

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

RE: APPLICATION BY PHOENIX  
PARTNERSHIP, LLC FOR A  
CERTIFICATE OF ENVIRONMENTAL  
COMPATIBILITY AND PUBLIC NEED  
FOR A TELECOMMUNICATIONS FACILITY  
AT 50 DEVINE STREET IN THE TOWN  
OF NORTH HAVEN, CONNECTICUT

DOCKET NO. \_\_\_\_\_

Date: August 20, 2009

**APPLICATION FOR CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED**

Pursuant to General Statutes § 16-50g *et seq.* and § 16-50j-1 *et seq.* of the Regulations of Connecticut State Agencies, Phoenix Partnership, LLC, ("Phoenix"), submits this application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a wireless telecommunications facility (the "Facility") at 50 Devine Street in the Town of North Haven, Connecticut (the "Application").

**I. EXECUTIVE SUMMARY**

Phoenix seeks to construct, maintain and operate a telecommunications facility on property known as 50 Devine Street in North Haven (the "Property"). The Facility will consist of a 120 foot monopole structure with antennas attached thereto and related equipment on the ground at the base on a concrete pad. The Facility will sit within a 10,000 square foot area leased by Phoenix, located in the south easterly portion of the Property, which is a 6.037 acre parcel. An eight foot chain link fence will secure the

equipment at the Facility. Vehicle access to the Facility will extend from Devine Street along an existing paved parking lot.

Included in this Application and the exhibits attached hereto are project plans, which were revised based on feedback from the Town Planner during the Municipal Consultation, See Exhibit B, for the proposed Facility and other information and reports detailing the proposed Facility. The reports and supporting documentation included in this Application contain the relevant site specific information required by statute and the Connecticut Siting Council's (the "Council") regulations. Included herein as Exhibit D is a copy of the Council's Community Antenna Television and Telecommunication Facilities Application Guide with references to this Application.

## **II. BACKGROUND INFORMATION**

### **A. The Applicant**

Phoenix is a limited liability company organized under the laws of the State of Connecticut, with a principal place of business at 110 Washington Avenue, North Haven, Connecticut, 06473.

The Facility would allow wireless carriers to provide personal wireless services in Connecticut, which has been interpreted as a "cellular system" within the meaning of General Statutes § 16-50i (a) (6).

As the Council is aware, Youghioghney Communications Northeast, LLC d/b/a Pocket Wireless (herein referred to as "Pocket") is a new wireless services provider licensed by the Federal Communications Commission ("FCC") and is in the process of deploying its digital AWS service to the Springfield, Pittsfield, Poughkeepsie, Hartford,

and New Haven BTAs (Basic Trading Areas). It has purchased a license from the FCC to operate its wireless CDMA network within the recently released AWS (Advanced Wireless Service) frequency band, and Pocket operates in the 2110 to 2155MHz range. Pocket is in the process of building out its network in portions of Massachusetts, Connecticut, and New York. It is necessary for Pocket to have a number of wireless sites in each BTA to provide service.

North Haven, Connecticut, is an integral part of Pocket's overall network design and for this reason Pocket is proposing to co-locate on the planned monopole tower at the Facility. Co-locating on this tower at a height of approximately 120 feet will allow Pocket to provide the needed coverage, capacity, and connectivity to fill existing design gaps on I-91, State Highway 40, and the Wilbur Cross Parkway (State Highway 15) in North Haven. Pocket will serve as the anchor tenant and has agreed to intervene in this docket.

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

Cohen and Wolf, P.C.  
1115 Broad Street  
Bridgeport, CT 06604  
(203) 368-0211  
Attention: Julie D. Kohler, Esq.  
Monte E. Frank, Esq.  
Jesse A. Langer, Esq.

**B. Application Fee**

The estimated total construction cost for the Facility is \$168,000. In accordance with § 16-50v-1a(b) of the Regulations of Connecticut State Agencies, a check made

payable to the Connecticut Siting Council in the amount of \$1,000.00 accompanies this Application.

