



**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 77-145 PLEASANT POINT ROAD IN THE  
TOWN OF BRANFORD, CONNECTICUT

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

Date: September 30, 2010

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ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED**

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Pursuant to General Statutes § 16-50g *et seq.* and § 16-50j-1 *et seq.* of the Regulations of Connecticut State Agencies, T-Mobile Northeast LLC ("T-Mobile") submits this Application for a Certificate of Environmental Compatibility and Public Need ("Certificate") for the construction, maintenance and operation of a wireless telecommunications facility ("Facility") at 77-145 Pleasant Point Road in the Town of Branford ("Application").

**I. EXECUTIVE SUMMARY**

T-Mobile seeks to construct, maintain and operate the Facility on property known as 77-145 Pleasant Point Road in Branford ("Property"). The Facility would provide needed coverage to Leetes Island Road (Route 146) and Pleasant Point Road, south of Interstate 95, as well as the surrounding area and the Amtrak rail line that passes through the area. The Facility would consist of a 160 foot monopole structure, with antennas mounted on T-arms at a centerline of approximately 157'9" above grade level ("AGL"), and related equipment located nearby on a concrete equipment pad. The

Facility would sit within a 4,800 square foot area leased by T-Mobile, located in the southern portion of the Property, which is an approximately 92.3 acre parcel. An 8 foot high stockade fence, accompanied by white pine plantings, would secure and conceal the equipment at the Facility. Vehicle access would be along a proposed 12 foot wide gravel access.

This Application includes a copy of the Council's Community Antenna Television and Telecommunication Facilities Application Guide with references to this Application, attached as Exhibit A. The Application also includes the lease, survey-based plans for the proposed Facility and a topography map, attached hereto as Exhibits B, C and D, respectively, and other information detailing the proposed Facility. The reports and supporting documentation included in this Application contain the relevant site specific information required by statute and the Council's regulations.

## **II. BACKGROUND INFORMATION**

### **A. The Applicant**

T-Mobile is a limited liability company, organized under the laws of Delaware, with a Connecticut office at 35 Griffin Road South, Bloomfield, Connecticut, 06002. The company and its affiliated entities are licensed by the Federal Communications Commission ("FCC") to construct and operate a personal wireless services system in Connecticut, which has been interpreted as a "cellular system" within the meaning of General Statutes § 16-50i (a) (6). T-Mobile does not conduct any other business in the State of Connecticut other than the provision of cellular services under FCC rules and

regulations. T-Mobile is committed to use the proposed Facility as the anchor tenant. Communications regarding the Application should be to T-Mobile's attorneys as follows:

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

**B. Application Fee**

The estimated construction cost for the Facility is \$200,000.00. In accordance with § 16-50v-1a (b) of the Regulations of Connecticut State Agencies, a check made payable to the Council in the amount of \$1,250.00 accompanies this Application.

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

T-Mobile is not engaged in generating electric power in the State of Connecticut; thus, 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 Statute § 16-50/ (c).

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

Pursuant to General Statutes § 16-50/ (b), T-Mobile 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), T-Mobile 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 is attached hereto as Exhibit F. T-Mobile will provide the Council with the publisher's certificate of publication upon receipt. In compliance with § 16-50/ (b),

notices were sent to each person appearing of record as the owner of real property abutting the Property. 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 telecommunications 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 set forth more fully 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 is an integral component of T-Mobile’s wireless network in the Town of Branford (“Town”). There is a coverage gap in this area of the Town, specifically along Leetes Island Road (Route 146) and Pleasant Point Road, south of Interstate 95, as well as the surrounding area and the Amtrak rail line that passes through the area.

The Facility, in conjunction with other existing and future facilities in the Town and surrounding towns, is necessary for T-Mobile to provide wireless services to people living in and traveling through this area of the State.

The propagation plots, attached hereto as Exhibit H, depict T-Mobile's need for the Facility. Based upon the location of the Facility and the current lack of coverage in this area, T-Mobile cannot readily predict when 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 has provided such services in Connecticut since the mid-1990s and remains actively involved in the deployment of state-of-the-art wireless services. 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 ("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 enable faster delivery of emergency care, resulting in reduced fatalities and severity of injuries. With each year since the 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. T-Mobile has deployed and continues to deploy "Time Difference of Arrival" network technology to comply with the FCC E911 requirements. The Facility would become an integral component of T-Mobile's E911 network in this area of the state. As other wireless carriers expand their service in the Town through the Facility, E911 services would experience additional improvement.

### **C. Technological Alternatives**

The FCC licenses granted to T-Mobile authorize it to provide cellular and "Personal Communication Services" in this area of the State through deployment of a network of wireless transmitting sites. The Facility is a necessary component of T-Mobile's wireless network. The Facility would 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 the areas surrounding the Facility. There are no

equally effective technological alternatives to construction of a new facility for providing reliable personal wireless services in this area of Connecticut.

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

### **A. Site Selection**

T-Mobile selects a site in an area where there is an existing need or problem regarding coverage or capacity within T-Mobile's network. The site selected is the geographical location where the installation of a telecommunications facility would likely address the identified coverage or capacity issue. T-Mobile conducts a site search with the goal of finding a site that would resolve the coverage or capacity issue and minimize any potential environmental impact.

T-Mobile conducted a site search and identified the Property as the best possible location to resolve the existing coverage concerns. The nearest telecommunications facilities are already in use by T-Mobile. There are no other facilities or structures which T-Mobile could utilize to alleviate the existing coverage gap.

The proposed Facility would allow T-Mobile to provide coverage while at the same time minimize any environmental impacts. The site of the proposed Facility:

- Is not located within 1,000 feet of any residential structures;
- Would be shielded by existing mature vegetation;
- Would be located approximately 290 feet north of the nearest coastal resource and, therefore, the Facility would not adversely impact any coastal resource;
- Although the proposed Facility would result in minor wetland disturbance, T-Mobile would implement appropriate mitigation measures to avoid an adverse impact to any wetland system; and



- Although the Facility would require the removal of 19 trees, a buffer of trees would remain on all sides of the Facility. T-Mobile would also include white pine plantings around the Facility compound.

None of the other sites reviewed, or any other known and available sites, within the coverage objective, would provide adequate coverage and also allow for the same level of mitigation of environmental impacts as does the proposed site for the Facility.

The map of facilities within a four mile radius, along with the site selection narrative and map of rejected sites, Exhibits I and J, provide a thorough explanation of T-Mobile's methodology for conducting site searches, the actual search for potential sites in the Town, and depict the locations reviewed during T-Mobile's search and the reasons for elimination from consideration of all but the Property.

#### **B. Tower Sharing**

To promote the sharing of wireless facilities in the Town, T-Mobile proposes to construct a facility that can accommodate T-Mobile and three other wireless carriers in the Connecticut marketplace. The Facility could also accommodate municipal public safety antennas at no cost to the Town. Details of the design are included in Exhibit C. Materials provided by T-Mobile to the Town articulated T-Mobile's willingness to provide, free of charge, space on the proposed monopole for municipal public safety communications antennas.

## **VI. FACILITY DESIGN**

T-Mobile would lease a 4,800 square foot area within the Property, which is an approximately 92.3 acre parcel. The Facility compound would be 2,500 square feet, which would be secured and concealed by an eight-foot high stockade fence,

accompanied by white pine plantings. The Facility would consist of a 160 foot monopole structure. T-Mobile would install its antennas at 157'9" AGL and place its equipment cabinets nearby. The monopole tower and equipment compound are designed to accommodate the facilities of all wireless carriers active in the Connecticut marketplace. T-Mobile would make space available, free of charge, for municipal public safety communications.

Vehicular access to the Facility would extend from Pleasant Point Road over a proposed 12 foot wide gravel access driveway along an abandoned railroad bed. T-Mobile would extend utility service overhead from an existing utility pole at Pleasant Point Road. Exhibit C contains plans, descriptions and other relevant information for the Facility. Exhibit K is an inland wetlands delineation report as well as a wetland impact Assessment and NEPA compliance. Exhibit L is a listing of residential structures within 1,000 feet of the Facility. Exhibit M is a tree inventory. Exhibit O includes a coastal consistency analysis. In summary, those exhibits reveal the following:

- The Facility is not located within 1,000 feet of any residential structures;
- The Facility would be secluded and shielded by existing mature vegetation;
- The Facility would be located approximately 290 feet north of the nearest coastal resource and, therefore, the Facility would not adversely impact any coastal resource;
- Although the proposed Facility would result in some wetland disturbance, T-Mobile would implement appropriate mitigation measures to avoid an adverse impact to any wetland system;
- Although the Facility would require the removal of 19 trees, a buffer of trees would remain on all sides of the Facility; and
- T-Mobile would surround the Facility compound with a stockade fence and 10 foot white pine trees to further seclude the Facility.

## **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 would not have a significant adverse environmental impact.

### **A. Visual Assessment**

The visual impact of the Facility would 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 has proven to depict accurately the potential impact of the Facility from surrounding views as well as a Visual Resource Evaluation.

T-Mobile retained visibility experts Vanasse Hangen Brustlin, Inc. ("VHB") to prepare the Visual Resource Evaluation. As part of its study, on April 6, 2010, VHB conducted a balloon float test at 160 feet AGL to evaluate the potential viewshed impacts, if any, associated with the Facility. With this balloon float, VHB sought to determine the visual impact of the Facility, accounting for local, state and federal historic and recreational sites, within a two-mile radius of the proposed Facility ("Study Area"). An affidavit regarding that balloon float is also attached as Exhibit N.

The topography and vegetation contained at the Property and within the Study Area serve to minimize the potential visual impact of the Facility. The existing vegetation

in the area of the Property is mixed deciduous hardwood species with an average estimated height of 60 feet. This vegetation sits on gently rolling hills that range in ground elevation from approximately sea level to approximately 165 feet above mean sea level. The tree canopy covers nearly 3,787 acres of the 8,042 acre Study Area. The Study Area includes 91 linear miles of roadways and rail line as well as 1,845 acres of surface water (primarily the Long Island Sound).

Based on the viewshed analysis contained in Exhibit N, areas from which the Facility would be at partially visible year round comprise 1,061 acres within the 8,042 acre Study Area. The majority of these views would be on the Long Island Sound – approximately 970 acres, which makes up 91 percent of the acreage with views in the Study Area. The tidal marshes and the Pine Orchard walking trail to the south and southeast would have some partial year-round views of the proposed Facility. Select portions of Pleasant Point Road and Stony Creek Road / Route 146 would also have limited year-round views of the Facility.

The Facility would be partially visible year round to 17 residential properties within the Study Area, which would include 14 properties on Stony Creek Road / Route 146 and 3 properties on West Point Road. The views from these properties would be limited to portions of the rear yards, which would be oriented in the direction of the proposed Facility.

Areas of seasonal visibility would comprise approximately 108 additional acres, primarily within the immediate vicinity of the Property (within approximately 0.50 miles). These views would be along select portions of Stony Creek Road / Route 146, Pleasant Point Road, Fellsmere Farm Road and Whiting Farm Road. There are approximately

22 additional residential properties that may have limited seasonal views of the Facility, including 9 properties along Route 146; 5 properties on Pleasant Point Road; 4 properties located at the end of Fellsmere Farm Road; 3 properties along the Whiting Farm Road Cul-de-Sac; and 1 property on Gaylea Drive. These views would be limited and primarily through existing, mature vegetation.

The Facility would have a *de minimis* visual impact as it would be screened by the proposed fencing and landscaping, as well as the existing vegetation. The Visual Resources Evaluation demonstrates that the Facility would not be obtrusive, even from most of the areas where the Facility would be partially visible. Accordingly, the proposed Facility would not result in an unacceptable adverse visual impact. Weather permitting, T-Mobile will raise a balloon with a diameter of at least 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**

T-Mobile consulted with the Connecticut State Historic Preservation Office ("SHPO") and the Connecticut Department of Environmental Protection ("DEP"). SHPO determined that no impact is anticipated. Additionally, the DEP concluded that the Facility would not impact any endangered, threatened or special concern species. However, as explained in Parts VII.D. and VIII.D., *infra*, a small portion of the proposed access would disturb a wetland system, but not in a manner that would adversely impact that wetland system. The DEP confirmed that the minor disturbance would not result in a significant impact to the flood plain. Copies of the SHPO and DEP

correspondence, as well as the DEP mapping regarding the Facility, are attached hereto as Exhibit O. The wetland analysis and compliance is included as Exhibit K.

**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, T-Mobile 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 power density for T-Mobile’s operations would be approximately 3.6875 percent of the applicable FCC 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 would be unmanned, requiring infrequent monthly maintenance visits by each carrier that would last approximately 1 hour. T-Mobile’s equipment at the Facility would be monitored 24 hours a day, 7 days a week from a remote location. The Facility would not require a water supply or wastewater utilities. The Facility would not need any outdoor storage or solid waste receptacles, and the Facility would not create or emit any smoke, gas, dust or other air contaminants, noise, odors or vibrations. The construction and operation of the proposed Facility would have no significant impact on air, water, or noise quality.

T-Mobile retained EBI Consulting (“EBI”) to evaluate the Facility in accordance with the FCC’s regulations implementing the National Environmental Policy Act of 1969 (“NEPA”). A copy of the NEPA Summary Report is attached hereto as Exhibit Q.

The site of 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 would not affect threatened or endangered species or designated critical habitats. The only endangered species located in the area is the roseate tern. The roseate tern resides along coastal beaches, on islands and near the Atlantic Ocean. The proposed Facility would not be situated within the roseate tern's natural habitat, as the site would be located away from any coastal beaches, islands and the Atlantic Ocean. The DEP confirmed that the proposed Facility would not impact any threatened or endangered species. See Exhibit O. Additionally, the proposed Facility would not impact migratory bird species since the Facility would not utilize guy wires and would be less than 200 feet. See Exhibit Q.

There are no National Parks, National Forests, National Parkways or Scenic Rivers, State Forest, State Designated Scenic Rivers or State Gamelands located in the vicinity of the proposed Facility. Although the Facility's proposed access would result in a minor disturbance to a wetland system, that disturbance would not result in an adverse impact to that system. Similarly, although a portion of the Facility's access would be located in a 100 year and 500 year floodplain, the proposed access would not adversely impact the floodplain.<sup>1</sup>

In conjunction with the NEPA evaluation, T-Mobile retained VHB to identify whether any wetland systems are located near the proposed Facility. VHB identified 3 wetland systems. These wetlands are located at least 100 feet from the proposed

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<sup>1</sup> EBI recommended that T-Mobile obtain an environmental assessment from the FCC regarding the impact of the Facility's proposed access on the wetlands and floodplain. T-Mobile has initiated that process. T-Mobile has consulted already with the DEP and assessed the Army Corps of Engineers regulations. T-Mobile does not anticipate any adverse environmental impact. See Exhibits K, O and Q.

Facility compound. VHB determined that the Facility compound would not impact any wetland system. The proposed access, however, would result in a minor disturbance to a wetland system (designated Wetland 1 on Exhibit K). Wetland 1 is a small isolated wetland system, which was disturbed previously by the construction of Pleasant Point Road and the nearby railroad tracks. T-Mobile would take precautionary steps during construction, as well as permanent mitigation measures, to minimize any impacts to Wetland 1. With these measures, VHB concluded that the impact of the proposed Facility on the 3 wetland systems would be minimal and, accordingly, would not result in an adverse impact to any wetland system. See Exhibits K and O.

Because the proposed Facility would result in minimal wetland disturbance (approximately 600± square feet), the Facility falls well within the requirements of a Category I project as defined by the Army Corps of Engineers New England Division (“Corps”). The Corps requires less than 5,000 square feet of disturbance. Because the Facility would classify as a Category I project, VHB concluded that the proposed Facility would not result in a significant environmental impact. See Exhibits K and O.

VHB also consulted with the Connecticut Department of Environmental Protection, State National Flood Insurance Program (NFIP) Coordinator. The Coordinator confirmed that a portion of the proposed access (not the Facility compound) would be located in the 100 year and 500 year floodplain. She concluded, however, that the proposed access would comply with the NFIP standards “since impacts are negligible and activities are allowable.” See Exhibits K and O.

Additionally, the Facility would not affect any sites, buildings, structures or objects significant to American history, architecture, culture, archeology or engineering.



On June 17, 2010, SHPO issued a letter stating that the proposed Facility would not impact such resources. EBI also consulted with two Native American Indian tribes – the Mashantucket Pequot Tribe and the Narragansett Indian Tribe – because they might have interests impacted by the construction, operation and maintenance of the Facility. The Tribes confirmed that they do not have any interests that would be impacted by the Facility as presently proposed. A copy of the Tribal Consult is included in Exhibit Q.

Although T-Mobile is awaiting final comment from the FCC, T-Mobile anticipates that the Facility would not require a permit from the FCC prior to construction of the proposed Facility. See 47 C.F.R. §§ 1.1306(b) and 1.1307(a). The Facility compound would not adversely impact the environment. Additionally, the DEP has concluded that the minor encroachment of the Facility's access upon the 100 and 500 year floodplain would not have an adverse impact. See Exhibits K and O.

Finally, VHB analyzed whether the Facility meets the requirements of the Connecticut Coastal Management Act, General Statutes § 22a-90 et seq. ("CMA"). A copy of VHB's report is attached as Exhibit O. Although located within the "coastal boundary," there are no "coastal resources" on the Property. The nearest "coastal resources" are tidal wetlands and an estuary area associated with a tributary to Stony Creek, which is located approximately 290 feet south of the proposed Facility. Accordingly, the Facility would not impact any "coastal resources" and would comply with the requirements of the CMA.

## **VIII. CONSISTENCY WITH THE BRANFORD LAND USE REGULATIONS**

The Facility would be consistent with Branford's Zoning and Wetland Regulations and Plan of Conservation and Development. This section includes an analysis of the Facility under the Town's land use regulations, as well as a description of the planned and existing uses of the Property.

### **A. Branford Plan of Development**

The Branford Plan of Conservation and Development ("Plan"), a copy of which is included in the bulk filing, was adopted on November 20, 2008. The Plan addresses the need to provide utilities, such as wireless telecommunication services, that are "appropriately located" and of "adequate capacity." See Bulk Filing, Plan of Conservation and Development, p. 85. The Plan also recognizes that wireless services are poor in some areas of the Town. *Id.*, p. 86. Accordingly, the construction, maintenance and operation of telecommunications facilities, such as the Facility, would provide the Town's residents and businesses with much needed wireless communications services. The Facility would also improve the Town's ability to provide its residents with emergency services.

### **B. Branford Zoning Regulations**

Section 36.12 of the Branford Zoning Regulations addresses telecommunications facilities. See Bulk Filing, Branford Zoning Regs. c. 3, § 36.12. The Facility comports with a majority of the requirements and standards articulated by the Regulations.

- The design and location of the Facility would minimize any adverse visual effects. Branford Zoning Regs. c. 3, § 36.12.1(a).
- The Facility would encourage co-location as it would be engineered to accommodate three additional carriers and also provide space for municipal antennas at no charge to the Town. Branford Zoning Regs. c. 3, § 36.12.1(c).

- The existing topography and mature vegetation would provide natural screening for the Facility. Additionally, T-Mobile would include a stockade fence and 10 foot white pine trees around the Facility compound. Branford Zoning Regs. c. 3, § 36.12.1(a)
- The Facility would not have any lighting attached to it — other than as required by the Federal Aviation Administration (“FAA”). Branford Zoning Regs. c. 3, § 36.12.1(e).
- The Facility would not have any commercial advertising or signage. Branford Zoning Regs. c. 3, § 36.12.1(f).
- The Facility would comply with most of the setback requirements required by the Zoning Regulations. Branford Zoning Regs. c. 3, § 36.12.1(i).

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

The Property is currently vacant and undeveloped. T-Mobile is not aware of any future development plans regarding the Property.

### **D. Branford Inland Wetlands and Watercourses Regulations**

The Branford Inland Wetlands and Watercourses Regulations regulate certain activities conducted in or adjacent to “wetlands” as defined therein. Regulated activities include the “removal or deposition of material, or any obstruction, construction, alteration or pollution” in or of a wetland or watercourse. Further, regulated activities include any “clearing, grubbing, filling, grading paving, excavating, construction, depositing or removing material, cutting vegetation (living or dead), or discharging of storm water on land within 100 feet measured horizontally from the boundary of any wetland or watercourse . . . .” See Bulk Filing, Inland Wetlands and Watercourses Regulations, § 2.1.

As discussed in Part VII.D., *supra*, there are 3 wetland systems on the Property within the vicinity of the proposed Facility. The wetlands are more than 100 feet from the proposed Facility compound. The proposed access would result in a minor

disturbance to one of the wetland systems (designated Wetland 1 on Exhibit K). T-Mobile would take precautionary steps during construction and permanent mitigation measures to minimize any impacts to Wetland 1. VHB concluded that the Facility would not impact Wetland 2 or 3 and determined that the impact of the proposed access on Wetland 1 would be minimal. VHB also evaluated the design of the proposed Facility against the Corps' regulations. These efforts confirmed that the proposed Facility would not adversely impact the wetlands.

## **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 December 28, 2009, T-Mobile submitted a technical report to the First Selectman, the Honorable Anthony "Unk" DaRos, 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, if any, of the proposed Facility. A copy of the cover letter submitted with the technical report is attached as Exhibit R.

On January 21, 2010, representatives of T-Mobile met with the First Selectman to discuss the proposed Facility. They outlined the proposal and addressed any questions the First Selectman raised regarding need, environmental impacts and specific project details. The First Selectman expressed a general concern regarding the

number of towers proposed throughout the Town by various developers/carriers, but indicated that he understood there was a need for coverage in the area of T-Mobile's proposed Facility. The First Selectman also indicated that he was putting together a "Blue Ribbon Committee" to consider the Town's wireless needs. T-Mobile offered to participate in this informational committee and to provide information that would be of assistance to the committee. As of the date of this filing, T-Mobile has not received any request to participate in any manner.

#### **B. Consultations with State Officials**

As noted in Section VII.B of this Application, T-Mobile consulted with the SHPO and the DEP. Copies of the correspondence with SHPO and the DEP, as well as a copy of the DEP mapping, are included in Exhibits K and O.

#### **C. Consultation with Federal Agencies**

T-Mobile received a report from SiteSafe concerning the proposed Facility's compliance with the FAA, 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.

T-Mobile has also submitted a request for an environmental assessment with the FCC in accordance with the NEPA report. As discussed in Parts VII.D and VIII.D., *supra*, an environmental assessment is required regarding the proposed access, which would result in a small disturbance to one wetland system and a minor encroachment onto a floodplain. T-Mobile's environmental analysis, including consultation with the DEP, indicated that the proposed Facility would not adversely impact any wetland or

flood plain. T-Mobile will forward the FCC's determinations to the Council upon receipt from the FCC.

**X. ESTIMATED COST AND SCHEDULE**

**A. Overall Estimated Cost**

The total estimated cost of construction for the Facility is \$200,000.00. This estimate includes:

- (1) Tower and foundation costs (including installation) of approximately \$90,000.00;
- (2) Site development costs of approximately \$65,000.00; and
- (3) Utility installation costs of approximately \$45,000.00.

**B. Overall Scheduling**

Site preparation and engineering would commence immediately following Council approval of T-Mobile's Development and Management ("D&M") Plan and is expected to be completed within four (4) to five (5) weeks. Installation of the monopole structure, antennas and associated equipment is expected to take an additional eight (8) weeks. The duration of the total construction schedule is approximately thirteen (13) weeks. Facility integration and system testing is expected to require an additional two (2) weeks after the construction is completed.

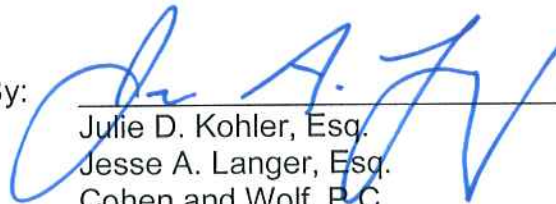
**XI. CONCLUSION**

This Application and the accompanying materials and documentation demonstrate that a public need exists in the Town for improved wireless services and that the Facility would not have any substantial adverse environmental effects. T-Mobile, therefore, respectfully submits that the public need for the Facility outweighs any potential 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 Facility.

**Respectfully Submitted,**

**T-MOBILE NORTHEAST LLC**

By:



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# **EXHIBIT A**



<b>Application Guideline</b>	<b>Location in Application</b>
(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 in the location of the proposed site should accompany the description;	I. Executive Summary, pages 1-2  Exhibit C, Site Plans
(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. Executive Summary, pages 1-2  VI. Facility Design, pages 8-9  Exhibit C, Site Plans
(C) A statement of the purpose for which the application is made;	I. Executive Summary, pages 1-2
(D) A statement describing the statutory authority for such application;	I. Executive Summary, pages 1-2
(E) The exact legal name of each person seeking the authorization or relief and the address or principal 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;	II.A. The Applicant, pages 2-3
(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;	II.A. The Applicant, pages 2-3
(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;	IV.A. Statement of Need, pages 4-5  IV.C. Technological Alternatives, pages 6-7  Exhibit H, Radio Frequency Coverage Plots from T-Mobile
(H) A statement of the benefits expected from the proposed facility with as much specific information as is practicable;	IV.B. Statement of Benefits, pages 5-6
(I) A description of the proposed facility at the proposed prime and alternative sites including:	I. Executive Summary, pages 1-2  IV.A. Statement of Need, pages 4-5

Application Guideline	Location in Application
<p>(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;</p> <p>(2) Access roads and utility services;</p> <p>(3) Special design features;</p> <p>(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;</p> <p>(5) A map showing any fixed facilities with which the 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>	<p>IV.A. Statement of Need, pages 4-5</p> <p>VI. Facility Design, pages 8-9</p> <p>VII.C. MPE Limits/Power Density Analysis, page 13</p> <p>Exhibit P, Power Density Calculations</p> <p>Exhibit H, T-Mobile's Radio Frequency Coverage Plots</p> <p>Exhibit C, Site Plans</p>
<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 =</p>	<p>VI. Facility Design, pages 8-9</p> <p>Exhibit C, Site Plans</p>

Application Guideline	Location in Application
<p>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>	
<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>	<p>VI. Facility Design, pages 8-9</p> <p>IV.C. Technological Alternatives, pages 6-7 (antenna requirements)</p> <p>VII.B. Solicitation of State Agency Comments, pages 12-13</p> <p>Exhibit C, Site Plans</p> <p>Exhibit J, Site Selection Analysis and Map of Rejected Sites</p> <p>Exhibit K, Statement of Compliance</p> <p>Exhibit O, Correspondence with State Agencies</p>
<p>(L) A description of the existing and planned land uses of the named sites and surrounding areas;</p>	<p>VIII.C. Planned and Existing Land Uses, page 18</p>
<p>(M) A description of the scenic, natural, historic, and recreational characteristics of the named sites and surrounding areas</p>	<p>VII.D. Branford Inland Wetlands and Watercourses Regulations, pages 18-19</p>

<b>Application Guideline</b>	<b>Location in Application</b>
including officially designated nearby hiking trails and scenic roads;	<p>Exhibit N, Visual Resource Evaluation Report</p> <p>Exhibit O, Correspondence with State Agencies</p> <p>Exhibit Q, NEPA Summary Report</p> <p>Bulk Filing</p>
(N) Sight line graphs to the named sites from visually impacted areas such as residential developments, recreational areas, and historic sites;	Exhibit N, Visual Resource Evaluation Report. Applicant respectfully requests a waiver from the sight line graphs requested in the Council's guidelines given the extensive and comprehensive visual analysis, including viewshed maps and photosimulations from such visual receptors as included in Exhibit N.
(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;	Exhibit I
(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;	<p>V. Site Selection and Tower Sharing, pages 7-8</p> <p>Exhibit C, Site Plans</p>
(Q) A description of the technological alternatives and a statement containing justification for the proposed facility;	IV.C. Technological Alternatives, pages 6-7
(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;	<p>V. Site Selection and Tower Sharing, pages 7-8</p> <p>Exhibit J, Site Selection Analysis and Rejected Sites</p>
(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	<p>V. Site Selection and Tower Sharing, pages 7-8</p> <p>Exhibit H, T-Mobile's Radio Frequency Coverage Plots</p>

<b>Application Guideline</b>	<b>Location in Application</b>
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);	Exhibit J, Site Selection Analysis and Map of Rejected Sites
(T) A statement describing hazards to human health, if any, with such supporting data and references to regulatory standards;	VII.C. MPE Limits/Power Density Analysis, page 13  Exhibit P, Power Density Analysis  Bulk Filing
(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;	X.A. Overall Estimated Cost, page 21
(V) A schedule showing the proposed program of site acquisition, construction, completion, operation and relocation or removal of existing facilities for the named sites;	X.B. Overall Scheduling, page 21
(W) A statement indicating that, weather permitting, the applicant will raise a balloon with a diameter of at least three 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	VII.A. Visual Assessment, pages 10-12
(X) Such information as any department or agency of the state exercising environmental controls may, by regulation, require including: (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;	VII.B. Solicitation of State Agency Comments, pages 12-13  VII.C. MPE Limits/Power Density Analysis, page 13  VII.D. Other Environmental Factors, pages 13-16  IX. Consultation with Local, State and Federal Officials, pages 19-21

Application Guideline	Location in Application
and local conservation, inland wetland, and planning and zoning commissions with	
<p>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 Town's regulations and plans.</p>	<p>VIII. Consistency with the Branford Land Use Regulations, pages 17-19</p> <p>Exhibit O, State Agency Correspondence</p> <p>Exhibit P, RF Emissions Report (power density)</p> <p>Exhibit Q, NEPA Summary Report</p> <p>Exhibit R, Municipal Consult</p> <p>Exhibit S, FAA Letter</p> <p>Bulk Filing</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;	Exhibit C, Site Plan
(Z) Such information as the applicant may consider relevant.	Exhibit L, Residential Structures within 1000 feet of the Facility

# **EXHIBIT B**

## TOWER LEASE WITH OPTION

THIS TOWER LEASE WITH OPTION (this "Lease") is by and between Tilcon Inc., a(n) Connecticut corporation ("Landlord") and T-Mobile Northeast LLC, a Delaware limited liability company ("Tenant").

