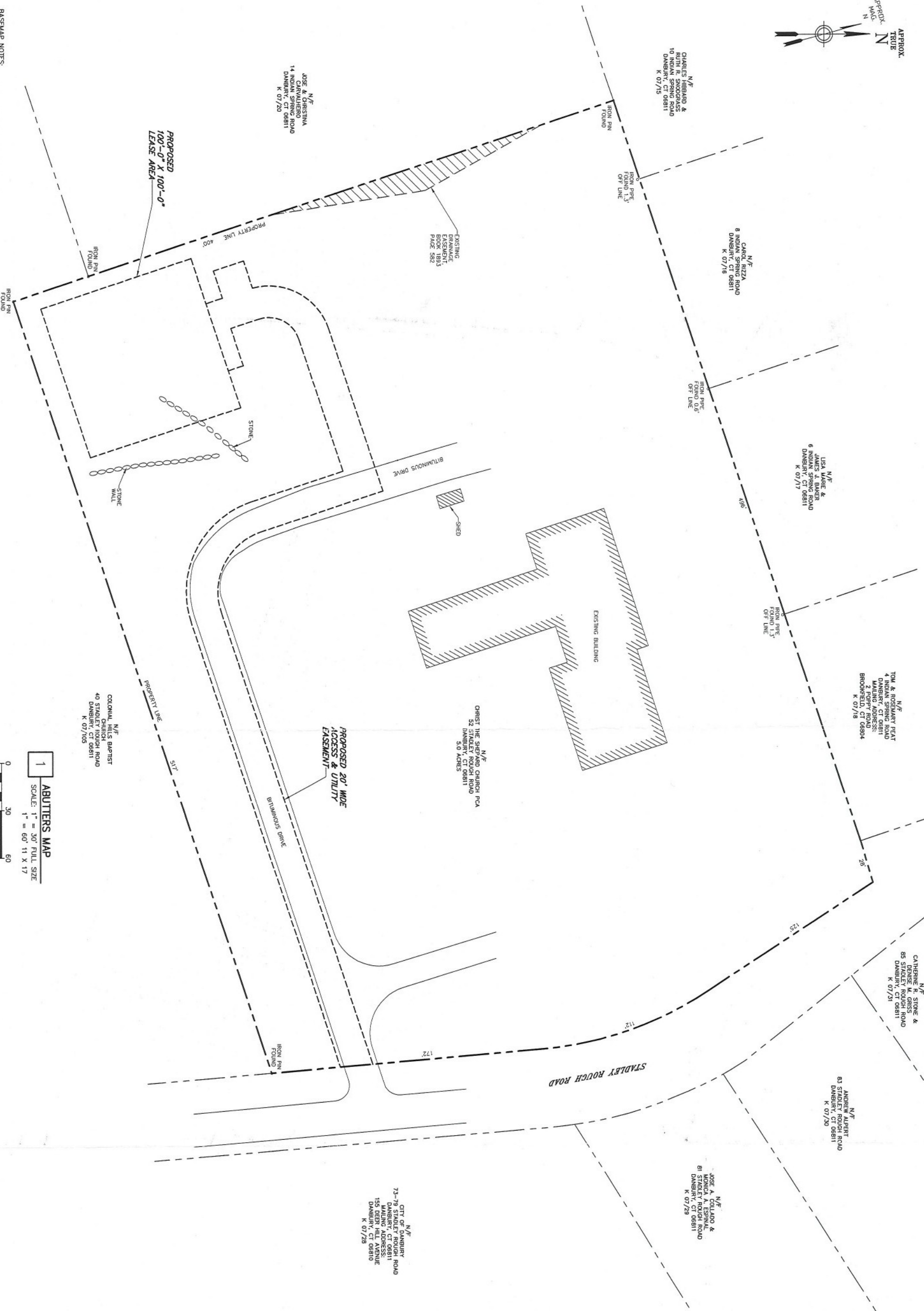
5.0 Acres

GENERAL FACILITY DESCRIPTION

The proposed Danbury Facility includes a 100' x 100' leased area located in the southwestern corner of an approximately 5 acre parcel located at 52 Stadley Rough Road, Danbury. The Facility would consist of a 140-foot self-supporting monopole tower with flush mounted antennas and a 55' x 90' site compound designed to accommodate the related equipment either in single-story equipment buildings or on concrete pads. The tower as designed would accommodate four sets of flush mounted antennas. Initially, antennas and related equipment for T-Mobile's use would be installed. The tower and equipment buildings would be enclosed by an 8-foot high security fence with gate, which will be screened with landscaping. Vehicle access to the Site would extend from Stadley Rough Road along an existing paved drive a distance of approximately 460', then westerly along a new gravel driveway a distance of approximately 175' to the equipment compound. Underground utility connections would extend from Stadley Rough Road along the access drive.



BASEMAP NOTES:
 1. BASEMAP INFORMATION OBTAINED FROM DRAWINGS BY USES
 NOT REPRESENT AN ACTUAL FIELD SURVEY.



Optasite
 OPTASITE TOWERS LLC
 1 RESEARCH DRIVE, SUITE 200C
 WESTBOROUGH, MA 01581

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CHA
 CLOUGH HARBOUR & ASSOCIATES LLP
 2139 Shaw Drive Highway, Suite 212, Rocky Hill, CT 06067-2338
 Main: (860) 257-4857 www.cloughharbour.com
 CHA PROJECT NO:
 15363 - 1030 - 1601

NO.	SUBMITTAL
0	ISSUED FOR REVIEW BY: PAL CHK: PAL APP'D: JPS
1	REVERSED PER COMMENTS BY: PAL CHK: PAL APP'D: JPS

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

SITE ID:
 CT-999-0041
 SITE NAME:
 DANBURY
 SITE ADDRESS:
 52 STADLEY ROUGH ROAD
 DANBURY, CT
 06811
 FAIRFIELD COUNTY

SHEET TITLE
 ABUTTERS MAP

SHEET NUMBER
 A01



1 USGS TOPO MAP: DANBURY 41073-D4
 SCALE: 1" = 2000'
 0 1000 2000
 SCALE IN FEET



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CLOUGH HARBOUR & ASSOCIATES LLP
 2130 Sites Deane Highway, Suite 212 - Rocky Hill, CT 06067-2336
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CHA PROJ. NO. = 15363-1030



OPTASITE TOWERS LLC
 1 RESEARCH DRIVE, SUITE 200C
 WESTBOROUGH, MA 01581

SITE ID:
 CT-999-0041
 SITE NAME:
 DANBURY
 SITE ADDRESS:
 52 STADLEY ROUGH ROAD
 DANBURY, CT 06811
 FAIRFIELD COUNTY

SHEET TITLE:
 USGS TOPO MAP

DATE:
 09/27/07

REVISION:
 0

SITE EVALUATION REPORT

I. LOCATION

COORDINATES: 41°25'-59.17" N, 73°-25'-54.90" W

GROUND ELEVATION: 545' AMSL

USGS MAP: Danbury, CT

SITE ADDRESS: 52 Stadley Rough Road, Danbury, CT

ZONING WITHIN ¼ MILE OF SITE: Land within ¼ mile of the proposed site is zoned primarily RA-40, Single -Family and RMF-10, Multi-Family Residential.

II. DESCRIPTION

A. SITE SIZE: 100' x 100'

LESSOR'S PARCEL: 5.0± acres

B. TOWER TYPE/HEIGHT: Monopole/140' AGL

C. SITE TOPOGRAPHY AND SURFACE: The site located is within a fairly level treed area.

D. SURROUNDING TERRAIN, VEGETATION, WETLANDS, OR WATER: The lessor's parcel is developed with the church building and associated parking area. An area of wetlands is located to the north and east of the proposed site.

E. LAND USE WITHIN ¼ MILE OF SITE: Residential properties are found to the north, east and west. Colonial Hills Baptist Church is located to the south. A school is located to the east.

1. FACILITIES

A. POWER COMPANY: Connecticut Light and Power

B. POWER PROXIMITY TO SITE: Power is available from Stadley Rough Road.

C. TELEPHONE COMPANY: SBC

D. PHONE SERVICE PROXIMITY: Same as power

- E. VEHICLE ACCESS TO SITE: Vehicular access to the site would utilize an existing paved drive from Stadley Rough Road a distance of approximately 460 feet, running west then north, then proceed to the west along a new gravel access drive to the site a distance of approximately 175 feet.
- F. OBSTRUCTION: None
- G. CLEARING AND FILL REQUIRED: Moderate clearing and minimal grading would be required for development of the access drive and the site compound. Detailed plans would be provided to the Connecticut Siting Council in a Development and Management Plan after Council approval of the proposed facility.

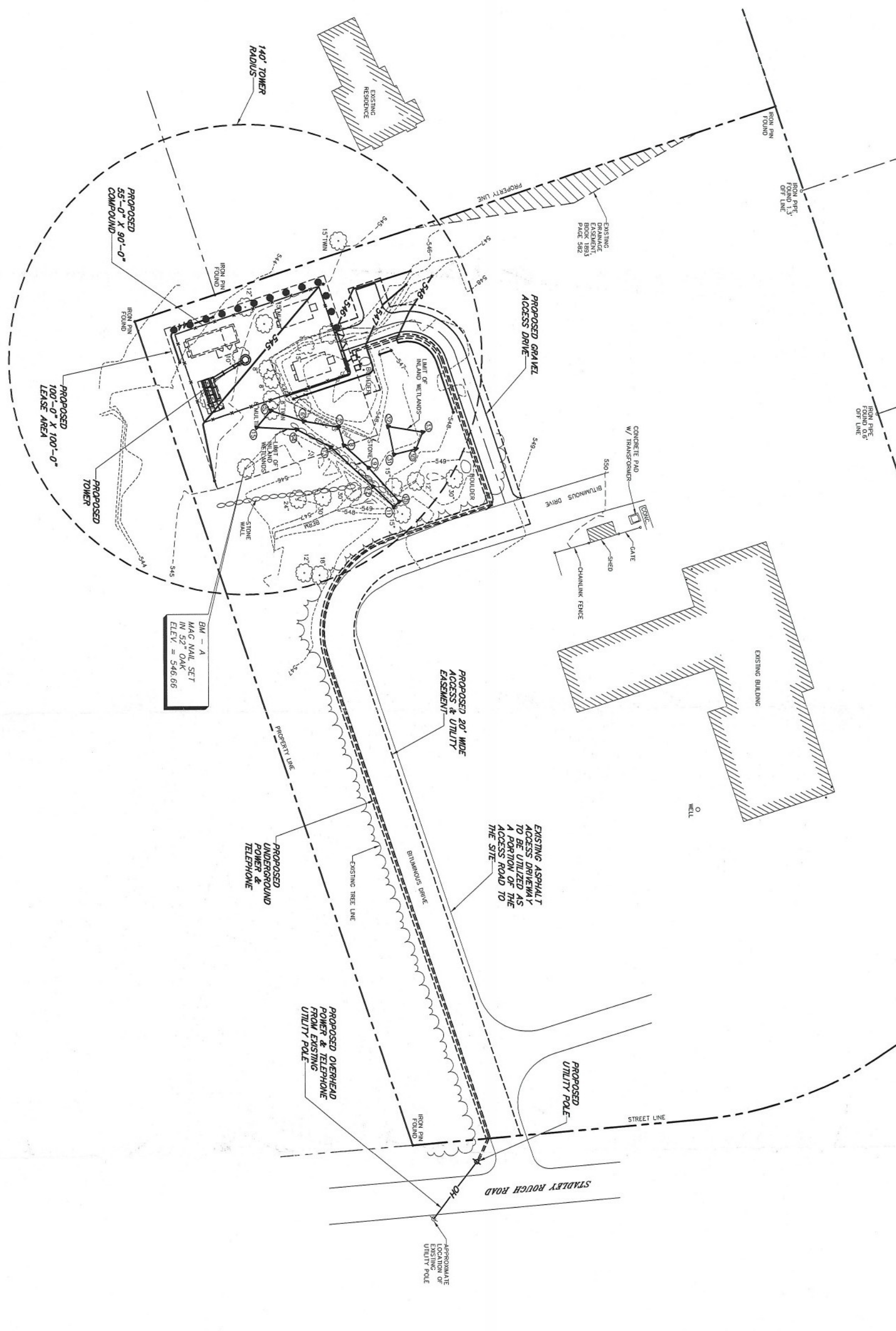
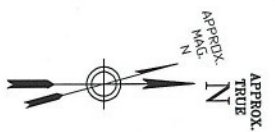
2. LEGAL

- A. PURCHASE [] LEASE [X]

OWNER: Christ the Shepherd Church

ADDRESS: 52 Stadley Rough Road, Danbury, CT 06811

DEED ON FILE AT: City of Danbury
Vol. 510, page 346



BM - A
MAG NAIL SET
IN 52" OAK
ELEV. = 546.66

1 SITE ACCESS MAP
SCALE: 1" = 30' FULL SIZE
1" = 60' 11" X 17"



BASEMAP NOTES:
1. BASEMAP INFORMATION OBTAINED FROM DRAWINGS BY URS CORPORATION AS DATED DECEMBER 27, 2005 AND DOES NOT REPRESENT AN ACTUAL FIELD SURVEY.

Optasite

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15363 - 1030 - 1601

NO.	SUBMITTAL	ISSUED FOR REVIEW	APPR'D.	JRS
0	BY: P.M.	CHK: P.M.	APPR'D.	JRS
04/07/08				
1	BY: P.M.	CHK: P.M.	APPR'D.	JRS

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

SITE ID:
CT-999-0041

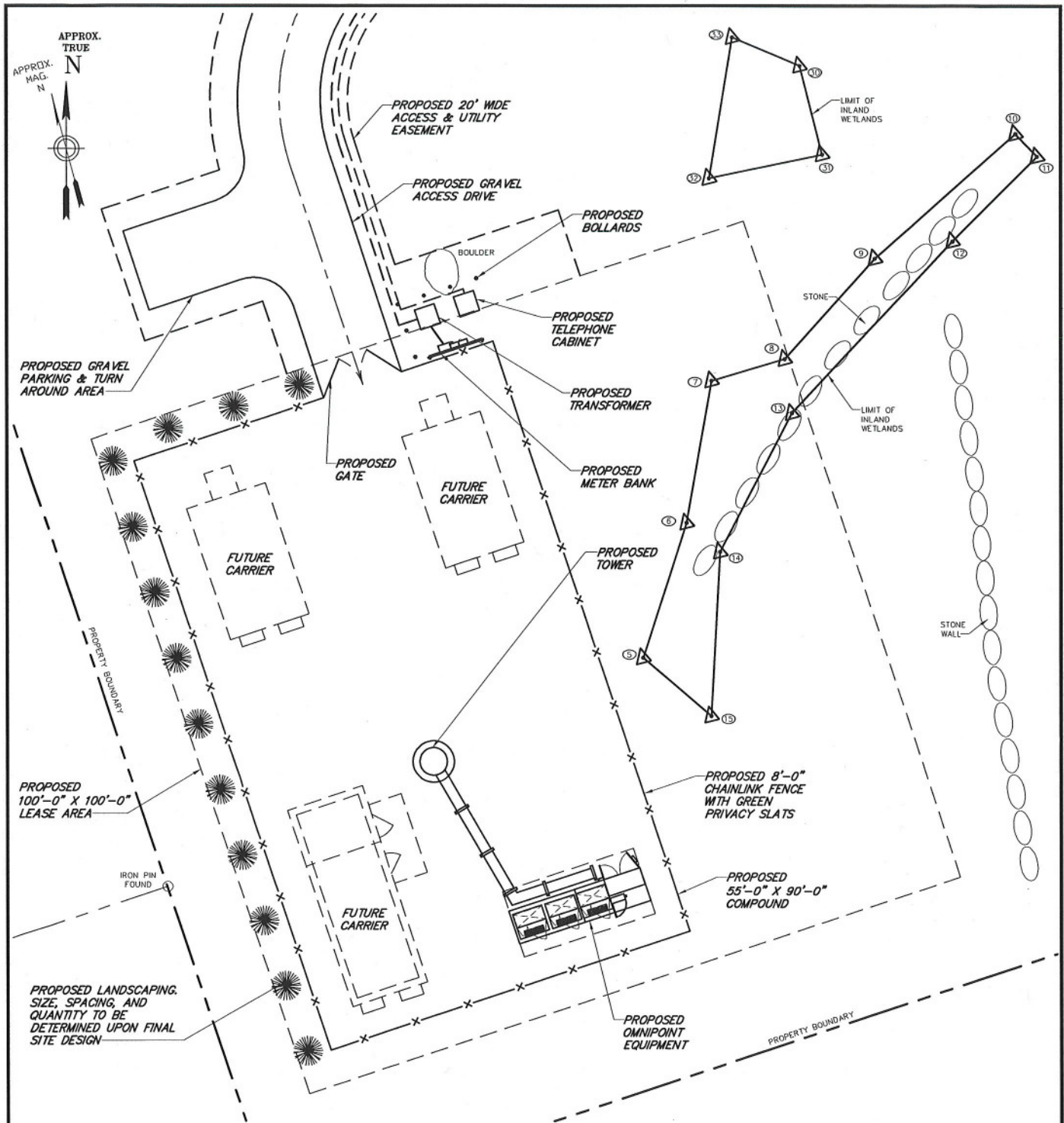
SITE NAME:
DANBURY

SITE ADDRESS:
**52 STADLEY ROUGH ROAD
DANBURY, CT
06811**

FAIRFIELD COUNTY

SHEET TITLE
SITE ACCESS MAP

SHEET NUMBER
A02



1 COMPOUND PLAN
 SCALE: 1" = 20'
 0 10 20
 SCALE IN FEET

BASEMAP NOTES:
 1. BASEMAP INFORMATION OBTAINED FROM DRAWINGS BY URS CORPORATION AES DATED DECEMBER 27, 2005 AND DOES NOT REPRESENT AN ACTUAL FIELD SURVEY.

