

**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. 384

Date: October 14, 2009

**INTERROGATORY RESPONSES TO CONNECTICUT SITING COUNCIL
FROM APPLICANT PHOENIX PARTNERSHIP, LLC**

The Applicant, Phoenix Partnership, LLC ("Phoenix"), submits the following responses to the first set of Pre-Hearing Interrogatories propounded by the Connecticut Siting Council in connection with the above-captioned Application.

1. How many of the return receipts for the notices sent to abutting landowners did Phoenix receive? If some return receipts were not received, did Phoenix make other attempts to notify the landowners? If yes, explain.
A1 Phoenix has received return receipts from all of the abutting landowners.
2. What is Florida Tower Partners, LLC? What is its relationship with Phoenix?
A2 Florida Tower Partners, LLC ("FTP") is a limited liability company organized under the laws of the State of Florida, with a business address of 15 Paradise Plaza, No. 228, Sarasota, Florida, 34239. FTP develops telecommunication facilities throughout the United States and is working with Phoenix to develop towers in the northeast corridor. FTP provides funding for the telecommunication facilities developed by Phoenix.
3. How many carriers would the proposed tower be designed to accommodate? To what engineering standard would it be built? What would be the dimensions of the tower (diameter of tower at base; diameter of tower at top)?
A3 The proposed facility at 50 Devine Street, North Haven ("Facility") would be designed to accommodate up to six carriers with full platform arrays. The Facility would be built to Engineering Standard Revision G. The average base diameter of the monopole tower would be 52" and the average diameter at the top of the monopole tower would be 34".

4. How much cut and fill would be required to develop the proposed site?
- A4 The Facility would require 94.16 cubic yards of fill.**
5. Would any blasting be required to develop the site?
- A5 The Facility would not require any blasting.**
6. Has Phoenix received any written correspondence from the Town of North Haven indicating its interest in locating antennas on the proposed tower? If so, please provide a copy.
- A6 As of the date of these interrogatory responses, Phoenix has not received any written correspondence from the Town of North Haven indicating its interest in locating antennas on the proposed Facility.**
7. When did this site search begin? Where was the site search centered? What was the extent of the search ring? Provide a map, with scale and compass, of search ring.
- A7 Phoenix began its site search in September, 2008. The site search focused on the area between Exit 9 and Exit 12 of Interstate 91 in North Haven. Because Phoenix is a tower developer, it did not conduct its search with a specific search ring. Pocket has provided information regarding its coverage needs and how the proposed Facility would address those needs. Please see Application Narrative, pp. 5-6, 8; Exhibit H to the Application (propagation plots); and Exhibit J to the Application (site selection analysis and map of rejected sites).**
8. During its site search, did Phoenix investigate any properties in the vicinity of Stoddard Avenue and Leonardo Drive? If so, what were the results of any investigation?
- A8 Phoenix conducted a preliminary investigation of Stoddard Avenue and Leonardo Drive. Phoenix also researched the existing telecommunications facilities in this area, specifically the municipal tower located on Linsley Street. A telecommunications facility located in the Stoddard Avenue and Leonardo Drive area would not provide the coverage necessary for Pocket's network in North Haven. Pocket has an existing coverage gap in the area of the proposed Facility, including Interstate 91, State Highway 40, State Highway 5 and the Wilbur Cross Parkway (State Highway 15).**
9. For the structures listed in Exhibit I, provide the type of structure (e.g. monopole, self-supporting lattice, etc.).

- A9 Please see revised list of existing facilities within a four-mile radius of the proposed Facility, which is attached hereto as Exhibit 1.**
10. In the aerial photograph showing potential sites investigated by Phoenix, there is a marker indicating a property owned by the State of Connecticut. What is this property used for? Did Phoenix investigate this property? If so, what were the results?
- A10 The potential site owned by the State of Connecticut is a parking lot, which is near residential areas. This potential site is inferior to the proposed Facility. The proposed Facility is located in an industrial park, and is far from residential neighborhoods. Moreover, in the past, Phoenix has not been able to develop state property for telecommunications facilities, and does not believe that the State would be amenable to allowing a facility on this site either.**
11. Who owns the adjacent property to the east of the host property?
- A11 New York Central Lines.**
12. In which direction is the nearest residence at 22 Devine Street?
- A12 The residence is located to the northwest of the proposed Facility.**
13. The application narrative states that the compound would be enclosed by an eight-foot high chain link fence. In Exhibit Q (the NEPA report), Drawing Z10-Fence Details shows a six-foot high chain link fence. Which is correct?
- A13 The operative details for the fence are contained in the most recent version of the site plans (Exhibit B to the Application), which detail an eight-foot chain link fence.**
14. What is the elevation of the 100-year flood? Provide a map showing the proposed site in relation to the boundaries of the 100-year flood plain in the vicinity of the site.
- A14 The approximate elevation of the 100-year flood plain is 9.5' AMSL. Please see flood plain map, which is attached hereto as Exhibit 2.**
15. The Visual Resource Evaluation Report (Exhibit N) concludes that the proposed tower would be visible from approximately 78 acres during leaf-off conditions. From how many acres would the tower be visible when the leaves are on the trees?