### 1. Option to Lease.

(a) In consideration of the payment of [REDACTED] (the "Option Fee") by Tenant to Landlord, Landlord hereby grants to Tenant an option to lease a portion of the real property described in the attached Exhibit A (the "Property"), together with the right to use the tower located thereon ("Tower"), on the terms and conditions set forth herein (the "Option"). The Option shall be for an initial term of twelve (12) months, commencing on the Effective Date (as defined below) (the "Option Period"). The Option Period may be extended by Tenant for an additional twelve (12) months upon written notice to Landlord and payment of the sum of [REDACTED] ("Additional Option Fee") at any time prior to the end of the Option Period.

(b) During the Option Period and any extension thereof, and during the Initial Term and any Renewal Term (as those terms are defined below) of this Lease, Landlord agrees to cooperate with Tenant in obtaining, at Tenant's expense, all licenses and permits or authorizations required for Tenant's use of the Premises (as defined below) from all applicable government and/or regulatory entities, including, without limitation, zoning and land use authorities, and the Federal Communications Commission ("FCC") (collectively, "Governmental Approvals"), including all land use and zoning permit applications. During the Option Period and any extension thereof, and during the Initial Term and any Renewal Term of this Lease, Landlord agrees to cooperate with and to allow Tenant, at no cost to Landlord, to obtain a title report, zoning approvals and variances for the limited purpose of constructing, operating, and maintaining the Tower, and land-use permits required for the limited purpose of constructing, operating, and maintaining the Tower. Landlord expressly grants to Tenant a right of access to the Property to perform any surveys, soil tests, and other engineering procedures or environmental investigations ("Tests") on the Property deemed necessary or appropriate by Tenant to evaluate the suitability of the Property for the uses contemplated under this Lease. During the Option Period and any extension thereof, and during the Initial Term or any Renewal Term of this Lease, Landlord agrees that it will not interfere with Tenant's efforts to secure other licenses and permits or authorizations that relate to other property. During the Option Period and any extension thereof, Tenant may exercise the Option by so notifying Landlord in writing, at Landlord's address in accordance with Section 12 hereof.

(c) If Tenant exercises the Option, then Landlord hereby leases to Tenant that portion of the Tower and Property necessary and sufficient for placement of the Antenna Facilities (as defined below), together with all necessary space and easements for access and utilities, as described and depicted in the attached Exhibit B (collectively referred to hereinafter as the "Premises"). The Premises, located at Pleasant Point Road, Branford, New Haven County, Connecticut 06405, comprises approximately 4,800 square feet. Tenant's location on the Tower shall be at 157'-9" feet above ground level.

2. Term. The initial term of this Lease shall be five (5) years commencing on the date of exercise of the Option (the "Commencement Date"), and terminating at midnight on the last day of the initial term (the "Initial Term").

3. Renewal. Tenant shall have the right to extend this Lease for five (5) additional and successive five-year terms (each a "Renewal Term") on the same terms and conditions as set forth herein. This Lease shall automatically renew for each successive Renewal Term unless Tenant notifies Landlord, in writing, of Tenant's intention not to renew this Lease, at least thirty (30) days prior to the expiration of the Initial Term or any Renewal Term. If Tenant shall remain in possession of the Premises at the expiration of this Lease or any Renewal Term without a written agreement, such tenancy shall be deemed a month-to-month tenancy under the same terms and conditions of this Lease.

### 4. Rent.

(a) From and after the Commencement Date, Tenant shall pay Landlord or designee, as rent, [REDACTED] ("Rent"). The first payment of Rent shall be due within twenty (20) days following the Commencement Date and shall be prorated based on the days remaining in the month that includes the Commencement Date, and thereafter Rent will be payable monthly in advance by the fifth day of each month to Landlord at the address specified in Section 12 below. If this Lease is terminated for any reason (other than a default by Tenant) at a time other than on the last day of a month, Rent shall be prorated as of the date of termination and all prepaid Rent shall be immediately refunded to Tenant. Landlord, its successors, assigns and/or designee, if any, shall submit to Tenant any documents required by Tenant in connection with the payment of Rent, including, without limitation, an IRS Form W-9.

(b) During the Initial Term and any Renewal Terms, monthly Rent shall be increased on each annual anniversary of the Commencement Date to an amount equal to one hundred three percent (103%) of the monthly Rent in effect immediately prior to the anniversary date.



5. Permitted Use. The Premises may be used by Tenant for the transmission and reception of radio communication signals and for the construction, installation, operation, maintenance, repair, removal or replacement of related facilities, including, without limitation, tower and base, antennas, microwave dishes, equipment shelters and/or cabinets and related activities.

6. Interference. Tenant shall not use the Premises in any way which interferes with the use of the Property by Landlord or lessees or licensees of Landlord with rights in the Property prior in time to Tenant's. Similarly, Landlord shall not use, nor shall Landlord permit its lessees, licensees, employees, invitees or agents to use, any portion of the Property in any way which interferes with the operations of Tenant. Such interference shall be deemed a material breach by the interfering party, who shall, upon written notice from the other, be responsible for terminating said interference. In the event any interference by either party with respect to the other party's operations does not cease promptly, the parties acknowledge that continuing interference may cause irreparable injury and, therefore, the injured party shall have the right, in addition to any other rights that it may have at law or in equity, to bring a court action to enjoin such interference or to terminate this Lease immediately upon written notice.

7. Improvements; Utilities; Access.

(a) Tenant shall have the right, at its expense, to erect and maintain on the Premises improvements, personal property and facilities necessary to operate its communications system, including, without limitation, radio transmitting and receiving antennas, microwave dishes, equipment shelters and/or cabinets and related cables and utility lines and a location based system, as such location based system may be required by any county, state or federal agency/department, including, without limitation, additional antenna(s), coaxial cable, base units and other associated equipment (collectively, the "Antenna Facilities"). Tenant shall have the right to alter, replace, expand, enhance and upgrade the Antenna Facilities at any time during the term of this Lease. Tenant shall cause all construction to occur lien-free and in compliance with all applicable laws and ordinances. Landlord acknowledges that it shall neither interfere with any aspects of construction nor attempt to direct construction personnel as to the location of or method of installation of the Antenna Facilities and the Easements (as defined below). The Antenna Facilities shall remain the exclusive property of Tenant and shall not be considered fixtures. Tenant shall have the right to remove the Antenna Facilities at any time during and upon the expiration or termination of this Lease.

(b) Tenant, at its expense, shall use any and all appropriate means of restricting access to and from the Antenna Facilities, including, without limitation, the construction of a fence.

(c) Tenant shall, at Tenant's expense, keep and maintain the Antenna Facilities now or hereafter located on the Property in commercially reasonable condition and repair during the term of this Lease, normal wear and tear excepted. Upon termination or expiration of this Lease, the Premises shall be returned to Landlord in good, usable condition, normal wear and tear excepted. Included in the requirement to return the Premises to Landlord in good, usable condition, normal wear and tear excepted, is Tenant's obligation to remove the Antenna Facilities and any concrete that may be installed on the Premises. Tenant shall remove the Antenna Facilities and any and all concrete on the Premises or in the ground that may be installed or placed on the Premises by Tenant as a foundation for the Tower, or for any other appropriate purposes under the Lease to three feet below grade unless otherwise specified by local zoning or building codes.

(d) Tenant shall have the right to install utilities, at Tenant's expense, and to improve the present utilities on the Property (including, but not limited to, the installation of emergency power generators). Landlord agrees to use reasonable efforts in assisting Tenant to acquire necessary utility service. Tenant shall, wherever practicable, install separate meters for utilities used on the Property by Tenant. In the event separate meters are not installed, Tenant shall pay the periodic charges for all utilities attributable to Tenant's use, at the rate charged by the servicing utility. Landlord shall diligently correct any variation, interruption or failure of utility service.

(e) As partial consideration for Rent paid under this Lease, Landlord hereby grants Tenant temporary easements on, under and across the Property for ingress, egress, utilities and access (including access for the purposes described in Section 1) to the Premises adequate to install and maintain utilities, including, but not limited to, the installation of power and telephone service cable, and to service the Premises and the Antenna Facilities at all times during the Initial Term of this Lease and any Renewal Term (collectively, the "Easements"). The Easements provided hereunder shall have the same term as this Lease.

(f) Tenant shall have 24-hours-a-day, 7-days-a-week access to the Premises at all times during the Initial Term of this Lease and any Renewal Term, at no charge to Tenant. Such access shall be via access roadways to be agreed upon by the parties.

(g) Intentionally omitted.

8. Termination. Except as otherwise provided herein, this Lease may be terminated, without any penalty or further liability as follows:

(a) upon thirty (30) days' written notice by Landlord if Tenant fails to cure a default for payment of amounts due under this Lease within such thirty (30) day period;

(b) immediately upon written notice by Tenant if Tenant notifies Landlord of any unacceptable results of any Tests prior to Tenant's installation of the Antenna Facilities on the Premises, or if Tenant does not obtain, maintain, or otherwise forfeits or cancels any license (including, without limitation, an FCC license), permit or any Governmental Approval necessary to the installation and/or operation of the Antenna Facilities or Tenant's business;

(c) upon thirty (30) days' written notice by Tenant if Tenant determines that the Property or the Antenna Facilities are inappropriate or unnecessary for Tenant's operations for economic or technological reasons;

(d) immediately upon written notice by Tenant if the Premises or the Antenna Facilities are destroyed or damaged so as in Tenant's reasonable judgment to substantially and adversely affect the effective use of the Antenna Facilities. In such event, all rights and obligations of the parties shall cease as of the date of the damage or destruction, except for Tenant's obligation to return the Premises to Landlord in accordance with Section 7(c) herein provided the nature of the damage or destruction permits Tenant to reasonably adhere to Section 7(c), and Tenant shall be entitled to the reimbursement of any Rent prepaid by Tenant. If Tenant elects to continue this Lease, then all Rent shall abate until the Premises and/or the Antenna Facilities are restored to the condition existing immediately prior to such damage or destruction. If Tenant terminates the Lease under this Subsection 8(d), Tenant shall be responsible for removing the Antenna Facilities and any and all concrete on the Premises, regardless of cause in accordance with Section 7(c) herein;

(e) at the time title to the Property transfers to a condemning authority pursuant to a taking of all or a portion of the Property sufficient in Tenant's determination to render the Premises unsuitable for Tenant's use. Landlord and Tenant shall each be entitled to pursue their own separate awards with respect to such taking. Sale of all or part of the Property to a purchaser with the power of eminent domain in the face of the exercise of the power shall be treated as a taking by condemnation;

(f) immediately upon written notice by either party if an action to foreclose any security interest is commenced against Tenant.

9. Default and Right to Cure. Notwithstanding anything contained herein to the contrary and without waiving any other rights granted to it at law or in equity, each party shall have the right, but not the obligation, to terminate this Lease on written notice pursuant to Section 12 hereof, to take effect immediately, if the other party fails to perform any covenant or commits a material breach of this Lease and fails to diligently pursue a cure thereof to its completion after thirty (30) days' written notice specifying such failure of performance or default.

10. Taxes. Landlord shall pay when due all real property taxes for the Property, including the Premises. In the event that Landlord fails to pay any such real property taxes or other fees and assessments, Tenant shall have the right, but not the obligation, to pay such owed amounts and deduct them from Rent amounts due under this Lease. Notwithstanding the foregoing, Tenant shall pay any personal property tax, real property tax or any other tax or fee which is directly attributable to the presence or installation of Tenant's Antenna Facilities, only for so long as this Lease remains in effect. If Landlord receives notice of any personal property or real property tax assessment against Landlord, which may affect Tenant and is directly attributable to Tenant's installation, Landlord shall provide timely notice of the assessment to Tenant sufficient to allow Tenant to consent to or challenge such assessment, whether in a Court, administrative proceeding, or other venue, on behalf of Landlord and/or Tenant. Further, Landlord shall provide to Tenant any and all documentation associated with the assessment and shall execute any and all documents reasonably necessary to effectuate the intent of this Section 10. In the event real property taxes are assessed against Landlord or Tenant for the Premises or the Property, Tenant shall have the right, but not the obligation, to terminate this Lease without further liability after thirty (30) days' written notice to Landlord, provided Tenant pays any real property taxes assessed as provided herein.

11. Insurance and Subrogation and Indemnification.

(a) Tenant shall maintain: (i) worker's compensation and employer's liability insurance to protect against loss from personal injury, including death, to any of its employees; and (ii) comprehensive automobile liability, general liability, excess or umbrella coverage, and property damage insurance. Umbrella or excess coverage may be used to satisfy the required limits. The minimum required limits are as follows: Workers Compensation Coverage A-Statutory Limits; Workers Compensation Coverage B- [REDACTED] occurrence; Auto Liability- [REDACTED] Combined Single Limit; General Liability- [REDACTED] per occurrence and having minimum aggregate limits of [REDACTED] or greater. All coverage shall be provided on an "occurrence" basis and not on a "claims made" basis. All such insurance shall be written by insurers properly licensed to do business in the state where the Premises are located with a rating of not less than A- and a financial rating of not less than Class VIII as rated in the most current available A.M. Best Insurance Reports. All policies, except for worker's compensation policies, shall name the Landlord as an additional insured on a primary basis with respect to the negligent acts of the Tenant. Landlord's coverage shall be deemed secondary and noncontributory. All insurance shall expressly provide that no cancellation of any policy shall be effective until 30 days prior written notice to Landlord and that all rights of property subrogation are waived. Before accessing the Property and at any time Landlord so reasonably requests, Tenant shall furnish certificates of insurance evidencing the required insurance.

(b) Tenant hereby releases Landlord (and its successors or assigns) from liability and waives all rights of recovery against Landlord for any loss or damage covered by its first party property insurance policy for all perils insured thereunder.

(c) Subject to the property insurance waiver set forth in subsection 11(b), Tenant agrees to indemnify and hold the Landlord, its officers, employees, agents, insurers, sureties, affiliated corporations, successors, and assigns harmless from and against any and all losses, damages, expenses (including but not limited to reasonable attorney and expert fees), claims, liens, suits, liabilities, fines, penalties, and remedial or clean-up costs arising out of or in any way related to (i) Tenant's presence on or use of the Property or Premises, (ii) issues caused by Tenant's negligence, willful conduct, or omissions, (iii) any breach of this Agreement by Tenant (including, but not limited to, environmental obligations set forth in Section 14), or (iv) any negligent act, willful misconduct or omission by Tenant, its agents, contractors, licensees, invitees, or any person performing work directly on behalf of either party. Landlord agrees to indemnify and hold the Tenant, its officers, employees, agents, insurers, sureties, affiliated corporations, successors, and assigns harmless from and against any and all losses, damages, expenses (including but not limited to reasonable attorney and expert fees), claims, liens, suits, liabilities, fines, penalties, and remedial or clean-up costs arising out of or in any way related to (i) Landlord's presence on or use of the Property or Premises, (ii) issues caused by Landlord's negligence, willful conduct, or omissions, (iii) any breach of this Agreement by Landlord (including, but not limited to, environmental obligations set forth in Section 14), or (iv) any negligent act, willful misconduct or omission by Landlord, its agents, contractors, licensees, invitees, or any person performing work directly on behalf of Landlord.

(d) Notwithstanding anything to the contrary in this Lease, the parties hereby confirm that the provisions of this Section 11 shall survive the expiration or termination of this Lease.

(e) Tenant shall not be responsible to Landlord, or any third-party, for any claims, costs or damages (including, fines and penalties) arising solely out of any pre-existing violations of applicable codes, statutes or other regulations governing the Property.

12. Notices. All notices, requests, demands and other communications shall be in writing and are effective five (5) days after deposit in the U.S. mail, certified and postage paid, or upon receipt if personally delivered or sent by next-business-day delivery via a nationally recognized overnight courier to the addresses set forth below. Landlord or Tenant may from time to time designate any other address for this purpose by providing written notice to the other party.

If to Tenant, to:

T-Mobile Northeast LLC  
Attn: Property Management  
4 Sylvan Way  
Parsippany, NJ 07054

With a copy to: Attn: Legal Dept.

With a copy to:

T-Mobile USA, Inc.  
Attn: PCS Lease Administrator  
12920 SE 38<sup>th</sup> Street  
Bellevue, WA 98006

With a copy to: Attn: Legal Dept.

If to Landlord, to:

Frank T. Lane  
Director of Real Estate  
Tilcon Inc.  
P.O. Box 1357  
New Britain, CT 06050-1357

With a copy to:

William B. Miller  
General Counsel  
Oldcastle Materials, Inc.  
900 Ashwood Pkwy  
Suite 700  
Atlanta GA 30338

13. Quiet Enjoyment, Title and Authority. As of the Effective Date and at all times during the Initial Term and any Renewal Terms of this Lease, Landlord covenants and warrants to Tenant that (i) Landlord has full right, power and authority to execute and perform this Lease; (ii) Landlord has good and unencumbered fee title to the Property free and clear of any liens or mortgages, except those heretofore disclosed in writing to Tenant and which will not interfere with Tenant's rights to or use of the Premises; (iii) execution and performance of this Lease will not violate any laws, ordinances, covenants, or the provisions of any mortgage, lease, or other agreement binding on Landlord; and (iv) Tenant's quiet enjoyment of the Premises or any part thereof shall not be disturbed as long as Tenant is not in default beyond any applicable grace or cure period.

14. Environmental Laws. Landlord is without knowledge of any substance, chemical or waste (collectively, "Hazardous Substance") on the Premises that is identified as hazardous, toxic or dangerous in any applicable federal, state or local law or regulation. Landlord and Tenant shall not introduce or use any Hazardous Substance on the Premises in violation of any applicable law.

15. Assignment and Subleasing.

(a) Tenant shall have the right to assign or otherwise transfer this Lease and the Easements (as defined above) to any person or business entity which (i) is FCC licensed to operate a wireless communications business; (ii) is a parent, subsidiary or affiliate of Tenant or Tenant's parent; (iii) is merged or consolidated with Tenant; and/or (iv) acquires more than fifty percent (50%) of either an ownership interest in Tenant or the assets of Tenant in the "Metropolitan Trading Area" or "Basic Trading Area" (as those terms are defined by the

FCC) in which the Property is located. Upon such assignment, Tenant shall be relieved of all liabilities and obligations hereunder and Landlord shall look solely to the assignee for performance under this Lease and all obligations hereunder. Tenant may otherwise assign this Lease upon written approval of Landlord, which approval shall not be unreasonably delayed, withheld, conditioned or denied.

Notwithstanding the above, Tenant shall be permitted to sublease the Premises without prior written approval from Landlord to additional wireless carriers ("Subsequent User"). Upon the execution of any such sublease, Landlord shall be entitled to receive the greater of twenty percent (20%) or [REDACTED] of the Subsequent User's monthly rent as additional rent from Tenant until the expiration of earlier termination of the sublease.

(b) Landlord shall have the right to assign or otherwise transfer this Lease and the Easements granted herein, upon written notice to Tenant. Upon such assignment, Landlord shall be relieved of all liabilities and obligations hereunder and Tenant shall look solely to the assignee for performance under this Lease and all obligations hereunder.

(c) Additionally, notwithstanding anything to the contrary above, Landlord or Tenant may, upon reasonable written notice to the other, grant a security interest in this Lease (and, as regards the Tenant, in the Antenna Facilities), but only to the extent of its leasehold interest hereunder, and may, also upon reasonable written notice to the other, collaterally assign this Lease (and, as regards the Tenant, in the Antenna Facilities) to any mortgagees or holders of security interests, including their successors or assigns (collectively "Secured Parties"). In such event, Landlord or Tenant, as the case may be, shall execute such consent to leasehold financing as may reasonably be required by Secured Parties.

16. Successors and Assigns. This Lease and the Easements granted herein shall run with the land, and shall be binding upon and inure to the benefit of the parties, their respective successors, personal representatives and assigns.

17. Waiver of Landlord's Lien. Landlord hereby waives any and all lien rights it may have, statutory or otherwise, concerning the Antenna Facilities or any portion thereof, which shall be deemed personal property for the purposes of this Lease, whether or not the same is deemed real or personal property under applicable laws, and Landlord gives Tenant and Secured Parties, upon reasonable notice, the right to remove all or any portion of the same from time to time, whether before or after a default under this Lease, in Tenant's and/or Secured Party's sole discretion and without Landlord's consent.

18. Miscellaneous.

(a) All claims or controversies arising out of or related to this Lease, including any claims involving Tenant's insurers, shall be submitted to and resolved by binding arbitration by a single arbitrator in the Hartford, Connecticut. The American Arbitration Association ("AAA") shall conduct the arbitration unless the parties mutually agree to use an alternative arbitration service. Judgment upon any award made by the arbitrator may be entered in any court having jurisdiction thereof, if necessary. The cost of the arbitration shall be shared equally between the parties.

(b) This Lease constitutes the entire agreement and understanding of the parties, and supersedes all offers, negotiations and other agreements with respect to the subject matter and property covered by this Lease. Any amendments to this Lease must be in writing and executed by both parties.

(c) Landlord agrees to cooperate with Tenant in executing any documents necessary to protect Tenant's rights in or use of the Premises. A Memorandum of Lease in substantially the form attached hereto as Exhibit C may be recorded in place of this Lease by Tenant.

(d) In the event the Property is encumbered by a mortgage or deed of trust, Landlord agrees, upon reasonable request of Tenant, to obtain and furnish to Tenant a non-disturbance and attornment agreement for each such mortgage or deed of trust, in a form reasonably acceptable to Tenant.

(e) Tenant may obtain title insurance on its interest in the Premises. Landlord agrees to execute such documents as the title company may require in connection therewith.

(f) This Lease shall be construed in accordance with the laws of the state in which the Property is located, without regard to the conflicts of law principles of such state.

(g) If any term of this Lease is found to be void or invalid, the remaining terms of this Lease shall continue in full force and effect. No provision of this Lease will be deemed waived by either party unless expressly waived in writing by the waiving party. No waiver shall be implied by delay or any other act or omission of either party. No waiver by either party of any provision of this Lease shall be deemed a waiver of such provision with respect to any subsequent matter relating to such provision.

(h) The persons who have executed this Lease represent and warrant that they are duly authorized to execute this Lease in their individual or representative capacities as indicated.

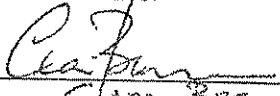
(i) This Lease may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute a single instrument.

(j) All Exhibits referred to herein are incorporated herein for all purposes. The parties understand and acknowledge that Exhibits A and B may be attached to this Lease and the Memorandum of Lease, in preliminary form. Accordingly, the parties agree that upon the preparation of final, more complete exhibits, Exhibits A and/or B, as the case may be, may be replaced by Tenant with such final, more complete exhibit(s), so long as material changes are not made to such exhibit(s) without prior written approval by Landlord.

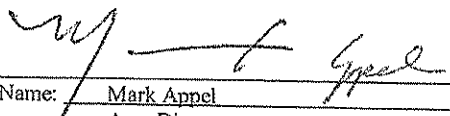
(k) If either party is represented by any broker or any other leasing agent, such party is responsible for all commission fee or other payment to such agent, and agrees to indemnify and hold the other party harmless from all claims by such broker or anyone claiming through such broker.

The effective date of this Lease is the date of execution by the last party to sign (the "Effective Date").

LANDLORD: TILCON INC.

By:   
Printed Name: CLARAN BRENNAN  
Title: PRESIDENT  
Date: 12/17/09

TENANT: T-MOBILE NORTHEAST LLC

By:   
Printed Name: Mark Appel  
Title: Area Director  
Date: 13 NOV 09

**EXHIBIT A**  
**Legal Description**

**The Property is legally described as follows:**

ALL THOSE CERTAIN pieces or parcels of land, with the buildings and all other improvements thereon, situated in the Town of Branford, County of New Haven, State of Connecticut, and described as follows:

**THE FIRST PIECE is bounded:**

NORTHWEST: by land of The Branford Steam Railroad Company;  
EAST: by land now or formerly of Clifford R. Reynolds, by a line parallel to and distant easterly 100 feet from the center line of the track of The Branford Steam Railroad Company, as said center line existed on January 9, 1959;  
NORTH: in part by land now or formerly of Clifford R. Reynolds, and in part by a creek;  
EAST: again by Pine Brook Creek;  
SOUTH: by land now or formerly of Leonore H. Nesbit;  
SOUTHWEST: by land formerly of the Shoreline Railroad, more lately of The New York, New Haven and Hartford Railroad Company;  
WEST: by land of The Branford Steam Railroad Company and possibly in part by land belonging now or formerly to Louis A. Fisk.

**THE SECOND PIECE is bounded:**

SOUTHWEST: by land formerly of Shoreline Railway, more lately of The New York, New Haven and Hartford Railroad Company;  
NORTHWEST: by land of The Branford Steam Railroad Company;  
NORTH: by land running to a point on land of The Branford Steam Railroad Company;  
EAST: by land of The Branford Steam Railroad Company.

**THE THIRD PIECE is bounded:**

NORTH: in part by land formerly of Daniel Creem and in part by land now or formerly of Louis A. Fisk;  
EAST AND SOUTHEAST: by land of The Branford Steam Railroad Company, by a curved line;  
SOUTH: by land formerly of the Shoreline Railway, more lately of The New York, New Haven and Hartford Railroad Company;  
WEST: in part by land formerly of Gilbert Bush, in part by a highway, and in part by land now or formerly of Abigail Martin.

**THE FOURTH PIECE is bounded:**

EAST: by Long Marsh Creek;  
SOUTH, SOUTHEAST, EAST AGAIN, SOUTH AGAIN AND WEST: by the waters of Long Island Sound;  
SOUTHWEST AND WEST: again by land now or formerly of H. Gordon Rowe;  
NORTH: by land now or formerly of H. Gordon Rowe, 25 feet;  
WEST: again by land now or formerly of H. Gordon Rowe, 585 feet, more or less;  
NORTH: again in part by land now or formerly of H. Gordon Rowe, and in part by land of The Branford Railroad Company;  
WEST: again by land now or formerly of The Branford Steam Railroad Company;  
NORTHWEST: by land now or formerly of The Branford Steam Railroad Company;  
NORTH: again by land now or formerly of the Town of Branford.

TOGETHER WITH such littoral and riparian rights, if any, as may exist in the waters of Long Island Sound and Long Marsh Creek.

TOGETHER WITH certain covenants and agreements contained in a deed dated April 18, 1938 and recorded in Volume 105 at Page 208 of the Branford Land Records.

TOGETHER WITH certain passway rights reserved in a deed dated September 28, 1942 and recorded in Volume 112 at Page 282 of the Branford Land Records.

**THE FIFTH PIECE** is bounded:

SOUTH: by land now or formerly of the Town of Branford;  
NORTHWEST: by land of The Branford Steam Railroad Company;  
NORTHEAST: by Long Marsh Creek.

TOGETHER WITH such riparian rights, if any, as may exist in the waters of Long Marsh Creek.

TOGETHER WITH certain passway rights reserved in a deed dated September 28, 1942 and recorded in Volume 112 at Page 282 of the Branford Land Records.

**THE SIXTH PIECE** is bounded:

NORTH: by land now or formerly of T. Francis Vedder;  
EAST: by land now or formerly of A. W. Veder;  
SOUTH: by the waters of Long Island Sound;  
WEST: in part by Long Island Sound and in part by Long Marsh Creek.

TOGETHER WITH such littoral and riparian rights, if any, as may exist in the waters of Long Island Sound and Long Marsh Creek.

TOGETHER WITH the benefit of certain covenants, restrictions, and right of reverter set forth in a deed dated November 27, 1974 and recorded in Volume 265 at Page 525 of the Branford Land Records.

TOGETHER WITH certain easements described in a Stipulated Judgment dated February 5, 1990 and recorded in Volume 482 at Page 579 of the Branford Land Records.