Drawing Copyright © 2007 Clough Harbour & Associates LLP

CHA
 CLOUGH HARBOUR & ASSOCIATES LLP
 2136 Silas Deane Highway, Suite 212 - Rocky Hill, CT 06067-2338
 Mails: (860) 257-4567 - www.cloughharbour.com

CHA PROJ. NO. - 15363-1030

Optasite

OPTASITE TOWERS LLC
 1 RESEARCH DRIVE, SUITE 200C
 WESTBOROUGH, MA 01581

SITE ID:
 CT-999-0041

SITE NAME:
 DANBURY

SITE ADDRESS:
 52 STADLEY ROUGH ROAD
 DANBURY, CT 06811
 FAIRFIELD COUNTY

SHEET TITLE:
 COMPOUND PLAN

DATE:
 04/07/08

REVISION:
 1

FACILITIES AND EQUIPMENT SPECIFICATION
(NEW TOWER & EQUIPMENT)

I. TOWER SPECIFICATIONS:

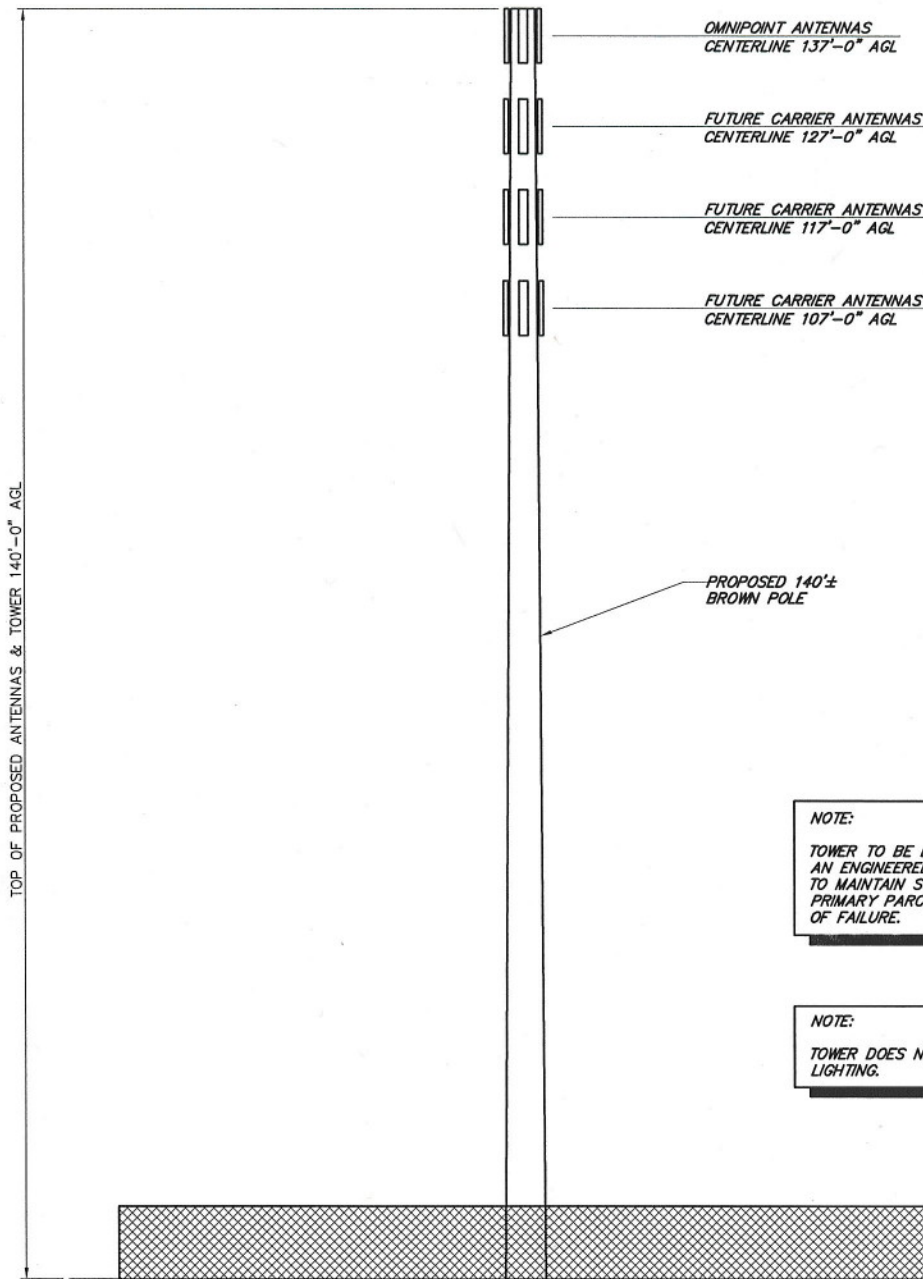
- A. MANUFACTURER: TBD
- B. TYPE: Monopole
- C. HEIGHT: 140'
- D. DIMENSIONS: Approx. 5' diameter at base
 Approx. 1 ½' diameter at top

II. TOWER LOADING:

- A. T-Mobile – up to 9 panel antennas
 - 1. MODEL: Panel antennas, model APXV18-209014-C
 - 2. DIMENSIONS: Approximately 5' in length
 - 3. POSITION ON TOWER: Antenna centerline of 137' AGL on low profile platform
 - 4. TRANSMISSION LINES: up to 18 internal to the monopole
- B. Future carriers - TBD

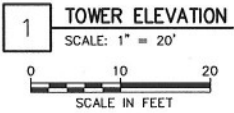
III. ENGINEERING ANALYSIS AND CERTIFICATION:

In accordance with the 2005 Connecticut State Building Code and the Electronic Industries Association Standard EIA/TIA-222-G, "Structural Standards for Steel Antenna Towers and Antenna Support Structures", the tower would be designed to withstand wind pressures equivalent to a 90 MPH (fastest mile) wind velocity and a 50 MPH (fastest mile) wind velocity concurrent with three-quarter inch solid ice accumulation. The foundation design would be based on soil conditions at the site.



NOTE:
 TOWER TO BE DESIGNED WITH AN ENGINEERED BREAK POINT TO MAINTAIN STRUCTURE ON PRIMARY PARCEL IN THE EVENT OF FAILURE.

NOTE:
 TOWER DOES NOT REQUIRE FAA LIGHTING.



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CHA PROJ. NO. - 15363-1030

Optasite
 OPTASITE TOWERS LLC
 1 RESEARCH DRIVE, SUITE 200C
 WESTBOROUGH, MA 01581

SITE ID:
 CT-999-0041
 SITE NAME:
 DANBURY
 SITE ADDRESS:
 52 STADLEY ROUGH ROAD
 DANBURY, CT 06811
 FAIRFIELD COUNTY

SHEET TITLE:
 TOWER ELEVATION

DATE:
 04/07/08

REVISION:
 1

ENVIRONMENTAL ASSESSMENT STATEMENT

PHYSICAL IMPACT

A. WATER FLOW AND QUALITY

No water flow and/or water quality changes are anticipated as a result of the construction or operation of the facility. A small isolated wetland area is located to the east and north of the proposed site, with the nearest point of the wetlands approximately 6 feet from the compound. The equipment used will discharge no pollutants to wetland and watercourse areas or to area groundwater. Best management practices will be used during construction to control storm water and erosion.

B. AIR QUALITY

Under ordinary operating conditions, the equipment that would be used at this proposed facility would emit no air pollutants of any kind. For limited periods during power outages, T-Mobile will utilize a back-up generator

C. LAND

Moderate clearing and minimal grading would be required for development of the access drive and the site compound. The remaining land of the lessor would remain unchanged by the construction and operation of the cell site.

D. NOISE

The equipment to be in operation at the proposed site after construction would emit no noise other than the installed heating, air conditioning and ventilation systems. A generator would be employed during power outages. Some noise is anticipated during facility construction, which is expected to take approximately four to six weeks.

E. POWER DENSITY

The worst-case calculation of power density for operation of T-Mobile's antennas at the facility would be approximately 3.182% of the applicable FCC/ANSI standards.

F. VISIBILITY

The potential visibility of the proposed monopole was assessed within an approximate two-mile radius using a computer-based, predictive viewshed model (attached). As shown, the areas of visibility above the tree canopy are limited to

the site and immediate vicinity. Views of the proposed Facility will occur in less than one half of one percent of the viewshed area.

SCENIC, NATURAL, HISTORIC & RECREATIONAL VALUES

The parcel on which the site is located appears to exhibit no scenic, natural or recreational characteristics that would be affected by the proposed site.

The Connecticut Department of Environmental Protection has reviewed the proposed location. Based on its review of the Natural Diversity Data Base, "there are no known extant populations of Federal or State Endangered, Threatened or Special Concern Species at the site in question."

At SHPO's request, Optasite conducted an archaeological reconnaissance study of the site and the study indicated that no prehistoric or historic archaeological resources were identified within the project area. Upon review of the archaeological reconnaissance study, SHPO has determined that the facility will have no effect upon Connecticut's archaeological heritage. No other resources such as historic structures were identified by SHPO as an area of concern.

Technical Memo

To: Christine Farrell
From: Scott Heffernan - Radio Frequency Engineer
cc: Jason Overbey
Subject: Power Density Report for CT11796G
Date: September 24, 2007

1. Introduction:

This report is the result of an Electromagnetic Field Intensities (EMF - Power Densities) study for the T-Mobile PCS antenna installation on a Monopole at 52 Stadley Rough Road, Danbury, CT. This study incorporates the most conservative consideration for determining the practical combined worst case power density levels that would be theoretically encountered from locations surrounding the transmitting location.

2. Discussion:

The following assumptions were used in the calculations:

- 1) The emissions from T-Mobile transmitters are in the 1935-1945 MHz frequency band.
- 2) The antenna array consists of three sectors, with 3 antennas per sector.
- 3) The model number for each antenna is APXV18-209014-C.
- 4) The antenna center line height is 127 ft.
- 5) The maximum transmit power from any sector is 2123.39 Watts Effective Radiated Power (EIRP) assuming 8 channels per sector.
- 6) All the antennas are simultaneously transmitting and receiving, 24 hours a day.
- 7) Power levels emitting from the antennas are increased by a factor of 2.56 to account for possible in-phase reflections from the surrounding environment. This is rarely the case, and if so, is never continuous.
- 8) The average ground level of the studied area does not change significantly with respect to the transmitting location

Equations given in "FCC OET Bulletin 65, Edition 97-01" were then used with the above information to perform the calculations.

3. Conclusion:

Based on the above worst case assumptions, the power density calculation from the T-Mobile PCS antenna installation on a Monopole at 52 Stadley Rough Road, Danbury, CT, is 0.03182 mW/cm². This value represents 3.182% of the Maximum Permissible Exposure (MPE) standard of 1 milliwatt per square centimeter (mW/cm²) set forth in the FCC/ANSI/IEEE C95.1-1991. Furthermore, the proposed antenna location for T-Mobile will not interfere with existing public safety communications, AM or FM radio broadcasts, TV, Police Communications, HAM Radio communications or any other signals in the area.

#REF!

New England Market



Worst Case Power Density

Site:	CT11796G
Site Address:	52 Stadley Rough Road
Town:	Danbury
Tower Height:	130 ft.
Tower Style:	Monopole
Base Station TX output	25 W
Number of channels	8
Antenna Model	APXV18-209014-C
Cable Size	1 5/8
Cable Length	150 ft.
Antenna Height	127.0 ft.
Ground Reflection	1.6
Frequency	1945.0 MHz
Jumper & Connector loss	4.50 dB
Antenna Gain	16.5 dBi
Cable Loss per foot	0.0116 dB
Total Cable Loss	1.7400 dB
Total Attenuation	6.2400 dB
Total EIRP per Channel (In Watts)	54.24 dBm 265.42 W
Total EIRP per Sector (In Watts)	63.27 dBm 2123.39 W
nsg	10.2600
Power Density (S) =	0.031818 mW/cm ²
T-Mobile Worst Case % MPE =	3.1818%

Equation Used :

$$S = \frac{(1000)(grf)^2 (Power) * 10^{(nsg/10)}}{4 \pi (R)^2}$$

Office of Engineering and Technology (OET) Bulletin 65, Edition 97-01, August 1997



Federal Aviation Administration
Air Traffic Airspace Branch, ASW-520
2601 Meacham Blvd.
Fort Worth, TX 76137-0520

Aeronautical Study No.
2008-ANE-457-OE
Prior Study No.
2005-ANE-1202-OE

Issued Date: 04/24/2008

Christian Carmody
Optasite Towers LLC
One Research Dr. Suite 200 C
Westborough, MA 01581

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Tower Danbury 1
Location:	Danbury, CT
Latitude:	41-25-59.17N NAD 83
Longitude:	73-25-54.90W
Heights:	150 feet above ground level (AGL) 697 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

See attachment for additional condition(s) or information.

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (781) 238-7522. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2008-ANE-457-OE.

Signature Control No: 571128-102026760

(DNE)

Suzanne Dempsey
Technician

Attachment(s)
Additional Information



1 2004 AERIAL PHOTO
 SCALE: 1" = 1000'
 0 500 1000
 SCALE IN FEET




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CHA PROJ. NO. - 15363-1030



Optasite
 OPTASITE TOWERS LLC
 1 RESEARCH DRIVE, SUITE 200C
 WESTBOROUGH, MA 01581

SITE ID:
 CT-999-0041
 SITE NAME:
 DANBURY
 SITE ADDRESS:
 52 STADLEY ROUGH ROAD
 DANBURY, CT 06811
 FAIRFIELD COUNTY

SHEET TITLE:
 AERIAL PHOTO

DATE:
 09/27/07

REVISION:
 0

*Proposed Wireless
Telecommunications Facility*

52 Stadley Rough Road
Danbury, Connecticut

Prepared for **Optasite Towers LLC**
1 Research Drive, Suite 200C
Westborough, MA 01581

Prepared by **VHB/Vanasse Hangen Brustlin, Inc.**
54 Tuttle Place
Middletown, CT 06457

June 2008

Visual Resource Evaluation

Optasite Towers LLC seeks approval from the Connecticut Siting Council for a Certificate of Environmental Compatibility and Public Need to construct a wireless telecommunications facility ("Facility") on property located at 52 Stadley Rough Road ("host property") in the City of Danbury, Connecticut. This "Visual Resource Evaluation" was conducted to approximate the visibility of the proposed Facility within a two-mile radius of the Site ("Study Area").

