

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

RE: APPLICATION BY T-MOBILE
NORTHEAST, LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED
FOR A TELECOMMUNICATIONS FACILITY
AT 387 SHORE ROAD IN THE TOWN
OF OLD LYME, CONNECTICUT

DOCKET NO. 392

Date: April 8, 2010

SUPPLEMENTAL PRE-FILED TESTIMONY OF MICHAEL P. LIBERTINE

The following pre-filed testimony supplements my pre-filed testimony filed on January 28, 2010, in connection with the above-captioned Application for a Certificate of Environmental Compatibility and Public Need for a telecommunications facility ("Facility") at 387 Shore Road, Old Lyme, Connecticut ("Property") submitted by T-Mobile Northeast LLC ("T-Mobile").

Q12. Did Vanasse Hangen Brustlin, Inc. ("VHB") conduct any research regarding the "snag" stealth tower design at the request of the Council?

A12. Yes. VHB did conduct some research regarding the "snag" stealth tower design. VHB's research did not yield a general schematic for "snag" stealth tower designs. VHB did, however, find an image of such a design per the Council's request. Please see the image appended hereto as Attachment A.

Q13. Did VHB perform additional analysis of the potential visual impact of the Facility along Shore Road and the Point-O-Woods development?

A12. Yes. The Facility would be visible year round on a total of six (6) parcels along Shore Road, four (4) of which are currently developed with residences. Three (3) additional residentially-developed parcels along Shore Road would have seasonal


views of the Facility. Views could be achieved from select portions of those properties and would primarily be limited to the upper portion of the Facility. This additional analysis incorporated digital parcel-level data and results in a fine-tuning of the conclusions made by VHB in its initial visual assessment of the Facility. Please see the viewshed appended hereto as Attachment B.

The Facility would also be visible to some residential properties in the Point-O-Woods development. Using the parcel-level data in the supplemental assessment allowed for a more accurate evaluation of the specific number of properties that may experience some level of visibility. Note that portions of a total of ten (10) parcels within the Point-O-Woods development are expected to have year-round views of the Facility, nine (9) of which are currently developed with residences. A total of nineteen (19) parcels are anticipated to have some seasonal views, thirteen (13) of which are currently developed with residences. The majority of these views, however, would be limited to the upper portions of the Facility.

Finally, per the Council's request, VHB contacted William Lacourciere, Chairman of the Point-O-Woods Water Pollution Control Authority, regarding the number of residential properties in the Point-O-Woods development hosting winterized dwellings. According to Mr. Lacourciere, approximately 430 residences are currently located within Point-O-Woods, of which approximately 50 to 60 are maintained as winterized dwellings. Please see email correspondence appended hereto as Attachment C.