**LESS AND EXCEPTING THEREFROM** those two certain parcels of land conveyed to the State of Connecticut by deed dated November 27, 1974 and recorded in Volume 265 at Page 525 of the Branford Land Records, more particularly bounded and described as follows:

**FIRST PARCEL:**

Beginning at the northwesterly corner of the herein described property at a point marked by a monument on the northeasterly property line of an abandoned right of way of the Penn Central Transportation Company (leased to the Branford Steam Railroad), said point being located 33 feet northeasterly of the centerline of said right of way and 1118 feet, more or less, southeasterly of the intersection of the centerline of said right of way with the centerline of the tracks of the Branford Steam Railroad;

Thence running N 63° 10' 15" E, a distance of 536.18 feet along the southeasterly boundary of remaining land of the Grantor to a point marked by a monument;

Thence running S 26° 49' 45" E, a distance of 250.00 feet along the westerly boundary of remaining land of the Grantor to a point marked by a monument;

Thence running N 63° 10' 15" E, a distance of 360.00 feet along the southerly boundary of remaining land of the Grantor to a point marked by a cedar post;

Thence running N 26° 49' 45" W, a distance of 1695.46 feet along the easterly boundary of remaining land of the Grantor to a point marked by a cedar post;

Thence continuing on a straight line extension northerly of the last described line, a distance of 17 feet, more or less, along the easterly boundary of remaining land of the Grantor to the center of Pine Brook Creek a/k/a Pine River;

Thence running in a general northerly, southeasterly and southerly direction a distance of 2840 feet, more or less, along the centerline of said Pine Brook Creek to the extension easterly of the centerline of a creek entering Pine Brook Creek from the southwest;

Thence running southwestwardly a distance of 555 feet, more or less, along the centerline of a creek which is the northerly boundary of land now or formerly of the Totoket Granite Company to a point on the northeasterly property line of land of said Penn Central Transportation Co. marked by a cedar post;

Thence running N 59° 04' 42" W, a distance of 370.00 feet along the northeasterly property line of land of said Penn Central Transportation Company to a point;

Thence running N 27° 40' 18" E, a distance of 8.26 feet along the southeasterly property line of land of said Penn Central Transportation Company to a point;

Thence running N 59° 04' 42" W, a distance of 341.36 feet along the northeasterly property line of land of said Penn Central Transportation Company to the point and place of beginning.

Said parcel of land contains 17.0 acres, more or less, and is more particularly shown as Parcel I on a map entitled, "Land to be conveyed by Ashland Oil, Inc. to the State of Connecticut, Branford, Conn. Scale 1"=100' April 1, 1974", as prepared by Clarence Blair Associates, Inc., Civil Engineers and Land Surveyors, New Haven, Connecticut.

**SECOND PARCEL:**

Beginning at the northeasterly corner of the herein described property at a point marked by an iron pipe, said point lying approximately 536 feet westerly of Pleasant Point Road when measured along the southerly property line of land now or formerly of Jennie L. Vedder;

Thence running S 10° 19' 40" W, a distance of 409.85 feet along the westerly boundary of remaining land of the Grantor to a point marked by a drill hole;

Thence continuing on a straight line extension southwesterly of the last described line, a distance of 60 feet, more or less, along the westerly boundary of remaining land of the Grantor to the mean high water line of Long Island Sound;

Thence running northwesterly and westerly, a distance of 645 feet, more or less, along the mean high water line of Long Island Sound and the extension westerly thereof to a point in the center of Long Marsh Creek a/k/a Stephens Creek;

Thence running northerly a distance of 157 feet, more or less, along the centerline of said Long Marsh Creek to a point;

Thence running N 88° 13' 20" E, a distance of 20 feet, more or less, along the southerly boundary of land now or formerly of Jennie L. Vedder to a point marked by a cedar post;

Thence continuing N 88° 13' 20" E, a distance of 393.77 feet along the southerly boundary of land of said Vedder to a point marked by an old post;

Thence running N 73° 52' 00" E, a distance of 35.13 feet along the southerly boundary of said Vedder to the point and place of beginning.

Said parcel of land contains 2.0 acres, more or less, and is more particularly shown as Parcel II on a map entitled, "Land to be conveyed by Ashland Oil, Inc. to the State of Connecticut, Branford, Conn. Scale 1"=100' April 1, 1974", as prepared by Clarence Blair Associates, Inc., Civil Engineers and Land Surveyors, New Haven, Connecticut.

**FURTHER EXCEPTING THEREFROM** rights of way 20 feet in width across the lands of Ashland Oil, Inc. for passage by foot or vehicle, which said rights of way were conveyed to the State of Connecticut by deed dated November 27, 1974 and recorded in Volume 265 at Page 525 of the Branford Land Records.



## SCHEDULE A PROPERTY DESCRIPTION

Map H08, Block 4, Lot 2

Map H08, Block 4, Lot 2.1

### PARCEL ONE

ALL THAT CERTAIN piece or parcel of land, together with the buildings and improvements thereon, situated in the Town of Branford, County of New Haven, and State of Connecticut, and bounded and described as follows:

BEGINNING at a point at the northwesterly corner of the herein described premises, said point being in a stone wall, distant 100 feet southwesterly of and measured at right angles from station 610 + 70.7 of the monumented center line of the railroad leading from New Haven to New London, Connecticut;

Thence southeasterly, parallel with and distant 100 feet southwesterly of and measured at right angles from said monumented center line, bounding northeasterly on remaining railroad land, 2252 feet, more or less, to a point in the southwesterly side of Pleasant Point Road, opposite station 633 + 23 more or less of said monumented center line;

Thence again southeasterly, along the said southwesterly side of Pleasant Point Road, 82 feet, more or less, to a stone wall;

Thence southwesterly along said stone wall, bounding southeasterly on land of Jennie L. Vedder, 750 feet, more or less, to a point at the foot of upland;

Thence southeasterly, easterly and southeasterly along said foot of upland, bounding northeasterly, northerly and northeasterly on said land of Jennie L. Vedder, 580 feet, more or less, to the center of a ditch;

Thence southwesterly along the center of said ditch, bounding southeasterly on said land of Jennie L. Vedder, 260 feet, more or less, to the center of a creek;

Thence northwesterly, westerly and southwesterly along the center of said creek, bounding southwesterly on land of the Town of Branford and land of The New Haven Trap Rock Company, each in part, and southerly and southeasterly on said land of The New Haven Trap Rock Company, 2300 feet, more or less, to a point distant 371 feet more or less southwesterly of and measured at right angles from station 612 + 99 more or less of said monumented center line;

Thence northwesterly, bounding southwesterly on said land of The New Haven Trap Rock Company, 317 feet, more or less, to a point in the first mentioned stone wall, distant 136.4 feet southwesterly of and measured at right angles from station 610+ 85.5 of said monumented center line;

Thence again northwesterly along said stone wall, bounding southwesterly on said land of The New Haven Trap Rock Company, 39.3 feet to the point or place of beginning.

Containing 17 acres, more or less.

LESS AND EXCEPTING THEREFROM all that certain piece or parcel of land situated in the Town of Branford, County of New Haven, and State of Connecticut, beginning at a point marked by an iron pipe on the southwesterly property line of an abandoned right of way of the Penn Central Transportation Co. (leased to the Branford Steam Railroad), said point being located 33 feet southwesterly of the center line of said right of way and 969 feet, more or less, southeasterly of the intersection of the center line of said right of way with the center line of the tracks of the Branford Steam Railroad;

Thence running S 59° 04' 42" E, a distance of 493.86 feet along the southwesterly boundary of land of said Penn Central Transportation Co. to a point marked by a cedar post;

Thence running S. 27° 39' 20" W, a distance of 249.93 feet along the northwesterly boundary of land of said Penn Central Transportation Co. and the northwesterly boundary of land now or formerly of the Protestant Episcopal Church to a point marked by a cedar post;

Thence running N 32° 35' 05" W, a distance of 243.22 feet along the northeasterly boundary of remaining land of the Grantor to a point marked by a cedar post;

Thence running N 59° 45' 05" W, a distance of 191.77 feet along the northeasterly boundary of remaining land of the Grantor to a point marked by a cedar post;

Thence running S 80° 29' 55" W, a distance of 219.25 feet along the northwesterly boundary of remaining land of the Grantor to a point marked by a cedar post;

Thence running S 14° 52' 25" W, a distance of 60.87 feet along the northwesterly boundary of remaining land of the Grantor to a point marked by a cedar post;

Thence running S 73° 37' 50" W, a distance of 131.33 feet along the northwesterly boundary of remaining land of the Grantor to a point on the northeasterly street line of Pleasant Point Road marked by an iron pipe;

Thence running N 29° 27' 00" W, a distance of 172.47 feet along the northerly street line of Pleasant Point Road to a point marked by an iron pipe;

Thence running N 37° 59' 55" E, a distance of 270.61 feet along the southeasterly boundary of remaining land of the Grantor to a point marked by an iron pipe;

Thence running S 77° 42' 15" E, a distance of 271.28 feet along the southwesterly boundary of remaining land of the Grantor to the point and place of beginning.

Said parcel of land contains 4.0 acres of land and is more particularly shown as Parcel I on Map No. 1218 on file in the Branford Town Clerk's Office.

#### PARCEL TWO

ALL THOSE CERTAIN pieces or parcels of land, together with the buildings and improvements thereon, situated in the Town of Branford, County of New Haven, and State of Connecticut, bounded and described as follows:

##### First Piece:

Beginning at a point which is 75 feet northerly of the Amtrak mainline monumented center line station 628 + 44.56 and running along a line 75 feet northerly of and parallel to said monumented center line S 72° 36' 42" E, 1,728.45 feet to a point which is 75 feet northerly of station 645 + 73.01;

Thence turning and running in a northwesterly direction by a curve to the right having a radius of 1,885.33 feet and a central angle of 4° 39' 25", a distance of 153.22 feet to a point;

Thence running northwesterly by a compound curve to the right having a radius of 2,840.18 feet and a central angle of 4° 00' 00", a distance of 198.28 feet to a point;

Thence running northeasterly by a compound curve to the right having a radius of 5,704.90 feet and a central angle of 2° 00' 00", a distance of 199.14 feet to a point;

Thence running N 59° 04' 42" W, 1,710.24 feet to a point;

Thence running N 25° 45' 00" E, 8.28 feet to a point;

Thence running N 59° 04' 42" W, 489.01 feet to a point;

Thence running by a curve to the right having a radius of 5,696.65 feet and a central angle of 4° 00' 00", a distance of 397.77 feet to a point;

Thence running N 55° 04' 42" W, 152.79 feet to a point;

Thence S 89° 24' 17" W, 13.77 feet to a point;

Thence N 55° 04' 42" W, 130.00 feet to a point;

Thence by a curve to the left having a radius of 5,754.65 feet and a central angle of 2° 00' 00", a distance of 200.88 feet to a point;

Thence by a compound curve to the left having a radius of 2,889.93 feet and a central angle of 4° 00' 00", a distance of 201.76 feet to a point;

Thence by a compound curve to the left having a radius of 1,935.08 feet and a central angle of 3° 00' 00", a distance of 101.32 feet to a point;

Thence by a compound curve to the left having a radius of 1,662.28 feet and a central angle of  $3^{\circ} 30' 00''$ , a distance of 101.54 feet to a point;

Thence by a compound curve to the left having a radius of 1,457.69 feet and a central angle of  $17^{\circ} 09' 30''$ , a distance of 436.53 feet to a point;

Thence turning and running  $S 5^{\circ} 15' 48'' W$ , 0.25 feet to a point;

Thence turning and running by a curve to the left having a radius of 1,457.44 feet and a central angle of  $17^{\circ} 09' 30''$ , a distance of 436.46 feet to a point;

Thence by a compound curve to the left having a radius of 1,934.83 feet, a distance of 100 feet, more or less, to a point in the easterly street line of Totoket Road;

Thence turning and running in a southerly direction along said street line a distance of 50 feet, more or less, to a point;

Thence turning and running easterly by a curve to the right having a radius of 1,885.33 feet, a distance of 100 feet, more or less, to a point;

Thence by a compound curve to the right having a radius of 1,407.94 feet and a central angle of  $17^{\circ} 09' 30''$ , a distance of 421.63 feet to a point;

Thence running  $N 5^{\circ} 15' 48'' E$ , 0.25 feet to a point;

Thence by a curve to the right having a radius of 1,407.69 feet and a central angle of  $17^{\circ} 09' 30''$ , a distance of 421.56 feet to a point;

Thence by a compound curve to the right having a radius of 1,612.28 feet and a central angle of  $3^{\circ} 30' 00''$ , a distance of 98.49 feet to a point;

Thence by a compound curve to the right having a radius of 1,885.08 feet and a central angle of  $3^{\circ} 00' 00''$ , a distance of 98.70 feet to a point;

Thence by a compound curve to the right having a radius of 2,839.93 feet and a central angle of  $4^{\circ} 00' 00''$ , a distance of 198.26 feet to a point;

Thence by a compound curve to the right having a radius of 5,704.65 feet and a central angle of  $2^{\circ} 00' 00''$ , a distance of 199.13 feet to a point;

Thence running  $S 55^{\circ} 04' 42'' E$ , 60.00 feet to a point;

Thence running  $S 89^{\circ} 24' 17'' W$ , 13.77 feet to a point;

Thence running  $S 55^{\circ} 04' 42'' E$ , 245.21 feet to a point;

Thence by a curve to the left having a radius of 5,762.65 feet and a central angle of  $4^{\circ} 00' 00''$ , a distance of 402.31 feet to a point;

Thence running  $S 59^{\circ} 04' 42'' E$ , 494.99 feet to a point;

Thence running  $S 25^{\circ} 45' 00'' W$ , 90.00 feet to a point;

Thence running  $S 78^{\circ} 06' 05'' E$ , 300.32 feet to a point;

Thence running S 59° 04' 42" E, 485.00 feet to a point;

Thence running in a general southwesterly direction by an irregular line along a toe of slope 350 feet, more or less, to a point, said point being S 62° 16' 58" W, 235.93 feet from the last previously described point;

Thence running S 66° 23' 18" W, 140.00 feet to the point or place of beginning.

Said parcel contains 9.8 acres, more or less.

Second Piece:

Beginning at a point which is 75 feet northerly of the Amtrak main line monumented center line station 612+ 17.14 and running along a line 75 feet northerly of and parallel to said monumented center line S 72° 36' 42" E, 596.40 feet to a point which is 75 feet northerly of station 618+ 13.54;

Thence turning and running N 55° 20' 21" W, 259.83 feet to a point;

Thence running N 34° 09' 05" W, 137.64 feet to a point;

Thence running S 73° 17' 58" W, 2909.40 feet to the point or place of beginning.

Said parcel contains 0.9 acre, more or less.

Third Piece:

Beginning at a point which is 75 feet northerly of the Amtrak main line monumented center line station 610+ 57.14 and running along a line 75 feet northerly of and parallel to said monumented center line S 72° 36' 42" E, 110.00 feet to a point which is 75 feet northerly of station 611+ 67.14;

Thence turning and running N 34° 05' 50" W, 127.80 feet to a point;

Thence running S 24° 33' 12" W, 80.18 feet to the point or place of beginning.

Said parcel contains 0.1 acre, more or less.

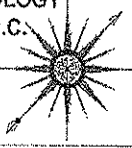
**EXHIBIT B**

**The location of the Premises within the Property (together with access and utilities)  
is more particularly described and depicted as follows:**

SEE ATTACHED.

**ALL-POINTS TECHNOLOGY CORPORATION, P.C.**

3 SADDLEBROOK DRIVE  
KILLINGWORTH, CT. 06419  
PHONE: (860)-663-1697  
FAX: (860)-663-0935  
www.allpointstech.com



**APT FILING NUMBER: CT-255T-620**

LE-1

SCALE: AS NOTED

DRAWN BY: RCB

DATE: 09/21/09

CHECKED BY: SMC



35 GRIFFIN ROAD  
BLOOMFIELD, CT 06002  
OFFICE: (860)-692-7100

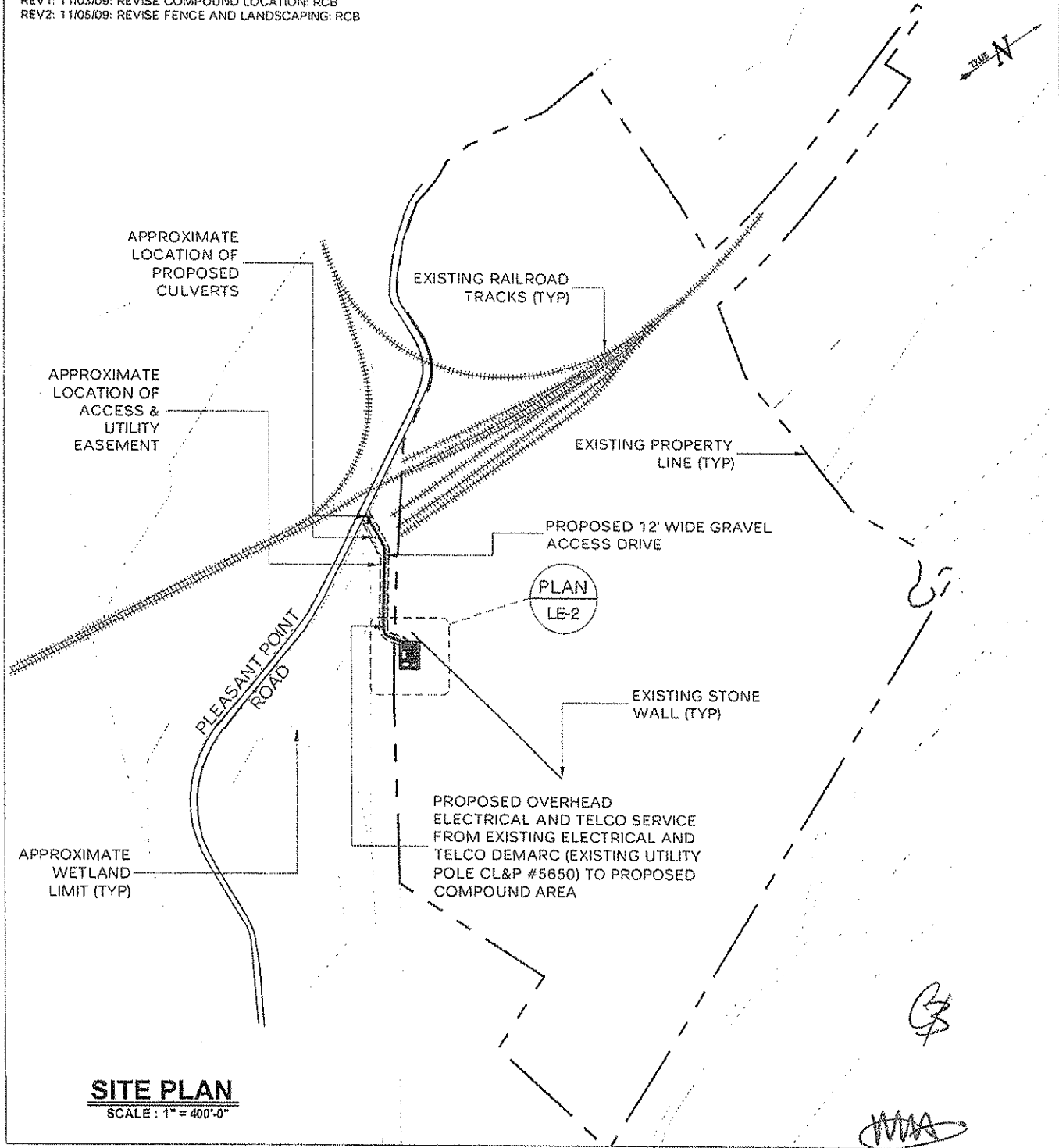
**T-MOBILE SITE NUMBER  
CTNH802B**

AMTRAK BRANFORD 2  
PLEASANT POINT ROAD  
BRANFORD, CT 06405

**NOTE:**

PER FCC MANDATE, ENHANCED EMERGENCY (E911) SERVICE IS REQUIRED TO MEET NATIONWIDE STANDARDS FOR WIRELESS COMMUNICATIONS SYSTEMS. T-MOBILE NORTHEAST, LLC IMPLEMENTATION REQUIRES DEPLOYMENT OF EQUIPMENT AND ANTENNAS GENERALLY DEPICTED ON THIS PLAN, ATTACHED TO OR MOUNTED IN CLOSE PROXIMITY TO THE BTS RADIO CABINETS. T-MOBILE NORTHEAST, LLC RESERVES THE RIGHT TO MAKE REASONABLE MODIFICATIONS TO E911 EQUIPMENT AND LOCATION AS TECHNOLOGY EVOLVES TO MEET REQUIRED SPECIFICATIONS. ALL EQUIPMENT LOCATIONS ARE APPROXIMATE AND ARE SUBJECT TO APPROVAL BY T-MOBILE NORTHEAST, LLC. STRUCTURAL & RF ENGINEERS. LOCATIONS OF POWER & TELEPHONE FACILITIES AND APPLICABLE EASEMENTS ARE SUBJECT TO APPROVAL AS PER UTILITY COMPANIES DIRECTION.

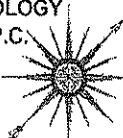
REV1: 11/03/09: REVISE COMPOUND LOCATION: RCB  
REV2: 11/05/09: REVISE FENCE AND LANDSCAPING: RCB



**SITE PLAN**  
SCALE: 1" = 400'-0"

**ALL-POINTS TECHNOLOGY CORPORATION, P.C.**

3 SADDLEBROOK DRIVE  
KILLINGWORTH, CT. 06419  
PHONE: (860)-663-1697  
FAX: (860)-663-0935  
www.allpointstech.com



**APT FILING NUMBER: CT-255T-620**

LE-2

SCALE: AS NOTED

DRAWN BY: RCB

DATE: 09/21/09

CHECKED BY: SMC

**T-Mobile**

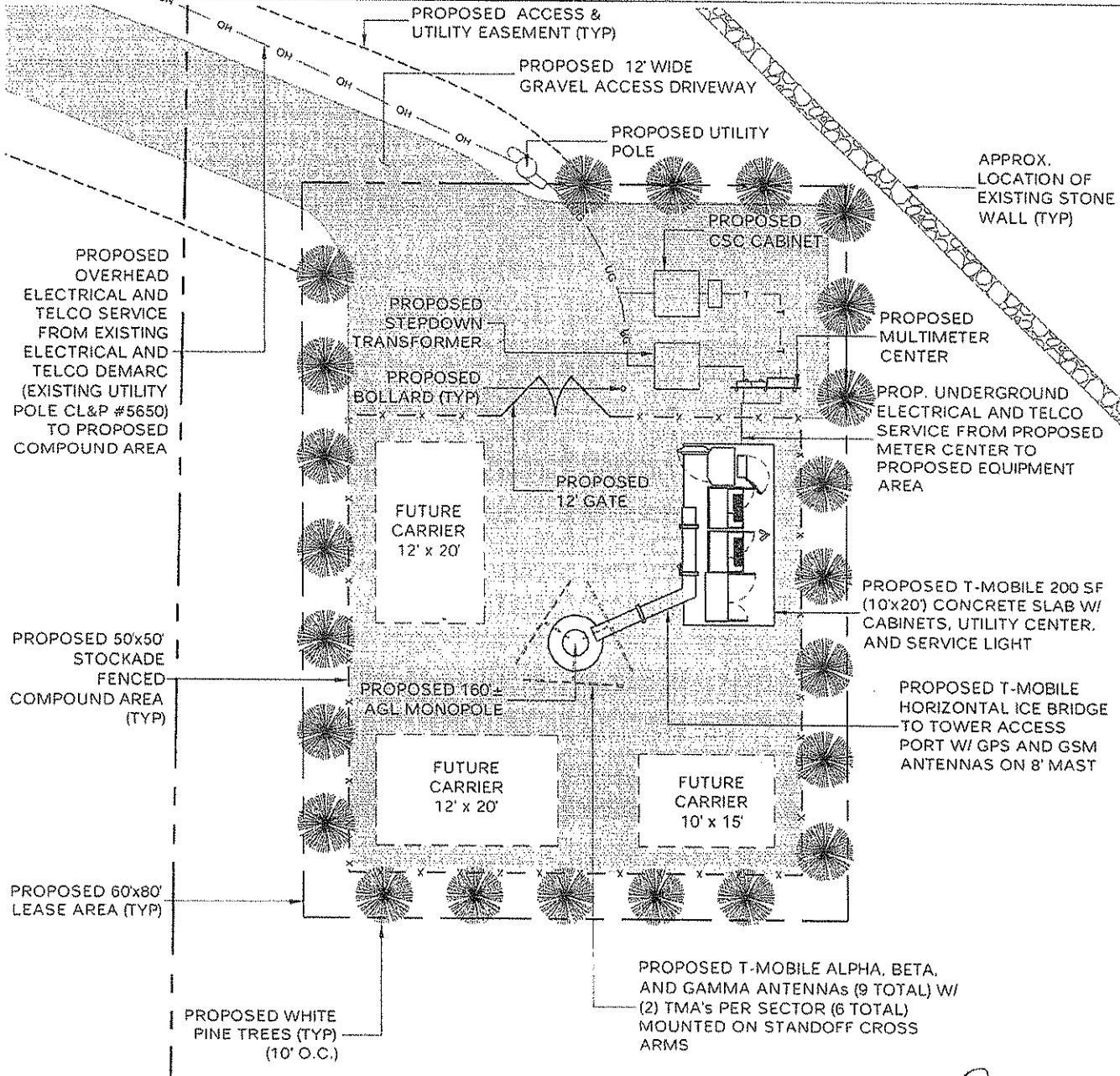
35 GRIFFIN ROAD  
BLOOMFIELD, CT 06002  
OFFICE: (860)-692-7100

**T-MOBILE SITE NUMBER  
CTNH802B**

AMTRAK BRANFORD 2  
PLEASANT POINT ROAD  
BRANFORD, CT 06405

**NOTE:**

PER FCC MANDATE, ENHANCED EMERGENCY (E911) SERVICE IS REQUIRED TO MEET NATIONWIDE STANDARDS FOR WIRELESS COMMUNICATIONS SYSTEMS. T-MOBILE NORTHEAST, LLC IMPLEMENTATION REQUIRES DEPLOYMENT OF EQUIPMENT AND ANTENNAS GENERALLY DEPICTED ON THIS PLAN, ATTACHED TO OR MOUNTED IN CLOSE PROXIMITY TO THE BTS RADIO CABINETS. T-MOBILE NORTHEAST, LLC RESERVES THE RIGHT TO MAKE REASONABLE MODIFICATIONS TO E911 EQUIPMENT AND LOCATION AS TECHNOLOGY EVOLVES TO MEET REQUIRED SPECIFICATIONS. ALL EQUIPMENT LOCATIONS ARE APPROXIMATE AND ARE SUBJECT TO APPROVAL BY T-MOBILE NORTHEAST, LLC. STRUCTURAL & RF ENGINEERS. LOCATIONS OF POWER & TELEPHONE FACILITIES AND APPLICABLE EASEMENTS ARE SUBJECT TO APPROVAL AS PER UTILITY COMPANIES DIRECTION.