- A15 The proposed Facility would be visible during leaf-on conditions from approximately fifty acres within the 8,042 acre study area. This acreage accounts for less than one percent of the of the total study area. These views would be limited to the transportation corridors in the area and commercially dense areas with mixed uses. It is estimated that less than a dozen residences would have views of the proposed Facility during leaf-on conditions. Please see viewshed map, which is attached hereto as Exhibit 3.
16. Describe the height, type, and density of the vegetation in the vicinity of the proposed facility.
- A16 The vegetation in the vicinity of the proposed Facility consists of a sparse stand of Black Locust (*Robinia pseudoacacia*) trees. These trees range from three to five inches in diameter near the base and stand up to thirty feet in height. This vegetation is located in the area of the proposed compound for the Facility. The construction of the Facility would require the removal of several of these trees. See Exhibit M to the Application. The property also hosts adjacent wooded areas to the west and north of the proposed Facility, which contain a number of mature Cottonwood and Basswood trees, estimated between seventy and ninety feet in height.

Respectfully submitted,

PHOENIX PARTNERSHIP, LLC

By:

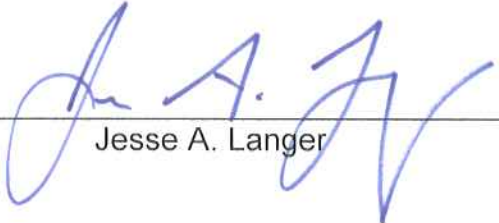


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CERTIFICATE OF SERVICE

I hereby certify that on this day a copy of the foregoing was delivered by regular mail, postage prepaid, to all parties and intervenors of record.

Carrie L. Larson, Esq.
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Hartford, CT 06103-3702