Michael P. Libertine

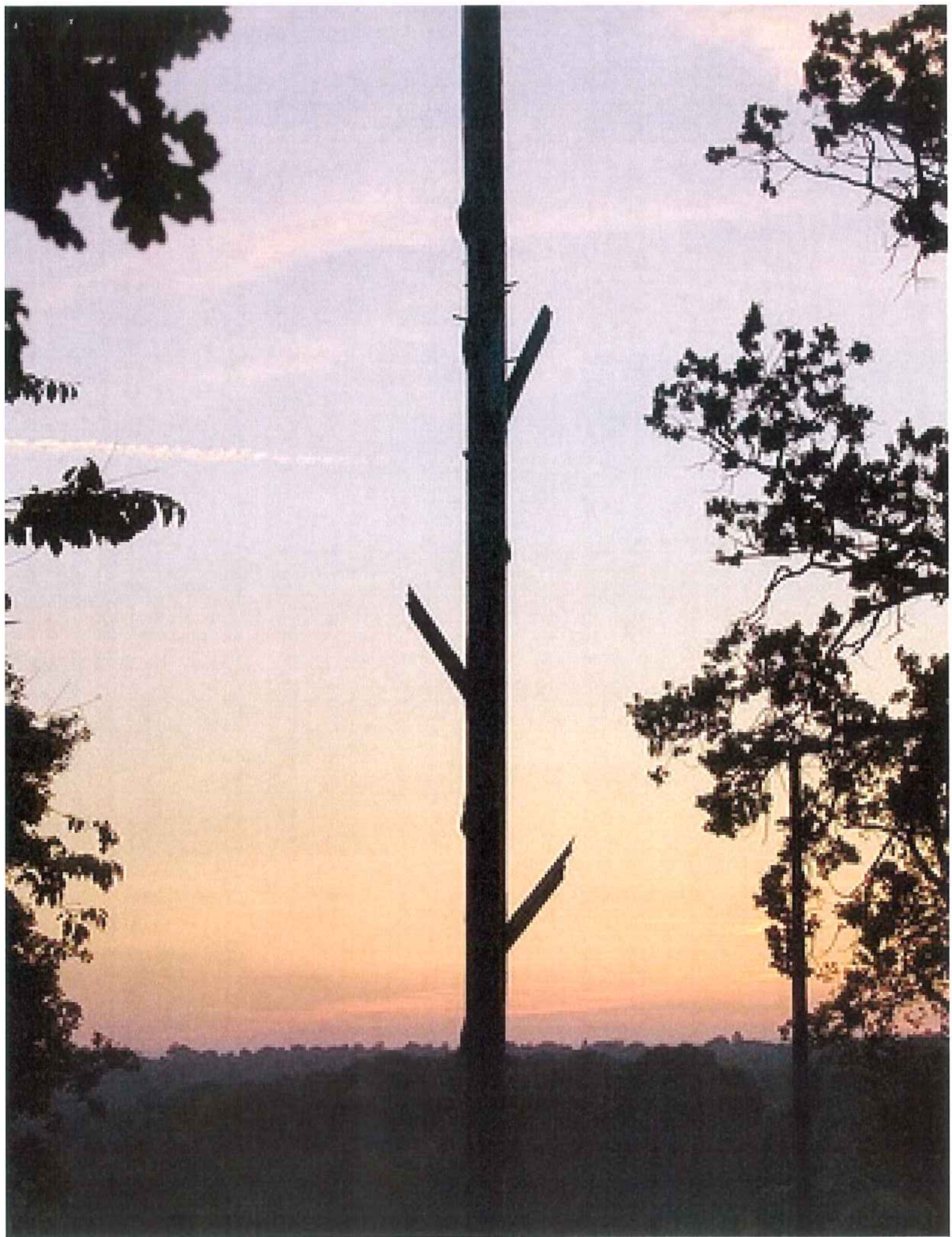
Sworn and subscribed to before me this
8th day of April, 2010.



Notary Public
My Commission expires

KRISTINE M. PAUL
NOTARY PUBLIC
MY COMMISSION EXPIRES JAN. 31, 2014

ATTACHMENT A



ATTACHMENT B



Visibility	Shore Road (Route 156)	Point O'Woods Development
Residentially Developed Parcels With Year-Round Visibility	4	9
Total Parcels With Year-Round Visibility	6	10
Residentially Developed Parcels With Seasonal Visibility	3	13
Total Parcels With Seasonal Visibility	3	19

- Base map comprised of 2006 color aerial photograph

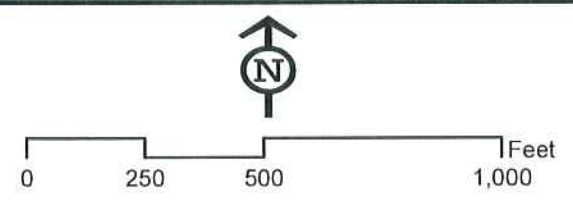
- Legend**
- Proposed Facility
 - Old Lyme Parcels
 - Year-round Visibility
 - Seasonal Visibility

*Note - Seasonal visibility determined based on VHB's July 2009 Visual Resource Evaluation Report and subsequent evaluations conducted during leaf-off conditions

Locations depicted within anticipated areas of visibility are considered to have the potential for views of the proposed facility and does not indicate an unobstructed line of sight from all locations contained therein.

T-Mobile Seasonal and Year Round Visibility Map

CTNL804B
387 Shore Road
Old Lyme, Connecticut



ATTACHMENT C

Libertine, Mike

From: Libertine, Mike
Sent: Wednesday, April 07, 2010 3:21 PM
To: 'wlacourciere@aol.com'
Cc: kathleenMcKeough@hotmail.com; bak3072@yahoo.com
Subject: RE: Request for Information

Thank you for the information Bill - much appreciated. The Council intends to use this to assist in its deliberation and ultimately its decision.

I completely understand your position. I would recommend that you contact Derek Phelps, Executive Director of the Siting Council at (860) 827-2935 (or via email at siting.council@ct.gov) to express your concerns.

If you would like, you could also contact T-Mobile's attorney for additional information regarding this matter, Jesse Langer, with Cohen & Wolfe at (203) 368-0211.