Project Introduction

The proposed Facility includes the construction of a 140-foot tall, brown monopole designed to support up to four sets of flush-mounted antenna panels with associated ground equipment to be located within a fenced enclosure at the base of the tower. Based on information provided by the project engineer, Clough Harbor Associates, LLP, the proposed project area is located at approximately 545 feet above mean sea level (AMSL). Access to the project area would be provided via a proposed gravel driveway that would extend in a southwesterly direction from an existing bituminous driveway located on the host property.

Site Description and Setting

Identified in the City of Danbury Tax Assessors records as Map K07/Lot 19, the host property consists of approximately 5 acres of land and is currently occupied by Christ The Sheppard Church. The Facility would be situated in a wooded, undeveloped area on the southwest corner of the host property. A photograph of the proposed project area is included in Attachment A. Attachment A also contains a map that depicts the location of the proposed Facility and the limits of the Study Area. Land use within the general vicinity of the host property is mainly comprised of medium-density residential parcels. Segments of Interstate 84 and Route 7 traverse the southern portion of the Study Area. In total, the Study Area contains roughly 127 linear miles of roadways.

The topography in the Study Area is generally characterized by rolling hills with select topographic peaks, particularly along the west shore of Lake Candlewood, that range in ground elevation from approximately 270 feet AMSL to roughly 875 feet AMSL. The tree cover within the Study Area consists mainly of mixed deciduous hardwood species. The tree canopy occupies approximately 3,674 acres of the 8,042-acre study area (46%). During the in-field activities associated with this analysis, an infrared laser range finder was used to accurately determine the average tree canopy height throughout the Study Area. Numerous trees were selected for measurement and the average tree canopy established, in this case 65 feet. In addition, the Study Area features a total of approximately 733 acres of surface water; attributed mainly to portions of Lake Candlewood.

METHODOLOGY

To estimate the visibility associated with the proposed Facility, VHB incorporates a two-fold approach utilizing both a predictive computer model and in-field analysis. The predictive model is employed to assess potential visibility throughout the entire Study Area, including private property and/or otherwise inaccessible areas for field verification. A balloon float and Study Area drive-through reconnaissance are also conducted to obtain locational and height representations, back-check the initial computer model results and provide photographic documentation from publicly accessible areas. Results of both activities are analyzed and incorporated into the final viewshed map. A description of the methodologies used in the analysis is provided below.

Visibility Analysis

Using ESRI's ArcView® Spatial Analyst, a computer modeling tool, the areas from where the proposed Facility is expected to be visible are calculated. This is based on information entered into the computer model, including Facility height, its ground elevation, the surrounding topography, existing vegetation and any significant structures/objects that may act to obstruct potential views. Data incorporated in the model includes 7.5 minute digital elevation models (DEMs) and a digital forest layer for the Study Area. The DEMs were produced by the United States Geological Survey (USGS) in 1982 at a 30 meter resolution. The forest layer was derived through on-screen digitizing in ArcView® GIS from 2006 orthophotos with a 1-foot pixel resolution.

Once the data are entered, a series of constraints are applied to the computer model to achieve an estimate of where the Facility will be visible. Initially, only topography was used as a visual constraint; the tree canopy is omitted to evaluate all areas of potential visibility without any vegetative screening. Although this is an overly conservative prediction, the initial omission of these layers provides a reference for comparison once the tree canopy is established and also assists in the evaluation of potential seasonal visibility of the proposed Facility. A conservative tree canopy height of 50 feet is then used to prepare a preliminary viewshed map for use during the Study Area reconnaissance. The average height of the tree canopy is determined in the field using a hand-held infra-red laser range finder. The average tree canopy height is incorporated into the final viewshed map; in this case, 65 feet was identified as the average tree canopy height. The forested areas within the Study Area were then overlaid on the DEM with the measured tree height of 65 feet added and the visibility calculated for the final viewshed map. The forested areas are then extracted from the areas of visibility, with the assumption that a person standing among the trees will not be able to view the Facility beyond a distance of approximately 500 feet. Depending on the density of the vegetation in these areas, it is assumed that some locations within this range will provide visibility of at least portions of the Facility based on where one is standing.

Also included on the map is a data layer, obtained from the Connecticut State Department of Environmental Protection (CTDEP), which depicts various land and water resources such as parks and forests, recreational areas, dedicated open space as well as other categories. This layer is useful in identifying potential visual impacts to any sensitive receptors that may be located within the Study Area. Lastly, based on a review of available data published by the Connecticut Department of Transportation and discussions with officials in Danbury, it was determined that there are no state or locally designated scenic roadways contained within the Study Area.

A preliminary viewshed map is generated for use during the in-field activity in order to confirm that no significant land use changes have occurred since the aerial photographs used in this analysis were produced and to verify the results of the model in comparison to the balloon float. Information obtained during the reconnaissance is then incorporated into the final visibility map.

Balloon Float and Study Area Reconnaissance

On May 28, 2008 Vanasse Hangen Brustlin Inc., (VHB) conducted a "balloon float" at the Facility site to further evaluate the potential viewshed within the Study Area. The balloon float consisted of raising and maintaining an approximate four-foot diameter, helium-filled weather balloon at the proposed site location to a height of 140 feet. Once the balloon was secured, VHB staff conducted a drive-by reconnaissance along the roads located within the Study Area with an emphasis on nearby residential areas and other potential sensitive receptors in order to evaluate the results of the preliminary viewshed map and to verify where the balloon was, and was not, visible above and/or through the tree canopy. During the balloon float, the temperature was approximately 75 degrees Fahrenheit with calm wind conditions and sunny skies.

Photographic Documentation

During the balloon float, VHB personnel drove the public road system in the Study Area to inventory those areas where the balloon was visible. The balloon was photographed from a number of different vantage points to document the actual view towards the proposed Facility. Several photographs from locations where the balloon was not visible are also included. The locations of the photos are described below:

1. View from Stadley Rough Road at host property.
2. View from Stadely Rough Road at house #71.
3. View from Stadely Rough Road at host property.
4. View from Great Plain Road at house #122.
5. View from Great Plain Road at Hawley Road.
6. View from Indian Spring Lane.
7. View from Corntassle Road.
8. View from Silcam Road.
9. View from Monarch Road.

Photographs of the balloon from the view points listed above were taken with a Nikon D-80 digital camera body and Nikon 18 to 135 mm zoom lens. For the purposes of this report, the lens was set to 50mm. "The lens that most closely approximates the view of the unaided human eye is known as the normal focal-length lens. For the 35 mm camera format, which gives a 24x36 mm image, the normal focal length is about 50 mm."¹

The locations of the photographic points are recorded in the field using a hand held GPS receiver and are subsequently plotted on the maps contained in the attachments to this document.

Photographic Simulation

Photographic Simulations were generated for views one through five. The Photographic Simulations represent a scaled depiction of the proposed flush-mounted monopole from these locations. The height of the Facility is determined based on the location of the balloon in the photographs and a proportional monopole image is simulated into the photographs. The simulations are contained in Attachment A.



CONCLUSIONS

Based on this analysis, areas from where the proposed 140-foot tall monopole would be visible above the tree canopy comprise approximately 25 acres, or less than one half of one percent of the 8,042 acre Study Area. A significant portion of the anticipated year-round visibility depicted on the viewshed map (contained in Attachment B) occurs on the host property and immediate vicinity thereof (Views 1 - 3). The map also depicts several areas of intermittent, or passing, visibility along select portions of Great Plain Road located roughly 0.50 mile to the southwest of the project area (Views 4 and 5). Distant views may also be achieved from portions of the Danbury Federal Prison which is located nearly two miles to the west/northwest of the proposed Facility. VHB estimates that approximately 14 residences within the Study Area will have at least partial year-round views of the proposed monopole from select portions of their respective properties. These properties are primarily located along Stadley Rough Road within the immediate vicinity of the host property and Great Plain Road to the southwest. Overall, potential year round visibility is limited by the topography and existing vegetation contained within the Study Area.

The viewshed map also depicts several additional areas where seasonal (i.e. during "leaf off" conditions) views through the trees are anticipated. These areas comprise approximately 19 additional acres and are generally located within a 0.20-mile radius surrounding the proposed Facility. In total, VHB anticipates that approximately 10 additional residences

¹ Warren, Bruce. *Photography*, West Publishing Company, Eagan, MN, c. 1993, (page 70).

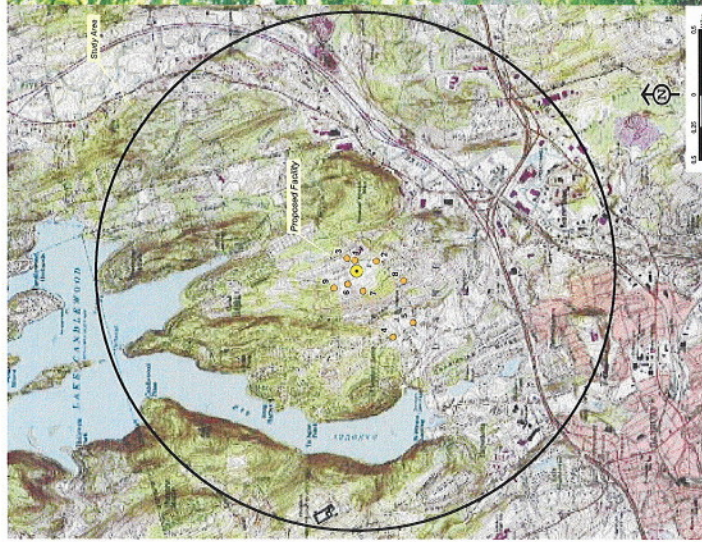
would achieve seasonal views of the proposed Facility from select portions of their respective properties. These residences are located along portions of Stadley Rough Road and Indian Spring Lane. More distant seasonal views (approximately 0.50-mile from the proposed Facility) may be achieved from discrete areas of Great Plain Road to the southwest.

Attachment A

Site Area Photograph, Photolog Documentation Map, Balloon Float Photographs, and Photographic Simulations

Photographic Documentation

Town of
Danbury
Connecticut



Danbury
52 Stadley Rough Road
Danbury, CT

4 Carrier Flush-Mounted
Monopole



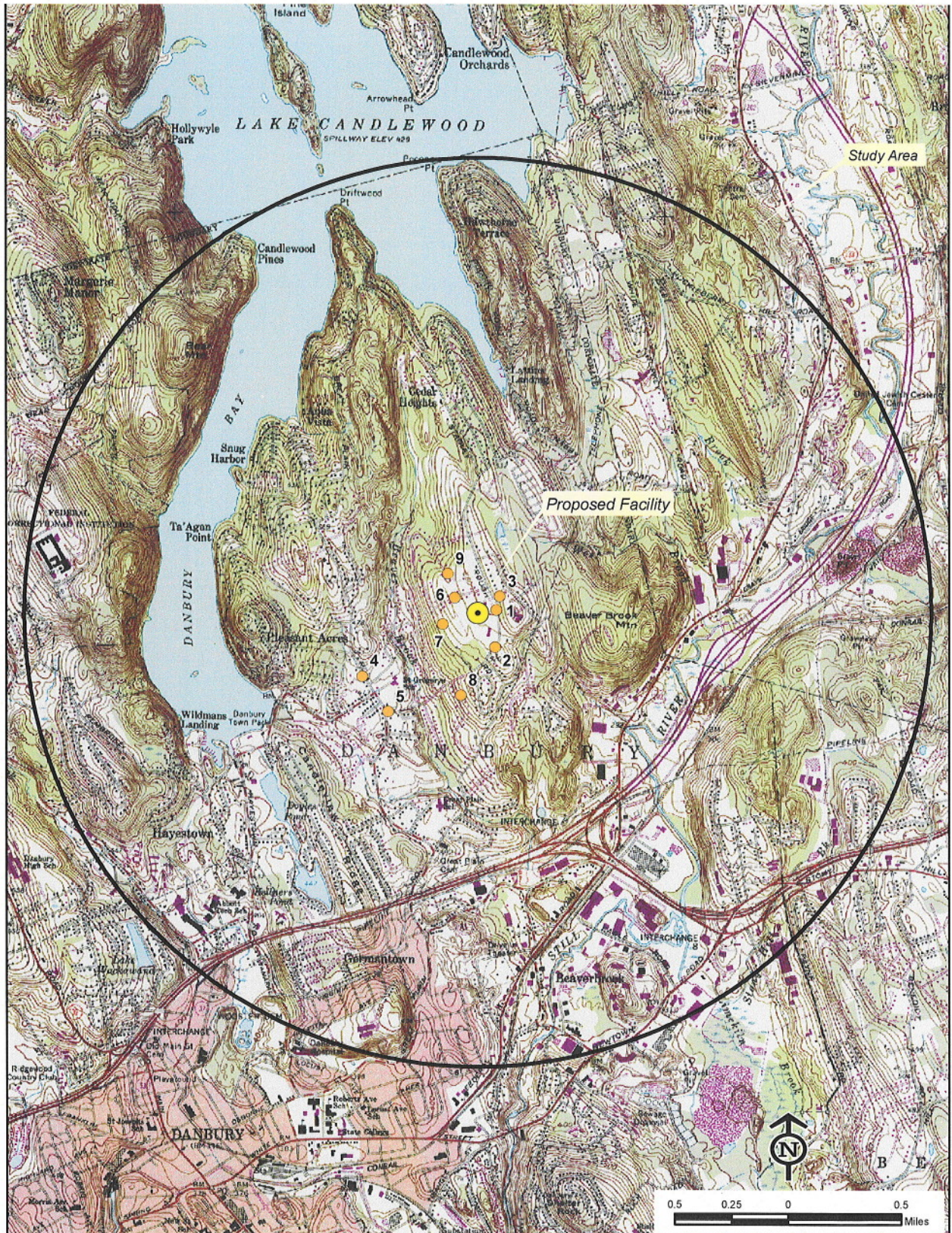
PROPOSED PROJECT AREA



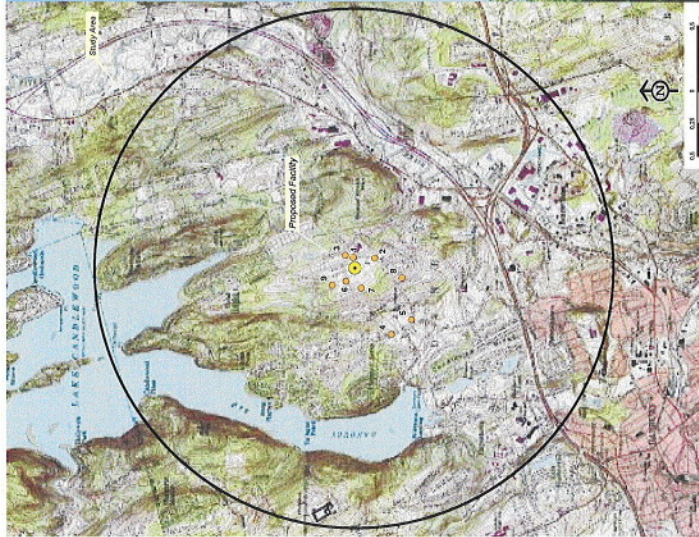
YHB Yamasse Hangen Brustlin, Inc.