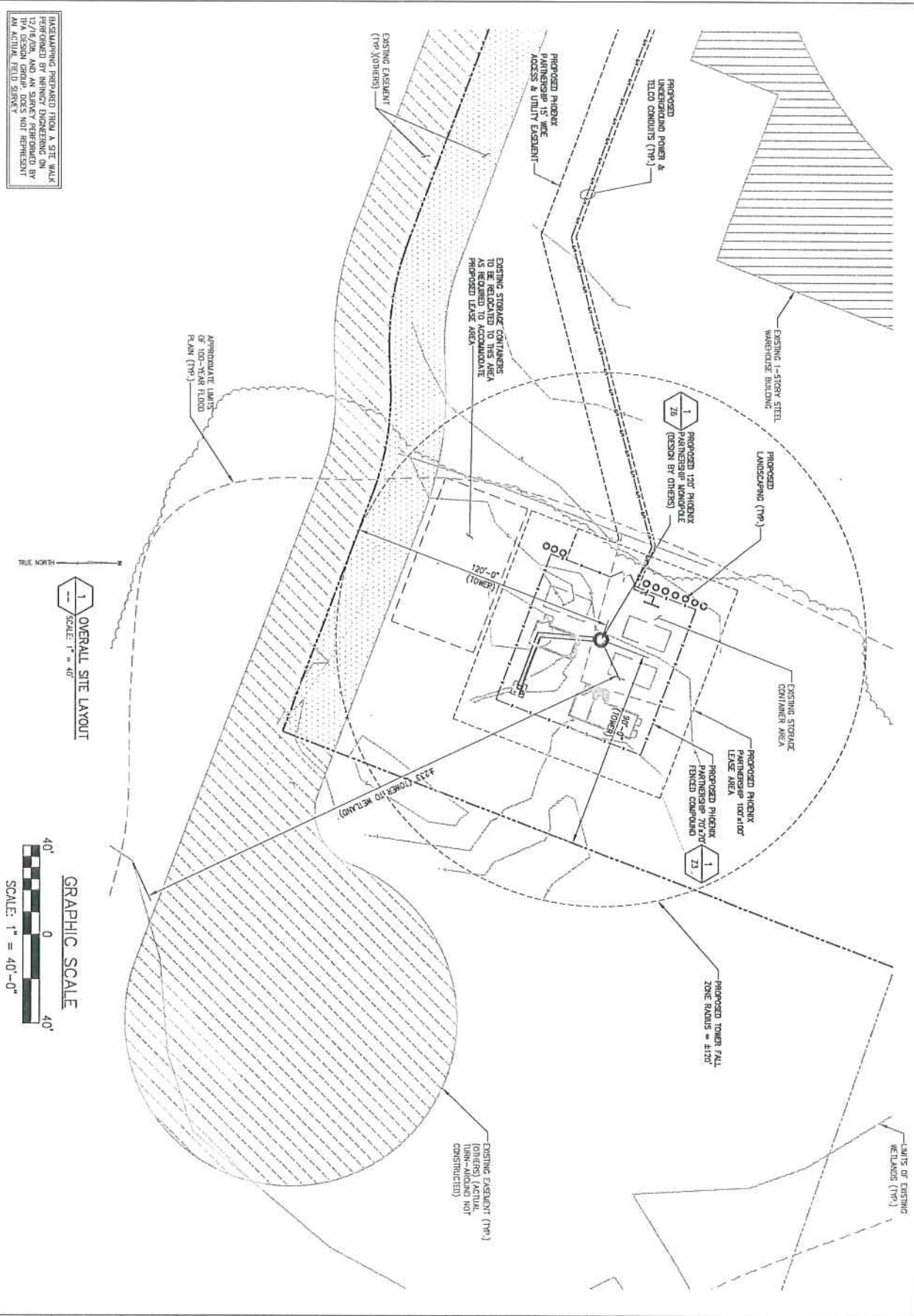


Jesse A. Langer

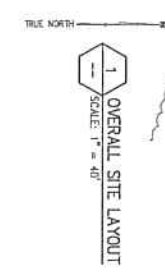
EXHIBIT 1

Address	Owner	Height	Distance	Tower Type
120 Universal Ave North Haven	Candid Communications	120'	1.86 Miles	Monopole
117 Washington Ave	Crown Castle	120'	2.31 mile	Monopole
125 Washington Ave	Candid Communications	120'	2.31 mile	Monopole
265 Benham St	Apostles of Sacred Heart	91'	3.02 Miles	Guyed Lattice
275 Mount Carmel Ave	Quinnipiac Collegeq	22.9'	3.34 miles	Roof Mount Tower no longer existing
8 Dwight St	Spectrasite	150'	3.22 Miles	Monopole
20 Dwight St	Nextel	150'	3.42 Miles	Monopole
2755 State St Hamden	Sprint Site	120'	1.69 Miles	Monopole
2895 State St. Hamden	Nextel	140'	1.44 Miles	Lattice
222 Sackett Point RD	T-Mobile	56'	.75 Miles	Wood Pole
495 Benham St	Clear Channel	251'	3.42 Miles	2 guyed 2 lattice AM station
473 Denslow Hill Rd	Quinnipiac dba WQUUN	208'	2.8 Miles	Lattice
Lindsey	Town of North Haven	124'	1.21 miles	Lattice

EXHIBIT 2



BASELINES AND ELEVATIONS FROM A SITE WALK PERFORMED BY INFINIGY ENGINEERING ON 12/16/09, AND A SURVEY PERFORMED BY THE DESIGN GROUP, DOES NOT REPRESENT AN ACTUAL FIELD SURVEY.



Phoenix Partnership NORTH HAVEN CTNH 101 809 WINE ST NORTH HAVEN, CT 06460	Project Title: ZD0001	infinigy engineering & surveying 11 Herbert Drive Latham, NY 12110 OFFICE: (516) 690-0799 FAX: (518) 690-0793
	Drawing Code: ZD	
Drawing Title: OVERALL SITE LAYOUT	Drawing Number: Z2	THIS DOCUMENT IS THE DESIGN PROPERTY AND COPYRIGHT OF INFINIGY ENGINEERING & SURVEYING. FILED AS FOR THE ENGINEER UNDER THE TITLE CLAIM AND REGULATIONS OF THE REGISTERED PROFESSIONAL ENGINEER OF THE STATE OF NEW YORK. ANY REUSE OR REPRODUCTION OF THIS DOCUMENT WITHOUT WRITTEN CONSENT OF THE CREATOR IS STRICTLY PROHIBITED.

EXHIBIT 3

VIEWSHED ANALYSIS

5-MILE VIEWSHED
PROPOSED HEIGHT 120'

NORTH HAVEN
50 DEVINE STREET
NEW HAVEN, CT 06473
N: 41-22-39.4
W: 72-52-33.8

APRIL 29th, 2009

LEGEND

- Proposed tower is blocked by topography - will not be visible from these areas.
- Not Visible due to vegetation, tall structures or buildings.
- Visible areas
- Protected Properties (Municipal)
 - Cemetery
 - Conservation
 - Existing Preserved Open Space
 - Recreation
 - School
- Protected Properties (CT DEP)
 - State Forest
 - State Park
 - Historic Preserve
 - State Park, Trail
 - Waterbody
 - Wildlife Area
 - Wetlands

COMPLETED BY:

AIRO SMITH
DEVELOPMENT

