## STATE OF CONNECTICUT CONNECTICUT SITING COUNCIL

IN RE:

REOPENING OF SBA TOWERS II, LLC
APPLICATION FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND
PUBLIC NEED FOR THE CONSTRUCTION,
MAINTENANCE AND OPERATION OF A
TELECOMMUNICATIONS FACILITY
LOCATED AT 49 BRAINERD ROAD, NIANTIC
(EAST LYME), CONNECTICUT.

DOCKET NO. 396

January 18, 2011

## INTERVENOR NEW CINGULAR WIRELESS ("AT&T") POST HEARING SUBMISSION

As per the Siting Council's request at the last hearing on this Docket, New Cingular Wireless PCS, LLC ("AT&T") is providing herein information regarding one of the sites previously investigated during AT&T's site search. Included below and attached are details regarding AT&T's investigation of a potential facility location at 120 Old Black Point Road.

In the spring and summer of 2009, representatives for AT&T conducted a site search for potential tower locations on and around the Black Point peninsula. One of the locations researched and reviewed was the property identified as 120 Black Point Road. A rough lease exhibit was produced utilizing, in part, existing/known wetlands information available from the property owner. This lease exhibit is included here as Attachment A. Access to the host parcel was contemplated from Old Black Point Road through a narrow corridor coursing between other residential parcels. As the site has no existing access drive or road, a new gravel drive would be required.

As contemplated, but never fully designed, the access drive would have required a minimum of two wetlands crossings. This "best case scenario" route would, however, require access over an abutting parcel; potentially to be obtained either by easement or other property transfer. If access over that abutting parcel could not be obtained, the access drive would have to have been longer and also cross a third wetland. In addition, the access drive would also have passed directly next to existing homes on neighboring properties.

As these issues were coming to light, AT&T became aware of SBA's proposed site at 49 Brainerd Road. After review, AT&T's radio frequency engineers indicated the 49 Brainerd Road site would provide a significant amount of the desired coverage. Given the close proximity to neighbors, wetlands crossings and other factors impinging on site development at 120 Black Point Road, AT&T pursued co-location on the proposed SBA tower.

## CERTIFICATE OF SERVICE

I hereby certify that on this day, a copy of the foregoing was sent electronically and by overnight delivery to the Connecticut Siting Council with copy to:

Carrie L. Larson, Esq. Pullman & Comley, LLC 90 State House Square Hartford, CT 06103-3707 clarson@pullcom.com

Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 kbaldwin@rc.com

Russell L. Brown 41 Brainerd Road Niantic, CT 06357 rds@businessbookpress.com

Edward B. O'Connell, Esq. Waller, Smith & Palmer, P.C. 52 Eugene O'Neill Drive P.O. Box 88 New London, CT 06320 eboconnell@wallersmithpalmer.com tmcollins@wallersmithpalmer.com

Dated: January 18, 2011

Daniel M. Laub

cc:

Michele Briggs, AT&T Radu Alecsandru, AT&T David Vivian, SAI

Anthony Wells, C Squared Systems, LLC

Christopher B. Fisher, Esq.

Keith R. Ainsworth, Esq. Evans Feldman & Ainswoth, LLC 261 Bradley Street P.O. Box 1694 New Haven, CT 06507-1594 krainsworth@snet.net

Joseph Raia 97 West Main Street, Unit 9 Niantic, CT 06357 Raia.joseph@sbcglobal.net

## EXHIBIT A