**C. Compliance with General Statute § 16-50/ (c)**

Phoenix is not engaged in generating electric power in the State of Connecticut and, therefore, the proposed Facility is not subject to General Statutes § 16-50r. The proposed Facility has not been identified in any annual forecast reports and, therefore, is not subject to General Statutes § 16-50/ (c).

**III. SERVICE AND NOTICE REQUIRED BY GENERAL STATUTE § 16-50/ (b)**

Pursuant to General Statutes § 16-50/ (b), Phoenix sent copies of this Application 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 attached hereto as Exhibit E. Pursuant to § 16-50/ (b), Phoenix caused notice of its intent to submit this Application to be published on two occasions in the New Haven Register. A copy of the legal notice and the publisher's affidavit of publication are attached hereto as Exhibit F. In compliance with § 16-50/ (b), notices were sent to each person appearing of record as owner of a property which abuts the Facility. Certification of such notice, a sample notice letter, and the list of property owners to whom the notice was mailed are included in Exhibit G.

#### **IV. STATEMENT OF NEED AND BENEFIT**

##### **A. Statement of Need**

In amending the Communications Act of 1934 with the Telecommunications Act of 1996, the United States Congress recognized the important public need for high quality telecommunication services throughout the United States. The purpose of the Telecommunications Act of 1996 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, 104<sup>th</sup> Cong., Sess. 1 (1996). 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 that authority, and preempted State or local regulatory oversight of radio frequency emissions as more fully set forth in 47 U.S.C. § 332(c)(7). In doing so, Congress sought a balance between the public interest in deployment of wireless services and legitimate areas of State and/or local regulatory control over wireless infrastructure.

The Facility will allow wireless carriers, initially Pocket, to provide wireless communications services in this area of North Haven. Pocket currently experiences a coverage gap in this area, as well as along Interstate 91, State Highway 40, State Highway 5 and the Wilbur Cross Parkway (State Highway 15). The Facility, in conjunction with other existing and future facilities in North Haven and surrounding towns, is necessary for wireless carriers such as Pocket to provide wireless services to people living in and traveling through this area.

The propagation plots attached hereto as Exhibit H depict Pocket's need for the Facility. Based upon the location of the Facility and the current lack of coverage in this area, Pocket cannot readily predict a point in time at which the Facility might reach maximum capacity.

**B. Statement of Benefits**

In recent years, the public's demand for traditional cellular telephone services has evolved to include expectations of seamless service, wherever the public travels, and readily available access to the internet as well as the ability to send and receive voice, text, image and video through their wireless devices continuously. The ever increasing availability and enhanced sophistication of wireless services has led the public to use their wireless devices as their primary form of communication for both personal and business needs.

To help provide 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 recognized that networks capable of rapid, efficient deployment of emergency services would promote faster delivery of emergency care, resulting in 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 that wireless carriers 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. The Facility will become an integral component of the wireless E911 network in this area of the state for those providers, such as Pocket, who locate on the proposed tower. As other wireless carriers expand their service in the North Haven area through the use of the Facility, E911 services and public safety will be further enhanced.

### **C. Technological Alternatives**

Repeaters, microcell transmitters, distributed antenna systems and other types of transmitting technologies are not a practicable or feasible means of providing service within the sizeable coverage gap in this area. Terrain variations, topography and tree cover in North Haven and the surrounding area, as well as other practical factors limit the use of such technologies and preclude their implementation as alternatives to the proposed Facility. 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.

## **V. SITE SELECTION AND TOWER SHARING**

### **A. Site Selection**

As tower developer, Phoenix seeks out a site in an area based upon its knowledge and understanding of existing weaknesses in the systems of the several wireless carriers operating in the area and/or its consultation with the individual carriers.

A target area is chosen central to the area in which the coverage and/or capacity needs have been identified. The area targeted is the geographical location where the installation of a site would, based on general radio frequency engineering and system design standard, likely address the identified problem. Phoenix's goal is to locate sites that will provide for orderly integration into the existing wireless systems of multiple carriers.