**PARTIAL SITE PLAN**

SCALE: 1/16" = 1'-0"

REV1: 11/03/09: REVISE COMPOUND LOCATION: RCB  
REV2: 11/05/09: REVISE FENCE AND LANDSCAPING: RCB

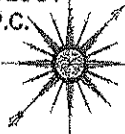
*RCB*

*WMA*



**ALL-POINTS TECHNOLOGY CORPORATION, P.C.**

3 SADDLEBROOK DRIVE  
KILLINGWORTH, CT. 06419  
PHONE: (860)-663-1697  
FAX: (860)-663-0935  
www.allpointstech.com



APT FILING NUMBER: CT-255T-620

LE-3

**T-Mobile**

T-MOBILE SITE NUMBER  
CTNH802B

SCALE: AS NOTED

DRAWN BY: RCB

35 GRIFFIN ROAD  
BLOOMFIELD, CT 06002  
OFFICE: (860)-692-7100

AMTRAK BRANFORD 2  
PLEASANT POINT ROAD  
BRANFORD, CT 06405

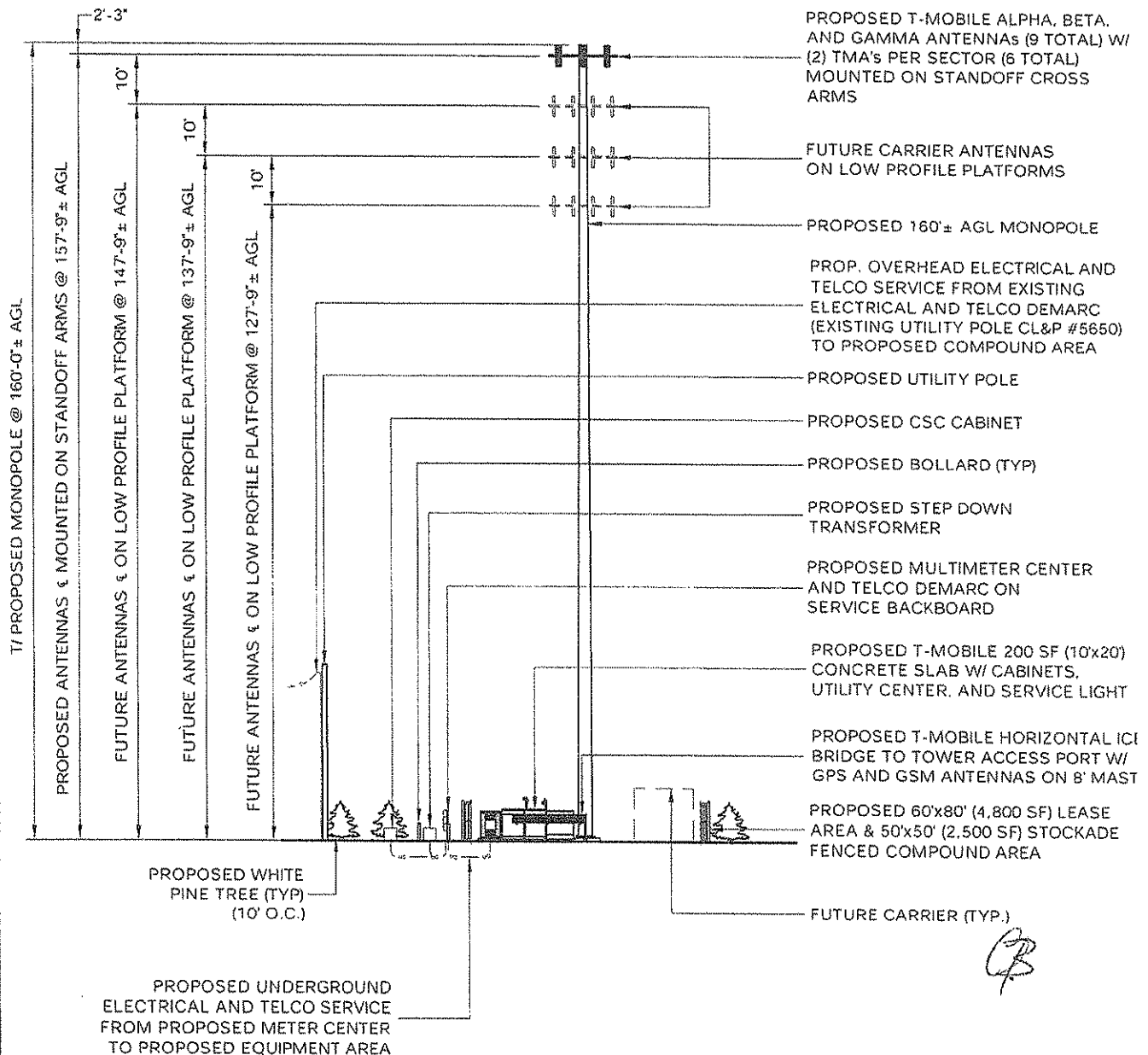
DATE: 09/21/09

CHECKED BY: SMC

**NOTE:**

PER FCC MANDATE, ENHANCED EMERGENCY (E911) SERVICE IS REQUIRED TO MEET NATIONWIDE STANDARDS FOR WIRELESS COMMUNICATIONS SYSTEMS. T-MOBILE NORTHEAST, LLC IMPLEMENTATION REQUIRES DEPLOYMENT OF EQUIPMENT AND ANTENNAS GENERALLY DEPICTED ON THIS PLAN. ATTACHED TO OR MOUNTED IN CLOSE PROXIMITY TO THE BTS RADIO CABINETS. T-MOBILE NORTHEAST, LLC RESERVES THE RIGHT TO MAKE REASONABLE MODIFICATIONS TO E911 EQUIPMENT AND LOCATION AS TECHNOLOGY EVOLVES TO MEET REQUIRED SPECIFICATIONS. ALL EQUIPMENT LOCATIONS ARE APPROXIMATE AND ARE SUBJECT TO APPROVAL BY T-MOBILE NORTHEAST, LLC. STRUCTURAL & RF ENGINEERS. LOCATIONS OF POWER & TELEPHONE FACILITIES AND APPLICABLE EASEMENTS ARE SUBJECT TO APPROVAL AS PER UTILITY COMPANIES DIRECTION.

REV1: 11/03/09: REVISE COMPOUND LOCATION: RCB  
REV2: 11/05/09: REVISE FENCE AND LANDSCAPING: RCB



**WESTERN ELEVATION**

SCALE: 1" = 30'-0"

*RCB*  
*[Signature]*

MEMORANDUM OF LEASE

A Tower Lease with Option (the "Lease") by and between Tilcon Inc., a(n) Connecticut corporation ("Landlord") and T-Mobile Northeast LLC, a Delaware limited liability company ("Tenant") was made regarding a portion of the following property:

See Attached Exhibit "A" incorporated herein for all purposes

The Option is for a term of twelve (12) months after the Effective Date of the Lease (as defined under the Lease), with up to one additional twelve (12) month renewal ("Option Period").

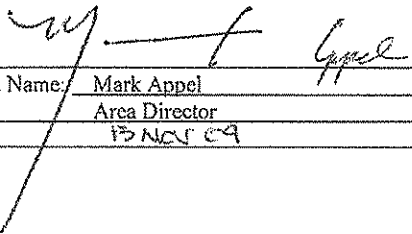
The Lease is for a term of five (5) years and will commence on the date as set forth in the Lease (the "Commencement Date"). Tenant shall have the right to extend this Lease for five (5) additional and successive five-year terms.

IN WITNESS WHEREOF, the parties hereto have respectively executed this memorandum effective as of the date of the last party to sign.

LANDLORD: TILCON INC.

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

TENANT: T-MOBILE NORTHEAST LLC

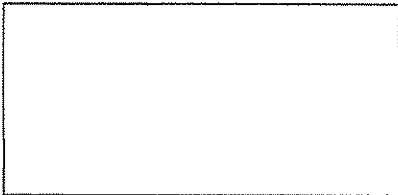
By:  \_\_\_\_\_  
Printed Name: Mark Appel  
Title: Area Director  
Date: 15 Nov 09

*[Landlord Notary block for a Corporation, Partnership, or Limited Liability Company]*

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_ [date] by \_\_\_\_\_  
\_\_\_\_\_ [name of signator], as \_\_\_\_\_ [title] of \_\_\_\_\_  
\_\_\_\_\_ [name of LL entity], a \_\_\_\_\_ [type of entity], on behalf of said  
\_\_\_\_\_ [name of entity].

Dated: \_\_\_\_\_



\_\_\_\_\_  
Notary Public  
Print Name \_\_\_\_\_  
My commission expires \_\_\_\_\_

(Use this space for notary stamp/seal)

*[Notary block for Tenant]*

COMMONWEALTH OF MASSACHUSETTS )  
 ) ss.  
COUNTY OF BRISTOL )

On this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, before me, the undersigned notary public,  
personally appeared MARK APPEL, proved to me through satisfactory evidence of identification, which were *personally known to me*  
to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for  
its stated purpose.



\_\_\_\_\_  
Notary Public  
Print Name \_\_\_\_\_  
My commission expires \_\_\_\_\_

(Use this space for notary stamp/seal)

**Memorandum of Lease Exhibit A  
Legal Description**

**The Property is legally described as follows:**

ALL THOSE CERTAIN pieces or parcels of land, with the buildings and all other improvements thereon, situated in the Town of Branford, County of New Haven, State of Connecticut, and described as follows:

**THE FIRST PIECE is bounded:**

NORTHWEST: by land of The Branford Steam Railroad Company;  
EAST: by land now or formerly of Clifford R. Reynolds, by a line parallel to and distant easterly 100 feet from the center line of the track of The Branford Steam Railroad Company, as said center line existed on January 9, 1959;  
NORTH: in part by land now or formerly of Clifford R. Reynolds, and in part by a creek;  
EAST: again by Pine Brook Creek;  
SOUTH: by land now or formerly of Leonore H. Nesbit;  
SOUTHWEST: by land formerly of the Shoreline Railroad, more lately of The New York, New Haven and Hartford Railroad Company;  
WEST: by land of The Branford Steam Railroad Company and possibly in part by land belonging now or formerly to Louis A. Fisk.

**THE SECOND PIECE is bounded:**

SOUTHWEST: by land formerly of Shoreline Railway, more lately of The New York, New Haven and Hartford Railroad Company;  
NORTHWEST: by land of The Branford Steam Railroad Company;  
NORTH: by land running to a point on land of The Branford Steam Railroad Company;  
EAST: by land of The Branford Steam Railroad Company.

**THE THIRD PIECE is bounded:**

NORTH: in part by land formerly of Daniel Creem and in part by land now or formerly of Louis A. Fisk;  
EAST AND  
SOUTHEAST: by land of The Branford Steam Railroad Company, by a curved line;  
SOUTH: by land formerly of the Shoreline Railway, more lately of The New York, New Haven and Hartford Railroad Company;  
WEST: in part by land formerly of Gilbert Bush, in part by a highway, and in part by land now or formerly of Abigail Martin.

**THE FOURTH PIECE is bounded:**

EAST: by Long Marsh Creek;  
SOUTH, SOUTHEAST,  
EAST AGAIN, SOUTH  
AGAIN AND WEST: by the waters of Long Island Sound;  
SOUTHWEST AND  
WEST: again by land now or formerly of H. Gordon Rowe;  
NORTH: by land now or formerly of H. Gordon Rowe, 25 feet;  
WEST: again by land now or formerly of H. Gordon Rowe, 585 feet, more or less;  
NORTH: again in part by land now or formerly of H. Gordon Rowe, and in part by land of The Branford Railroad Company;  
WEST: again by land now or formerly of The Branford Steam Railroad Company;  
NORTHWEST: by land now or formerly of The Branford Steam Railroad Company;  
NORTH: again by land now or formerly of the Town of Branford.

TOGETHER WITH such littoral and riparian rights, if any, as may exist in the waters of Long Island Sound and Long Marsh Creek.

TOGETHER WITH certain covenants and agreements contained in a deed dated April 18, 1938 and recorded in Volume 105 at Page 208 of the Branford Land Records.

TOGETHER WITH certain passway rights reserved in a deed dated September 28, 1942 and recorded in Volume 112 at Page 282 of the Branford Land Records.

**THE FIFTH PIECE** is bounded:

SOUTH: by land now or formerly of the Town of Branford;  
NORTHWEST: by land of The Branford Steam Railroad Company;  
NORTHEAST: by Long Marsh Creek.

TOGETHER WITH such riparian rights, if any, as may exist in the waters of Long Marsh Creek.

TOGETHER WITH certain passway rights reserved in a deed dated September 28, 1942 and recorded in Volume 112 at Page 282 of the Branford Land Records.

**THE SIXTH PIECE** is bounded:

NORTH: by land now or formerly of T. Francis Vedder;  
EAST: by land now or formerly of A. W. Veder;  
SOUTH: by the waters of Long Island Sound;  
WEST: in part by Long Island Sound and in part by Long Marsh Creek.

TOGETHER WITH such littoral and riparian rights, if any, as may exist in the waters of Long Island Sound and Long Marsh Creek.

TOGETHER WITH the benefit of certain covenants, restrictions, and right of reverter set forth in a deed dated November 27, 1974 and recorded in Volume 265 at Page 525 of the Branford Land Records.

TOGETHER WITH certain easements described in a Stipulated Judgment dated February 5, 1990 and recorded in Volume 482 at Page 579 of the Branford Land Records.

**LESS AND EXCEPTING THEREFROM** those two certain parcels of land conveyed to the State of Connecticut by deed dated November 27, 1974 and recorded in Volume 265 at Page 525 of the Branford Land Records, more particularly bounded and described as follows:

**FIRST PARCEL:**

Beginning at the northwesterly corner of the herein described property at a point marked by a monument on the northeasterly property line of an abandoned right of way of the Penn Central Transportation Company (leased to the Branford Steam Railroad), said point being located 33 feet northeasterly of the centerline of said right of way and 1118 feet, more or less, southeasterly of the intersection of the centerline of said right of way with the centerline of the tracks of the Branford Steam Railroad;

Thence running N 63° 10' 15" E, a distance of 536.18 feet along the southeasterly boundary of remaining land of the Grantor to a point marked by a monument;

Thence running S 26° 49' 45" E, a distance of 250.00 feet along the westerly boundary of remaining land of the Grantor to a point marked by a monument;

Thence running N 63° 10' 15" E, a distance of 360.00 feet along the southerly boundary of remaining land of the Grantor to a point marked by a cedar post;

Thence running N 26° 49' 45" W, a distance of 1695.46 feet along the easterly boundary of remaining land of the Grantor to a point marked by a cedar post;

Thence continuing on a straight line extension northerly of the last described line, a distance of 17 feet, more or less, along the easterly boundary of remaining land of the Grantor to the center of Pine Brook Creek a/k/a Pine River;

Thence running in a general northerly, southeasterly and southerly direction a distance of 2840 feet, more or less, along the centerline of said Pine Brook Creek to the extension easterly of the centerline of a creek entering Pine Brook Creek from the southwest;

Thence running southwestwesterly a distance of 555 feet, more or less, along the centerline of a creek which is the northerly boundary of land now or formerly of the Totoket Granite Company to a point on the northeasterly property line of land of said Penn Central Transportation Co. marked by a cedar post;

Thence running N 59° 04' 42" W, a distance of 370.00 feet along the northeasterly property line of land of said Penn Central Transportation Company to a point;

Thence running N 27° 40' 18" E, a distance of 8.26 feet along the southeasterly property line of land of said Penn Central Transportation Company to a point;

Thence running N 59° 04' 42" W, a distance of 341.36 feet along the northeasterly property line of land of said Penn Central Transportation Company to the point and place of beginning.

Said parcel of land contains 17.0 acres, more or less, and is more particularly shown as Parcel I on a map entitled, "Land to be conveyed by Ashland Oil, Inc. to the State of Connecticut, Branford, Conn. Scale 1"=100' April 1, 1974", as prepared by Clarence Blair Associates, Inc., Civil Engineers and Land Surveyors, New Haven, Connecticut.

**SECOND PARCEL:**

Beginning at the northeasterly corner of the herein described property at a point marked by an iron pipe, said point lying approximately 536 feet westerly of Pleasant Point Road when measured along the southerly property line of land now or formerly of Jennie L. Vedder;

Thence running S 10° 19' 40" W, a distance of 409.85 feet along the westerly boundary of remaining land of the Grantor to a point marked by a drill hole;

Thence continuing on a straight line extension southwesterly of the last described line, a distance of 60 feet, more or less, along the westerly boundary of remaining land of the Grantor to the mean high water line of Long Island Sound;

Thence running northwesterly and westerly, a distance of 645 feet, more or less, along the mean high water line of Long Island Sound and the extension westerly thereof to a point in the center of Long Marsh Creek a/k/a Stephens Creek;

Thence running northerly a distance of 157 feet, more or less, along the centerline of said Long Marsh Creek to a point;

Thence running N 88° 13' 20" E, a distance of 20 feet, more or less, along the southerly boundary of land now or formerly of Jennie L. Vedder to a point marked by a cedar post;

Thence continuing N 88° 13' 20" E, a distance of 393.77 feet along the southerly boundary of land of said Vedder to a point marked by an old post;

Thence running N 73° 52' 00" E, a distance of 35.13 feet along the southerly boundary of said Vedder to the point and place of beginning.

Said parcel of land contains 2.0 acres, more or less, and is more particularly shown as Parcel II on a map entitled, "Land to be conveyed by Ashland Oil, Inc. to the State of Connecticut, Branford, Conn. Scale 1"=100' April 1, 1974", as prepared by Clarence Blair Associates, Inc., Civil Engineers and Land Surveyors, New Haven, Connecticut.

**FURTHER EXCEPTING THEREFROM** rights of way 20 feet in width across the lands of Ashland Oil, Inc. for passage by foot or vehicle, which said rights of way were conveyed to the State of Connecticut by deed dated November 27, 1974 and recorded in Volume 265 at Page 525 of the Branford Land Records.

## SCHEDULE A PROPERTY DESCRIPTION

Map H08, Block 4, Lot 2

Map H08, Block 4, Lot 2.1

### PARCEL ONE

ALL THAT CERTAIN piece or parcel of land, together with the buildings and improvements thereon, situated in the Town of Branford, County of New Haven, and State of Connecticut, and bounded and described as follows:

BEGINNING at a point at the northwesterly corner of the herein described premises, said point being in a stone wall, distant 100 feet southwesterly of and measured at right angles from station 610 + 70.7 of the monumented center line of the railroad leading from New Haven to New London, Connecticut;

Thence southeasterly, parallel with and distant 100 feet southwesterly of and measured at right angles from said monumented center line, bounding northeasterly on remaining railroad land, 2252 feet, more or less, to a point in the southwesterly side of Pleasant Point Road, opposite station 633 + 23 more or less of said monumented center line;

Thence again southeasterly, along the said southwesterly side of Pleasant Point Road, 82 feet, more or less, to a stone wall;

Thence southwesterly along said stone wall, bounding southeasterly on land of Jennie L. Vedder, 750 feet, more or less, to a point at the foot of upland;

Thence southeasterly, easterly and southeasterly along said foot of upland, bounding northeasterly, northerly and northeasterly on said land of Jennie L. Vedder, 580 feet, more or less, to the center of a ditch;

Thence southwesterly along the center of said ditch, bounding southeasterly on said land of Jennie L. Vedder, 260 feet, more or less, to the center of a creek;

Thence northwesterly, westerly and southwesterly along the center of said creek, bounding southwesterly on land of the Town of Branford and land of The New Haven Trap Rock Company, each in part, and southerly and southeasterly on said land of The New Haven Trap Rock Company, 2300 feet, more or less, to a point distant 371 feet more or less southwesterly of and measured at right angles from station 612 + 99 more or less of said monumented center line;

Thence northwesterly, bounding southwesterly on said land of The New Haven Trap Rock Company, 317 feet, more or less, to a point in the first mentioned stone wall, distant 136.4 feet southwesterly of and measured at right angles from station 610+ 85.5 of said monumented center line;

Thence again northwesterly along said stone wall, bounding southwesterly on said land of The New Haven Trap Rock Company, 39.3 feet to the point or place of beginning.

Containing 17 acres, more or less.

LESS AND EXCEPTING THEREFROM all that certain piece or parcel of land situated in the Town of Branford, County of New Haven, and State of Connecticut, beginning at a point marked by an iron pipe on the southwesterly property line of an abandoned right of way of the Penn Central Transportation Co. (leased to the Branford Steam Railroad), said point being located 33 feet southwesterly of the center line of said right of way and 969 feet, more or less, southeasterly of the intersection of the center line of said right of way with the center line of the tracks of the Branford Steam Railroad;

Thence running S 59° 04' 42" E, a distance of 493.86 feet along the southwesterly boundary of land of said Penn Central Transportation Co. to a point marked by a cedar post;

Thence running S. 27° 39' 20" W, a distance of 249.93 feet along the northwesterly boundary of land of said Penn Central Transportation Co. and the northwesterly boundary of land now or formerly of the Protestant Episcopal Church to a point marked by a cedar post;

Thence running N 32° 35' 05" W, a distance of 243.22 feet along the northeasterly boundary of remaining land of the Grantor to a point marked by a cedar post;

Thence running N 59° 45' 05" W, a distance of 191.77 feet along the northeasterly boundary of remaining land of the Grantor to a point marked by a cedar post;

Thence running S 80° 29' 55" W, a distance of 219.25 feet along the northwesterly boundary of remaining land of the Grantor to a point marked by a cedar post;

Thence running S 14° 52' 25" W, a distance of 60.87 feet along the northwesterly boundary of remaining land of the Grantor to a point marked by a cedar post;

Thence running S 73° 37' 50" W, a distance of 131.33 feet along the northwesterly boundary of remaining land of the Grantor to a point on the northeasterly street line of Pleasant Point Road marked by an iron pipe;

Thence running N 29° 27' 00" W, a distance of 172.47 feet along the northerly street line of Pleasant Point Road to a point marked by an iron pipe;

Thence running N 37° 59' 55" E, a distance of 270.61 feet along the southeasterly boundary of remaining land of the Grantor to a point marked by an iron pipe;



Thence running S 77° 42' 15" E, a distance of 271.28 feet along the southwesterly boundary of remaining land of the Grantor to the point and place of beginning.

Said parcel of land contains 4.0 acres of land and is more particularly shown as Parcel I on Map No. 1218 on file in the Branford Town Clerk's Office.

PARCEL TWO

ALL THOSE CERTAIN pieces or parcels of land, together with the buildings and improvements thereon, situated in the Town of Branford, County of New Haven, and State of Connecticut, bounded and described as follows:

First Piece:

Beginning at a point which is 75 feet northerly of the Amtrak mainline monumented center line station 628 + 44.56 and running along a line 75 feet northerly of and parallel to said monumented center line S 72° 36' 42" E, 1,728.45 feet to a point which is 75 feet northerly of station 645 + 73.01;

Thence turning and running in a northwesterly direction by a curve to the right having a radius of 1,885.33 feet and a central angle of 4° 39' 25", a distance of 153.22 feet to a point;

Thence running northwesterly by a compound curve to the right having a radius of 2,840.18 feet and a central angle of 4° 00' 00", a distance of 198.28 feet to a point;

Thence running northeasterly by a compound curve to the right having a radius of 5,704.90 feet and a central angle of 2° 00' 00", a distance of 199.14 feet to a point;

Thence running N 59° 04' 42" W, 1,710.24 feet to a point;

Thence running N 25° 45' 00" E, 8.28 feet to a point;

Thence running N 59° 04' 42" W, 489.01 feet to a point;

Thence running by a curve to the right having a radius of 5,696.65 feet and a central angle of 4° 00' 00", a distance of 397.77 feet to a point;

Thence running N 55° 04' 42" W, 152.79 feet to a point;

Thence S 89° 24' 17" W, 13.77 feet to a point;

Thence N 55° 04' 42" W, 130.00 feet to a point;

Thence by a curve to the left having a radius of 5,754.65 feet and a central angle of 2° 00' 00", a distance of 200.88 feet to a point;

Thence by a compound curve to the left having a radius of 2,889.93 feet and a central angle of 4° 00' 00", a distance of 201.76 feet to a point;

Thence by a compound curve to the left having a radius of 1,935.08 feet and a central angle of 3° 00' 00", a distance of 101.32 feet to a point;

Thence by a compound curve to the left having a radius of 1,662.28 feet and a central angle of  $3^{\circ} 30' 00''$ , a distance of 101.54 feet to a point;

Thence by a compound curve to the left having a radius of 1,457.69 feet and a central angle of  $17^{\circ} 09' 30''$ , a distance of 436.53 feet to a point;

Thence turning and running  $S 5^{\circ} 15' 48'' W$ , 0.25 feet to a point;

Thence turning and running by a curve to the left having a radius of 1,457.44 feet and a central angle of  $17^{\circ} 09' 30''$ , a distance of 436.46 feet to a point;

Thence by a compound curve to the left having a radius of 1,934.83 feet, a distance of 100 feet, more or less, to a point in the easterly street line of Totoket Road;

Thence turning and running in a southerly direction along said street line a distance of 50 feet, more or less, to a point;

Thence turning and running easterly by a curve to the right having a radius of 1,885.33 feet, a distance of 100 feet, more or less, to a point;

Thence by a compound curve to the right having a radius of 1,407.94 feet and a central angle of  $17^{\circ} 09' 30''$ , a distance of 421.63 feet to a point;

Thence running  $N 5^{\circ} 15' 48'' E$ , 0.25 feet to a point;

Thence by a curve to the right having a radius of 1,407.69 feet and a central angle of  $17^{\circ} 09' 30''$ , a distance of 421.56 feet to a point;

Thence by a compound curve to the right having a radius of 1,612.28 feet and a central angle of  $3^{\circ} 30' 00''$ , a distance of 98.49 feet to a point;

Thence by a compound curve to the right having a radius of 1,885.08 feet and a central angle of  $3^{\circ} 00' 00''$ , a distance of 98.70 feet to a point;

Thence by a compound curve to the right having a radius of 2,839.93 feet and a central angle of  $4^{\circ} 00' 00''$ , a distance of 198.26 feet to a point;

Thence by a compound curve to the right having a radius of 5,704.65 feet and a central angle of  $2^{\circ} 00' 00''$ , a distance of 199.13 feet to a point;

Thence running  $S 55^{\circ} 04' 42'' E$ , 60.00 feet to a point;

Thence running  $S 89^{\circ} 24' 17'' W$ , 13.77 feet to a point;

Thence running  $S 55^{\circ} 04' 42'' E$ , 245.21 feet to a point;

Thence by a curve to the left having a radius of 5,762.65 feet and a central angle of  $4^{\circ} 00' 00''$ , a distance of 402.31 feet to a point;

Thence running  $S 59^{\circ} 04' 42'' E$ , 494.99 feet to a point;

Thence running  $S 25^{\circ} 45' 00'' W$ , 90.00 feet to a point;

Thence running  $S 78^{\circ} 06' 05'' E$ , 300.32 feet to a point;

Thence running S 59° 04' 42" E, 485.00 feet to a point;

Thence running in a general southwesterly direction by an irregular line along a toe of slope 350 feet, more or less, to a point, said point being S 62° 16' 58" W, 235.93 feet from the last previously described point;

Thence running S 66° 23' 18" W, 140.00 feet to the point or place of beginning.

Said parcel contains 9.8 acres, more or less.

Second Piece:

Beginning at a point which is 75 feet northerly of the Amtrak main line monumented center line station 612+ 17.14 and running along a line 75 feet northerly of and parallel to said monumented center line S 72° 36' 42" E, 596.40 feet to a point which is 75 feet northerly of station 618+ 13.54;

Thence turning and running N 55° 20' 21" W, 259.83 feet to a point;

Thence running N 34° 09' 05" W, 137.64 feet to a point;

Thence running S 73° 17' 58" W, 2909.40 feet to the point or place of beginning.

Said parcel contains 0.9 acre, more or less.

Third Piece:

Beginning at a point which is 75 feet northerly of the Amtrak main line monumented center line station 610+ 57.14 and running along a line 75 feet northerly of and parallel to said monumented center line S 72° 36' 42" E, 110.00 feet to a point which is 75 feet northerly of station 611+ 67.14;

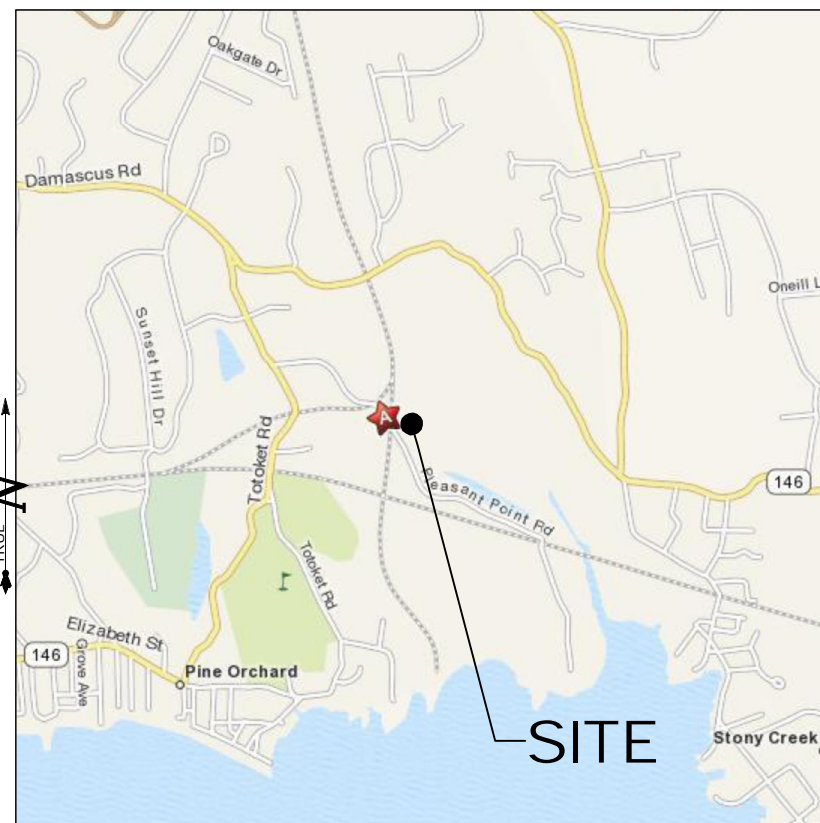
Thence turning and running N 34° 05' 50" W, 127.80 feet to a point;

Thence running S 24° 33' 12" W, 80.18 feet to the point or place of beginning.

Said parcel contains 0.1 acre, more or less.