Photolog Documentation

Town of
Danbury
Connecticut



ctm00dat\40999\03\graphics\FIGURES\40999_03_Photosim



Danbury
52 Stadley Rough Road
Danbury, CT

4 Carrier Flush-Mounted
Monopole



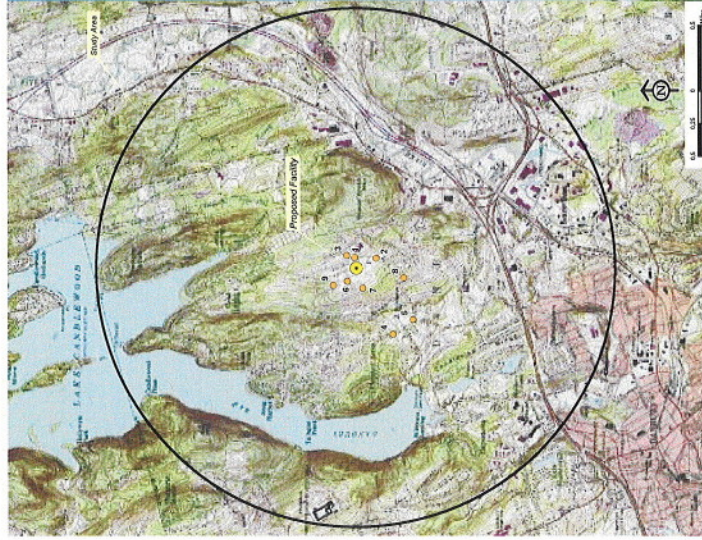
Balloon Float Photo

PHOTO TAKEN FROM STADLEY ROUGH ROAD AT HOST PROPERTY, LOOKING WEST
DISTANCE FROM THE PHOTOGRAPH LOCATION TO SITE IS 0.10 MILE +/-

Photographic Documentation and Simulation

View 2

Town of
Danbury
Connecticut



Danbury
52 Stadley Rough Road
Danbury, CT

4 Carrier Flush-Mounted
Monopole

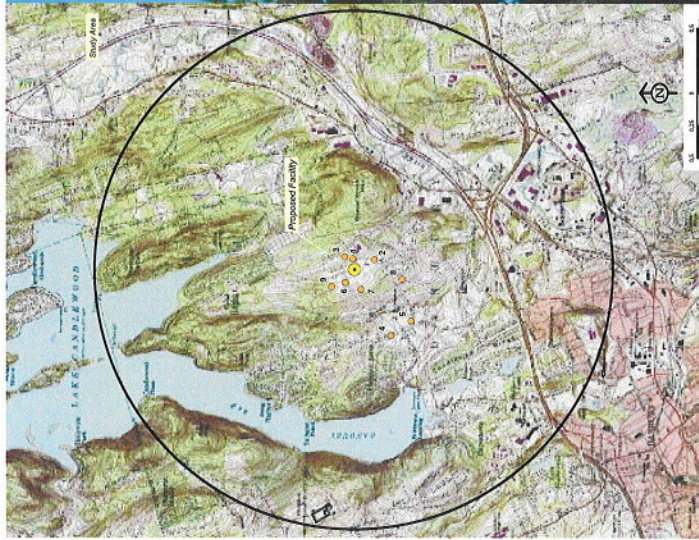
PHOTO TAKEN FROM STADLEY ROUGH ROAD AT HOUSE #71, LOOKING NORTHWEST
DISTANCE FROM THE PHOTOGRAPH LOCATION TO SITE IS 0.17 MILE +/-



Photographic Documentation and Simulation

View 3

Town of
Danbury
Connecticut



Danbury
52 Stadley Rough Road
Danbury, CT

4 Carrier Flush-Mounted
Monopole

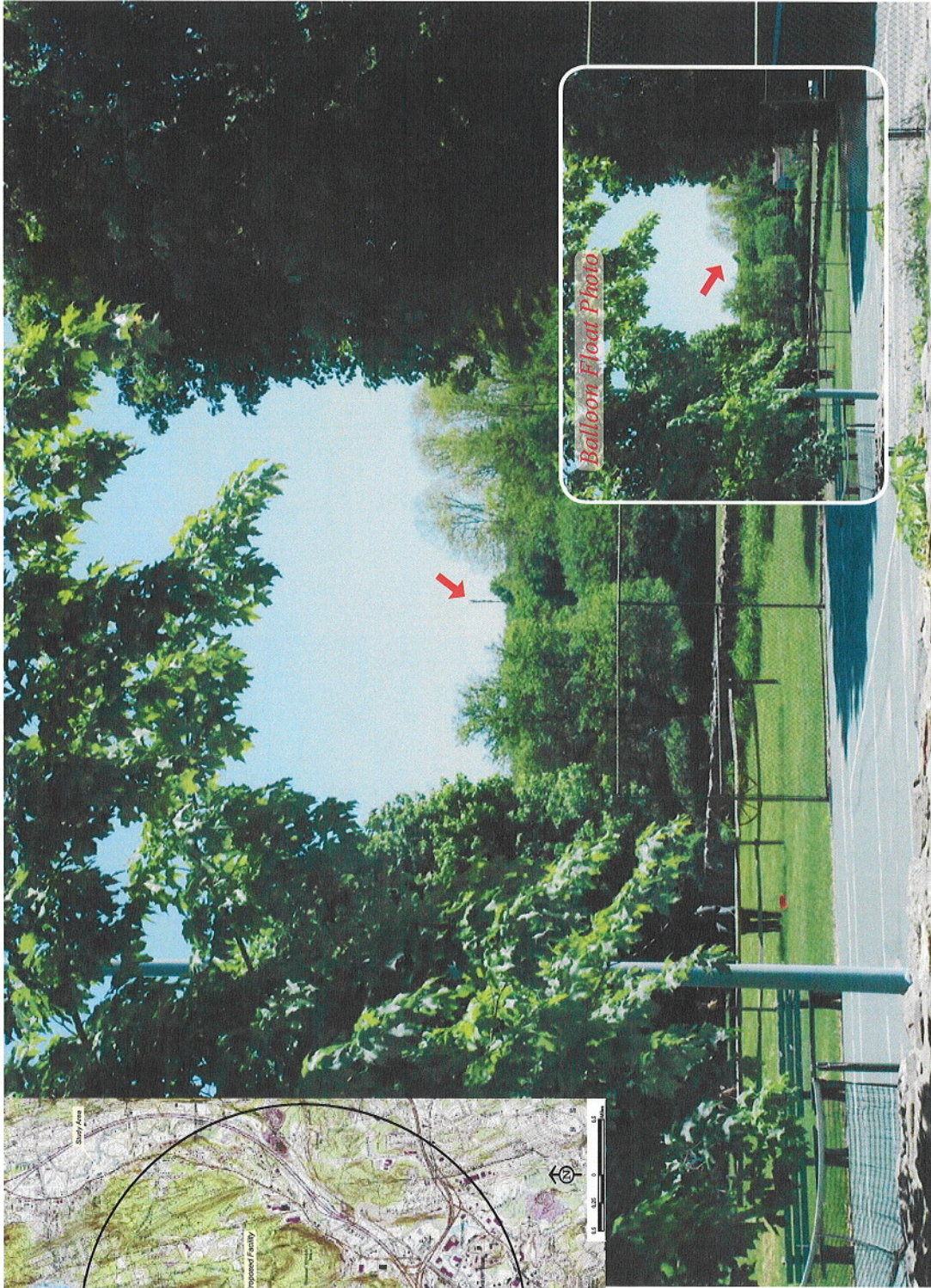
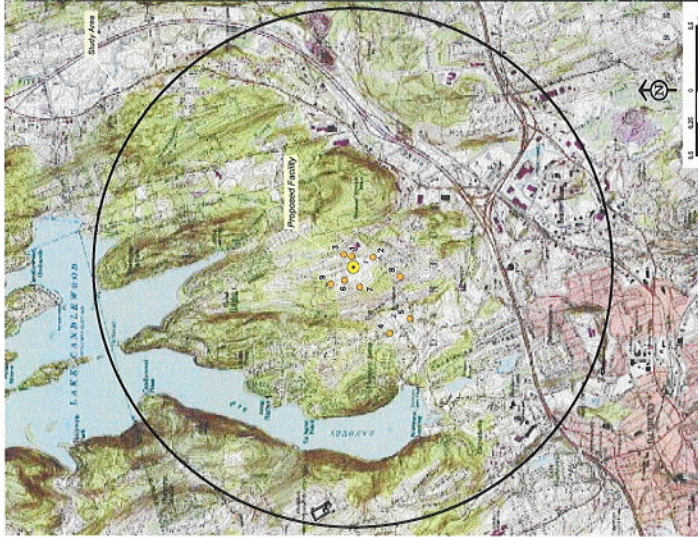


PHOTO TAKEN FROM STADLEY ROUGH ROAD AT HOST PROPERTY, LOOKING SOUTHWEST
DISTANCE FROM THE PHOTOGRAPH LOCATION TO SITE IS 0.14 MILE +/-

Photographic Documentation and Simulation

View 4

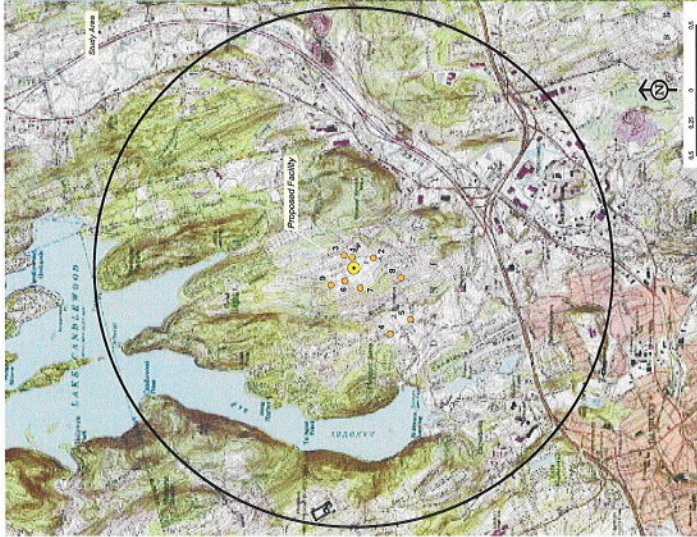
Town of
Danbury
Connecticut



Danbury
52 Stadley Rough Road
Danbury, CT
4 Carrier Flush-Mounted
Monopole

PHOTO TAKEN FROM GREAT PLAIN ROAD AT HOUSE #122, LOOKING NORTHEAST
DISTANCE FROM THE PHOTOGRAPH LOCATION TO SITE IS 0.57 MILE +/-





Danbury
52 Stadley Rough Road
Danbury, CT
4 Carrier Flush-Mounted
Monopole

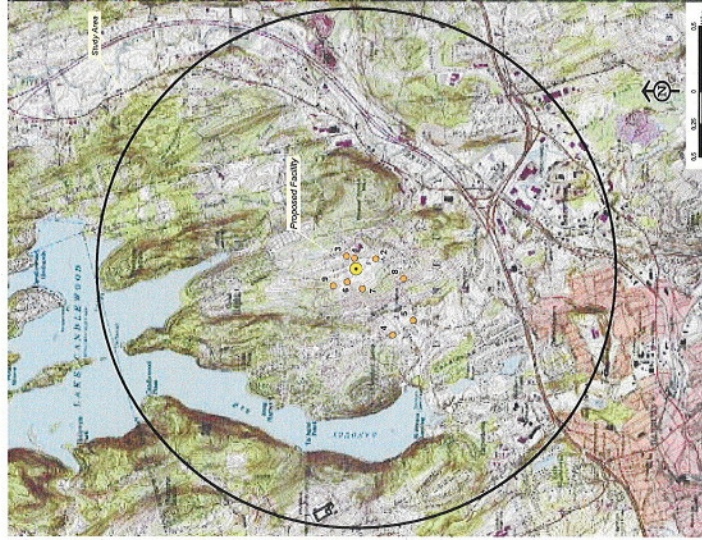
PHOTO TAKEN FROM GREAT PLAIN ROAD AT HAWLEY ROAD, LOOKING NORTHEAST,
DISTANCE FROM THE PHOTOGRAPH LOCATION TO SITE IS 0.58 MILE +/-



Photographic Documentation

View 6

Town of
Danbury
Connecticut



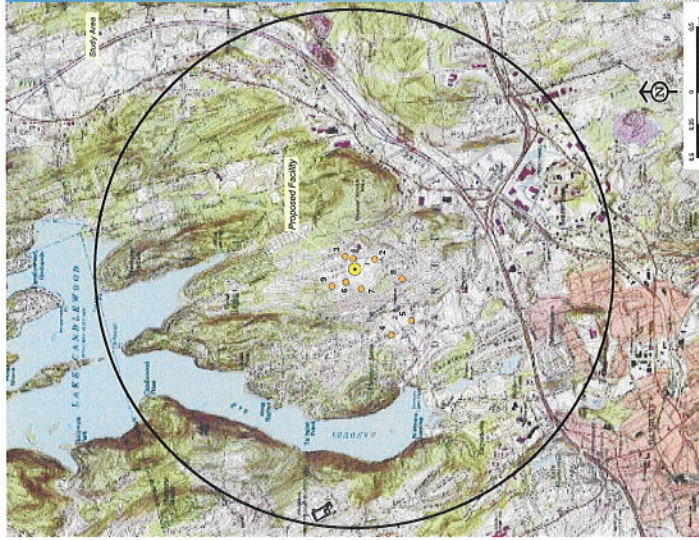
Danbury
52 Stadley Rough Road
Danbury, CT

4 Carrier Flush-Mounted
Monopole



PHOTO TAKEN FROM INDIAN SPRING LANE, LOOKING SOUTHEAST - BALLOON IS NOT VISIBLE
DISTANCE FROM THE PHOTOGRAPH LOCATION TO SITE IS 0.13 MILE +/-

Photographic Documentation



Danbury
52 Stadley Rough Road
Danbury, CT

4 Carrier Flush-Mounted
Monopole

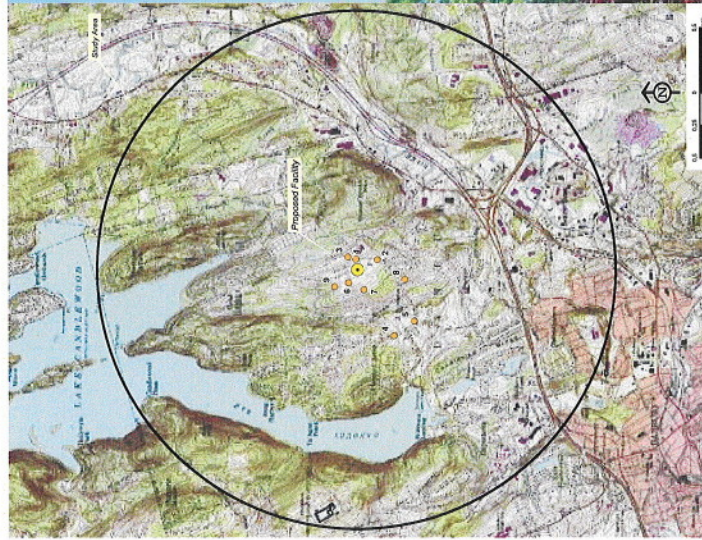


PHOTO TAKEN FROM CORNTASSLE ROAD, LOOKING NORTHEAST - BALLOON IS NOT VISIBLE
DISTANCE FROM THE PHOTOGRAPH LOCATION TO SITE IS 0.15 MILE +/-

Photographic Documentation

View 8

Town of
Danbury
Connecticut



Danbury
52 Stadley Rough Road
Danbury, CT
4 Carrier Flush-Mounted
Monopole

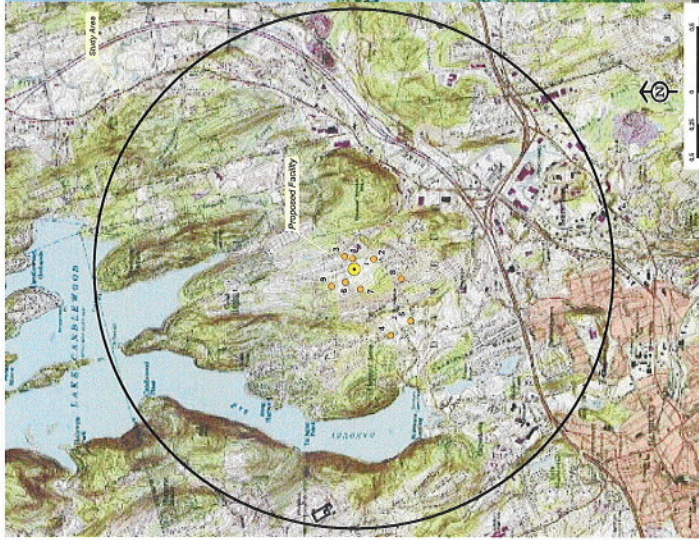


PHOTO TAKEN FROM SILCAM ROAD, LOOKING NORTH - BALLOON IS NOT VISIBLE
DISTANCE FROM THE PHOTOGRAPH LOCATION TO SITE IS 0.38 MILE +/-

Photographic Documentation

View 9

Town of
Danbury
Connecticut



Danbury
52 Stadley Rough Road
Danbury, CT
4 Carrier Flush-Mounted
Monopole

PHOTO TAKEN FROM MONARCH ROAD, LOOKING SOUTHEAST - BALLOON IS NOT VISIBLE
DISTANCE FROM THE PHOTOGRAPH LOCATION TO SITE IS 0.25 MILE +/-



Attachment B

Viewshed Map

**Proposed Optasite Facility
52 Stadley Rough Road
Danbury, Connecticut**

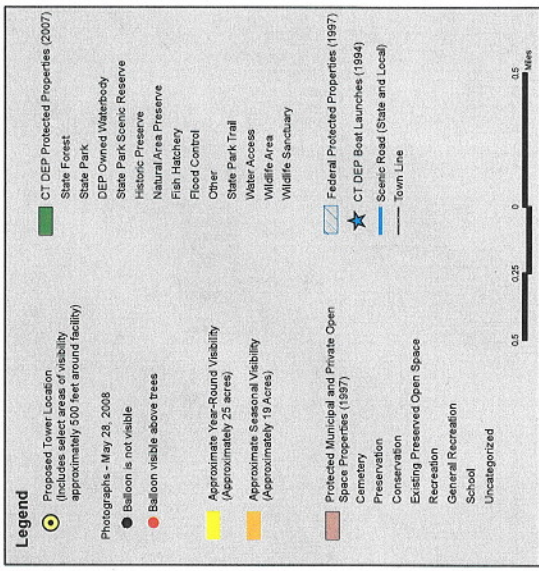
NOTE:

- Viewshed analysis conducted using ESRI's Spatial Analyst
- Proposed Facility height is 140 feet.
- Existing tree canopy height estimated at 65 feet.