Phoenix was aware of Pocket's need for a facility in this area of North Haven. The nearest telecommunication towers are already in use by Pocket or do not provide the necessary coverage to resolve the identified coverage needs. The Property is superior to the other facilities or structures in the immediate area which might be used to close the existing coverage gap.

The Site Selection narrative and maps of rejected sites and facilities within a four mile radius, attached hereto as Exhibits I and J, provide a complete explanation of Phoenix's methodology for conducting site searches, the actual search for potential sites in North Haven, and depicts the locations reviewed during Phoenix's search and the reasons for elimination from consideration of all but the Property. Due to the nature of development and terrain in the area, the Property is uniquely suited for a telecommunications tower.

## **B. Tower Sharing**

To promote the sharing of wireless facilities in North Haven, Phoenix proposes to construct a facility that can accommodate the wireless carriers in the Connecticut marketplace and related equipment for those carriers. Details of the design are included in Exhibit B. Materials provided by Phoenix to the Town of North Haven



articulated Phoenix's willingness to provide, free of charge, space on the proposed monopole for municipal public safety communications antennas.

## **VI. FACILITY DESIGN**

Phoenix will lease a 10,000 square foot area within the Property, which is a 6.037 acre parcel. The Facility will consist of a 120 foot high monopole structure with Pocket's antennas secured by a flush mount. The equipment cabinets will be placed in the 7,000 square foot compound within the leased area. The compound will be enclosed by an eight foot high chain link fence. The tower and equipment compound are designed to accommodate the facilities of wireless carriers active in the Connecticut marketplace. Phoenix will make space available, free of charge, for municipal public safety communications antennas.

Vehicular access to the Facility will extend from Devine Street over an existing paved parking lot. Power is available from a transformer to a point on the Property near the Facility; Utility service will extend underground from an existing pole to the Facility. Exhibit B contains plans, descriptions, and other relevant information for the Facility. Exhibit K is an inland wetlands statement of compliance. Exhibit L is a listing of residential buildings within 1000 feet of the Facility. Exhibit M is a tree inventory letter. In summary, those exhibits reveal the following:

- The Property is zoned for general industrial uses (IG-80);
- The nearest wetlands are over 100 feet from the Facility and will not be impacted by the installation and maintenance of the Facility;
- The Property is currently used for commercial purposes;

- Minimal grading will be required for the construction of the Facility;
- Minimal clearing will be required for development of the Facility;
- The Facility will have no impact on water flow, water quality, or air quality and will comply with relevant noise regulations.

## VII. ENVIRONMENTAL COMPATIBILITY

Pursuant to General Statutes § 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 Facility will not have a significant adverse environmental impact.

### **A. Visual Assessment**

In designing this facility, Phoenix sought to minimize the height of the monopole, while at the same time allowing for Pocket's need to co-locate at 120' and for other carriers to have the ability to co-locate so as to prevent the proliferation of towers in this area of North Haven.

The visual impact of the Facility will vary from different locations around the Facility depending upon factors such as vegetation, topography, distance from the Facility, and the location of structures around the Facility.

Exhibit N contains a computer-based, predictive viewshed model, which depicts the potential impact of the Facility from surrounding views as well as a Visual Resource Evaluation. Phoenix retained Infinigy Engineering & Surveying, PLLC ("Infinigy") to

prepare the Visual Resource Evaluation. On April 24, 2009, Infinigy conducted a balloon float test at 120 feet AGL to evaluate the potential viewshed associated with the Facility. Infinigy sought to determine the visibility impact of the Facility, accounting for local, state and federal historic, hiking and recreational sites within the study area, as well as within a two-mile radius of the proposed Site (the "Study Area").

The topography and vegetation of the Property and within the Study Area serve to minimize the potential visual impact of the Facility. The topography is characterized by a north-south trending river valley area utilized as a transportation corridor, surrounded by rolling hills and low mountain ridges. The areas closest to the Facility consist of urban settings with lighter density residential communities further away from the Facility.