# **EXHIBIT C**

## LOCATION MAP



SCALE: NTS

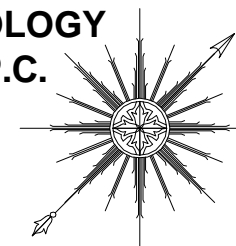
## USGS TOPOGRAPHIC MAP



SCALE: 4" = 2000'

## ALL-POINTS TECHNOLOGY CORPORATION, P.C.

3 SADDLEBROOK DRIVE  
KILLINGWORTH, CT. 06419  
PHONE: (860)-663-1697  
FAX: (860)-663-0935  
www.allpointstech.com



## CONTACT PERSONNEL

APPLICANT:  
T-MOBILE NORTHEAST, LLC  
35 GRIFFIN ROAD  
BLOOMFIELD, CT 06002

LANDLORD:  
TILCON, INC.  
(a.k.a. TILCON MINERALS INC.)  
624 BLACK ROCK AVENUE  
NEW BRITAIN, CT

T-MOBILE PROJECT MANAGER:  
JOHN LUISI (860) 680-9104

T-MOBILE PROJECT ATTORNEY:  
JULIE D. KOHLER, ESQ.  
COHEN AND WOLF, P.C.  
1115 BROAD STREET  
BRIDGEPORT, CT 06604  
203-337-4157

POWER PROVIDER:  
CL&P (203) 245-5412  
TONY SARUBBI - CASE# 1408835

TELCO PROVIDER:  
AT&T: (800)-727-8368

CALL BEFORE YOU DIG:  
(800) 922-4455

GOVERNING CODES:  
2005 CONNECTICUT BUILDING CODE (2003 IBC BASIS)  
NATIONAL ELECTRIC CODE  
EIA/TIA 222F

# T-Mobile

35 GRIFFIN ROAD  
BLOOMFIELD, CT 06002

OFFICE: (860)-692-7100  
FAX: (860)-692-7159

## DRAWING INDEX

- T-1 TITLE SHEET & INDEX
- A-1 ABUTTERS MAP
- SP-1 SITE PLAN
- SP-2 COMPOUND PLAN AND TOWER ELEVATION
- AE-1 AERIAL MAP

### \* SITE INFORMATION:

-SITE NAME:..... BRANFORD 2  
-SITE ID NUMBER:..... CTNH802B  
-SITE ADDRESS:..... PLEASANT POINT ROAD  
BRANFORD, CT 06405

-MAP:..... H08  
-BLOCK:..... 2  
-LOT:..... 1

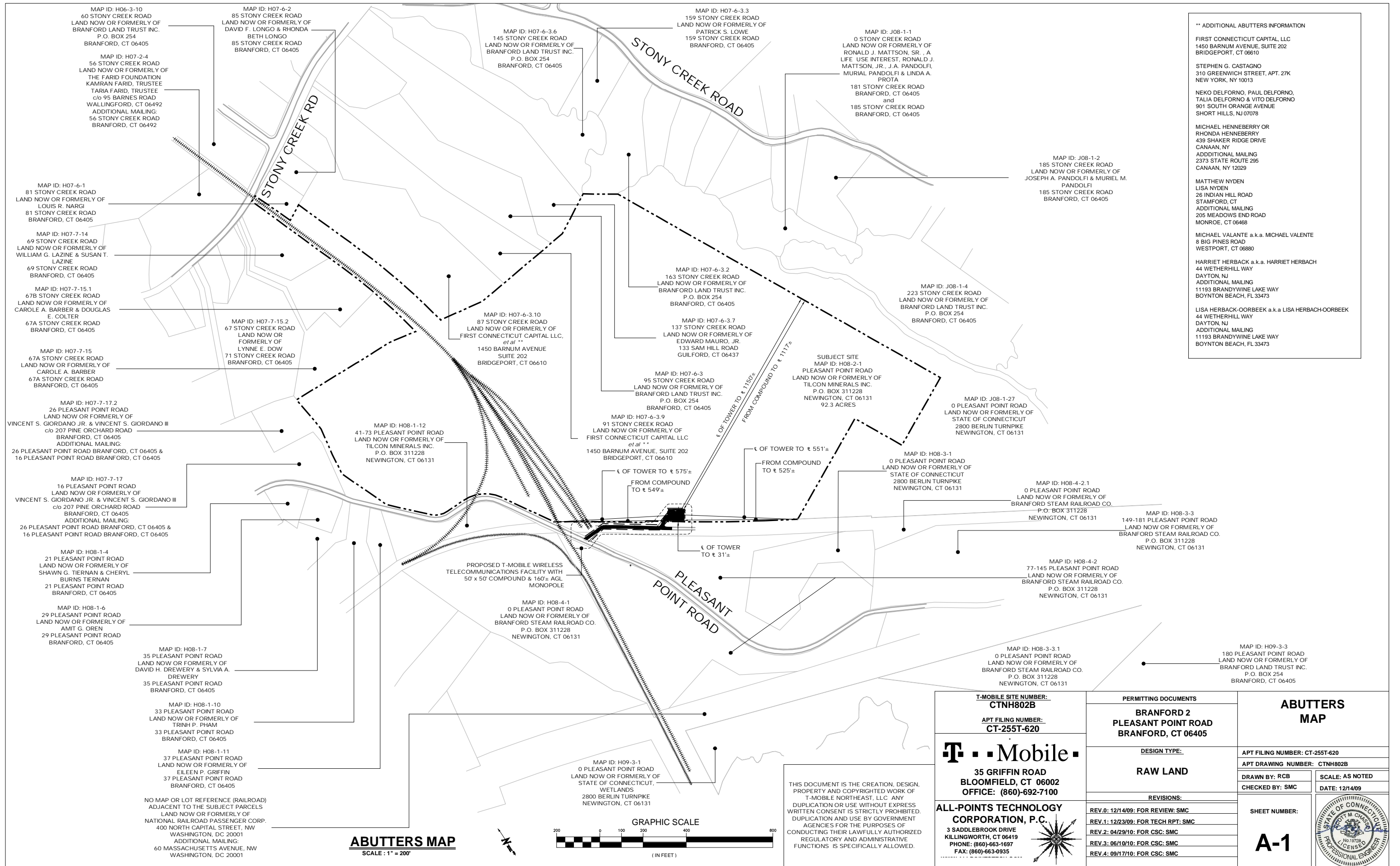
-ZONE:..... R-5 & PINE ORCHARD  
OVERLAY BOUNDARY  
-LATITUDE:..... 41° 16' 33.48" N  
-LONGITUDE:..... 72° 45' 56.05" W  
-ELEVATION:..... 25' ± AMSL  
-FEMA/FIRM  
DESIGNATION:..... ZONE 'A6' & 'B'  
-ACREAGE:..... 92.3 Ac

THIS DOCUMENT IS THE CREATION, DESIGN, PROPERTY AND COPYRIGHTED WORK OF T-MOBILE NORTHEAST, LLC ANY DUPLICATION OR USE WITHOUT EXPRESS WRITTEN CONSENT IS STRICTLY PROHIBITED. DUPLICATION AND USE BY GOVERNMENT AGENCIES FOR THE PURPOSES OF CONDUCTING THEIR LAWFULLY AUTHORIZED REGULATORY AND ADMINISTRATIVE FUNCTIONS IS SPECIFICALLY ALLOWED.

## SITE INFORMATION

CTNH802B  
BRANFORD 2  
PLEASANT POINT ROAD  
BRANFORD, CT 06405

PERMITTING DOCUMENTS		TITLE SHEET AND INDEX	
BRANFORD 2 PLEASANT POINT ROAD BRANFORD, CT 06405		APT FILING NUMBER: CT-2557-620	
DESIGN TYPE:  RAW LAND		APT DRAWING NUMBER: CTNH802B T-1.DWG	
REVISIONS:		DRAWN BY: RCB	SCALE: AS NOTED
REV.0: 12/14/09: FOR REVIEW: SMC		CHECKED BY: SMC	DATE: 12/14/09
REV.1: 12/23/09: FOR TECH RPT: SMC		SHEET NUMBER:	
REV.2: 04/29/10: FOR CSC: SMC		T-1	
REV.3: 06/10/10: FOR CSC: SMC			
REV.4: 09/17/10: FOR CSC: SMC			



**\*\* ADDITIONAL ABUTTERS INFORMATION**

FIRST CONNECTICUT CAPITAL, LLC  
1450 BARNUM AVENUE, SUITE 202  
BRIDGEPORT, CT 06610

STEPHEN G. CASTAGNO  
310 GREENWICH STREET, APT. 27K  
NEW YORK, NY 10013

NEKO DELFORNO, PAUL DELFORNO,  
TALIA DELFORNO & VITO DELFORNO  
901 SOUTH ORANGE AVENUE  
SHORT HILLS, NJ 07078

MICHAEL HENNEBERRY OR  
RHONDA HENNEBERRY  
439 SHAKER RIDGE DRIVE  
CANAAN, NY  
ADDITIONAL MAILING  
2373 STATE ROUTE 295  
CANAAN, NY 12029

MATTHEW NYDEN  
LISA NYDEN  
28 INDIAN HILL ROAD  
STAMFORD, CT  
ADDITIONAL MAILING  
205 MEADOWS END ROAD  
MONROE, CT 06468

MICHAEL VALANTE a.k.a. MICHAEL VALENTE  
8 BIG PINES ROAD  
WESTPORT, CT 06880

HARRIET HERBACK a.k.a. HARRIET HERBACH  
44 WETHERHILL WAY  
DAYTON, NJ  
ADDITIONAL MAILING  
1193 BRANDYWINE LAKE WAY  
BOYNTON BEACH, FL 33473

LISA HERBACK-OORBEEK a.k.a. LISA HERBACH-OORBEEK  
44 WETHERHILL WAY  
DAYTON, NJ  
ADDITIONAL MAILING  
1193 BRANDYWINE LAKE WAY  
BOYNTON BEACH, FL 33473

THIS DOCUMENT IS THE CREATION, DESIGN, PROPERTY AND COPYRIGHTED WORK OF T-MOBILE NORTHEAST, LLC. ANY DUPLICATION OR USE WITHOUT EXPRESS WRITTEN CONSENT IS STRICTLY PROHIBITED. DUPLICATION AND USE BY GOVERNMENT AGENCIES FOR THE PURPOSES OF CONDUCTING THEIR LAWFULLY AUTHORIZED REGULATORY AND ADMINISTRATIVE FUNCTIONS IS SPECIFICALLY ALLOWED.

**T-Mobile**

35 GRIFFIN ROAD  
BLOOMFIELD, CT 06002  
OFFICE: (860)-692-7100

**ALL-POINTS TECHNOLOGY CORPORATION, P.C.**

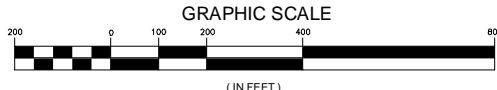
3 SADDLEBROOK DRIVE  
KILLINGWORTH, CT 06419  
PHONE: (860)-663-1697  
FAX: (860)-663-0935

<b>T-MOBILE SITE NUMBER:</b> CTNH802B		<b>PERMITTING DOCUMENTS</b> <b>BRANFORD 2 PLEASANT POINT ROAD BRANFORD, CT 06405</b>	
<b>APT FILING NUMBER:</b> CT-255T-620		<b>DESIGN TYPE:</b> <b>RAW LAND</b>	
		<b>REVISIONS:</b>	
		REV.0: 12/14/09: FOR REVIEW: SMC	
		REV.1: 12/23/09: FOR TECH RPT: SMC	
		REV.2: 04/29/10: FOR CSC: SMC	
		REV.3: 06/10/10: FOR CSC: SMC	
		REV.4: 09/17/10: FOR CSC: SMC	

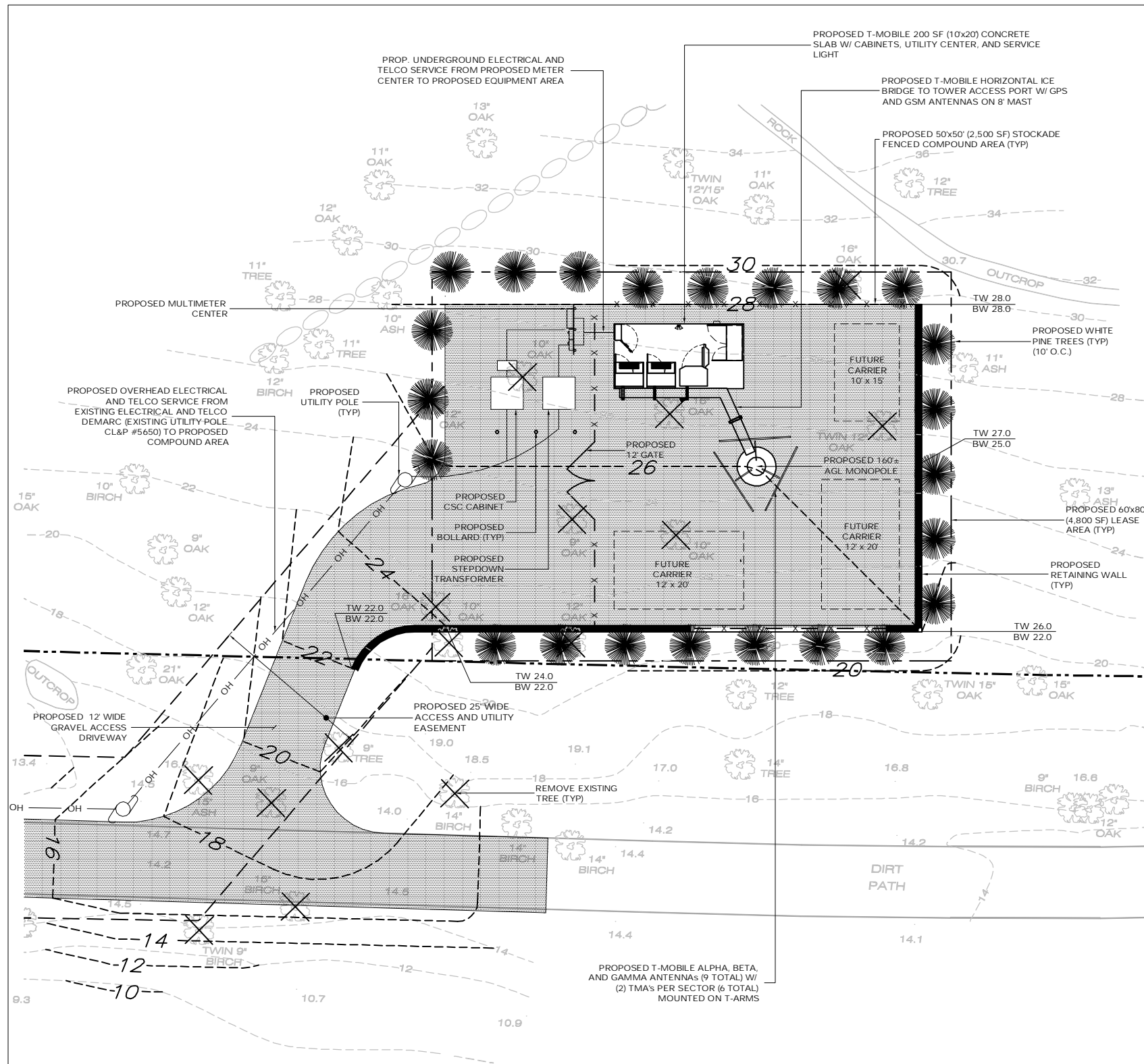
<b>ABUTTERS MAP</b>	
APT FILING NUMBER: CT-255T-620	
APT DRAWING NUMBER: CTNH802B	
DRAWN BY: RCB	SCALE: AS NOTED
CHECKED BY: SMC	DATE: 12/14/09
SHEET NUMBER: <b>A-1</b>	



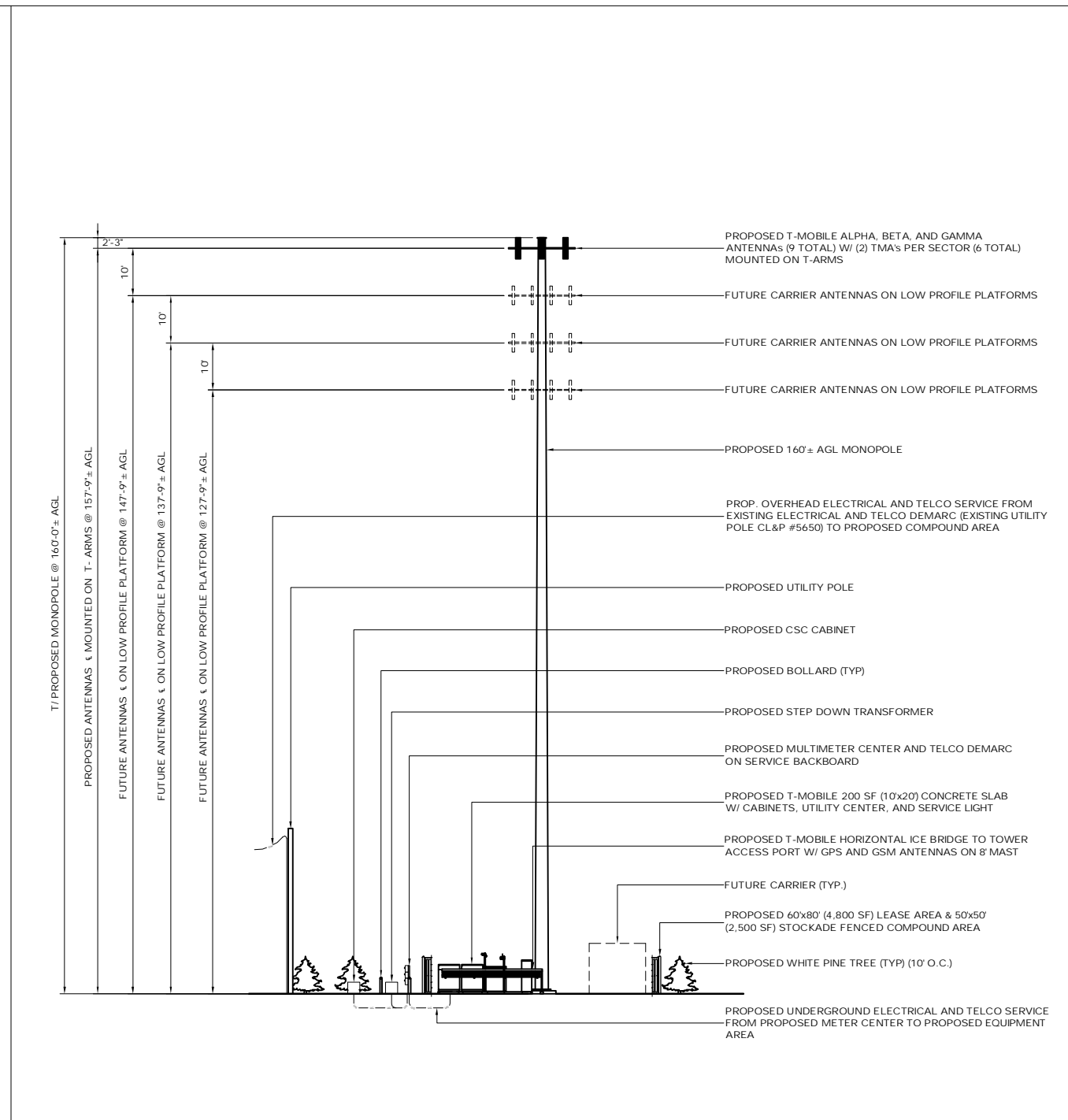
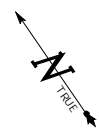
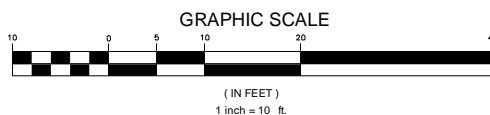
**ABUTTERS MAP**  
SCALE: 1" = 200'



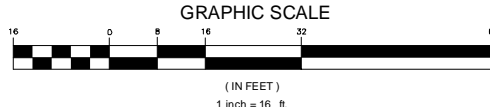




**COMPOUND PLAN**  
SCALE: 1" = 10'-0"



**WESTERN ELEVATION**  
SCALE: 1/16" = 1'-0"



**ENGINEERING ANALYSIS AND CERTIFICATION**

IN ACCORDANCE WITH THE 2005 CONNECTICUT STATE BUILDING CODE AND THE ELECTRONIC INDUSTRIES ASSOCIATION STANDARD EIA/TIA-222-F "STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWERS AND ANTENNA SUPPORT STRUCTURES" FOR NEW HAVEN COUNTY, THE TOWER WOULD BE DESIGNED TO WITHSTAND PRESSURES EQUIVALENT TO A MAXIMUM 115 MPH WIND. THE FOUNDATION DESIGN WOULD BE BASED ON SOIL CONDITIONS AT THE SITE.

THIS DOCUMENT IS THE CREATION, DESIGN, PROPERTY AND COPYRIGHTED WORK OF T-MOBILE NORTHEAST, LLC. ANY DUPLICATION OR USE WITHOUT EXPRESS WRITTEN CONSENT IS STRICTLY PROHIBITED. DUPLICATION AND USE BY GOVERNMENT AGENCIES FOR THE PURPOSES OF CONDUCTING THEIR LAWFULLY AUTHORIZED REGULATORY AND ADMINISTRATIVE FUNCTIONS IS SPECIFICALLY ALLOWED.

**T-Mobile**

35 GRIFFIN ROAD  
BLOOMFIELD, CT 06002  
OFFICE: (860)-692-7100

**ALL-POINTS TECHNOLOGY CORPORATION, P.C.**  
3 SADDLEBROOK DRIVE  
KILLINGWORTH, CT 06419  
PHONE: (860)-663-1697  
FAX: (860)-663-0935

<b>T-MOBILE SITE NUMBER:</b> CTNH802B	
<b>APT FILING NUMBER:</b> CT-255T-620	
<b>PERMITTING DOCUMENTS</b>	
BRANFORD 2 PLEASANT POINT ROAD BRANFORD, CT 06405	
<b>DESIGN TYPE:</b>	
RAW LAND	
<b>REVISIONS:</b>	
REV.0: 12/14/09: FOR REVIEW: SMC	
REV.1: 12/23/09: FOR TECH RPT: SMC	
REV.2: 04/29/10: FOR CSC: SMC	
REV.3: 06/10/10: FOR CSC: SMC	
REV.4: 09/17/10: FOR CSC: SMC	

**COMPOUND PLAN AND TOWER ELEVATION**

APT FILING NUMBER: CT-255T-620  
APT DRAWING NUMBER: CTNH802B SP-2

DRAWN BY: RCB  
CHECKED BY: SMC

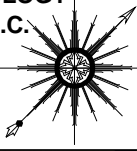
SCALE: AS NOTED  
DATE: 12/14/09

SHEET NUMBER:  
**SP-2**



**ALL-POINTS TECHNOLOGY CORPORATION, P.C.**

3 SADDLEBROOK DRIVE  
KILLINGWORTH, CT, 06419  
PHONE: (860)-663-1697  
FAX: (860)-663-0935  
www.allpointstech.com



**APT FILING NUMBER: CT-255T-620**

**AERIAL MAP**

**SCALE: AS NOTED**

**DRAWN BY: RCB**

**DATE: 12/14/09**

**CHECKED BY: SMC**

**T-Mobile**

35 GRIFFIN ROAD  
BLOOMFIELD, CT 06002  
OFFICE: (860)-692-7100

**T-MOBILE SITE NUMBER  
CTNH802B**

**BRANFORD 2  
PLEASANT POINT ROAD  
BRANFORD, CT 06405**



**SITE**

**AERIAL MAP**

SCALE : 1" = 500'-0"

**GRAPHIC SCALE**



( IN FEET )  
1 inch = 500ft.

# **EXHIBIT D**

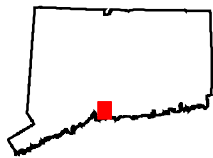


Base Map Source: USGS 7.5 Minute Topographic Quadrangle Maps, Branford (1984) and Guilford (1984)



**Vanasse Hangen Brustlin, Inc.**

**USGS Topographic Map  
Proposed T-Mobile Wireless  
Telecommunications Facility  
CTNH802B  
Pleasant Point Road  
Branford, Connecticut**



Quadrangle Location



# **EXHIBIT E**

**CERTIFICATION OF SERVICE**

I hereby certify that on this, the 30<sup>th</sup> day of September, 2010, copies of the Application and Attachments were sent by Federal Express to the following:

**BRANFORD TOWN OFFICIALS (General Statutes § 16-50l(b)(1))**

Anthony "Unk" DaRos, First Selectman  
Town of Branford  
1019 Main Street  
Branford, CT 06405

Planning & Zoning Commission  
Ellsworth McGuigan, Chairman  
Town Hall  
1019 Main Street  
Branford, CT 06405

Zoning Board of Appeals  
Robert Harrington, Chairman  
Town Hall  
1019 Main Street  
Branford, CT 06405

Conservation & Environmental Commission  
William Horne and Karyl Lee Hall, Co-Chairman  
Town Hall  
1019 Main Street  
Branford, CT 06405

Inland Wetlands Commission  
Daniel Shapiro, Chairman  
Town Hall  
1019 Main Street  
Branford, CT 06405

Marianne Kelly, Town Clerk  
Town Hall  
1019 Main Street  
Branford, CT 06405

**ATTORNEY GENERAL (General Statutes § 16-50I(b)(2))**

Office of the Attorney General  
State of Connecticut  
Attorney General Richard Blumenthal  
55 Elm Street  
Hartford, CT 06106

**LEGISLATIVE MEMBERS (General Statutes § 16-50I(b)(3))**

United States Senator Joseph Lieberman  
One Constitution Plaza, 7<sup>th</sup> Floor  
Hartford, CT 06103

United States Senator Christopher Dodd  
30 Lewis Street, Suite 101  
Hartford, CT 06103

United States Congresswoman Rosa L. DeLauro  
Main District Office  
59 Elm Street  
New Haven, CT 06510

Connecticut State Senator Edward Meyer  
Legislative Office Building  
300 Capital Avenue, Room 3200  
Hartford, CT 06106

Connecticut State Representative Lonnie Reed  
Legislative Office Building  
300 Capital Avenue, Room 4071  
Hartford, CT 06106

Connecticut State House Representative Patricia M. Widlitz  
Legislative Office Building  
300 Capital Avenue, Room 4034  
Hartford, CT 06106

**FEDERAL AGENCIES (General Statutes § 16-50I(b)(4))**

Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Drive  
Capitol Heights, MD 20743

Federal Aviation Administration  
New England Region  
12 New England Executive Park  
Burlington, MA 01803

**STATE AGENCIES (General Statutes § 16-50l(b)(5))**

South Central Regional Council of Governments  
c/o Carl Amenta, Executive Director  
127 Washington Avenue, 4<sup>th</sup> Floor West  
North Haven, CT 06473-1715

Connecticut Department of Environmental Protection  
c/o Amey Marrella, Commissioner  
79 Elm Street  
Hartford, CT 06106-5127

Department of Public Health  
c/o J. Robert Galvin, Commissioner  
410 Capitol Avenue  
Hartford, CT 06134

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

Connecticut Department of Public Utility Control  
c/o Kevin M. DelGobbo, Chairman  
Ten Franklin Square  
New Britain, CT 06051

Office of Policy and Management  
c/o Acting Secretary Brenda L. Sisco  
450 Capitol Avenue  
Hartford, CT 06106-1379

Department of Economic & Community Development  
c/o Joan McDonald, Commissioner  
505 Hudson Street  
Hartford, CT 06106

Connecticut Department of Transportation  
c/o Jeffrey A. Parker, Commissioner  
2800 Berlin Turnpike  
Newington, CT 06111

Connecticut Council on Environmental Quality  
c/o Karl J. Wagener, Executive Director  
79 Elm Street  
Hartford, CT 06106

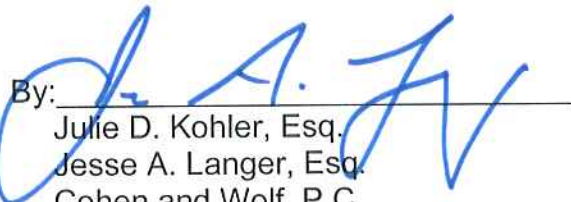
Connecticut Commission on Culture & Tourism –  
Historic Preservation and Museum Division  
c/o David Bahlman, Division Director  
One Constitution Plaza, Second Floor  
Hartford, CT 06103

Connecticut Department of Emergency Management & Homeland Security  
c/o Peter J. Boynton, Commissioner  
25 Sigourney Street, 6<sup>th</sup> Floor  
Hartford, CT 06106-5042

Connecticut Siting Council  
c/o Daniel F. Caruso, Chairman  
Ten Franklin Square  
New Britain, CT 06051

**Respectfully submitted,**

**T-MOBILE NORTHEAST LLC**

By: 

Julie D. Kohler, Esq.  
Jesse A. Langer, Esq.  
Cohen and Wolf, P.C.  
1115 Broad Street  
Bridgeport, CT 06604  
Tel. (203) 368-0211  
Fax (203) 394-9901  
[jkohler@cohenandwolf.com](mailto:jkohler@cohenandwolf.com)  
[jlanger@cohenandwolf.com](mailto:jlanger@cohenandwolf.com)



# **EXHIBIT F**

## **PUBLIC NOTICE**

Pursuant to General Statutes § 16-50/ and § 16-50/-1 of the Regulations of Connecticut State Agencies, notice is hereby given that T-Mobile Northeast LLC (“T-Mobile”) will file an application with the Connecticut Siting Council (“Council”). T-Mobile will file an Application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 77-145 Pleasant Point Road, Branford, Connecticut (“Application”). T-Mobile will file the Application on or about September 30, 2010. T-Mobile seeks to construct a new 160 foot monopole structure with antennas mounted thereon, associated equipment and other site improvements necessary for the proposed facility (“Facility”). The location, height and other features of the Facility are subject to review and change by the Council pursuant to General Statutes § 16-50g *et seq.*

The Facility would provide wireless service in the Town of Branford, particularly to Route 146, Leetes Island Road and Pleasant Point Road, south of Interstate 95, as well as the surrounding area and the Amtrak rail line that passes through the area. The Application will set forth the need, purpose and benefits of the Facility and will also describe the environmental impact, if any, of the Facility.

T-Mobile will conduct a balloon float at the proposed height of the Facility on the day of the public hearing on the Application as scheduled by the Council. The Council will provide notice of the public hearing date. The Council will conduct that public hearing in Branford. The balloon float will take place between 12:00p.m. to 6:00p.m. or as set by the Council.