DATA SOURCES:

- 7.5 minute digital elevation model (DEM) with 30 meter resolution produced by the USGS, 1982
- Forest areas derived from 2006 digital orthophotos with 1-foot pixel resolution, digitized by VHB, 2008
- Base map comprised of Danbury USGS Quadrangle Map (1984)
- Protected municipal and private open space properties and federal protected properties and data layers provided by CT DEP, 1997
- Protected CT DEP properties data layer provided by CT DEP, May 2007
- CT DEP boat launches data layer provided by CT DEP, 1994
- Scenic Roads layer derived from available State and Local listings.

Map Compiled June, 2008



Network Department



Verizon Wireless
Network Department
99 East River Drive 9th Fl.
East Hartford, CT 06108

May 8, 2008

Mr. Kevin Gallagher
Optasite Towers LLC
One Research Drive, Suite 200C
Westborough, MA 01581

Re: Danbury Proposed tower, 52 Stadley Rough Rd., Danbury, CT.

Dear Mr. Gallagher:

Please be advised that Verizon Wireless has a need for a facility at this location in the future and this letter should serve as our intent to collocate at a future time when this project is included in our budget.

Please contact me if you have any questions.

Very truly yours,

Sandy Carter

Sandy Carter
Regulatory Manager
Verizon Wireless

SITE LEASE

This Site Lease is made this 21st day of December, 2005 pursuant to and in accordance with the Master Site Agreement (referred to herein as "MSA" or "Agreement") dated as of September, 2005, between **OptaSite, Inc.**, a Delaware corporation ("OptaSite"), as Lessor, and **Nextel Communications of the Mid-Atlantic, Inc.**, a Delaware corporation ("Nextel"), as Lessee. The parties here to this Site Lease agree that all of the terms and conditions of the MSA are incorporated herein by this reference.

1. (a) OptaSite Site No./Name: 999-0041/Danbury, CT
(b) Nextel Site No./Name: CT-2926/Danbury Federal Road
2. Site Address (street address and legal description - attached if necessary): 52 Stadley Rough Road
3. Site Latitude and Longitude: N41-25-58/ W73-25-55
4. Commencement Date (see paragraph 5 of the MSA): the 1st day of the month following the start of construction of the Nextel Facilities or six (6) months following the date of full execution, whichever first occurs.
- 5.
6. Rent Escalation (see paragraph 6 of the MSA): The Rent of each individual Site Lease shall be increased on the anniversary of its Commencement Date by an _____ of the previous year's Rent.
7. Term (see paragraph 5 of the MSA): Five (5) year initial term, with five (5) additional automatic five (5) year renewal terms.
8. Site OptaSite (owned): or OptaSite (leased):
If leased, Term of Underlying Lease: Tower owned by Optasite – Land Lease in place for a total term of 30 years (a copy of the Prime Lease is attached hereto and incorporated herein by reference).
9. Special Access Requirements: N/A
- 10.
11. Nextel's Emergency Contact (name and number): Property Manager/(914) 448-4470
12. Optasite's Emergency Contact (name and number): Operations Manager/508-799-2460 Ext. 312
13. Optasite's Remittance Address: Optasite, Inc., PO Box 673322, Detroit, MI 48267-3322
14. Nextel's Billing Address: One North Broadway, 11th Fl, White Plains, NY 10601
15. Nextel's A/P Contact (name and number): Property Manager/(914) 448-4470
16. Electricity for operation of the Nextel Facilities to be (check one):
 Separately metered; or Submetered
17. Exhibits attached hereto and incorporated herein by reference:
Exhibit 1 (Description of Land);
Exhibit 2 (Description of Premises);

Exhibit 3 (Form of Memorandum of Agreement);
Exhibit 4 (Prime Lease);
Exhibit 5 (Description of Nextel's Facilities and Specifications);
Exhibit 6 (As-Built Drawings);
Exhibit 7 (Owner's Consent);
Exhibit 8 (Form of Commencement Notice);
Exhibit 9 (Installation Procedures).

18. Additional provisions (if any): Not Applicable

[SIGNATURES APPEAR ON NEXT PAGE]

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date of the last signature below.

OptaSite:

Optasite Inc.,
a Delaware corporation

By:  _____

Name: **James H. Ross III** _____

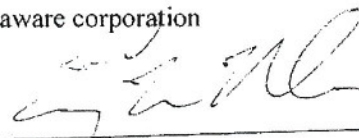
Title: **President and Chief Operating Officer** _____

Date: **12.21.05** _____

Tax I.D.: **06-1449090** _____

Nextel:

Nextel Communications of the Mid-Atlantic, Inc.,
a Delaware corporation

By:  _____

Name: **Eugene M. Noel, III** _____

Title: **Director of Site Development,
Northeast Region** _____

Date: **12/21/05** _____

CONNECTICUT FORM OF NOTARY ACKNOWLEDGMENT

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF WORCESTER

On 12-21-05, before me, Christine A. Scardon Notary Public, personally appeared **James H. Ross III**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS:

Kathleen R. Pedersen
KATHLEEN R. PEDERSEN

WITNESS:

Christian Carmody
CHRISTIAN CARMODY

WITNESS my hand and official seal.

Christine A. Scardon
Notary Public

(SEAL)

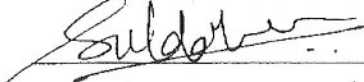
My commission expires: July 10, 2009

COMMONWEALTH OF MASSACHUSETTS


COUNTY OF MIDDLESEX

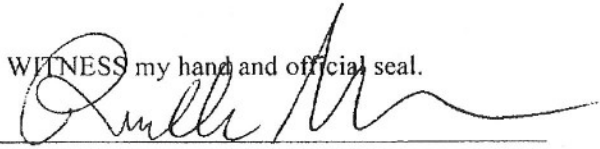
On 12/20/05, before me, Rossella Mercuri, Notary Public, personally appeared **Eugene M. Noel III**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS:


Subabha Nadkarni

WITNESS:


EDWARD ONESSIMO

WITNESS my hand and official seal.

Notary Public

(SEAL)

My commission expires: _____



ROSSELLA S. MERCURI
Notary Public
Commonwealth of Massachusetts
My Commission Expires
July 30, 2010



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Bureau of Natural Resources
Division of Wildlife
79 Elm Street, 6th Floor
Hartford, CT 06106
Natural Diversity Data Base

January 26, 2006

Ms. Nicole Piretti
EBI Consulting
Four A Street
Burlington MA 01803

re: Wireless Telecommunication Facility
Proposed at 52 Stadley Rough Road in
Danbury, Connecticut

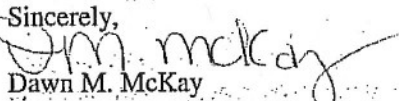
Dear Ms. Piretti:

I have reviewed Natural Diversity Data Base maps and files regarding the area delineated on the map you provided for the proposed wireless telecommunication facility at 52 Stadley Rough Road in Danbury, Connecticut. According to our information, there are no known extant populations of Federal or State Endangered, Threatened Special Concern Species at the site in question.

Natural Diversity Data Base information includes all information regarding critical biological resources available to us at the time of the request. This information is a compilation of data collected over the years by the Natural Resources Center's Geological and Natural History Survey and cooperating units of DEP, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the Data Base should not be substitutes for on-site surveys required for environmental assessments. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated into the Data Base as it becomes available.

Please contact me if you have further questions at 424-3592. Thank you for consulting the Natural Diversity Data Base. Also be advised that this is a preliminary review and not a final determination. A more detailed review may be conducted as part of any subsequent environmental permit applications submitted to DEP for the proposed site.

Sincerely,


Dawn M. McKay
Biologist/Environmental Analyst



Connecticut Commission on Culture & Tourism

April 11, 2006

Mr. David R. George
Heritage Consultants LLC
877 Main Street
Newington, CT 06111

Subject: Telecommunications Facilities
52 Stadley Rough Road
Danbury, CT
OPT006, EBI #6105-3482

Historic Preservation
& Museum Division

59 South Prospect Street
Hartford, Connecticut
06106

(v) 860.566.3005
(f) 860.566.5078

Dear Mr. George:

The State Historic Preservation Office has reviewed the reconnaissance survey prepared by Heritage Consultants LLC concerning the above-named project. In the opinion of the State Historic Preservation Office, the archival and archaeological methodologies employed by Heritage Consultants LLC are consistent with our *Environmental Review Primer for Connecticut's Archaeological Resources*.

The State Historic Preservation Office concurs with Heritage Consultants LLC that no further archaeological investigations appear warranted with respect to the proposed undertaking. This office believes that the proposed undertaking will have no effect upon Connecticut's archaeological heritage.

This office recommends that Heritage Consultants LLC consult with the Office of State Archaeology at the University of Connecticut (Storrs) concerning the professional transferal of all field notes, photographs, and artifactual materials generated by the archaeological investigations.

This comment updates and supersedes all previous correspondence regarding the proposed project. For further information please contact Dr. David A. Poirier, Staff Archaeologist.

Sincerely,

J. Paul Loether
Division Director and Deputy
State Historic Preservation Officer

cc: Dr. Nicholas Bellantoni/OSA
Ms. Nicole Piretti/EBI

CUDDY & FEDER LLP
90 MAPLE AVENUE
WHITE PLAINS, NEW YORK 10601-5196

WILLIAM V. CUDDY
1971-2000

NEIL J. ALEXANDER (also CT)
THOMAS R. BEIRNE (also DC)
STEPHANIE BORTNYK (also NJ)
JOSEPH P. CARLUCCI
LUCIA CHIOCCCHIO (also CT)
KENNETH J. DUBROFF
ROBERT FEDER
CHRISTOPHER B. FISHER (also CT)
CINDY M. FOX (also NJ & DC)
ANTHONY B. GIOFFRE III (also CT)
JOSHUA J. GRAUER
KENNETH F. JURIST
MICHAEL L. KATZ (also NJ)
JOSHUA E. KIMERLING (also CT)
DANIEL F. LEARY (also CT)
BARRY E. LONG

(914) 761-1300
FACSIMILE (914) 761-5372/6405
www.cuddyfeder.com

500 FIFTH AVENUE
NEW YORK, NEW YORK 10110
(212) 944-2841
FACSIMILE (212) 944-2843

WESTAGE BUSINESS CENTER
300 WESTAGE BUSINESS CENTER, SUITE 380
FISHKILL, NEW YORK 12524
(845) 896-2229
FACSIMILE (845) 896-3672

NORWALK, CONNECTICUT

EON S. NICHOLS (also CT)
WILLIAM S. NULL
ELISABETH N. RADOW
PAMELA B. RICHARDSON (also NJ)
NEIL T. RIMSKY
RUTH E. ROTH
ANDREW P. SCHRIEVER (also MA)
JENNIFER L. VAN TUYL
CHAUNCEY L. WALKER (also CA)

Of Counsel
ANDREW A. GLICKSON (also CT)
KAREN G. GRANIK
ROBERT L. OSAR (also TX)
MARYANN M. PALERMO
ROBERT C. SCHNEIDER

January 31, 2006

VIA OVERNIGHT MAIL

Mayor Mark D. Boughton
City of Danbury
City Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: Proposed Wireless Telecommunications Tower Facility
52 Stadley Rough Road
Danbury, Connecticut

Dear Mayor Boughton:

We are writing to you on behalf of our client, Optasite, Inc. ("Optasite"), with respect to the above referenced matter which involves a proposed wireless telecommunications tower facility to be located at 52 Stadley Rough Road, site of the Candlewood Baptist Church, in the City of Danbury. As you may know, jurisdiction over such facilities rests exclusively with the State of Connecticut Siting Council pursuant to Section 16-50i and x of the Connecticut General Statutes.

Section 16-50l(e) of the Connecticut General Statutes does nevertheless require that Optasite consult with a municipality prior to such an application being filed with the Siting Council. The purpose of such local consultation is to give the municipality in which a facility has been proposed an opportunity to provide the applicant with any recommendations it may have prior to the applicant's filing of an application. As set forth in the statute, any such recommendations must be issued by the municipality within sixty days of its receipt of technical information concerning the proposed facility from the applicant.

CUDDY & FEDER LLP

January 31, 2006

Page 2

The purpose of this letter is to formally notify you of the proposed Facility in the City of Danbury and commence the sixty day consultation period that is required prior to Optasite's filing of any application with the Siting Council. Enclosed is a "Technical Report" for your review and consideration which includes information about the need for the proposed tower facility, a summary of the site selection process and the environmental effects of a tower that has been proposed in the City. We trust that this information will prove helpful to you and others in the City in formulating any recommendations Danbury may have about the proposal.

We would appreciate the opportunity to meet with you to review the Technical Report and will follow this letter with a call to schedule such a meeting to discuss the proposed facility at your convenience. Additionally, should the City elect to conduct a public meeting or hearing about the proposal during the consultation period, we would ask that you let us know at your earliest convenience so that we may have representatives available to discuss the project. Thank you for your consideration of this letter and its enclosures. We look forward to meeting with you.

Very truly yours,



Lucia Chiocchio

Enclosure

cc: Jennifer Gaudet, Optasite
Keith Coppins, Optasite
Chuck Regulbuto, Optasite
Tom Flynn, Nextel



CITY OF DANBURY
OFFICE OF THE CORPORATION COUNSEL
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

(203) 797-4518
(203) 796-8043 FAX

PLEASE REPLY TO:

May 23, 2006

Attorney Lucia Chiocchio
Cuddy & Feder LLP
90 Maple Avenue
White Plains, NY 10601-5196

Re: Optasite, Inc.
Proposed Wireless Telecommunications Tower Facility
52 Stadley Rough Road/Candlewood Baptist Church
Danbury, Connecticut

Dear Attorney Chiocchio:

Pursuant to Section 16-50l (e) of the Connecticut General Statutes, I herewith enclose a copy of the report from Jennifer L. Emminger, Associate Planner, containing the pre-application recommendations accepted by the City of Danbury Planning Commission ("the Commission") on May 17, 2006 regarding the above-mentioned proposed wireless telecommunications facility ("the Facility"). Ms. Emminger advises me that the Commission voted to send a negative recommendation to the Siting Council based on her report, particularly emphasizing sections I and II. As you know, the Commission held a public hearing on May 3, 2006, regarding the Facility to enable the Commission and members of the public to ask questions of your client, Optasite, Inc. ("Optasite"), and to express their concerns regarding the proposed Facility. I also enclose a copy of the minutes from the May 3, 2006, meeting.