The Visual Resources Evaluation demonstrates that the Facility will not have an adverse visual impact. Based on the viewshed analysis contained in Exhibit N, the Facility will not be visible in areas located a distance of two miles from the Property. Areas from which the Facility will be at least partially visible comprise only seventy eight acres, which is less than one percent (>1%) of the entire Study Area. Six of those acres are situated on the Property itself, which consists of commercial and industrial uses. Most of the areas with views of the tower will be within a mile radius of the Facility. This area is confined to the transportation corridors of Interstate 91, Route 40 and Route 5, with the exception of smaller areas of visibility to the north and southeast. A limited number of residences along Route 5 may have year round views of the proposed tower.

These visual resources tools demonstrate that the visibility of the proposed tower is limited primarily to the elevated highways and overpasses of the transportation corridors in the immediate area. There is no anticipated visibility from the Pines Bridge

Historic District approximately .7 miles away or from Sleeping Giant, Quinnipiac or Wharton Brook State Parks located between two and five miles away to the north of the Facility. Based on the foregoing, the Facility will have a *de minimis* visual impact.

Weather permitting, Phoenix will raise a balloon with a diameter of at least three (3) feet at the Facility 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**

Phoenix submitted a request for review and comment for the Facility to the Connecticut State Historic Preservation Officer ("SHPO") and the Connecticut Department of Environmental Protection ("DEP"). Both SHPO and DEP have determined that no impact is anticipated. A copy of the SHPO and DEP correspondence regarding the Facility is attached hereto as Exhibit O.

**C. MPE Limits/Power Density Analysis**

In August 1996, the FCC adopted a standard for exposure to Radio Frequency ("RF") emissions from telecommunications facilities like the Facility proposed in this Application. To ensure compliance with applicable standards, Phoenix performed maximum power density calculations for the Facility assuming that the antennas were pointed at the base of the tower and all channels were operating simultaneously. The resulting worst case power density for the Facility would be approximately 5.53% of the applicable MPE standards. A copy of the power density calculations and report for the Facility is attached hereto as Exhibit P.

#### **D. Other Environmental Factors**

The Facility will be unmanned, requiring infrequent monthly maintenance visits by each carrier that will last approximately one hour. The Facility will not require a water supply or wastewater utilities. No outdoor storage or solid waste receptacles will be needed, and the 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 air, water, or noise quality.

Phoenix retained Infinigy to evaluate the Facility in accordance with the FCC's regulations implementing the National Environmental Policy Act of 1969 (the "NEPA"). A copy of the NEPA Report is attached hereto as Exhibit Q. The Facility is not designated as a wilderness area and it is not located in any areas identified as a wildlife preserve or in a U.S. Fish and Wildlife Service National Wildlife Refuge. The Facility will not affect threatened or endangered species or designated critical habitats. 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 Facility. Further, according to the site survey and field investigations, the Facility will not impact any federal or state regulated wetlands or watercourses. In addition, the Facility will not be located within a 100-year floodplain.

Infinigy determined that consultation was required of two Tribes, the Mashantucket Pequot Tribe and the Sequahna Mars-Narragansett Indian Tribe, as they indicated a geographical interest in the area where the Property is located. The Mashantucket Tribe responded that the Facility would not have an adverse impact on its interests. Sequahna Mars-Narragansett Indian Tribe did not respond after an initial

request for more information and, therefore, Infinigy concluded that no further action was necessary. As such, the Facility is categorically excluded from any requirement for further environmental review by the FCC in accordance with the NEPA and no permit is required by the FCC prior to construction of the proposed Facility. See 47 C.F.R. §§ 1.1306(b) and 1.1307(a).

### **VIII. CONSISTENCY WITH THE NORTH HAVEN LAND USE REGULATIONS**

The Facility is consistent with the Town of North Haven Zoning and Wetland Regulations and Plan of Conservation and Development. A description of the zoning classification of the Facility and the planned and existing uses of the Property are also detailed in this section.