Interested parties and residents of the Town of Branford are invited to review the Application during normal business hours at and of the following offices:

Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051

Town Clerk  
Town of Branford  
1019 Main Street  
Branford, CT 06405

or at the offices of T-Mobile's legal counsel:

Julie D. Kohler, Esq.  
Jesse A. Langer, Esq.  
Cohen and Wolf, P.C.  
1115 Broad Street  
Bridgeport, CT 06604  
Tel. (203) 368-0211  
Fax (203) 394-9901

All inquiries should be addressed to the Council or to T-Mobile's legal counsel as listed above.

# **EXHIBIT G**

**CERTIFICATION OF SERVICE TO ABUTTING PROPERTY OWNERS**

I hereby certify that a copy of the foregoing letter was sent by certified mail, return receipt requested, to each of the following abutting landowners:

**Tilcon Minerals, Inc.** (Map H08, Block 1, Lot 12)  
41-73 Pleasant Point Road  
Branford, CT 06405

(Mailing Address:)  
P.O. Box 311228  
Newington, CT 06131

**Eileen P. Griffin** (Map H08, Block 1, Lot 11)  
37 Pleasant Point Road  
Branford, CT 06405

**Trinh P. Pham** (Map H08, Block 1, Lot 10)  
33 Pleasant Point Road  
Branford, CT 06405

**David H. Drewery and  
Sylvia A. Drewery** (Map H08, Block 1, Lot 7)  
35 Pleasant Point Road  
Branford, CT 06405

**Amit G. Oren** (Map H08, Block 1, Lot 6)  
29 Pleasant Point Road  
Branford, CT 06405

**Shawn G. Tiernan and  
Cheryl Burns Tiernan** (Map H08, Block 1, Lot 4)  
21 Pleasant Point Road  
Branford, CT 06405

**Lynne E. Dow** (Map H07, Block 7, Lot 15.2)  
67 Stony Creek Road  
Branford, CT 06405

(Mailing Address:)  
71 Stony Creek Road  
Branford, CT 06405

**Louis R. Nargi**  
81 Stony Creek Road  
Branford, CT 06405

*(Map H07, Block 6, Lot 1)*

**David F. Longo and  
Rhonda Beth Longo**  
85 Stony Creek Road  
Branford, CT 06405

*(Map H07, Block 6, Lot 2)*

**First Connecticut Capital LLC**  
87 Stony Creek Road  
Branford, CT 06405

*(Map H07, Block 6, Lot 3.10)*

(Mailing Addresses:)  
**First Connecticut Capital LLC**  
1450 Barnum Avenue, Suite 202  
Bridgeport, CT 06610

**Stephen G. Castagno**  
310 Greenwich Street, Apt. 27K  
New York, NY 10013

**Paul DeForno, Neko DeForno,  
Talia DeForno & Vito DeForno**  
901 South Orange Avenue  
Short Hills, NJ 07078

**Michael Henneberry or  
Rhonda Henneberry**  
439 Shaker Ridge Drive  
Canaan, NY 12029

**Michael Henneberry or  
Rhonda Henneberry**  
2373 State Route 295  
Canaan, NY 12029

**Matthew Nyden  
Lisa Nyden**  
26 Indian Hill Road  
Stamford, CT 06902

**Matthew Nyden  
Lisa Nyden**  
205 Meadows End Road  
Monroe, CT 06468

**Michael Valante**  
**aka Michael Valente**  
8 Big Pines Road  
Westport, CT 06880

**Harriet Herback**  
**aka Harriet Herbach**  
44 Wetherhill Way  
Dayton, NJ 08810

**Harriet Herback**  
**aka Harriet Herbach**  
11193 Brandywine Lake Way  
Boynton Beach, FL 33473

**Lisa Herback-Oorbeek**  
**aka Lisa Herbach-Oorbeek**  
44 Wetherhill Way  
Dayton, NJ 08810

**Lisa Herback-Oorbeek**  
**aka Lisa Herbach-Oorbeek**  
11193 Brandywine Lake Way  
Boynton Beach, FL 33473

**First Connecticut Capital LLC**  
91 Stony Creek Road  
Branford, CT 06405

*(Map H07, Block 6, Lot 3.9)*

(Mailing Addresses:)  
**First Connecticut Capital LLC**  
1450 Barnum Avenue, Suite 202  
Bridgeport, CT 06610

**Stephen G. Castagno**  
310 Greenwich Street, Apt. 27K  
New York, NY 10013

**Paul DeForno, Neko DeForno,**  
**Talia DeForno & Vito DeForno**  
901 South Orange Avenue  
Short Hills, NJ 07078

**Michael Henneberry or**  
**Rhonda Henneberry**  
439 Shaker Ridge Drive  
Canaan, NY 12029

**Michael Henneberry or  
Rhonda Henneberry**  
2373 State Route 295  
Canaan, NY 12029

**Matthew Nyden, Lisa Nyden**  
26 Indian Hill Road  
Stamford, CT 06902

**Matthew Nyden, Lisa Nyden**  
205 Meadows End Road  
Monroe, CT 06468

**Michael Valante  
aka Michael Valente**  
8 Big Pines Road  
Westport, CT 06880

**Harriet Herback  
aka Harriet Herbach**  
44 Wetherhill Way  
Dayton, NJ 08810

**Harriet Herback  
aka Harriet Herbach**  
11193 Brandywine Lake Way  
Boynton Beach, FL 33473

**Lisa Herback-Oorbeek  
aka Lisa Herbach-Oorbeek**  
44 Wetherhill Way  
Dayton, NJ 08810

**Lisa Herback-Oorbeek  
aka Lisa Herbach-Oorbeek**  
11193 Brandywine Lake Way  
Boynton Beach, FL 33473

**Branford Land Trust Inc.**  
95 Stony Creek Road  
Branford, CT 06405

*(Map H07, Block 6, Lot 3)*

(Mailing Address:)  
P.O. Box 254  
Branford, CT 06405



**Edward Mauro, Jr.**  
137 Stony Creek Road  
Branford, CT 06405

*(Map H07, Block 6, Lot 3.7)*

(Mailing Address:)  
133 Sam Hill Road  
Guilford, CT 06437

**Branford Land Trust Inc.**  
145 Stony Creek Road  
Branford, CT 06405

*(Map H07, Block 6, Lot 3.6)*

(Mailing Address:)  
P.O. Box 254  
Branford, CT 06405

**Patrick S. Lowe**  
159 Stony Creek Road  
Branford, CT 06405

*(Map H07, Block 6, Lot 3.3)*

**Branford Land Trust Inc.**  
163 Stony Creek Road  
Branford, CT 06405

*(Map H07, Block 6, Lot 3.2)*

(Mailing Address:)  
P.O. Box 254  
Branford, CT 06405

**Ronald J. Mattson, Sr. a Life use  
interest, Ronald J. Mattson, Jr.,  
J.A. Pandolfi, Murial  
Pandolfi and Linda A. Prota**  
0 Stony Creek Road  
Branford, CT 06405

*(Map J08, Block 1, Lot 1)*

(Mailing Address:)  
181 Stony Creek Road  
Branford, CT 06405

**Joseph A. Pandolfi and  
Muriel M. Pandolfi**  
185 Stony Creek Road  
Branford, CT 06405

*(Map J08, Block 1, Lot 2)*

**Branford Land Trust Inc.**  
223 Stony Creek Road  
Branford, CT 06405

*(Map J08, Block 1, Lot 4)*

(Mailing Address:)  
P.O. Box 254  
Branford, CT 06405

**Branford Steam Railroad Co.**  
77-145 Pleasant Point Road  
Branford, CT 06405

*(Map H08, Block 4, Lot 02)*

(Mailing Address:)  
P.O. Box 311228  
Newington, CT 06131

**Branford Steam Railroad Co.**  
0 Pleasant Point Road  
Branford, CT 06405

*(Map H08, Block 4, Lot 2.1)*

(Mailing Address:)  
P.O. Box 311228  
Newington, CT 06131

**Branford Steam Railroad Co.**  
149-181 Pleasant Point Road  
Branford, CT 06405

*(Map H08, Block 3, Lot 3)*

(Mailing Address:)  
P.O. Box 311228  
Newington, CT 06131

**State of Connecticut**  
0 Pleasant Point Road  
Branford, CT 06405

*(Map H08, Block 3, Lot 1)*

(Mailing Address:)  
2800 Berlin Turnpike  
Newington, CT 06131

**State of Connecticut**

0 Pleasant Point Road  
Branford, CT 06405

*(Map J08, Block 1, Lot 27)*

(Mailing Address:)  
2800 Berlin Turnpike  
Newington, CT 06131

**Branford Steam Railroad Co.**

0 Pleasant Point Road  
Branford, CT 06405

*(Map H08, Block 4, Lot 1)*

(Mailing Address:)  
P.O. Box 311228  
Newington, CT 06131

**National Railroad Passenger Corp.**

400 North Capital Street, N.W.  
Washington, DC 20001

*(Not Lot or Map Reference – Railroad)*

(Mailing Address:)  
60 Massachusetts Avenue, N.W.  
Washington, DC 20001

**Vincent S. Giordano, Jr. and**

**Vincent S. Giordano III**

26 Pleasant Point Road  
Branford, CT 06405

*(Map H07, Block 7, Lot 17.2)*

(Mailing Address:)  
c/o 207 Pine Orchard Road  
Branford, CT 06405

(Additional Mailing Address:)  
16 Pleasant Point Road  
Branford, CT 06405

**Vincent S. Giordano, Jr. and  
Vincent S. Giordano III**  
16 Pleasant Point Road  
Branford, CT 06405

*(Map H07, Block 7, Lot 17)*

(Mailing Address:)  
c/o 207 Pine Orchard Road  
Branford, CT 06405

(Additional Mailing Address:)  
26 Pleasant Point Road  
Branford, CT 06405

**Carole A. Barber**  
67A Stony Creek Road  
Branford, CT 06405

*(Map H07, Block 7, Lot 15)*

**Carole A. Barber and  
Douglas E. Colter**  
67B Stony Creek Road  
Branford, CT 06405

*(Map H07, Block 7, Lot 15.1)*

(Mailing Address:)  
67A Stony Creek Road  
Branford, CT 06405

**William G. Lazine and  
Susan T. Lazine**  
69 Stony Creek Road  
Branford, CT 06405

*(Map H07, Block 7, Lot 14)*

**The Farid Foundation,  
Kamran Farid, Trustee,  
Taria Farid Trustee**  
56 Stony Creek Road  
Branford, CT 06405

*(Map H07, Block 02, Lot 4)*

(Mailing Address:)  
c/o 95 Barnes Road  
Wallingford, CT 06492

**Branford Land Trust Inc.**  
60 Stony Creek Road  
Branford, CT 06405

*(Map H06, Block 3, Lot 10)*

(Mailing Address:)  
P.O. Box 254  
Branford, CT 06405

**State of Connecticut**  
0 Pleasant Point Road  
Branford, CT 06405

*(Map H09, Block 3, Lot 1, wetlands)*

(Mailing Address:)  
2800 Berlin Turnpike  
Newington, CT 06131

**Branford Steam Railroad Co.**  
0 Pleasant Point Road  
Branford, CT 06405

*(Map H08, Block 3, Lot 3.1)*

(Mailing Address:)  
P.O. Box 311228  
Newington, CT 06131

**Branford Land Trust Inc.**  
180 Pleasant Point Road  
Branford, CT 06405

*(Map H09, Block 3, Lot 3)*

(Mailing Address:)  
P.O. Box 254  
Branford, CT 06405

Dated: September 30, 2010

By:   
Attorneys for the Applicant  
Julie D. Kohler, Esq.  
[jkohler@cohenandwolf.com](mailto:jkohler@cohenandwolf.com)  
Jesse A. Langer, Esq.  
[jlanger@cohenandwolf.com](mailto:jlanger@cohenandwolf.com)  
COHEN AND WOLF, P.C.  
1115 Broad Street  
Bridgeport, CT 06604  
Tel. (203) 368-0211  
Fax (203) 394-9901

**JESSE A. LANGER**

Please Reply To Bridgeport  
E-Mail: [jlanger@cohenandwolf.com](mailto:jlanger@cohenandwolf.com)

September 16, 2010

**VIA CERTIFIED MAIL**

**Re: *Proposed Telecommunications Facility  
(77-145 Pleasant Point Road, Branford)***

To Whom It May Concern:

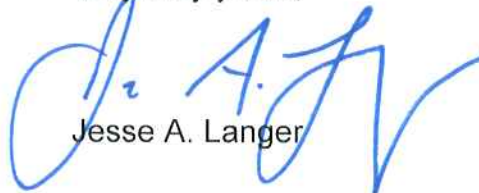
This firm represents T-Mobile Northeast LLC ("T-Mobile"). T-Mobile intends to file an Application for a Certificate for Environmental Compatibility and Public Need ("Application") with the Connecticut Siting Council ("Council") regarding certain real property commonly known as 77-145 Pleasant Point Road, Branford ("Property"). T-Mobile seeks to construct, maintain and operate a telecommunications facility on the Property.

This letter serves as notice to you as an abutting property owner pursuant to General Statutes § 16-50f. T-Mobile will file the Application on or about September 30, 2010, and will request that the Council place the Application on some future agenda.

Please find enclosed a copy of the legal notice that will run in the "New Haven Register" on Saturday, September 18, 2010 and Monday, September 20, 2010.

If you have any questions or concerns regarding this matter, please contact our office or the Council. The Council's address is included in the enclosed copy of the legal notice.

Very truly yours,



Jesse A. Langer

Enclosure

## PUBLIC NOTICE

Pursuant to General Statutes § 16-50/ and § 16-50/-1 of the Regulations of Connecticut State Agencies, notice is hereby given that T-Mobile Northeast LLC ("T-Mobile") will file an application with the Connecticut Siting Council ("Council"). T-Mobile will file an Application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 77-145 Pleasant Point Road, Branford, Connecticut ("Application"). T-Mobile will file the Application on or about September 30, 2010. T-Mobile seeks to construct a new 160 foot monopole structure with antennas mounted thereon, associated equipment and other site improvements necessary for the proposed facility ("Facility"). The location, height and other features of the Facility are subject to review and change by the Council pursuant to General Statutes § 16-50g *et seq.*

The Facility would provide wireless service in the Town of Branford, particularly to Route 146, Leetes Island Road and Pleasant Point Road, south of Interstate 95, as well as the surrounding area and the Amtrak rail line that passes through the area. The Application will set forth the need, purpose and benefits of the Facility and will also describe the environmental impact, if any, of the Facility.

T-Mobile will conduct a balloon float at the proposed height of the Facility on the day of the public hearing on the Application as scheduled by the Council. The Council will provide notice of the public hearing date. The Council will conduct that public hearing in Branford. The balloon float will take place between 12:00p.m. to 6:00p.m. or as set by the Council.

Interested parties and residents of the Town of Branford are invited to review the Application during normal business hours at and of the following offices:

Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051

Town Clerk  
Town of Branford  
1019 Main Street  
Branford, CT 06405

or at the offices of T-Mobile's legal counsel:



Julie D. Kohler, Esq.  
Jesse A. Langer, Esq.  
Cohen and Wolf, P.C.  
1115 Broad Street  
Bridgeport, CT 06604  
Tel. (203) 368-0211  
Fax (203) 394-9901

All inquiries should be addressed to the Council or to T-Mobile's legal counsel as listed above.

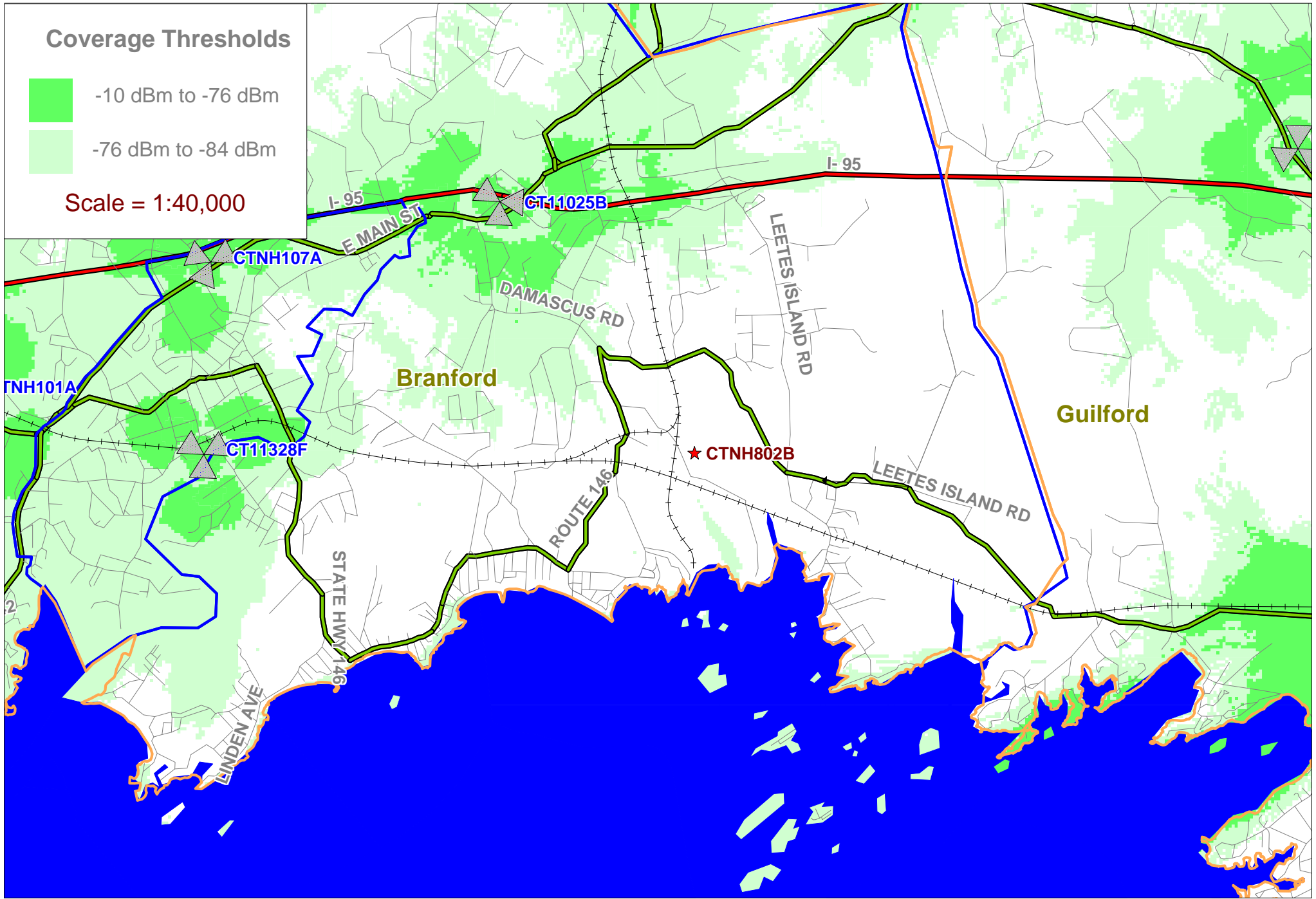


# **EXHIBIT H**

**Coverage Thresholds**

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

Scale = 1:40,000



**- T-Mobile -**



Existing T-Mobile On Air Coverage

Coverage Thresholds

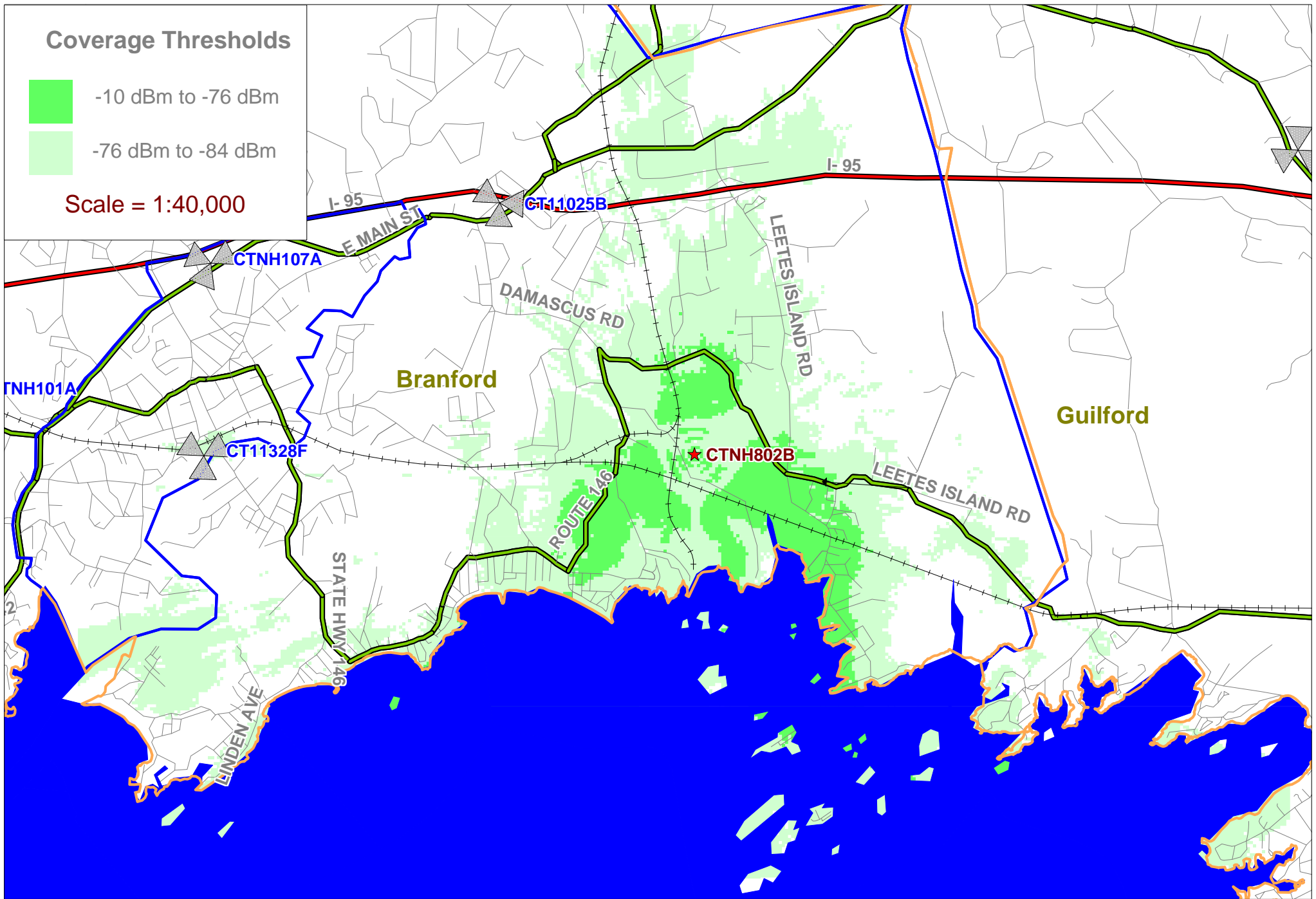
Dark Green - In Building Coverage

Light Green - In Vehicle Coverage

Coverage Thresholds

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

Scale = 1:40,000



- T-Mobile -



T-Mobile Proposed CTNH802B @ 157' 9"

Coverage Thresholds

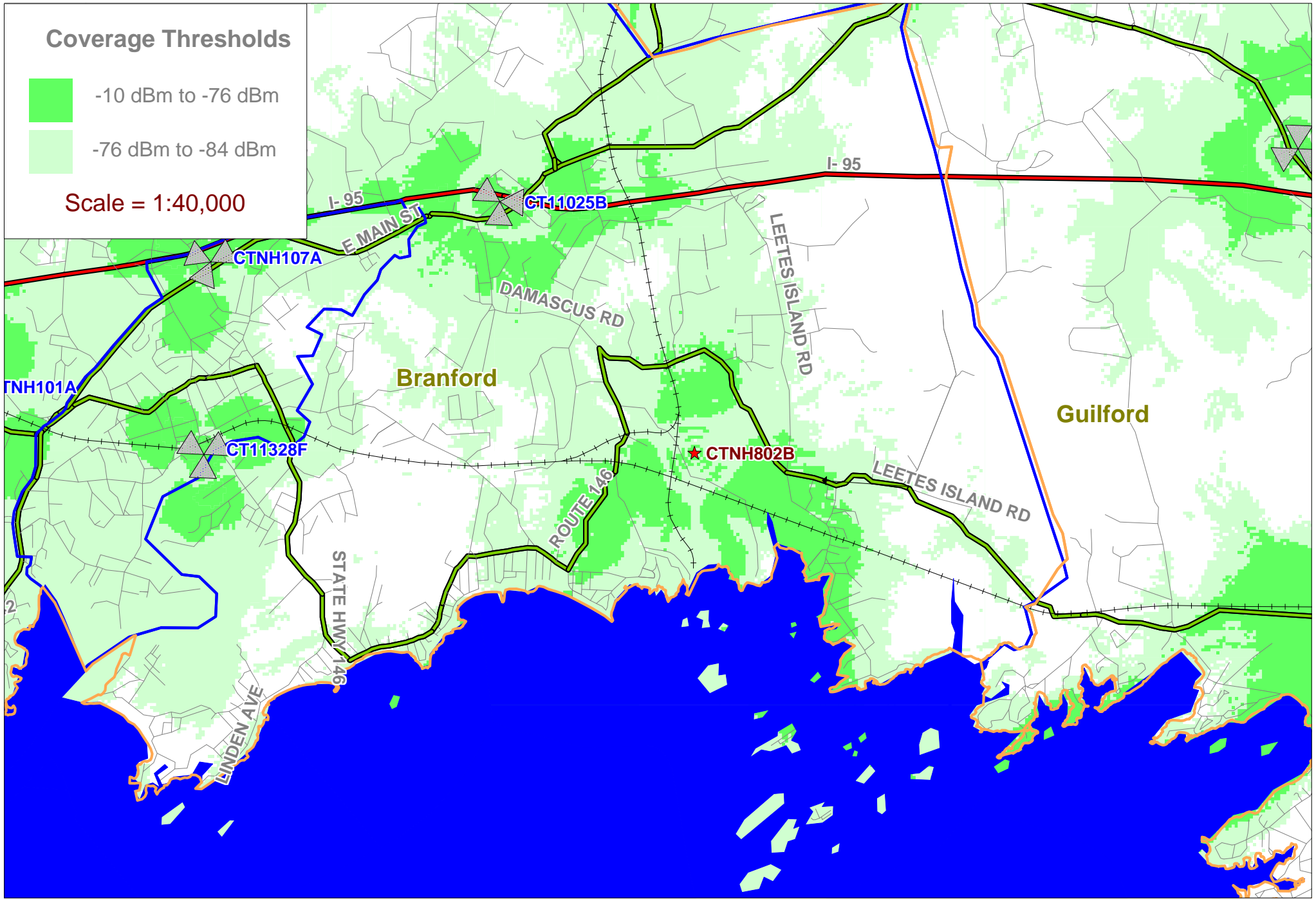
Dark Green - In Building Coverage

Light Green - In Vehicle Coverage

### Coverage Thresholds

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

Scale = 1:40,000



**-T-Mobile-**

Existing T-Mobile On Air Coverage  
With CTNH802B @ 157' 9"

Coverage Thresholds  
Dark Green - In Building Coverage  
Light Green - In Vehicle Coverage

# **EXHIBIT I**

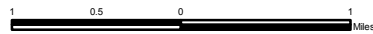


Source: 2010 Connecticut Siting Council database of existing telecommunication towers; T-Mobile



**Legend**

- Proposed Facility
- ★ T-Mobile Facilities
- ★ Existing Facilities
- Interstate
- Major Roads
- Local Streets
- Rail Line
- - - 4-Mile Radius
- Town Line
- Open Water



**Vanasse Hangen Brustlin, Inc.**

**Existing Facilities Within Four Miles of Proposed T-Mobile Wireless Telecommunications Facility  
CTNH802B  
Pleasant Point Road  
Branford, Connecticut**



### Existing Telecommunications Towers Within Four Miles of Proposed T-Mobile Facility

T-MOBILE SITE ID	TOWN	ADDRESS	LATITUDE	LONGITUDE	USER	OWNER	TYPE	ANT. HEIGHT	TOWER HEIGHT
	Branford	146-160 North Main St	41-17-18.	72-48-49.	Metricom	Sprint	m	135.00	150.00
	Branford	150 North Main Street	41-17-18.	72-48-49.	SCLP	Sprint	m	110.00	150.00
	Branford	150 North Main Street	41-17-18.	72-48-49.	Pagenet	Sprint	m	95.00	150.00
	Branford	150 North Main Street	41-17-18.	72-48-49.	SNET/Cingular	Sprint	m	110.00	147.00
	Branford	150 North Main Street	41-17-18.	72-48-49.	AT&T	Sprint	m	120.00	150.00
	Branford	150 North Main Street	41-17-18.	72-48-49.	Nextel	Sprint	m	135.00	150.00
	Branford	150 North Main Street	41-17-18.	72-48-49.	Cingular	Sprint	m	110.00	150.00
	Branford	150 North Main Street	41-17-18.	72-48-49.	AT&T	Sprint	m	120.00	150.00
<b>CTNH107A</b>	Branford	150 North Main Street	41-17-18.	72-48-49.	<b>T-Mobile</b>	Sprint	m	125.00	150.00
	Branford	150 North Main Street	41-17-18.	72-48-49.	Pocket	Sprint	m	157.00	157.00
	Branford	150 North Main Street	41-17-18.	72-48-49.	Clearwire	Sprint	m	150.00	157.00
	Branford	180 North Main St	41-17-23	72-48-43	BAM	BAM	m	108.00	110.00
	Branford	180 North Main St	41-17-23	72-48-43	BAM	BAM	m	107.00	110.00
	Branford	180 North Main St	41-17-23	72-48-43	BAM	BAM	m	110.00	110.00
	Branford	180 North Main St	41-17-23	72-48-43	Verizon	Verizon	m	110.00	110.00
	Branford	180 North Main St	41-17-23	72-48-43	Verizon	Verizon	m	96.00	110.00
	Branford	21 Acorn Rd	41-17-34	72-45-46	Nextel	Sprint	m	120.00	150.00
	Branford	Acorn Road	41-17-34	72-45-46	Nextel	Sprint	m	120.00	150.00
	Branford	Acorn Road	41-17-34	72-45-46	SCLP	Sprint	m	105.00	150.00
	Branford	21 Acorn Rd	41-17-34	72-45-46	Metricom	Sprint	m	116.00	150.00
<b>N/A</b>	Branford	21 Acorn Rd	41-17-34	72-45-46	SNET/Cingular	Sprint	m	105.00	150.00
	Branford	21 Acorn Rd	41-17-34	72-45-46	AT&T	Sprint	m	140.00	150.00
	Branford	21 Acorn Rd	41-17-34	72-45-46	Verizon	Sprint	m	116.00	150.00
	Branford	21 Acorn Rd	41-17-34	72-45-46	Cingular	Sprint	m	105.00	150.00
	Branford	21 Acorn Rd	41-17-34	72-45-46	AT&T	Sprint	m	140.00	150.00
	Branford	21 Acorn Rd	41-17-34	72-45-46	Verizon	Sprint	m	116.00	150.00
	Branford	21 Acorn Rd	41-17-34	72-45-46	Pocket	Sprint	m	137.00	150.00

NA = T-Mobile is not located at this location.