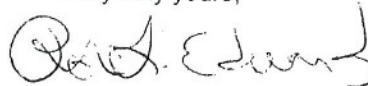
The enclosed report is broken down into two main sections entitled "Concerns" and "Recommendations to Applicant". The Commission's concerns and recommendations may be summarized as follows:

- I. Concerns -The Commission and members of the public have expressed concerns regarding the lack of demonstrated public need for the Facility, the suitability of the proposed location and the potential resulting diminution in value of the nearby residences, the proposed height of the Facility, the proposed design of the Facility, the safety of the Facility, the impact on the environment and the impact on natural resources.
- II. Recommendations -The Commission recommends that: (1.) Optasite explore alternate sites prior to filing an application with the Siting Council, (2.) Optasite further justify the need for service at the proposed location, (3.) Optasite redesign the proposed Facility to contain a stealth design such as a church steeple or a silo, the height of the Facility and the amount of antennae slots be reduced, (4.) the Facility be surrounded by trees and a fence, and (5.) the equipment shelters be sufficiently insulated. Also, the Commission requests a noise decibel study be conducted and that any future balloon floatings be conducted with a red balloon so that it is visible.

As I mentioned in our telephone conversation the other day, a potential alternate site for the Facility is available. I have been advised that Sprint has entered into a lease agreement with the owners of a ten-acre vacant parcel of land with an address of East Pembroke Road (Assessor Lot No. H06001) for the location of a 140-foot wireless telecommunications facility and that the filing of an application with the Siting Council is imminent. I am advised that the negotiations which have taken place over the past few years regarding the granting of an easement through the Federal Correctional Institute to the ten-acre parcel are almost concluded. You indicated that you will ask your client to explore the possibility of locating on this site.

Thank you for your consideration of these comments. Please call me if you need any additional information on the alternate proposed site.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robin L. Edwards". The signature is written in a cursive style with a large initial "R" and "E".

Robin L. Edwards
Assistant Corporation Counsel

Enclosure

cc: Honorable Mark D. Boughton, Mayor
Michael McLachlan, Administrative Assistant to Mayor
Dennis I. Elpern, Planning Director
Robert J. Yamin, Corporation Counsel
Jennifer L. Emminger, Associate Planner



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING & ZONING DEPARTMENT

(203) 797-4525
(203) 797-4586 (FAX)

May 17, 2006

To: Planning Commission

From: Jennifer L. Emminger
Associate Planner

Re: **Proposed Wireless Telecommunications Tower Facility
Final Recommendations
52 Stadley Rough Road
Candlewood Baptist Church
Assessor's Lot # K07019**

At a public hearing held on May 3, 2006, testimony from an Optasite representative, Jennifer Gaudet, was presented to the City of Danbury Planning Commission during the pre-application period pursuant to Section 16-50 I (e) of the Connecticut General Statutes. The application has been reviewed by the City of Danbury Planning and Zoning Department, the Danbury Airport Administrator and the Health Department whose comments and recommendations have been taken into consideration. Copies of the various comments and letters to the Editor in opposition to the tower published in The News Times, and documents submitted at the public hearing on May 3, 2006, are attached hereto as Exhibits. In addition, comments and recommendations received during the public hearing from concerned residents have also been considered.

The following is a summary of the concerns and outstanding questions raised during the May 3, 2006 public hearing:

I. Summary of Concerns:

A. **Tower Location:**

1. Pursuant to the City of Danbury Zoning Regulations, Section 3.E.6.c., Location Preference Guidelines, the proposed wireless facility, which is located in a residential district, is the 6th least preferred location for a wireless facility.
2. The applicant has not adequately demonstrated the public need for a 130 ft. high tower. The coverage maps for both Nextel and T-Mobile submitted in the technical report appear to indicate overlapping site coverage. Also, the technical report did not illustrate additional towers/antennas from other carriers located in the area.

3. The applicant has failed to identify additional possible sites that may provide the coverage sought by Optasite. In addition, the representative from Optasite stated on the record that she was not familiar with the locations of other carriers' antennas/towers located in the area.

B. Height:

1. Why are so many slots on the tower needed when other carriers appear to be available and provide adequate coverage in the vicinity?

2. Does the applicant need to construct such a tall tower at the expense of the neighborhood when technology may change and such a tall tower might not be necessary in the future?

C. Design:

1. The illustrations presented by Optasite's representative showing the different types of tower designs were not acceptable to the residents or the Planning Commission as they were too visible and obtrusive and adversely impacted the scenic resources of the area.

2. During the public hearing, Optasite presented an alternate tower location approximately 10 ft. away from the church. Given the close proximity of the alternate tower location to the church, how will the construction of the tower impact the church foundation? In addition, how will the church be protected from potential falling debris? Although the tower would be farther from the residential property, the equipment is still extremely close to a residential building and as such would have a great visual impact. Additionally, City staff was not given adequate time to review the alternate location.

D. Safety:

1. Although Optasite discussed issues raised concerning the 130 ft. fall zone, the concern for falling debris was not discussed. Given the proximity of residential structures and schools, what safety measures has the applicant considered for falling debris?

2. The City of Danbury Airport Administrator discussed his concern about the safety of helicopters flying in the vicinity of a 130 ft. tower and recommended that a red aeronautical light be placed on top of the tower.

3. The proposed tower will be adjacent to Stadley Rough Elementary School, a school located within Colonial Hills Baptist Church, and will abut single family residences along the northerly and westerly property lines.

4. The proposed tower would appear to pose an attractive nuisance for neighborhood children and for children attending the two local schools and children in the neighborhood.

E. Environment:

1. The applicant did not address the foundation depth that would be required to support the tower. Given that this area is served by private wells, will any drilling and/or blasting required for the foundation disrupt the integrity of the wells in the area? The presence of the tower could have an adverse impact on the wells in the area.
2. The proposed site is wooded towards the rear and contains two wetlands areas immediately adjacent to the compound area. The Health Department submitted a staff report discussing their concerns about construction within the wetland areas. The presence of the tower could have an adverse impact on the natural resources, vegetative composition and wetlands.
3. Several residents voiced their concern that the wildlife habitat would be displaced as a result of the tower and equipment compound. The presence of the tower could have an adverse impact on the scenic resources.

F. Aesthetics:

1. Many residents expressed concern that locating the tower within their residential neighborhood would substantially depreciate the value of their homes.
2. The neighbors along Indian Spring Road and adjacent neighbors stated during the hearing that they would be directly impacted visually and in many other ways because of the close proximity of the proposed tower to their properties. Residents will look out their windows directly at the very tall tower and their scenic resources will be destroyed.
3. The Technical Report has been referred to the Candlewood Lake Authority for review and recommendation pertaining to the potential impact to Lake Candlewood's scenic resources. The Candlewood Lake Authority is currently reviewing the proposal and has requested that their report be forwarded to the Siting Council by this office.
4. The tower will be located within the viewshed of six historic properties that would qualify for the National Register of Historic Places and will have an adverse impact on historical sites.
5. The Planning Commission recognizes the safety need for a beacon light on top of the tower; however, many residents are concerned that the red beacon light would disrupt the tranquil quality existing in the rural neighborhood.
6. The technical report did not clearly illustrate the amount of wooded area located along the rear of the property. Many residents are concerned that the destruction of the wooded area would destroy the screening of the existing natural buffer and their view of the wildlife.

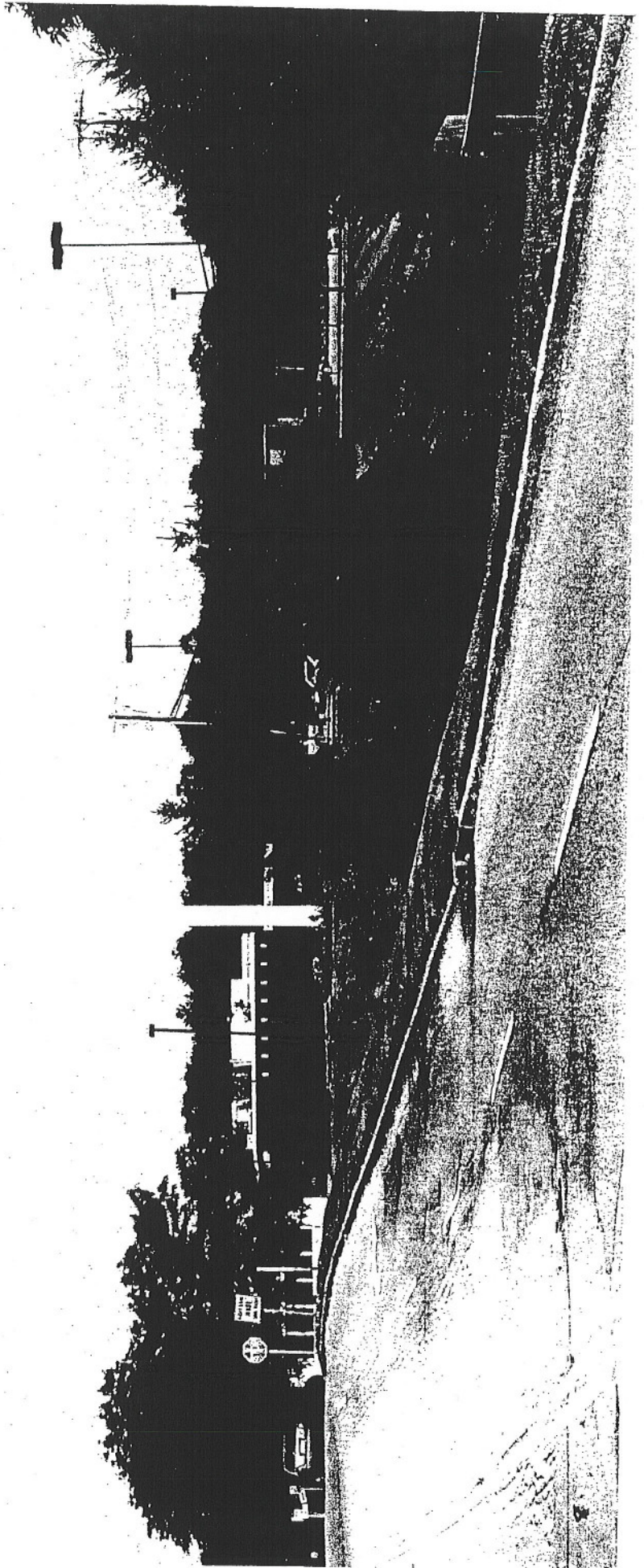
II. Recommendations to Applicant:

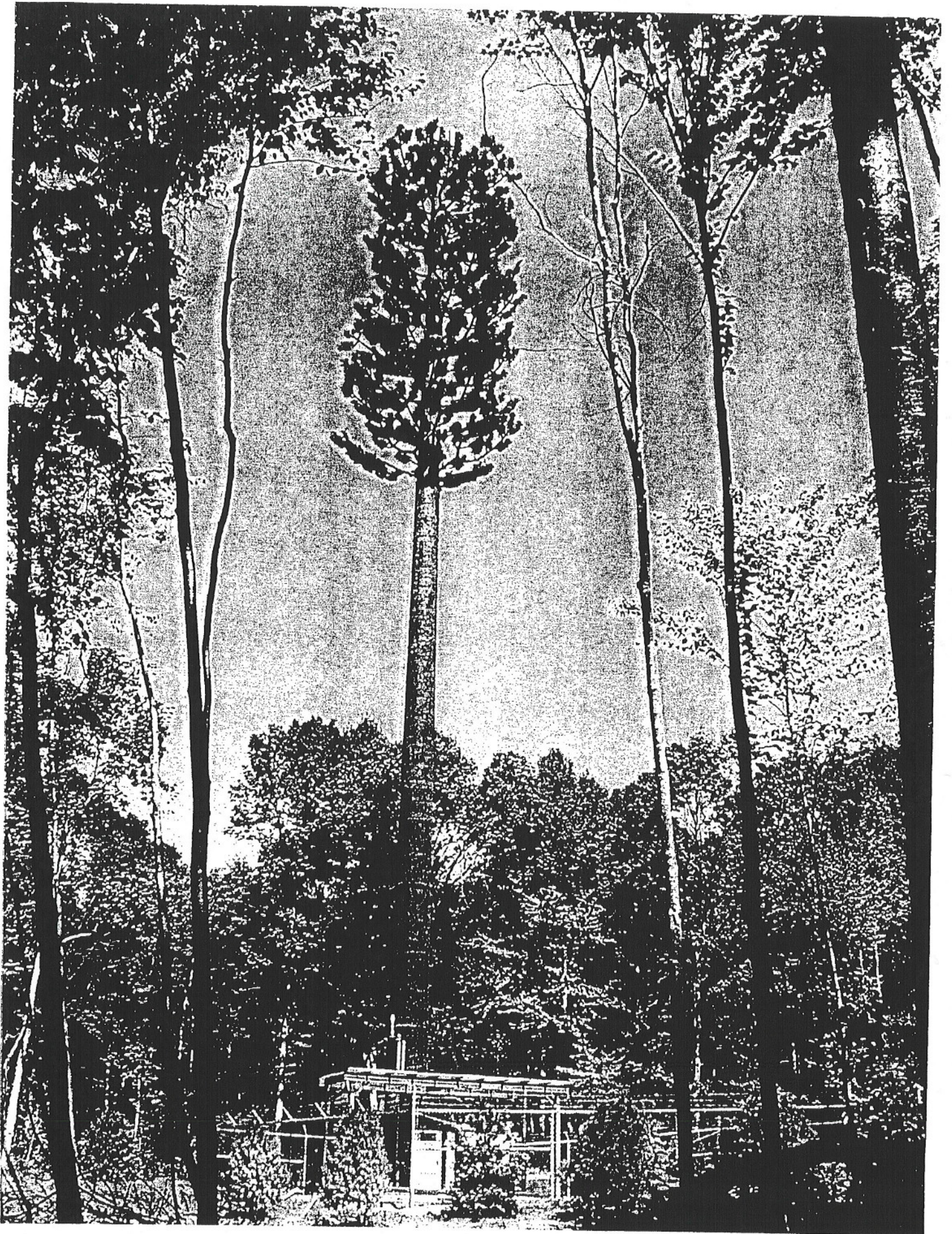
Given that the proposed tower is located in a dense residential neighborhood, the Planning and Zoning Department requests that the following recommendations be considered by the applicant and/or Siting Council:

1. Alternative sites must be explored. Additional search rings should be researched for other possible tower locations. Alternate sites, such as the City of Danbury Water Tower located at Nabby Road, the CT DOT Garage located on Rockwell Road, and a 10 acre vacant parcel located on East Pembroke Road, adjacent to the Federal Correction Institute, have been suggested by the public and Planning Commission. It is our understanding, through information provided by the owners of the East Pembroke Road parcel, that they have negotiated a lease for a tower with Sprint and that the submission of an application for placement of a 140 foot tower to the Siting Council is imminent. The applicant is requested to explore the possibility of co-locating on this newly proposed tower.
2. Further documentation and justification relating to the need for new service and the claims of significant gaps in coverage must be investigated and substantiated.
3. A complete stealth pole, such as a church steeple, or silo is highly recommended. The monopole, flagpole and stick design are not preferred.
4. To reduce the visual impact of the proposed tower on the neighborhood, the height of the tower and the amount of antenna slots should be reduced.
5. Three rows of staggered 10 ft. high evergreens must be planted as a buffer and a stockade fence constructed to buffer the equipment compound. All landscaping must be properly maintained for a minimum of three (3) years and any plant die-off that occurs must be replaced.
6. A decibel study incorporating all expected equipment should be conducted.
7. The noise and vibration emitted from the equipment shelters must be sufficiently insulated to eliminate any adverse effects on the adjacent residential properties.
8. The black and white balloons which were flown prior to the public hearing, were difficult to view. Therefore, we recommend that Optasite launch a red balloon on the date of the Siting Council hearing, and before such hearing if possible so that a clear visual picture of the actual height of the proposed tower will be available for the citizens to view.