Michael P. Libertine
Director, Environmental Services

860 532-1500 x2356
www.vhb.com

From: wlacourciere@aol.com [mailto:wlacourciere@aol.com]
Sent: Wednesday, April 07, 2010 2:57 PM
To: Libertine, Mike
Cc: kathleenMcKeough@hotmail.com; bak3072@yahoo.com
Subject: Re: Request for Information

Mike,

As you must know most of those at Point O' Woods who are aware of the proposed location of your tower adjacent to our community strongly object to its location. People object for various reasons including aesthetics, the impact on the health of community members, especially children, and its visibility to residents of Point O' Woods. Also, you should be aware that many of our community belong to a homeowner's group that has just won a lawsuit with the town of Old Lyme allowing them to live at Point O' Woods year-round. Now that we have just successfully installed a community sanitary sewer collection system and year-round water, that possibility is a likely prospect for many of our homeowners. Then of course many more will be subjected to the unattractive view of your cell tower year round.

At present there are approximately 430 residences at Point O' Woods with approximately 50-60 of those year round. With the recent court ruling and the advent of the new municipal sewer and water services I expect that number will rise sharply.

Does this council have public hearings or meetings that our members or a representative of our members can attend?

I understand the quandry. We all want good cell service and all complain if service isn't good and complain again when it's in our backyard. As a manufacturer of products and services myself I think it's up to you not us to solve that problem as I would in my business and find a way to site that tower in a more commercial or industrial location that still provides people on the immediate shoreline reliable service.

If there are meetings or hearings which we may attend we would appreciate learning more about meeting dates and location.

Best regards,

Bill Lacourciere

-----Original Message-----

From: Libertine, Mike <MLibertine@VHB.com>
To: wlacourciere@aol.com <wlacourciere@aol.com>
Sent: Wed, Apr 7, 2010 2:13 pm
Subject: RE: Request for Information

Thank you Bill

The Councils hold jurisdiction over the siting and permitting of utility projects in CT, including wireless telecommunications facilities. Although they hold the ultimate decision-making authority, the local municipalities act in a review and comment capacity. This specific Docket (#392) involved a proposed 80-foot tall, west of the Laundromat at 387 Shore Road, adjacent to the railroad tracks (north side). VHB is under contract with T-Mobile, who is the applicant to the Council. In addition to other services, VHB conducts a visibility analysis which predicts where the facility is likely to be visible after construction. Our analysis indicates that some properties in the northwest portion of the Point-o-Woods development may have views of at least a portion of the tower. The majority of these views are predicted to be limited to seasonal, or "leaf-off", times of the year. There are select areas where year-round views may be achieved, but we believe these views would be limited to the very top of the tower at or slightly above the tree canopy.

The Siting Council has a very informative website which can be accessed at:

<http://www.ct.gov/csc/site/default.asp>

On the left hand side of the page is a link to Pending Proceedings, which provides all of the material submitted to the Council to date.

If you would like to discuss further, I am around the office the rest of today and would be happy to elaborate.

Thanks for responding.

Michael P. Libertine

Director, Environmental Services

860.632.1500 x2356

www.vhb.com

From: wlacourciere@aol.com [mailto:wlacourciere@aol.com]

Sent: Wednesday, April 07, 2010 1:45 PM

To: Libertine, Mike

Subject: Re: Request for Information

Hello Michael,

I would be grateful if you could fill me in on the CT Siting Council in terms of what they do, their authority, what your application to the council is for, how it impacts Point O' Woods and also what your relationship is to T-Mobile and the Council. I do have the information you seek and will be more than happy to share it with you.

Best regards,

Bill Lacourciere
Chairman, POW WPCA.

-----Original Message-----

From: Libertine, Mike <MLibertine@VHB.com>
To: wlacourciere@aol.com <wlacourciere@aol.com>
Sent: Wed, Apr 7, 2010 11:36 am
Subject: Request for Information

Good morning Mr. Lacourciere:

I am working with T-Mobile on a current application before the Connecticut Siting Council re: a proposed telecommunications tower project at 387 Shore Road in Old Lyme. The Council has requested that we attempt to ascertain the total number of residential structures within the Point-O-Woods Association and, if possible, identify the number of year-round vs seasonal residences. I spoke with Ann Brown, Zoning Enforcement Office, a few weeks back and she indicated that you might have this information.

Does this information exist and would it be possible for you, or someone from your organization, to provide us with that to report back to the Council. We do not require any additional info or any specific property data.

I would greatly appreciate a response at your earliest convenience. If you have any questions, please do not hesitate to contact me.

Thank you in advance for your assistance.

Michael P. Libertine
Director, Environmental Services

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