T-MOBILE								ANT.	TOWER
SITE ID	TOWN	ADDRESS	LATITUDE	LONGITUDE	USER	OWNER	TYPE	HEIGHT	HEIGHT
	Branford	405 Brushy Plain Rd	41-19-00	72-49-13	SNET Cellular	SNET Cellular	m	150.00	150.00
	Branford	405 Brushy Plain Rd	41-19-00	72-49-13	SNET/SCLP	SNET/SCLP	m	150.00	150.00
	Branford	405 Brushy Plain Rd	41-19-00	72-49-13	SNET/SCLP	SNET/SCLP	m	152.33	150.00
	Branford	405 Brushy Plain Rd	41-19-00	72-49-13	SNET/SCLP	SNET/SCLP	m	132.00	150.00
	Branford	405 Brushy Plains Rd	41-19-00	72-49-13	Verizon	SCLP	m	110.00	154.00
	Branford	405 Brushy Plain Rd	41-19-00	72-49-13	Cingular	SCLP	m	153.00	154.00
	Branford	405 Brushy Plain Rd	41-19-00	72-49-13	Verizon	SCLP	m	110.00	154.00
<b>CTNH102C</b>	Branford	405 Brushy Plain Rd	41-19-00	72-49-13	T-Mobile	SCLP	m	140.00	154.00
	Branford	405 Brushy Plain Rd	41-19-00	72-49-13	Cingular	SCLP	m	153.00	154.00
<b>CTNH801B</b>	Branford	123 Pine Orchard Road	41-16-28.	72-47-35.	T-Mobile	T-Mobile	m	122.00	125.00
	Branford	123 Pine Orchard Road	41-16-28.	72-47-35.	AT&T	T-Mobile	m	112.00	125.00
	Branford	10 Sylvia Street	41-17-38.	72-47-08.	AT&T Wireless	VoiceStream	m	100.00	125.00
<b>CT11025B</b>	Branford	10 Sylvia Street	41-17-38.	72-47-08.	T-Mobile	VoiceStream	m	122.50	125.00
	Branford	10 Sylvia Street	41-17-38.	72-47-08.	Cingular	VoiceStream	m	100.00	125.00
	Branford	10 Sylvia Street	41-17-38.	72-47-08.	Pocket	VoiceStream	m	112.00	125.00
	Branford	850 West Main St	41-16-40.	72-50-12.	Verizon	Sprint	m	110.00	120.00
	Branford	850 West Main St	41-16-40.	72-50-12.	AT&T Wireless	Sprint	m	100.00	120.00
	Branford	850 West Main St	41-16-40.	72-50-12.	Verizon	Sprint	m	110.00	120.00
<b>CTNH101A</b>	Branford	850 West Main St	41-16-40.	72-50-12.	T-Mobile	Global Signal	m	130.00	130.00
	Branford	850 West Main St	41-16-40.	72-50-12.	Cingular/AT&T	Global Signal	m	100.00	130.00
	Branford	850 West Main St	41-16-40.	72-50-12.	Sprint Nextel	Global Signal	m	120.00	130.00
	Branford	850 West Main St	41-16-40.	72-50-12.	Clearwire	Global Signal	m	118.00	130.00
	Guilford	1919 Boston Post Road	41-18-01.	72-42-27.	BAM	Sprint	m	120.00	130.00
	Guilford	1919 Boston Post Road	41-18-01.	72-42-27.	SCLP	Sprint	m	110.00	130.00
	Guilford	1919 Boston Post Road	41-18-01.	72-42-27.	Nextel	Sprint	m	100.00	130.00
<b>CT11027D</b>	Guilford	1919 Boston Post Road	41-18-01.	72-42-27.	T-Mobile, AT&T	Sprint	m	150.00	150.00
	Guilford	1919 Boston Post Road	41-18-01.	72-42-27.	Verizon	Sprint	m	122.00	150.00
	Guilford	1919 Boston Post Road	41-18-01.	72-42-27.	Cingular	Sprint	m	110.00	150.00
	Guilford	1919 Boston Post Road	41-18-01.	72-42-27.	AT&T	Sprint	m	150.00	150.00
	Guilford	1919 Boston Post Road	41-18-01.	72-42-27.		Global Signal	m	0.00	150.00
	Guilford	1919 Boston Post Road	41-18-01.	72-42-27.	Pocket	Global Signal	m	103.00	150.00
	Guilford	201 Granite Road	41-17-31.	72-43-58.	AT&T	AT&T	m	100.00	100.00
<b>N/A</b>	Guilford	201 Granite Road	41-17-31.	72-43-58.	Cingular	Cingular	m	100.00	100.00
	Guilford	201 Granite Road	41-17-31.	72-43-58.	Pocket	Cingular	m	90.00	100.00

NA = T-Mobile is not located at this location.



T-MOBILE SITE ID	TOWN	ADDRESS	LATITUDE	LONGITUDE	USER	OWNER	TYPE	ANT. HEIGHT	TOWER HEIGHT
<b>CT11390G</b>	North Branfor	26 Commerce Drive	41-19-19.	72-46-23.	T-Mobile	Tower Ventures	m	155.00	155.00
	North Branfor	26 Commerce Drive	41-19-19.	72-46-23.	Cingular	Tower Ventures	m	145.00	155.00
	North Branfor	26 Commerce Drive	41-19-19.	72-46-23.	Verizon	Tower Ventures	m	132.00	155.00
	North Branfor	26 Commerce Drive	41-19-19.	72-46-23.		SBA	m	0.00	155.00
	North Branfor	Rt. 22	41-18-51	72-44-59	VoiceStream	CL&P	pm	0.00	0.00

NA = T-Mobile is not located at this location.

# **EXHIBIT J**

## **Site Search Process and Selection**

Section 16-50j-74(j) of the Regulations of Connecticut State Agencies requires T-Mobile to submit a statement that describes “the narrowing process by which other possible sites were considered and eliminated.” In accordance with this requirement, the description of the general site search process, the identification of the target search area and the alternative locations considered for development of the proposed telecommunications facility are provided below.

As a wireless carrier licensed by the Federal Communications Commission, T-Mobile decides to seek out a site in an area based upon the needs of its wireless infrastructure and extensive research of the subject area. T-Mobile chooses a target area central to the area in which it has identified coverage and/or capacity needs. The area targeted is the geographical location where the installation of a site would, based on general radio frequency engineering and system design standards, likely address the identified problem. T-Mobile’s goal is to locate sites that would remedy coverage or capacity issues, while resulting in the least environmental impact.

T-Mobile is sensitive to State and local desires to minimize the construction of new facilities, and it does not pursue development of a new facility where an acceptable existing structure can be found. In general, T-Mobile’s site acquisition personnel first study the target area to determine whether any suitable structure exists. If T-Mobile cannot find a structure with appropriate height and structural capabilities, it turns to industrial / commercial areas or individual parcels that have appropriate environmental and land use characteristics. The list of potential locations is limited by the willingness of property owners to make their property available. Radio frequency (“RF”) engineers study potentially suitable and available locations to determine whether the locations will meet the technical requirements for a site in the area. Analysis of potential environmental effects and benefits may further narrow the alternatives. The weight given relevant factors varies for each search, depending on the nature of the area and the availability of potential sites.

T-Mobile has identified a coverage gap in its wireless network in the area surrounding the proposed telecommunications facility (“Facility”) at 77-145 Pleasant Point Road, Branford, Connecticut (“Property”). There are no existing towers, transmission line structures or other suitable structures in the area of the Town of Branford (“Town”) surrounding the proposed site of the Facility. Moreover, any existing towers are too far from the target area to provide coverage specifically to the target area. The nearest towers and suitable structures are already in use by T-Mobile. There are no large areas of commercial or industrial use in or near the target area.

T-Mobile considered several other locations that might have addressed the coverage gap in this area of the Town. The reasons T-Mobile did not select any of these locations are outlined below:

1. Pleasant Point Road (Map H08, Block 004, Lot 00001). This is a 9.4 acre parcel owned by Tilcon, INC. ("Tilcon"). Tilcon was not interested in leasing this parcel to T-Mobile for the construction of a telecommunications facility.

2. Totoket Road Rear (Map H08, Block 005, Lot 00005). This is a 5.6 acre parcel owned by Tilcon. Tilcon was not interested in leasing this parcel to T-Mobile for the construction of a telecommunications facility.

3. 86 Totoket Road (H09, Block 001, Lot 00001). This is a 25.5 acre parcel owned by Pine Orchard Yacht and Country Club, INC. This property is subject to a deed restriction which would prevent the construction of a telecommunications facility.

4. Young's Pond Park. This is a park owned by the Town. The Town was not interested in leasing this parcel to T-Mobile for the construction of a telecommunications facility.

5. 190 Totoket Road (Map H09/J09, Block 003, Lot 00002). This is a 21.16 acre parcel owned by Tilcon. This parcel hosts a 35 foot building. T-Mobile's RF engineers reviewed the structure and determined that the height was inadequate and that the site was too far to the south to afford coverage to the target area. Additionally, Tilcon was not interested in leasing this parcel to T-Mobile for the construction of a telecommunications facility.

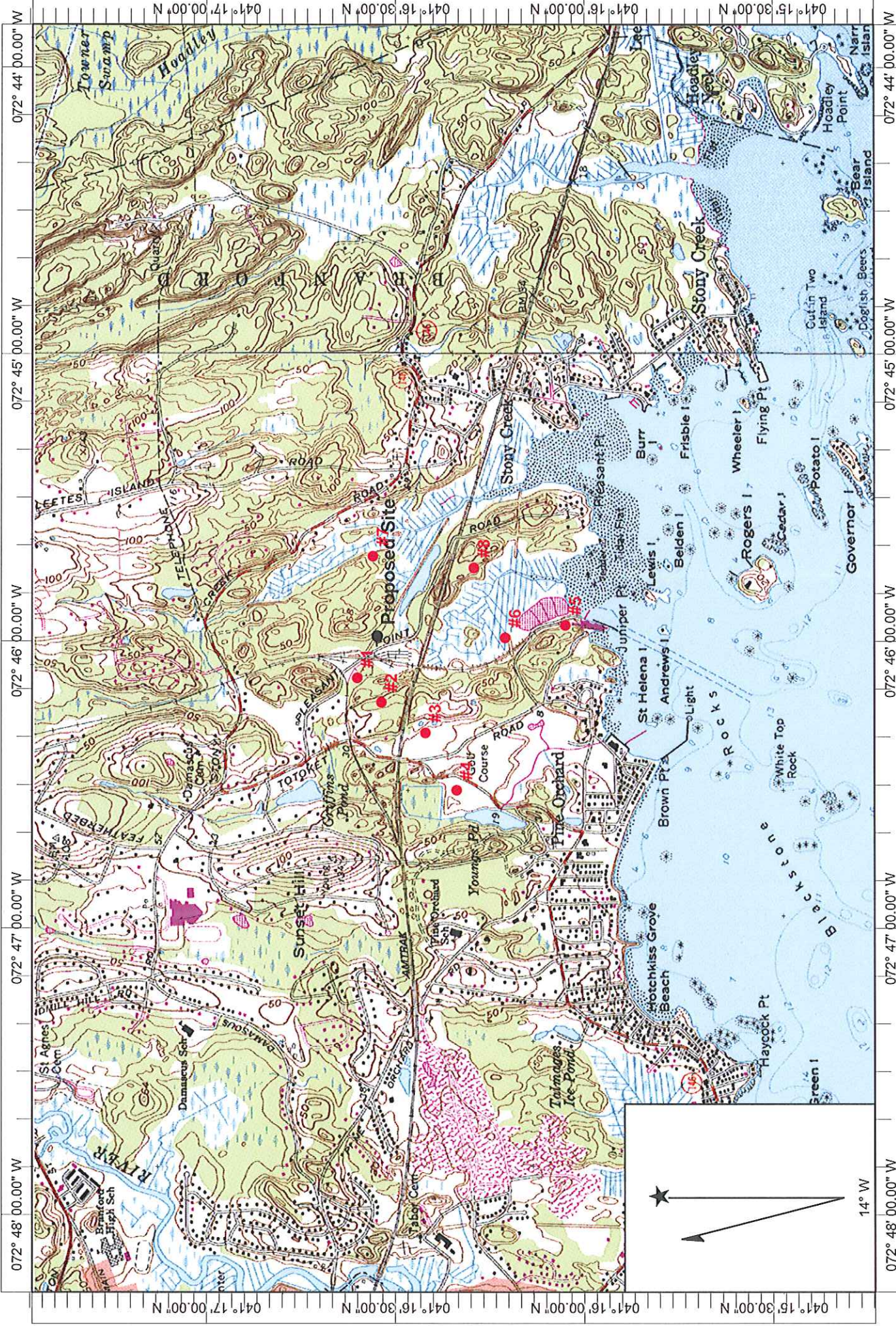
6. Pleasant Point Road (Map H09, Block 003, Lot 00002). This is a 24 acre parcel owned by the Town. The Town was not interested in leasing this parcel to T-Mobile for the construction of a telecommunications facility.

7. Pleasant Point Road (Map J08, Block 001, Lot 00027). This is a 17 acre parcel owned by the State of Connecticut. This parcel is subject to a deed restriction which would prevent the construction of a telecommunications facility.

8. Pleasant Point Road (Map H08, Block 003, Lot 003.1). This parcel is 11.6 acres and is owned by Tilcon. The parcel hosts existing 40 foot wooden poles, which are used by boat pilots to enter Stony Creek and the Tilcon dock facility. T-Mobile's RF engineers reviewed these structures for purposes of co-location and determined that the structures were not suitable. The height would be too low to afford coverage to the target area. Additionally, Tilcon was not interested in leasing this parcel to T-Mobile for the construction of a telecommunications facility.

Consequently, T-Mobile has determined that the Property is superior to the other parcels in the area. It is a 92.3 acre parcel. There are no residences located within 1,000 feet of the proposed Facility. Additionally, the proposed Facility would be secluded and shielded by existing mature vegetation. The majority of the year round views of the Facility would consist of more distant open-water views on the Long Island Sound.

The proposed Facility would enhance wireless service availability to existing and future T-Mobile wireless device users. Enhanced coverage provided by the Facility would allow T-Mobile subscribers to use voice and data services reliably as well as to connect to Emergency 911 services. The intended coverage area of the proposed Facility would include Leetes Island Road (Route 146) and Pleasant Point Road, south of Interstate 95, as well as the surrounding area and the Amtrak rail line that passes through the area.



Location: 041° 16' 20.76" N 072° 46' 03.63" W  
 Caption: CTNH802 Branford #2

Name: BRANFORD  
 Date: 12/23/2009  
 Scale: 1 inch equals 2000 feet

# **EXHIBIT K**



**WETLANDS DELINEATION REPORT**

*Vanasse Hangen Brustlin, Inc.*

**Date:** December 16, 2009  
**Project No.:** 40505.12  
**Prepared For:** Mr. Scott Chasse  
All-Points Technology Corp., P.C.  
3 Saddlebrook Drive  
Killingworth, CT 06419  
**Site Location:** T-Mobile Site No. CTNH802B – Amtrak Branford 2  
Pleasant Point Road  
Branford, Connecticut  
**Site Map:** Wetland Sketch, 11/19/09, VHB  
**Inspection Date:** November 19, 2009  
**Field Conditions:** Weather: cloudy, low 50's  
Snow Depth: N/A  
General Soil Moisture: moist  
Frost Depth: N/A

**Type of Wetlands Identified and Delineated:**

Connecticut Inland Wetlands and Watercourses   
Connecticut Tidal Wetlands   
U.S. Army Corps of Engineers

**Inland Wetland Regulated Upland Review Areas:** Wetlands: 100 feet\* Watercourses: 100 feet\*  
\*also includes activities that are likely to impact or affect wetlands or watercourses

**Field Numbering Sequence of Wetlands Boundary:** WF 1-01 to 1-11 (Loop); WF 2-01 to 2-23;  
*[as depicted on attached wetland sketch map]* WF 3-01 to 3-14

*The classification systems of the National Cooperative Soil Survey, the U.S. Department of Agriculture, Natural Resources Conservation Service, County Soil Survey Identification Legend, Connecticut Department of Environmental Protection and United States Army Corps of Engineers New England District were used in this investigation.*

*All established wetlands boundary lines are subject to change until officially adopted by local, state, or federal regulatory agencies.*

The wetlands delineation was conducted and reviewed by:

\_\_\_\_\_  
Dean Gustafson  
Professional Soil Scientist

Enclosures

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Middletown, Connecticut 06457-1847  
**860.632.1500 • FAX 860.632.7879**  
email: info@vhb.com  
www.vhb.com



# Attachments



- 
- Wetland Delineation Field Form
  - Soil Map
  - Soil Report
  - Wetland Delineation Sketch Map

**Wetland Delineation Field Form**

Project Address:	Pleasant Point Road Branford, Connecticut	Project Number:	40505.12
Inspection Date:	November 19, 2009	Inspector:	Dean Gustafson, PSS
Wetland I.D.:	Wetland 1		

Field Conditions:	Weather: cloudy, low 50's	Snow Depth: 0 inches
	General Soil Moisture: moist	Frost Depth: 0 inches
Type of Wetland Delineation:	Connecticut <input checked="" type="checkbox"/>	
	ACOE <input type="checkbox"/>	
	Tidal <input type="checkbox"/>	
Field Numbering Sequence: WF 1-01 to 1-11 (Loop)		

**WETLAND HYDROLOGY:**

**NONTIDAL**

Intermittently Flooded <input type="checkbox"/>	Artificially Flooded <input type="checkbox"/>	Permanently Flooded <input type="checkbox"/>
Semipermanently Flooded <input type="checkbox"/>	Seasonally Flooded <input type="checkbox"/>	Temporarily Flooded <input checked="" type="checkbox"/>
Permanently Saturated <input type="checkbox"/>	Seasonally Saturated – seepage <input type="checkbox"/>	Seasonally Saturated - perched <input checked="" type="checkbox"/>
Comments: hydrology disturbed by road runoff		

**TIDAL**

Subtidal <input type="checkbox"/>	Regularly Flooded <input type="checkbox"/>	Irregularly Flooded <input type="checkbox"/>
Irregularly Flooded <input type="checkbox"/>		
Comments: N/A		

**WETLAND TYPE:**

**SYSTEM:**

Estuarine <input type="checkbox"/>	Riverine <input type="checkbox"/>	Palustrine <input checked="" type="checkbox"/>
Lacustrine <input type="checkbox"/>	Marine <input type="checkbox"/>	
Comments:		

**CLASS:**

Emergent <input type="checkbox"/>	Scrub-shrub <input type="checkbox"/>	Forested <input checked="" type="checkbox"/>
Open Water <input type="checkbox"/>	Disturbed <input checked="" type="checkbox"/>	Wet Meadow <input type="checkbox"/>
Comments:		

**WATERCOURSE TYPE:**

Perennial <input type="checkbox"/>	Intermittent <input type="checkbox"/>	Tidal <input type="checkbox"/>
Comments: N/A		

**SPECIAL AQUATIC HABITAT:**

Vernal Pool <input type="checkbox"/>	Other <input type="checkbox"/>	
Comments: N/A		

**Wetland Delineation Field Form (Cont.)**

**MAPPED SOILS:**

SOIL SERIES (Map Unit Symbol)	WET	UP	NRCS MAPPED	FIELD IDD/ CONFIRMED
Raynham silt loam (10)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Cheshire-Holyoke complex (77)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Udorthents, smoothed (308)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**DOMINANT PLANTS:**

red maple ( <i>Acer rubrum</i> )	black gum ( <i>Nyssa nigra</i> )
northern arrowwood ( <i>Viburnum dentatum</i> )	highbush blueberry ( <i>Vaccinium corymbosum</i> )
spicebush ( <i>Lindera benzoin</i> )	sensitive fern ( <i>Onoclea sensibilis</i> )
common winterberry ( <i>Ilex verticillata</i> )	jewelweed ( <i>Impatiens capensis</i> )

**WETLAND NARRATIVE:**

Wetland 1ne is a small isolated and disturbed wetland just south of a fill pile associated with the railroad spurs to the north and bound to the south by Pleasant Point Road. Hydrology appears to be primarily provided by road runoff and fluctuation of the seasonal high groundwater table.

**Wetland Delineation Field Form**

Project Address:	Pleasant Point Road Branford, Connecticut	Project Number:	40505.12
Inspection Date:	November 19, 2009	Inspector:	Dean Gustafson, PSS
Wetland I.D.:	Wetland 2		

Field Conditions:	Weather: cloudy, low 50's	Snow Depth: 0 inches
	General Soil Moisture: moist	Frost Depth: 0 inches
Type of Wetland Delineation:	Connecticut <input checked="" type="checkbox"/>	
	ACOE <input type="checkbox"/>	
	Tidal <input type="checkbox"/>	
Field Numbering Sequence: WF 2-01 to 2-23		

**WETLAND HYDROLOGY:**

**NONTIDAL**

Intermittently Flooded <input type="checkbox"/>	Artificially Flooded <input type="checkbox"/>	Permanently Flooded <input type="checkbox"/>
Semipermanently Flooded <input type="checkbox"/>	Seasonally Flooded <input checked="" type="checkbox"/>	Temporarily Flooded <input type="checkbox"/>
Permanently Saturated <input type="checkbox"/>	Seasonally Saturated – seepage <input checked="" type="checkbox"/>	Seasonally Saturated - perched <input type="checkbox"/>
Comments:		

**TIDAL**

Subtidal <input type="checkbox"/>	Regularly Flooded <input type="checkbox"/>	Irregularly Flooded <input type="checkbox"/>
Irregularly Flooded <input type="checkbox"/>		
Comments: N/A		

**WETLAND TYPE:**

**SYSTEM:**

Estuarine <input type="checkbox"/>	Riverine <input type="checkbox"/>	Palustrine <input checked="" type="checkbox"/>
Lacustrine <input type="checkbox"/>	Marine <input type="checkbox"/>	
Comments:		

**CLASS:**

Emergent <input type="checkbox"/>	Scrub-shrub <input type="checkbox"/>	Forested <input checked="" type="checkbox"/>
Open Water <input checked="" type="checkbox"/>	Disturbed <input type="checkbox"/>	Wet Meadow <input type="checkbox"/>
Comments:		

**WATERCOURSE TYPE:**

Perennial <input type="checkbox"/>	Intermittent <input checked="" type="checkbox"/>	Tidal <input type="checkbox"/>
Comments:		

**SPECIAL AQUATIC HABITAT:**

Vernal Pool <input type="checkbox"/>	Other <input type="checkbox"/>	
Comments: N/A		

**Wetland Delineation Field Form (Cont.)**

**MAPPED SOILS:**

SOIL SERIES (Map Unit Symbol)	WET	UP	NRCS MAPPED	FIELD IDD/ CONFIRMED
Raynham silt loam (10)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Cheshire-Holyoke complex (77)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Udorthents, smoothed (308)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**DOMINANT PLANTS:**

red maple ( <i>Acer rubrum</i> )	jewelweed ( <i>Impatiens capensis</i> )
northern arrowwood ( <i>Viburnum dentatum</i> )	common winterberry ( <i>Ilex verticillata</i> )
spicebush ( <i>Lindera benzoin</i> )	skunk cabbage ( <i>Symplocarpus foetidus</i> )

**WETLAND NARRATIVE:**

Wetland 2 is confined between Pleasant Point Road to the south and an abandoned rail bed to the north. An interior intermittent stream feature conveys surface water to the southeast from a stone culvert under the old rail bed from Wetland 3 to the north.