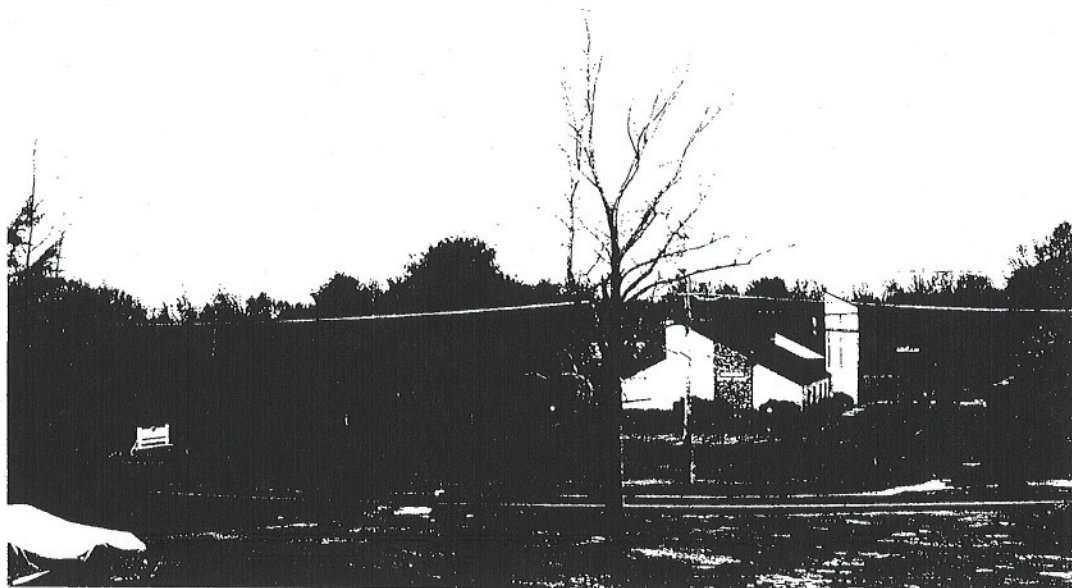
cc: Hon. Mayor Mark D. Boughton
Michael McLachlan, Administrative Aide to the Mayor
Attorney Robin L. Edwards
Scott LeRoy, Director Health Department
Paul D. Estefan, Airport Administrator
Candlewood Lake Authority
Attorney Lucia Chiochio, Cuddy & Feder

STATION









September 2



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING & ZONING DEPARTMENT
(203) 797-4525
(203) 797-4586 (FAX)

May 3, 2006

To: Planning Commission

From: Jennifer L. Emminger
Associate Planner

Re: **Proposed Wireless Telecommunications Tower Facility**
52 Stadley Rough Road
Candlewood Baptist Church
Assessor's Lot # K07019

Pursuant to Section 16-501(e) of the Connecticut General Statutes, Optasite has submitted an application for a proposed Wireless Telecommunications Tower Facility located at 52 Stadley Rough Road. Jurisdiction over these types of facilities rests exclusively with the State of Connecticut Siting Council. The purpose of this review by the Planning Commission is to allow for public comment and staff reports from the Planning and Zoning Department, Health Department and the Airport Authority during the pre-application period. Prior to Optasite submitting the application to the Siting Council, the Planning Commission, on behalf of the City of Danbury, shall issue any recommendations it may have concerning the proposed facility.

Application:

Optasite is proposing to install a wireless telecommunications facility on an approximately five acre parcel of land owned by the Candlewood Baptist Church. The facility will consist of a 130-foot self-supporting monopole tower and a 50 ft. by 90 ft. compound designed to accommodate related equipment either in single-story equipment buildings or on concrete pads. The proposed tower would accommodate five sets of antennas. Initially, antennas and associated equipment for Nextel Communications and Omnipoint Communications are proposed. The tower and equipment buildings would be enclosed by an 8-foot high security fence and gate, with additional screening to supplement existing vegetation. Vehicular access to the site would extend from Stadley Rough Road along an existing paved driveway, to the rear of the property and then along a new gravel driveway of approximately 88 feet. Underground utility connections would extend along the access drive from Stadley Rough Road.

Review:

The site is located within an RA-40 Zone. The area generally consists of dense single-family homes and several churches and schools. The proposed tower will be adjacent to two schools; Stadley Rough School and a school located within Colonial Hills Baptist Church, and will also abut single family residences along the northerly and westerly property lines.

The property is partially wooded towards the rear of the property and contains two wetlands areas immediately adjacent to the compound area. The Technical Report prepared by Optasite has been referred to the Health Department for their review and recommendation.

The proposed facility is located within approximately six miles of the Danbury Municipal Airport. The Technical Report has been referred to the Airport Authority for their review and recommendation.

Comments:

1. Pursuant to the City of Danbury Zoning Regulations, Section 3.E.6.c., Location Preference Guidelines, the proposed wireless facility, which is located in a residential district, is the 6th least preferred location for a wireless facility.
2. Has the applicant thoroughly explored all potential sites, including those which would result in minimal impact to residential areas? Has the applicant explored possible co-locations on existing towers? Have tall structures located in surrounding towns, i.e. Brookfield, been considered?
3. Is there adequate space separation/diversity between the proposed antennas? Has the applicant considered a 20 ft. separation?
4. Has the applicant established a safe zone? Given the proximity of residential structures, what measures has the applicant considered for falling debris or tower collapse?
5. The facility description states that 'initially, antennas and related equipment for Nextel's and T-Mobile's use would be installed'. Is there adequate room in the compound area for the equipment shelters required for the additional three carriers?
6. Given the foundation depth that would be required to support this structure, has the applicant considered the potential impact to the wells in the immediate area? Will blasting be required for the pole foundation?
7. Have the setback requirements as set forth in the City of Danbury Zoning Regulations been considered?
8. Has the applicant verified if there are any easements on site or utilities on site that may be impacted?
9. The technical report indicates there will be minimal clearing and grading required for the development. How much of the wooded area will be removed? Given the close proximity to residential properties, additional screening should be provided along the rear and side property lines, such as two rows of staggered evergreen-type trees. A stockade fence is recommended around the compound area.
10. How much noise and light is expected from the facility compound? The noise and vibration emitted from the equipment shelters must be sufficiently insulated to eliminate any adverse effects on the adjacent residential properties.
11. What type of maintenance is expected? How often will vehicles be entering the site for maintenance? What type of parking will be needed?
12. As indicated in the chart for Surrounding Sites for T-Mobile, the following information should be included for the Nextel chart: facility type, tower owner and height.
13. What provisions will the applicant make for site restoration and facility removal in the event the tower is no longer utilized?
14. In picking the proposed site, is the applicant aware that the tower will be located within the viewshed of six historic properties that would qualify for the National Register of Historic Places?
15. Does the applicant have a radius map showing all tall structures within ½ mile of the proposed site?
16. Given that the proposed tower is located in a dense residential neighborhood, the Planning and Zoning Department requests that the following recommendations be considered by the applicant:
 - A. A complete stealth pole, such as a monopine (pine tree pole with bark), flag pole, church steeple or silo;
 - B. To reduce the visual impact of the proposed tower, the height of the tower and the amount of antenna slots should be reduced and
 - C. Additional search rings should be researched for other possible tower locations.

Review By Staff:

Health Department – Comments received on May 2, 2006

Airport Authority – Comments received on May 2, 2006

cc: Mayor Mark Boughton
Michael McLachlan
Robin Edwards
Lucia Chiochio, Cuddy & Feder

RECEIVED

MAY - 2 2006

PLANNING & ZONING
CITY OF DANBURY



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DEPARTMENT OF HEALTH
(203) 797-4625
(203) 797-4586 (FAX)

MEMO

TO: Jennifer L. Emminger, Associate Planner

FROM: Daniel Baroody, RS, MPH, Senior Environmental Inspector

DATE: May 2, 2006

RE: Optasite, Inc., Proposed Cell Tower Facility,
52 Stadley Rough Road, Danbury, CT

After review of the information in the Technical Report prepared by Optasite, Inc, the Health Department has the following concerns:

1. The applicant must submit an Application for Regulated Activity to the Environmental Impact Commission (EIC) due to the proximity to inland wetlands.
2. The applicant must determine the size and location of the existing septic system serving the subject property.
3. The applicant must locate the existing water supply well on the subject property and adjacent properties.



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DANBURY MUNICIPAL AIRPORT
P.O. BOX 2299
DANBURY, CT. 06813-2299

AIRPORT ADMINISTRATOR
PAUL D. ESTEFAN
(203) 797-4624

May 2, 2006

Dennis Elpern
Planning Director
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut

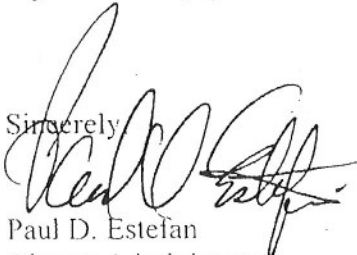
RECEIVED
MAY - 3 2006
PLANNING & ZONING
CITY OF DANBURY

Dear Dennis:

I have reviewed the proposed Optasite Facility to be located at 52 Stadley Rough Road Danbury, Connecticut and offer the following opinion. The proposed site is located approximately one mile from the south shore of Lattins Landing and approximately one-mile east Danbury Town Park. As I have previously stated Lake Candlewood is a recreational lake and as such we have amphibious aircraft and helicopters utilizing it for landings and takeoffs. In my opinion due to the height of the Cell Tower in relationship to Lake Candlewood I am requesting that an aeronautical Light be installed at the top of the tower for the safety of the flying public.

If you have any questions concerning this matter please feel free to contact me.

Sincerely,


Paul D. Estefan
Airport Administrator

Cc: File Optasite



June 10, 2008

VIA OVERNIGHT MAIL

Mayor Mark D. Boughton
City of Danbury
City Hall
155 Deer Hill Avenue
Danbury, Connecticut 06810

Re: Proposed Wireless Telecommunications Tower Facility
52 Stadley Rough Road
Danbury, Connecticut
Optasite Towers LLC

Dear Mayor Boughton:

This letter is respectfully submitted on behalf of our client, Optasite Towers LLC ("Optasite"), to update you on the status of the above referenced matter which involves a proposed wireless telecommunications tower facility to be located at 52 Stadley Rough Road, site of the Christ the Sheppard Church, in the City of Danbury. Optasite is preparing to submit its Application for a Certificate of Environmental Compatibility and Public Need ("Certificate Application") to the Connecticut Siting Council, which has exclusive jurisdiction over the proposed wireless facility. We are writing to you to provide an overview of Optasite's activities and analyses since it first proposed a wireless facility on the church property and to summarize the revisions to the proposed Facility that resulted from its efforts. Details of the proposed Facility will be included in the Certificate Application, several copies of which will be sent to the City.¹

As you may recall, Optasite began its consultation with the City of Danbury regarding its proposed Facility at the beginning of 2006 with the submission of a Technical Report detailing its proposal. Optasite's proposed Facility was discussed at a meeting with your office and Corporation Counsel in March of 2006 and was the subject of a public information session before the Planning and Zoning Commission on May 3, 2006. The City provided comments on Optasite's proposal that were discussed at the public information session on May 23, 2006. Another meeting was held to discuss Optasite's revisions to its proposal with your office and representatives of Optasite in September of 2007.

¹ Optasite's Certificate Application will be sent to the City of Danbury in accordance with the filing requirements of Connecticut General Statutes Section 16-50(b).

Over the past two years, Optasite has been working with wireless carriers who expressed a need for service in this area of the City, the property owner, and its technical team to address the comments from the City and the need for wireless service in this area. For your information, we have included a summary of the results of Optasite's efforts herein and details of Optasite's proposed Facility will be provided in its Certificate Application.

Public Need for the Proposed Facility

Through its on-going consultation with wireless carriers that provide wireless service in Fairfield County and the State of Connecticut, Optasite learned that wireless carriers need a facility in this area of Danbury to provide wireless communication service. Optasite's Certificate Application will include evidence of T-Mobile's need for the proposed Facility in the form of propagation plots. Moreover, both Sprint-Nextel and Verizon Wireless have committed to shared use of the proposed Facility as both wireless carriers need the proposed Facility to fill gaps in their respective networks. Accordingly, the proposed Facility will allow several wireless carriers to provide needed service in this area of the City.

Investigation of Alternative Sites

In conjunction with T-Mobile and other wireless carriers, Optasite has investigated several alternative properties for the siting of its proposed Facility, including sites suggested by the City as a result of the municipal consultation. Optasite's analysis did not result in any feasible alternative location. The Certificate Application will include details of Optasite's investigation and analysis of alternative sites, including the reasons why the alternative location was not selected.

For your information, one of the sites suggested by the City, the East Pembroke Road location (adjacent to the Federal Correction Institute), is the subject of a pending proceeding before the Connecticut Siting Council (Docket No. 357). A facility at that site, investigated by Optasite in conjunction with T-Mobile, would not provide service to the area targeted for service by the proposed Facility at Stadley Rough Road. Indeed, T-Mobile and Sprint-Nextel will share use of that proposed site at East Pembroke Road to provide service to a different area of the City.

Facility Design Revisions

In addition to investigations of alternative sites, Optasite worked with the church to analyze the feasibility of alternative designs of the proposed Facility. The tower's appearance was redesigned to include flush mounted antennas. A bell tower type facility was reviewed and analyzed by the church and ultimately rejected by the Church as too visually obtrusive.

Optasite shifted the location of the tower approximately 100 feet towards the south-west corner of the church property, further from the property to the west. The Facility will be enclosed by a secure fence with screening in the form of landscaping.

Extensive environmental review of the redesigned Facility was conducted by Optasite, including a National Environmental Policy Act (NEPA) analysis and review by various State Agencies. The results of this comprehensive environmental review will be detailed in Optasite's Certificate Application.

Conclusion

As summarized herein, Optasite has been working in conjunction with its wireless carrier partners and design team to address the comments from the City to design a Facility needed to provide wireless service within the City. It should also be noted that in past two years, the church has changed ownership. As such, Optasite has also been working closely with the new owners in designing its proposed Facility.

Thank you for your consideration in this matter. Should you or any City Staff have questions regarding this update, please do not hesitate to contact us.

Very truly yours,



Lucia Chiochio

cc: Robin L. Edwards, Esq., Assistant Corporation Counsel
Dennis I. Elpern, Planning Director
Jennifer L. Emminger, Associate Planner
Charles Regulbuto, Optasite Towers LLC
Hans Fiedler, T-Mobile
Christopher B. Fisher, Esq.