#### **A. North Haven Plan of Development**

The Town of North Haven Plan of Conservation and Development (the "Plan"), a copy of which is included in the bulk filing, was adopted on April 15, 2005. One of the principal goals of the Plan is to "[c]ontinue to provide the high level of services required to maintain the safe & healthy quality of life North Haven residents have come to expect." See Bulk Filing, Plan of Conservation and Development at p. 75. The construction, maintenance and operation of telecommunication facilities such as the Facility will provide the Town's residents with much needed communication services. The Facility will also enhance the Town's emergency services. Accordingly, the Facility is consistent with the Plan since there are no existing towers or structures upon which providers such as Pocket could locate and fill their coverage gaps in this area of North Haven and the surrounding area.

## **B. North Haven Zoning Regulations**

Section 8.2.1.1 of the North Haven Zoning Regulations addresses telecommunication facilities and sites. The Planning and Zoning Commission of the Town of North Haven has determined that "it is in the public interest to permit the siting of wireless communications towers and antennas within the town boundaries." North Haven Zoning Regulations § 8.2.1.1. The Facility meets the several articulated objectives of the Town's regulations as discussed below:

- 1. *To protect residential areas and land uses from potential adverse impacts of towers and antennas.***

The Property is zoned IG-80. There are very few residential properties within a quarter mile of the Facility. The nearest residential neighborhoods are located more than a quarter of a mile away. Accordingly, the Facility will not have an adverse impact on residential areas and land uses.

- 2. *To encourage the location of towers in non-residential areas.***

See response to objective 1 above.

- 3. *To minimize the total number of towers throughout the community.***

The Facility is necessary to resolve a coverage gap and enhance emergency services for this part of the Town. There are no other existing towers that would resolve the existing coverage gap. Additionally, this tower will accommodate other wireless providers in addition to Pocket.

- 4. *To encourage joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers.***

See response to objective 1 and 3 above.

5. ***To encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact to the community is minimal.***

The Facility will not adversely impact the community. It will be located in an industrial zone with very few residences nearby. As discussed in Part VII.A., *supra*, the Facility will not have an adverse visual impact, as the majority of views will be from the transportation corridors. Moreover, the Facility will not have any adverse impact on wetlands or other natural or historic resources. The Facility will also enhance the safety of the Town's residences with improved emergency services.

6. ***To encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques.***

As discussed in Part VI.A, *supra*, the Facility at 120' will have a minimal visual impact on the surrounding area. Pocket is also using flush mounts which will further mitigate any visual impacts.

7. ***To enhance the ability of providers of telecommunications services to provide such services quickly, effectively and efficiently.***

As discussed in Part III, *supra*, Phoenix has identified this area of North Haven as an area with coverage or capacity needs. The Facility is necessary to increase wireless service availability, including enhanced emergency services, in this area. Ultimately, the Facility is necessary to enhance the ability of providers, particularly Pocket, to provide wireless services to this area of North Haven effectively and efficiently.



**8. *To consider the public health and safety of communication towers.***

The Facility will comply with all building codes and will include an eight foot chain link fence to secure the equipment within the compound. As discussed in Part VII.C, *supra*, the Facility will also fall well within the FCC requirements for RF emissions. Finally, the Facility will become an integral component of the wireless E911 network in this area of the state for those providers, such as Pocket, who locate on the proposed tower. As other wireless carriers expand their service in the North Haven area through the Facility, E911 services will experience additional improvement.

**9. *To avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures.***

The tower structure will be designed to support all loads in accordance with the Connecticut and International Building Codes. In the unlikely event of failure, the tower will be designed to avoid any encroachment on the nearest adjacent property, which is 90 feet from the base of the tower.

**C. *Planned and Existing Land Uses***

The Property is currently used for commercial and industrial purposes. Phoenix is not aware of any future development plans regarding the Property.

**D. *North Haven Inland Wetlands and Watercourses Regulations***

The North Haven 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 “removal or deposition of material or any obstruction, construction, alteration or pollution” of such wetland and in areas adjacent to a wetland or watercourse. See Bulk Filing, Inland Wetlands and

Watercourses Regulations, § 2.1. The Local Wetlands Regulations define a specific buffer area as a radius of 50 feet from each point on the boundary of a wetland or watercourse." *See id.*

According to the site survey and field investigations conducted at the Property, there are no watercourses or wetlands located within 50 feet of the Facility. The nearest wetlands are located more than 100 feet from the Facility. Nevertheless, 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 Facility.

## **IX. CONSULTATIONS WITH LOCAL, STATE AND FEDERAL OFFICIALS**

### **A. Local Consultations**

General Statutes § 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 May 29, 2009, Phoenix submitted a technical report to the First Selectman regarding the Facility. The technical report, a copy of which is being bulk filed with this Application, included specifics about the Property, the Facility, the site selection process and the environmental effects of the proposed Facility. Other materials provided to the Town during the consultation period are attached as Exhibit R. On June 11, 2009, representatives of Phoenix met with Alan A. Fredericksen, the Town's Land Use Administrator, to discuss the Facility and answer

any questions the Town might have regarding the Facility. On July 23, 2009, Phoenix submitted additional information, including revisions to the plans at the Town Planner's request, to the Town. Finally, on August 3, 2009, the Planning and Zoning Commission held a public meeting to discuss the proposed Facility. Phoenix attended, and discussed the proposed Facility with the Commission. To date, Phoenix has not received any written comments from the Commission, but will submit them to the Council upon receipt.

**B. Consultations with State Officials**

As noted in Section VI.B of this Application, Phoenix undertook a consultation with the SHPO and DEP in the course of its NEPA survey. Copies of the correspondence with SHPO and DEP are attached hereto as Exhibit O.

**C. Consultation with Federal Agencies**

Phoenix has received preliminary determinations from the Federal Aviation Administration ("FAA") for the Facility, which is attached hereto as Exhibit S. The results indicate that the Facility would not require FAA registration, let alone FAA review as a potential air navigation obstruction or hazard. Therefore, no FAA lighting or marking would be required for the towers proposed in this Application. Phoenix will forward copies of the final FAA approval when received.

Phoenix may build wireless facilities for use by FCC licensed carriers within their 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 C.F.R § 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. The resulting report, attached hereto as Exhibit Q, confirm that the Property does not fall under any of the NEPA "listed" categories of 47 C.F.R. §1.1307. Therefore, the proposed Facility does not require review by the FCC pursuant to NEPA.

**X. ESTIMATED COST AND SCHEDULE**

**A. Overall Estimated Cost**

The total estimated cost of construction for the facility is \$168,000. This estimate includes:

- (1) Tower and foundation costs (including installation) of approximately \$45,000;
- (2) Site development costs of approximately \$101,000; and
- (3) Utility installation costs of approximately \$22,000.

**B. Overall Scheduling**

Site preparation and engineering would commence immediately following Council approval of Development and Management ("D&M") Plan and is expected to be completed within 30 days. Installation of the monopole, antennas and associated equipment is expected to take an additional 60 days. The duration of the total construction schedule is approximately 90 days. Facility integration and system testing is expected to require an additional 21 days after the construction is completed.

## XI. CONCLUSION

This Application and the accompanying materials and documentation demonstrate that a public need exists in the Town of North Haven for improved wireless services and that the Facility will not have any substantial adverse environmental effects. Phoenix therefore respectfully submits that the public need for the Facility outweighs any potential minimal environmental effects resulting from the construction of the Facility, and that the Council should grant a Certificate of Environmental Compatibility and Public Need for the proposed wireless telecommunications facility in the Town of North Haven.

Respectfully Submitted,

By:  \_\_\_\_\_

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