CERTIFICATION OF SERVICE

I hereby certify that on this _____th day of _____, 2008, copies of Optasite's and T-Mobile's Application and Attachments for a Certificate of Environmental Compatibility and Public Need for the Construction, Maintenance and Operation of a Wireless Telecommunications Facility were sent by certified mail, return receipt requested, to the following:

The Honorable Richard Blumenthal
Attorney General
Office of the Attorney General
55 Elm Street
Hartford, CT 06106
(860) 808-5318

Department of Environmental Protection
Gina McCarthy, Commissioner
79 Elm Street
Third Floor
Hartford, CT 06106-5127
(860) 424-3001

Connecticut Commission on Culture & Tourism
Historic Preservation and Museum Division
Karen Senich
Executive Director and State Historic Preservation Officer
One Constitution Plaza, 2nd Floor
Hartford, Connecticut 06103

Department of Public Health
Dr. J. Robert Galvin, M.D., Commissioner
410 Capitol Avenue
Hartford, CT 06106
(860) 509-7101

Council On Environmental Quality
Karl J. Wagener, Executive Director
79 Elm Street
Hartford, CT 06106
(860) 424-4000

Department of Public Utility Control
Donald W. Downes, Chairman
10 Franklin Square
New Britain, CT 06051
(860) 827-1553

Office of Policy and Management
Robert L. Genuario, Secretary
450 Capitol Avenue
Hartford, CT 06106-1308
(860) 418-6200

Department of Economic and Community Development
Joan McDonald, Commissioner
505 Hudson Street
Hartford, CT 06106-7106
(860) 270-8000

Department of Transportation
Joseph F. Marie, Commissioner
2800 Berlin Turnpike
Newington, CT 06131-7546
(860) 594-3000

Housatonic Valley Council of Elected Officials
Old Town Hall
162 Whisconier Rd
Brookfield 06804-3443
(203) 775-6256
Chair Andrea B. O'Connor

Department of Agriculture
Commissioner F. Philip Prelli
165 Capitol Avenue
Hartford, CT 06106

State Senate
Senator J. David Cappiello
P. O. Box 2544
Danbury 06813-2544

House of Representatives
State Representative Joseph Taborsak
109th Assembly District
Legislative Office Building
Room 5006
Hartford, CT 06106-1591

Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

DANBURY

City of Danbury
Mark D. Boughton, Mayor
City Hall
155 Deer Hill Avenue
Danbury, CT 06810

City of Danbury
Zoning Board of Appeals
Richard S. Jowdy, Chairman
City Hall
155 Deer Hill Avenue
Danbury, CT 06810

City of Danbury
Dennis I. Elpern, Director
Planning & Zoning Department
155 Deer Hill Avenue
Danbury, CT 06810

City of Danbury
Environmental Impact Commission
Bernard Gallo, Chairman
City Hall
155 Deer Hill Avenue
Danbury, CT 06810

City of Danbury
Planning Commission
Arnold Finaldi, Chairman
City Hall
155 Deer Hill Avenue
Danbury, CT 06810

City of Danbury
Conservation Commission
William Montgomery, Chairman
City Hall
155 Deer Hill Avenue
Danbury, CT 06810

City of Danbury
Zoning Commission
Ted Farah, Chairman
City Hall
155 Deer Hill Avenue
Danbury, CT 06810

City of Danbury
Jean Natale, City Clerk
City Hall
155 Deer Hill Avenue
Danbury, CT 06810

City of Danbury
Lori A. Kaback, Town Clerk
City Hall
155 Deer Hill Avenue
Danbury, CT 06810

Dated _____

Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
Attorneys for:
The Applicants

NOTICE

Notice is hereby given, pursuant to Section 16-50/(b) of the Connecticut General Statutes and Section 16-50/-1(e) of the Regulations of Connecticut State Agencies of an Application to be filed with the Connecticut Siting Council ("Siting Council") on or after June 30, 2008 by Optasite Towers LLC and Omnipoint Communications, Inc. (T-Mobile) (the "Applicants") for a certificate of environmental compatibility and public need for the construction, operation and maintenance of a telecommunications facility in Danbury, Connecticut. The property being considered for the proposed telecommunications facility (the "Facility") is located at 52 Stadley Rough Road owned by Christ the Shepherd Church. The proposed Facility will be located in the south-western corner of the parcel and will consist of a 140-foot self-supporting monopole tower with flush-mounted panel antennas and a 55'x 90' fenced and screened equipment compound designed to accommodate unmanned equipment either in single-story equipment buildings or on concrete pads.

The location, height and other features of the proposed Facility are subject to review and potential change under provisions of the Connecticut General Statutes Sections 16-50g et. seq.

The Facility is being proposed to allow T-Mobile and other federally licensed wireless carriers to provide service in this area of the City. The Application explains the need, purpose and benefits of the Facility and also describes the environmental impacts of the proposed Facility.

A balloon, representative of the proposed height of the monopole, will be flown at the proposed site on the first day of the Siting Council public hearing on the Application, which will take place in the City, or such other date specified by the Siting Council and a time to be determined by the Siting Council, but anticipated to be between the hours of 1pm and 7pm.

Interested parties and residents of the City of Danbury, Connecticut are invited to review the Application during normal business hours after June 30, 2008 at any of the following offices:

Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

City of Danbury
Jean Natale, City Clerk
155 Deer Hill Avenue
Danbury, CT 06810

or the offices of the undersigned. All inquiries should be addressed to the Connecticut Siting Council or to the undersigned.

Christopher B. Fisher, Esq.
Lucia Chiocchio, Esq.
Cuddy & Feder LLP
445 Hamilton Ave, 14th Floor
White Plains, NY 10601
(914) 761-1300
Attorneys for the Applicant

June ____, 2008

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Name
Address

Re: Proposed Wireless Communications Facility
Application for Approval by the Connecticut Siting Council
Danbury, Connecticut
Optasite Towers LLC and Omnipoint Communications, Inc.

Dear _____:

We are writing to you on behalf of our clients, Optasite Towers LLC ("Optasite") and Omnipoint Communications, Inc. ("T-Mobile") with respect to the above referenced matter and our clients' intent to file an application with the Connecticut Siting Council for approval of a proposed wireless communications tower facility (the "Facility") within the City of Danbury. State law requires that owners of record of property that abuts a parcel on which the proposed facility may be located must be sent notice of the intent to file the application.

The site being considered for the proposed telecommunications Facility is located at 52 Stadley Rough Road, the site of Christ the Shepherd Church. The proposed Facility will be located in the south-west corner of the parcel and will consist of a 140-foot self-supporting monopole tower with flush-mounted antennas and a 55'x 90' fenced and screened equipment compound designed to accommodate unmanned equipment either in single-story equipment buildings or on concrete pads.

Vehicular access to the site will extend from Stadley Rough Road, along an existing paved drive to the rear of the Facility, then along a new gravel access drive to the proposed Facility. Underground utility connections would extend along the access drive from Stadley Rough Road.

The location, height and other features of the proposed Facility are subject to review and potential change by the Connecticut Siting Council under the provisions of Connecticut General Statutes §16-50g et seq.

If you have any questions concerning this application, please do not hesitate to contact the Connecticut Siting Council or the undersigned on or after June 30th, the date on which the application is expected to be on file.

Very truly yours,

Lucia Chiochio

ADJACENT PROPERTY OWNERS

52 Stadley Rough Road, Danbury, CT

The following information was collected from the Tax Assessors' records and the land records at City Hall, City of Danbury.

Property Owner and Mailing Addresses

Charles Hibbard and Ruth R. Snodgrass 10 Indian Spring Road Danbury, CT 06811	Carol Rizza 8 Indian Spring Road Danbury, CT 06811
Lisa Marie and James J. Baker 6 Indian Spring Road Danbury, CT 06811	Tom and Rosemary Peat 4 Indian Spring Road Danbury, CT 06811 Mailing Address: 2 Poppy Road Brookfield, CT 06804
Catherine R. Stone and Denise M. Griss 85 Stadley Rough Road Danbury, CT 06811	Andrew Alpert 83 Stadley Rough Road Danbury, CT 06811
Jose A. Collado and Monica A. Espinal 81 Stadley Rough Road Danbury, CT 06811	City of Danbury 73-79 Stadley Rough Road Danbury, CT 06811 Mailing Address: 155 Deer Hill Avenue Danbury, CT 06810
Colonial Hills Baptist Church 40 Stadley Rough Road Danbury, CT 06811	Jose and Christina Carvalheiro 14 Indian Spring Road Danbury, CT 06811

CERTIFICATION OF SERVICE

I hereby certify that on the 23rd day of June, 2008, a copy of the foregoing letters were mailed by certified mail, return receipt requested to each of the abutting property owners on the attached list.

6/23/08
Date

Lucio Crocchio
Cuddy & Feder LLP
445 Hamilton Avenue
14th Floor
White Plains, New York 10601

Attorneys for:
The Applicants

Application Guideline	Location in Application
(A) An Executive Summary on the first page of the application with the address, proposed height, and type of tower being proposed. A map showing the location of the proposed site should accompany the description;	I.B. Executive Summary, page 2 Attachment 4: Description and Design of Proposed Facility
(B) A brief description of the proposed facility, including the proposed locations and heights of each of the various proposed sites of the facility, including all candidates referred to in the application;	I.B. Executive Summary, page 2 V: Facility Design: pages 9-10
(C) A statement of the purpose for which the application is made;	I.A Purpose and Authority, page 1
(D) A statement describing the statutory authority for such application;	I.A. Purpose and Authority, page 1
(E) The exact legal name of each person seeking the authorization or relief and the address or principle place of business of each such person. If any applicant is a corporation, trust, or other organized group, it shall also give the state under the laws of which it was created or organized;	I.C. The Applicants, page 3
(F) The name, title, address, and telephone number of the attorney or other person to whom correspondence or communications in regard to the application are to be addressed. Notice, orders, and other papers may be served upon the person so named, and such service shall be deemed to be service upon the applicant;	I.C. The Applicants, page 3
(G) A statement of the need for the proposed facility with as much specific information as is practicable to demonstrate the need including a description of the proposed system and how the proposed facility would eliminate or alleviate any existing deficiency or limitation;	III.A. Statement of Need, page 5 Attachment 1: Pre-Filed Testimony of Charles Regulbuto Attachment 2: Statement of Need with Plots
(H) A statement of the benefits expected from the proposed facility with as much specific information as is practicable;	III.B. Statement of Benefits, page 6
(I) A description of the proposed facility at the proposed prime and alternative sites including: <ol style="list-style-type: none"> (1) Height of the tower and its associated antennas including a maximum "not to exceed height" for the facility, which may be higher than the height proposed by the Applicant; (2) Access roads and utility services; (3) Special design features; (4) Type, size, and number of transmitters and receivers, as well as the signal frequency and conservative worst-case and estimated operational level approximation of electro magnetic radiofrequency power density levels (facility using FCC Office of Engineering and Technology Bulletin 65, August 1997) at the base of the tower base, site compound boundary where persons are likely to be exposed to maximum power densities from the facility; (5) A map showing any fixed facilities with which the 	I.B. Executive Summary, page 2 V: Facility Design: pages 9-10 Attachment 4: Description and Design of Proposed Facility VI.C: Power Density Analysis, page 13

Application Guideline	Location in Application
<p>proposed facility would interact;</p> <p>(6) The coverage signal strength, and integration of the proposed facility with any adjacent fixed facility, to be accompanied by multi-colored propagation maps of red, green and yellow (exact colors may differ depending on computer modeling used, but a legend is required to explain each color used) showing interfaces with any adjacent service areas, including a map scale and north arrows; and</p> <p>(7) For cellular systems, a forecast of when maximum capability would be reached for the proposed facility and for facilities that would be integrated with the proposed facility.</p>	Attachment 2: Statement of Need with Plots
<p>(J) A description of the named sites, including :</p> <p>(1) The most recent U.S.G.S. topographic quadrangle map (scale 1 inch = 2000 feet) marked to show the site of the facility and any significant changes within a one mile radius of the site;</p> <p>(2) A map (scale not less than 1 inch = 200 feet) of the lot or tract on which the facility is proposed to be located showing the showing the acreage and dimensions of such site, the name and location of adjoining public roads or the nearest public road, and the names of abutting owners and the portions of their lands abutting the site;</p> <p>(3) A site plan (scale not less than 1 inch = 40 feet) showing the proposed facility, fall zones, existing and proposed contour elevations, 100 year flood zones, waterways, and all associated equipment and structures on the site;</p> <p>(4) Where relevant, a terrain profile showing the proposed facility and access road with existing and proposed grades; and</p> <p>(5) The most recent aerial photograph (scale not less than 1 inch = 1000 feet) showing the proposed site, access roads, and all abutting properties.</p>	Attachment 4: Description and Design of Proposed Facility
<p>(K) A statement explaining mitigation measures for the proposed facility including:</p> <p>(1) Construction techniques designed to specifically minimize adverse effects on natural areas and sensitive areas;</p> <p>(2) Special design features made specifically to avoid or minimize adverse effects on natural areas and sensitive areas;</p> <p>(3) Establishment of vegetation proposed near residential, recreation, and scenic areas; and</p> <p>(4) Methods for preservation of vegetation for wildlife habitat and screening.</p>	Attachment 4: Description and Design of Proposed Facility VI. Environmental Compatibility, pages 10-14
<p>(L) A description of the existing and planned land uses of the named sites and surrounding areas;</p>	VII.C. Planned and Existing Land Uses, page 16
<p>(M) A description of the scenic, natural, historic, and recreational characteristics of the named sites and surrounding areas including officially designated nearby hiking trails and scenic roads;</p>	VI. Environmental Compatibility, pages 10-14

Application Guideline	Location in Application
(N) Sight line graphs to the named sites from visually impacted areas such as residential developments, recreational areas, and historic sites;	Attachment 5: Visual Resources Evaluation Report
(O) A list describing the type and height of all existing and proposed towers and facilities within a four mile radius within the site search area, or within any other area from which use of the proposed towers might be feasible from a location standpoint for purposes of the application;	IV.A. Site Selection, page 8 Attachment 1: Pre-Filed Testimony of Charles Regulbuto Attachment 3: Site Selection Summary
(P) A description of efforts to share existing towers, or consolidate telecommunications antennas of public and private services onto the proposed facility including efforts to offer tower space, where feasible, at no charge for space for municipal antennas;	IV.A: Site Selection, page 8 IV.B: Tower Sharing, page 9 V. Facility Design, pages 9-10 Attachment 1: Pre-Filed Testimony of Charles Regulbuto Attachment 3: Site Selection Summary
(Q) A description of the technological alternatives and a statement containing justification for the proposed facility;	III.C. Technological Alternatives, page 7
(R) A description of rejected sites with a U.S.G.S. topographic quadrangle map (scale 1 inch= 2,000 feet) marked to show the location of rejected sites;	IV.A. Site Selection, page 8 Attachment 3: Site Selection Summary Attachment 1: Pre-Filed Testimony of Charles Regulbuto
(S) A detailed description and justification for the site(s) selected, including a description of siting criteria and the narrowing process by which other possible sites were considered and eliminated, including, but not limited to, environmental effects, cost differential, coverage lost or gained, potential interference with other facilities, and signal loss due to geographical features compared to the proposed site(s);	IV.A. Site Selection, page 8 Attachment 3: Site Selection Summary Attachment 1: Pre-Filed Testimony of Charles Regulbuto
(T) A statement describing hazards to human health, if any, with such supporting data and references to regulatory standards;	VI. Environmental Compatibility, pages 10-14
(U) A statement of estimated costs for site acquisition, construction, and equipment for a facility at the various proposed sites of the facility, including all candidates referred to in the application;	IX.A. Overall Estimated Cost, page 19
(V) A schedule showing the proposed program of site acquisition, construction, completion, operation and relocation or removal of existing facilities for the named sites;	IX.B. Overall Scheduling, page 19
(W) A statement indicating that, weather permitting, the applicant will raise a balloon with a diameter of at least three	VI. A. Visual Assessment, page 11

Application Guideline	Location in Application
<p>feet, at the sites of the various proposed sites of the facility, including all candidates referred to in the application, on the day of the Council's first hearing session on the application or at a time otherwise specified by the Council. For the convenience of the public, this event shall be publicly noticed at least 30 days prior to the hearing on the application as scheduled by the Council; and</p>	<p>VI. A. Visual Assessment, page 11</p>
<p>(X) Such information as any department or agency of the state exercising environmental controls may, by regulation, require including:</p> <p>1. A listing of any federal, State, regional, district, and municipal agencies, including but not limited to the Federal Aviation Administration; Federal Communications Commission; State Historic Preservation Officer; State Department of Environmental Protection; and local conservation, inland wetland, and planning and zoning commissions with which reviews were conducted concerning the facility, including a copy of any agency position or decision with respect to the facility; and</p> <p>2. The most recent conservation, inland wetland, zoning, and plan of development documents of the municipality, including a description of the zoning classification of the site and surrounding areas, and a narrative summary of the consistency of the project with the City's regulations and plans.</p>	<p>VI. Environmental Compatibility, pages 10-14</p> <p>Attachment 7: Correspondence with State Agencies</p> <p>Attachment 4: Description and Design of Proposed Facility</p> <p>Bulk Filing</p>
<p>(Y) Description of proposed site clearing for access road and compound including type of vegetation scheduled for removal and quantity of trees greater than six inches diameter at breast height and involvement with wetlands;</p>	<p>Attachment 4: Description and Design of Proposed Facility</p>
<p>(Z) Such information as the applicant may consider relevant.</p>	