**Wetland Delineation Field Form**

Project Address:	Pleasant Point Road Branford, Connecticut	Project Number:	40505.12
Inspection Date:	November 19, 2009	Inspector:	Dean Gustafson, PSS
Wetland I.D.:	Wetland 3		

Field Conditions:	Weather: cloudy, low 50's	Snow Depth: 0 inches
	General Soil Moisture: moist	Frost Depth: 0 inches
Type of Wetland Delineation:	Connecticut <input checked="" type="checkbox"/>	
	ACOE <input type="checkbox"/>	
	Tidal <input type="checkbox"/>	
Field Numbering Sequence: WF 3-01 to 3-14		

**WETLAND HYDROLOGY:**

**NONTIDAL**

Intermittently Flooded <input type="checkbox"/>	Artificially Flooded <input type="checkbox"/>	Permanently Flooded <input type="checkbox"/>
Semipermanently Flooded <input type="checkbox"/>	Seasonally Flooded <input checked="" type="checkbox"/>	Temporarily Flooded <input type="checkbox"/>
Permanently Saturated <input type="checkbox"/>	Seasonally Saturated – seepage <input checked="" type="checkbox"/>	Seasonally Saturated - perched <input type="checkbox"/>
Comments: old rail bed has resulted in some impoundment of surface water in wetland		

**TIDAL**

Subtidal <input type="checkbox"/>	Regularly Flooded <input type="checkbox"/>	Irregularly Flooded <input type="checkbox"/>
Irregularly Flooded <input type="checkbox"/>		
Comments: N/A		

**WETLAND TYPE:**

**SYSTEM:**

Estuarine <input type="checkbox"/>	Riverine <input type="checkbox"/>	Palustrine <input checked="" type="checkbox"/>
Lacustrine <input type="checkbox"/>	Marine <input type="checkbox"/>	
Comments:		

**CLASS:**

Emergent <input type="checkbox"/>	Scrub-shrub <input type="checkbox"/>	Forested <input checked="" type="checkbox"/>
Open Water <input type="checkbox"/>	Disturbed <input type="checkbox"/>	Wet Meadow <input type="checkbox"/>
Comments:		

**WATERCOURSE TYPE:**

Perennial <input type="checkbox"/>	Intermittent <input checked="" type="checkbox"/>	Tidal <input type="checkbox"/>
Comments: N/A		

**SPECIAL AQUATIC HABITAT:**

Vernal Pool <input type="checkbox"/>	Other <input type="checkbox"/>	
Comments: N/A		

**Wetland Delineation Field Form (Cont.)**

**MAPPED SOILS:**

SOIL SERIES (Map Unit Symbol)	WET	UP	NRCS MAPPED	FIELD IDD/ CONFIRMED
Raynham silt loam (10)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Cheshire-Holyoke complex (77)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Udorthents, smoothed (308)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**DOMINANT PLANTS:**

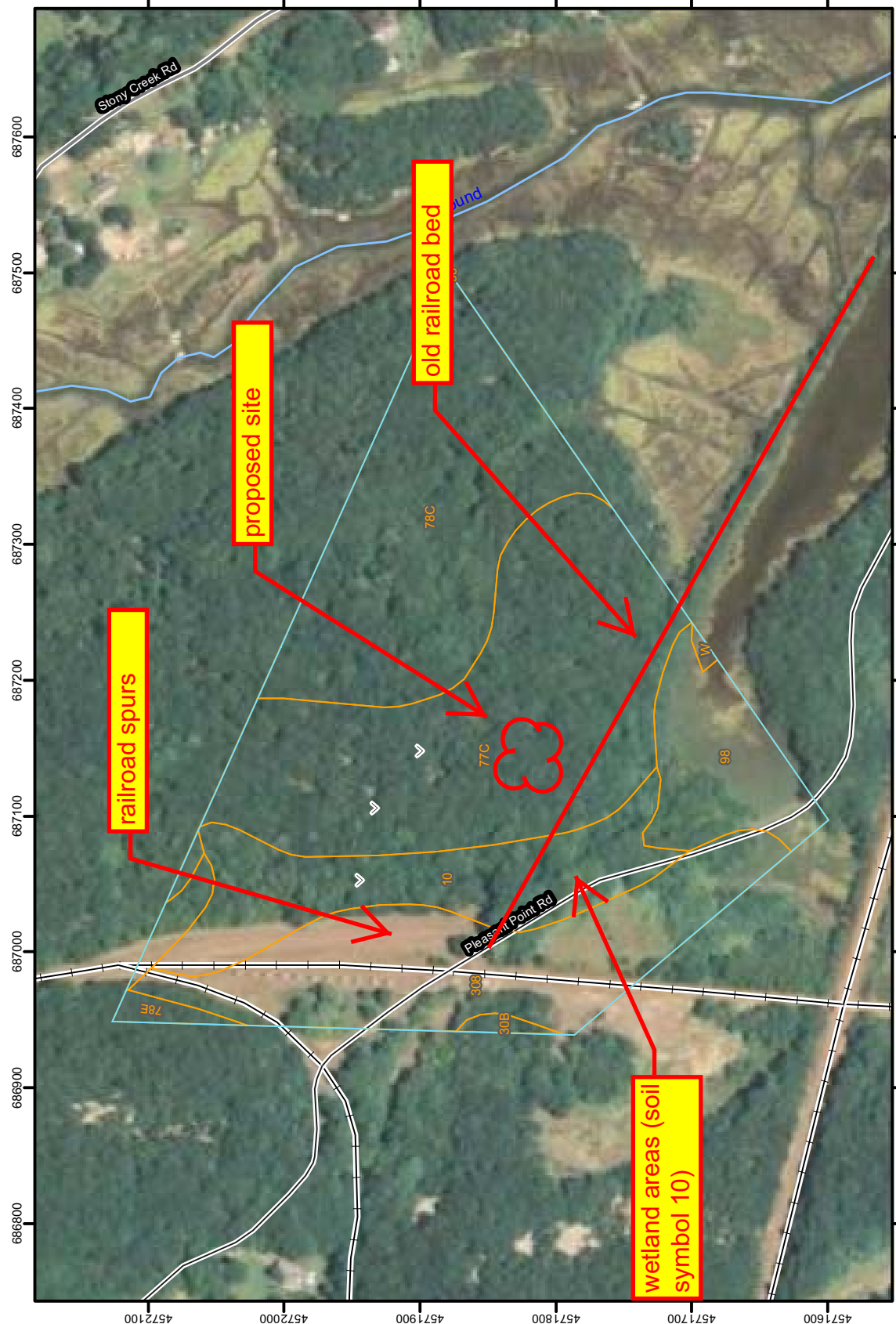
red maple ( <i>Acer rubrum</i> )	jewelweed ( <i>Impatiens capensis</i> )
northern arrowwood ( <i>Viburnum dentatum</i> )	common winterberry ( <i>Ilex verticillata</i> )
spicebush ( <i>Lindera benzoin</i> )	skunk cabbage ( <i>Symplocarpus foetidus</i> )

**WETLAND NARRATIVE:**

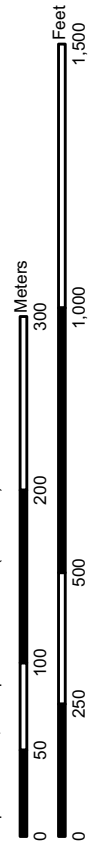
Wetland 3 is located north of the abandoned rail bed and to the east of the rail spurs. Some areas within Wetland 3 have shallow inundation as a result of the artificial impoundment caused by the old rail bed. However, inundation areas do not appear to have sufficient depth or hydrology to support amphibian breeding. Surface water within the wetland flows to the south into Wetland 2 through a stone culvert located on the south end of this wetland feature (conveys water under the abandoned rail bed).

Soil Map—State of Connecticut  
 (Amtrak Branford 2, Pleasant Point Road, Branford, CT)

72° 46' 12" 41° 16' 46" 686800 686900 687000 687100 687200 687300 687400 687500 687600 4572100 4572000 4571900 4571800 4571700 4571600 72° 45' 31" 41° 16' 25"









































Map Scale: 1:4,520 if printed on A size (8.5" x 11") sheet.





## MAP LEGEND

 Area of Interest (AOI)	 Very Stony Spot
 Soils	 Wet Spot
 Soil Map Units	 Other
<b>Special Point Features</b>	<b>Special Line Features</b>
 Blowout	 Gully
 Borrow Pit	 Short Steep Slope
 Clay Spot	 Other
 Closed Depression	<b>Political Features</b>
 Gravel Pit	 Cities
 Gravelly Spot	<b>Water Features</b>
 Landfill	 Oceans
 Lava Flow	 Streams and Canals
 Marsh or swamp	<b>Transportation</b>
 Mine or Quarry	 Rails
 Miscellaneous Water	 Interstate Highways
 Perennial Water	 US Routes
 Rock Outcrop	 Major Roads
 Saline Spot	 Local Roads
 Sandy Spot	
 Severely Eroded Spot	
 Sinkhole	
 Slide or Slip	
 Sodic Spot	
 Spoil Area	
 Stony Spot	

## MAP INFORMATION

Map Scale: 1:4,520 if printed on A size (8.5" x 11") sheet.  
 The soil surveys that comprise your AOI were mapped at 1:12,000.  
 Please rely on the bar scale on each map sheet for accurate map measurements.  
 Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
 Coordinate System: UTM Zone 18N NAD83  
 This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.  
 Soil Survey Area: State of Connecticut  
 Survey Area Data: Version 7, Dec 3, 2009  
 Date(s) aerial images were photographed: 8/13/2006  
 The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

State of Connecticut (CT600)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
10	Raynham silt loam	5.2	13.6%
30B	Branford silt loam, 3 to 8 percent slopes	0.2	0.4%
77C	Cheshire-Holyoke complex, 3 to 15 percent slopes, very rocky	12.4	32.4%
78C	Holyoke-Rock outcrop complex, 3 to 15 percent slopes	9.6	25.0%
78E	Holyoke-Rock outcrop complex, 15 to 45 percent slopes	0.3	0.8%
98	Westbrook mucky peat	3.0	7.9%
308	Udorthents, smoothed	7.5	19.6%
W	Water	0.1	0.2%
<b>Totals for Area of Interest</b>		<b>38.2</b>	<b>100.0%</b>

## Map Unit Description (Brief)

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the selected area. The map unit descriptions in this report, along with the maps, can be used to determine the composition and properties of a unit. A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

The "Map Unit Description (Brief)" report gives a brief, general description of the major soils that occur in a map unit. Descriptions of nonsoil (miscellaneous areas) and minor map unit components may or may not be included. This description is written by the local soil scientists responsible for the respective soil survey area data. A more detailed description can be generated by the "Map Unit Description" report.

Additional information about the map units described in this report is available in other Soil Data Mart reports, which give properties of the soils and the limitations, capabilities, and potentials for many uses. Also, the narratives that accompany the Soil Data Mart reports define some of the properties included in the map unit descriptions.

## Report—Map Unit Description (Brief)

### State of Connecticut

**Description Category:** SOI

**Map Unit:** 10—Raynham silt loam

**Raynham Silt Loam** This map unit is in the Connecticut Valley Major Land Resource Area. The mean annual precipitation is 32 to 45 inches (813 to 1143 millimeters) and the average annual air temperature is 45 to 52 degrees F. (7 to 11 degrees C.) This map unit is 80 percent Raynham soils. 20 percent minor components. Raynham soils This component occurs on lake plain terrace, drainageway, and depression landforms. The parent material consists of silty glaciolacustrine deposits. The slope ranges from 0 to 3 percent and the runoff class is low. The depth to a restrictive feature is greater than 60 inches. The drainage class is poorly drained. The slowest permeability within 60 inches is about 0.06 in/hr (very slow), with about 11.5 inches (very high) available water capacity. The weighted average shrink-swell potential in 10 to 60 inches is about 1.5 LEP (low). The flooding frequency for this component is none. The ponding hazard is none. The minimum depth to a seasonal water table, when present, is about 6 inches. The maximum calcium carbonate within 40 inches is about 5 percent. The maximum amount of salinity in any layer is about 0 mmhos/cm (nonsaline). The Nonirrigated Land Capability Class is 4w Typical Profile: 0 to 10 inches; silt loam 10 to 16 inches; silt loam 16 to 26 inches; silt loam 26 to 34 inches; very fine sandy loam 34 to 47 inches; silt loam 47 to 60 inches; silt loam

**Map Unit:** 30B—Branford silt loam, 3 to 8 percent slopes

**Branford Silt Loam, 3 To 8 Percent Slopes** This map unit is in the Connecticut Valley Major Land Resource Area. The mean annual precipitation is 38 to 50 inches (965 to 1270 millimeters) and the average annual air temperature is 45 to 52 degrees F. (7 to 11 degrees C.) This map unit is 80 percent Branford soils. 20 percent minor components. Branford soils This component occurs on valley and outwash plain terrace landforms. The parent material consists of eolian deposits over glaciofluvial deposits derived from basalt, sandstone, and shale. The slope ranges from 3 to 8 percent and the runoff class is low. The depth to a restrictive feature is greater than 60 inches. The drainage class is well drained. The slowest permeability within 60 inches is about 0.57 in/hr (moderate), with about 6.3 inches (high) available water capacity. The weighted average shrink-swell potential in 10 to 60 inches is about 1.5 LEP (low). The flooding frequency for this component is none. The ponding hazard is none. The minimum depth to a seasonal water table, when present, is greater than 6 feet. The maximum calcium carbonate within 40 inches is none. The maximum amount of salinity in any layer is about 0 mmhos/cm (nonsaline). The Nonirrigated Land Capability Class is 2e Typical Profile: 0 to 8 inches; silt loam 8 to 18 inches; loam 18 to 24 inches; gravelly loam 24 to 65 inches; stratified very gravelly coarse sand to loamy fine sand

**Map Unit:** 77C—Cheshire-Holyoke complex, 3 to 15 percent slopes, very rocky

Cheshire-Holyoke Complex, 3 To 15 Percent Slopes, Very Rocky This map unit is in the Connecticut Valley Major Land Resource Area. The mean annual precipitation is 40 to 50 inches (1016 to 1270 millimeters) and the average annual air temperature is 45 to 54 degrees F. (7 to 12 degrees C.) This map unit is 45 percent Cheshire soils, 35 percent Holyoke soils. 20 percent minor components. Cheshire soils This component occurs on till plain and upland landforms. The parent material consists of melt-out till derived from sandstone, shale, and basalt. The slope ranges from 3 to 15 percent and the runoff class is low. The depth to a restrictive feature is greater than 60 inches. The drainage class is well drained. The slowest permeability within 60 inches is about 0.57 in/hr (moderate), with about 8.4 inches (high) available water capacity. The weighted average shrink-swell potential in 10 to 60 inches is about 1.5 LEP (low). The flooding frequency for this component is none. The ponding hazard is none. The minimum depth to a seasonal water table, when present, is greater than 6 feet. The maximum calcium carbonate within 40 inches is none. The maximum amount of salinity in any layer is about 0 mmhos/cm (nonsaline). The Nonirrigated Land Capability Class is 6s Typical Profile: 0 to 8 inches; fine sandy loam 8 to 16 inches; fine sandy loam 16 to 26 inches; fine sandy loam 26 to 65 inches; gravelly sandy loam Holyoke soils This component occurs on ridge and upland landforms. The parent material consists of eolian deposits over melt-out till derived from sandstone, shale, and basalt. The slope ranges from 3 to 15 percent and the runoff class is medium. The depth to a restrictive feature is 10 to 20 inches to bedrock (lithic). The drainage class is well drained. The slowest permeability within 60 inches is about 0.57 in/hr (moderate), with about 2.7 inches (low) available water capacity. The weighted average shrink-swell potential in 10 to 60 inches is about 1.5 LEP (low). The flooding frequency for this component is none. The ponding hazard is none. The minimum depth to a seasonal water table, when present, is greater than 6 feet. The maximum calcium carbonate within 40 inches is none. The maximum amount of salinity in any layer is about 0 mmhos/cm (nonsaline). The Nonirrigated Land Capability Class is 6s Typical Profile: 0 to 1 inches; moderately decomposed plant material 1 to 3 inches; silt loam 3 to 8 inches; silt loam 8 to 18 inches; gravelly silt loam 18 to 28 inches; unweathered bedrock

**Map Unit:** 78C—Holyoke-Rock outcrop complex, 3 to 15 percent slopes

Holyoke-Rock Outcrop Complex, 3 To 15 Percent Slopes This map unit is in the Connecticut Valley Major Land Resource Area. The mean annual precipitation is 40 to 50 inches (1016 to 1270 millimeters) and the average annual air temperature is 46 to 54 degrees F. (8 to 12 degrees C.) This map unit is 50 percent Holyoke soils, 25 percent Rock Outcrop. 25 percent minor components. Holyoke soils This component occurs on ridge and upland landforms. The parent material consists of eolian deposits over melt-out till derived from sandstone, shale, and basalt. The slope ranges from 3 to 15 percent and the runoff class is medium. The depth to a restrictive feature is 10 to 20 inches to bedrock (lithic). The drainage class is well drained. The slowest permeability within 60 inches is about 0.57 in/hr (moderate), with about 2.7 inches (low) available water capacity. The weighted average shrink-swell potential in 10 to 60 inches is about 1.5 LEP (low). The flooding frequency for this component is none. The ponding hazard is none. The minimum depth to a seasonal water table, when present, is greater than 6 feet. The maximum calcium carbonate within 40 inches is none. The maximum amount of salinity in any layer is about 0 mmhos/cm (nonsaline). The Nonirrigated Land Capability Class is 6s  
Typical Profile: 0 to 1 inches; moderately decomposed plant material 1 to 3 inches; silt loam 3 to 8 inches; silt loam 8 to 18 inches; gravelly silt loam 18 to 28 inches; unweathered bedrock  
Rock Outcrop This component occurs on bedrock controlled landforms. The slope ranges from 3 to 15 percent and the runoff class is very high. The Nonirrigated Land Capability Class is 8

**Map Unit:** 78E—Holyoke-Rock outcrop complex, 15 to 45 percent slopes

Holyoke-Rock Outcrop Complex, 15 To 45 Percent Slopes This map unit is in the Connecticut Valley Major Land Resource Area. The mean annual precipitation is 40 to 50 inches (1016 to 1270 millimeters) and the average annual air temperature is 46 to 54 degrees F. (8 to 12 degrees C.) This map unit is 50 percent Holyoke soils, 25 percent Rock Outcrop. 25 percent minor components. Holyoke soils This component occurs on ridge and upland landforms. The parent material consists of eolian deposits over melt-out till derived from sandstone, shale, and basalt. The slope ranges from 15 to 45 percent and the runoff class is very high. The depth to a restrictive feature is 10 to 20 inches to bedrock (lithic). The drainage class is well drained. The slowest permeability within 60 inches is about 0.57 in/hr (moderate), with about 2.7 inches (low) available water capacity. The weighted average shrink-swell potential in 10 to 60 inches is about 1.5 LEP (low). The flooding frequency for this component is none. The ponding hazard is none. The minimum depth to a seasonal water table, when present, is greater than 6 feet. The maximum calcium carbonate within 40 inches is none. The maximum amount of salinity in any layer is about 0 mmhos/cm (nonsaline). The Nonirrigated Land Capability Class is 7s  
Typical Profile: 0 to 1 inches; moderately decomposed plant material 1 to 3 inches; silt loam 3 to 8 inches; silt loam 8 to 18 inches; gravelly silt loam 18 to 28 inches; unweathered bedrock  
Rock Outcrop This component occurs on bedrock controlled landforms. The slope ranges from 15 to 45 percent and the runoff class is very high. The Nonirrigated Land Capability Class is 8

**Map Unit:** 98—Westbrook mucky peat

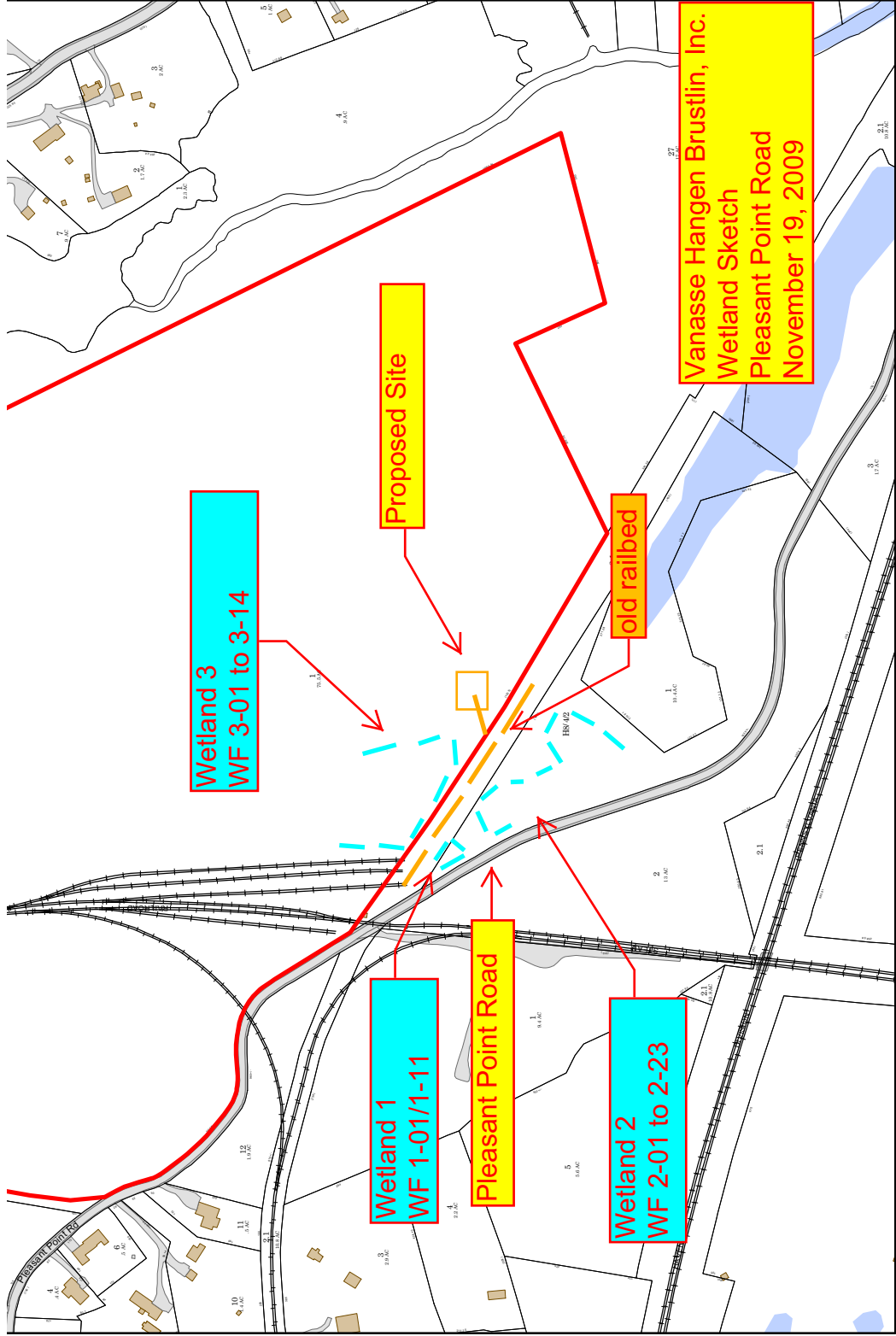
**Westbrook Mucky Peat** This map unit is in the New England and Eastern New York Upland, Southern Part Connecticut Valley Major Land Resource Area. The mean annual precipitation is 40 to 50 inches (1016 to 1270 millimeters) and the average annual air temperature is 48 to 52 degrees F. (9 to 11 degrees C.) This map unit is 80 percent Westbrook soils. 20 percent minor components. Westbrook soils This component occurs on coastal plain salt marsh and tidal marsh landforms. The parent material consists of herbaceous organic material over loamy drift or marine deposits. The slope ranges from 0 to 2 percent and the runoff class is negligible. The depth to a restrictive feature is 0 to 51 inches to salic. The drainage class is very poorly drained. The slowest permeability within 60 inches is about 0.00 in/hr (very slow), with about 4.4 inches (moderate) available water capacity. The weighted average shrink-swell potential in 10 to 60 inches is about 8.4 LEP (high). The flooding frequency for this component is frequent. The ponding hazard is frequent. The minimum depth to a seasonal water table, when present, is about 6 inches. The maximum calcium carbonate within 40 inches is none. The maximum amount of salinity in any layer is about 60 mmhos/cm (strongly saline). The Nonirrigated Land Capability Class is 8 Typical Profile: 0 to 10 inches; mucky peat 10 to 40 inches; mucky peat 40 to 48 inches; mucky peat 48 to 64 inches; silt loam 64 to 99 inches; silt loam

**Map Unit:** 308—Udorthents, smoothed

**Udorthents, Smoothed** This map unit is in the New England and Eastern New York Upland, Southern Part Connecticut Valley Major Land Resource Area. The mean annual precipitation is 32 to 50 inches (813 to 1270 millimeters) and the average annual air temperature is 45 to 55 degrees F. (7 to 13 degrees C.) This map unit is 80 percent Udorthents soils. 20 percent minor components. Udorthents soils This component occurs on leveled land and fill landforms. The slope ranges from 0 to 35 percent and the runoff class is medium. The depth to a restrictive feature varies, but is commonly greater than 60 inches. The drainage class is typically well drained. The slowest permeability within 60 inches is about 0.00 in/hr (very slow), with about 9.0 inches (high) available water capacity. The weighted average shrink-swell potential in 10 to 60 inches is about 1.4 LEP (low). The flooding frequency for this component is none. The ponding hazard is none. The minimum depth to a seasonal water table is greater than 60 inches. The maximum calcium carbonate within 40 inches is none. The maximum amount of salinity in any layer is about 0 mmhos/cm (nonsaline). The Nonirrigated Land Capability Class is 3e Typical Profile: 0 to 5 inches; loam 5 to 21 inches; gravelly loam 21 to 80 inches; very gravelly sandy loam

## Data Source Information

Soil Survey Area: State of Connecticut  
Survey Area Data: Version 7, Dec 3, 2009



Vanasse Hangen Brustlin, Inc.  
Wetland Sketch  
Pleasant Point Road  
November 19, 2009

Wetland 3  
WF 3-01 to 3-14

Proposed Site

old railbed

Wetland 1  
WF 1-01/1-11

Pleasant Point Road

Wetland 2  
WF 2-01 to 2-23

Approximate Scale: 1 inch = 400 feet

Map Produced: December 2008



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Vanasse Hangen Brustlin, Inc.

54 Tuttle Place  
Middletown, Connecticut 06457  
860 632-1500  
FAX 860 632-7879

**Memorandum**

To: Mr. Scott Chasse  
All-Points Technology Corp., P.C.  
3 Saddlebrook Drive  
Killingworth, CT 06419

Date: December 23, 2009

Project No.: 40505.12

From: Dean Gustafson  
Professional Soil Scientist

Re: Wetland Compliance  
T-Mobile Site No. CTNH802B  
Amtrak Branford 2  
Pleasant Point Road  
Branford, Connecticut

The property consists of a primarily wooded undeveloped property located along a Tilcon railroad track and spurs and north of Pleasant Point Road in Branford, Connecticut. The 92.3± acre parcel is bisected by the active Tilcon railroad tracks with the proposed T-Mobile facility located east of the tracks and north of an abandoned rail bed. Based on a review of plans prepared by All-Points Technology Corporation, P.C. (latest revised date 12/14/09) VHB understands that T-Mobile proposes to construct a wireless communications facility ("Facility") along the southern property boundary just north of the abandoned rail bed. VHB also understands that the proposed gravel access drive for the Facility will be located along the abandoned rail bed to provide access from Pleasant Point Road.

Vanasse Hangen Brustlin, Inc. (VHB) previously completed on-site investigations on November 19, 2009 to determine if wetlands and/or watercourses are located on the above-referenced Site. Three wetland areas were identified on the subject property in proximity to proposed development activities associated with the T-Mobile Facility. Wetland 1 is a small isolated and disturbed wetland just south of a fill pile associated with the railroad spurs to the north and bound to the south by Pleasant Point Road. Hydrology appears to be primarily provided by road runoff and fluctuation of the seasonal high groundwater table. Wetlands 2 and 3 are part of a large forested inland wetland system associated with a tributary stream of Stony Creek. Wetland 2 is confined between Pleasant Point Road to the south and an abandoned rail bed to the north. An interior intermittent stream feature conveys surface water to the southeast from a stone culvert under the old rail bed from Wetland 3 to the north. Wetland 3 is located north of the abandoned rail bed and to the east of the rail spurs. Some areas within Wetland 3 have shallow inundation as a result of the artificial impoundment caused by the old rail bed. However, inundation areas do not appear to have sufficient depth or hydrology to support amphibian breeding.

The proposed Facility will not directly impact wetlands and is located more than 100 feet from the nearest wetland area (Wetlands 2 and 3). However, the proposed access drive will result in a minor impact to Wetland 1 with 600± square feet of impact. Generally, avoidance of wetland impacts is recommended where possible. Various alternates for the entrance of the access road were reviewed

in an effort to avoid or minimize impact to Wetland 1. An entrance off Pleasant Point Road further to the northwest was evaluated. However, several railroad track spurs used by the property owner for railcar staging and storage prevent an access road from being in this location. An access road positioned between Wetlands 1 and 2 further southeast of the proposed location was also reviewed. There are two primary factors why this alternative is not feasible or prudent. First, the upland area separating these two wetlands contains several mature mast producing trees that provide important buffer functions to Wetland 2 and its associated stream. Secondly, in order to design an access road with the proper geometry with this entrance point, direct impact to Wetland 2 and possibly to the stone culvert between Wetlands 2 and 3 and stream would occur. The relative functions and values associated with Wetland 2 are significantly greater than Wetland 1, which is a small isolated wetland that has been disturbed by Pleasant Point Road and the railroad tracks. Therefore, impacting a small area of Wetland 1 was deemed the most prudent and feasible alternative.

In order to minimize impact to Wetland 1, 2:1 side slopes were designed to minimize the spread of the road base fill footing. VHB recommends that a pervious stone bed be placed at the base of the access road footing through the Wetland 1 crossing to minimize impact and allow for hydrologic connection between the bisected wetland. VHB also recommends that any exposed soils surrounding the proposed access drive and Facility be permanently stabilized by loam and seeding with a New England Conservation/Wildlife seed mix (New England Wetland Plants, Inc., or approve equivalent). The New England Conservation/Wildlife seed mix provides a permanent cover of grasses, forbs, wildflowers, legumes and grasses to provide both good erosion control and wildlife habitat value. This mix is designed to be a no maintenance seeding, and it is appropriate for cut and fill slopes and disturbed areas.

Assuming adequate erosion controls are properly installed and maintained to protect nearby wetland resources during construction, indirect impacts to wetlands and the stream will be minimal. Due to the proximity of proposed development activities to sensitive wetland resource areas (Wetlands 2 and 3), VHB recommends that an extensive erosion and sedimentation control plan be developed in accordance with the Connecticut Department of Environmental Protection 2002 *Connecticut Guidelines for Soil Erosion and Sediment Control* to properly protect wetland resources. This erosion and sedimentation control plan can be developed during the Connecticut Siting Council's Development and Management Plan process, provided the project is approved. VHB recommends that a copy of the draft erosion and sedimentation control plan be provided for review prior to submission to the Connecticut Siting Council to ensure that nearby wetland resources will be properly protected during construction. VHB also recommends that a properly qualified professional independent of the site contractor monitor the installation and maintenance of erosion and sedimentation controls throughout the construction project to further ensure that nearby wetlands are protected.

With consideration to these recommended mitigation measures, it is VHB's professional opinion that the impact to wetlands associated with the proposed T-Mobile Facility are considered minimal and will not result in a likely adverse impact to wetland resources.

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September 21, 2010

*Vanasse Hangen Brustlin, Inc.*

Ref: 40505.12

Mr. Scott Chasse  
All-Points Technology Corp., P.C.  
3 Saddlebrook Drive  
Killingworth, CT 06419

Re: Wetland Impact Assessment and NEPA Compliance  
T-Mobile Site No. CTNH802B - Amtrak Branford 2  
Pleasant Point Road  
Branford, Connecticut

Dear Mr. Chasse:

Vanasse Hangen Brustlin, Inc. (VHB) previously completed on-site investigations on November 19, 2009 to determine if wetlands and/or watercourses are located on the above-referenced Site. Three wetland areas were identified on the subject property in proximity to proposed development activities associated with the T-Mobile Facility. Wetland 1 is a small isolated and disturbed wetland just south of a fill pile associated with the railroad spurs to the north and bound to the south by Pleasant Point Road. Hydrology appears to be primarily provided by road runoff and fluctuation of the seasonal high groundwater table. Wetlands 2 and 3 are part of a large forested inland wetland system associated with a tributary stream of Stony Creek. Wetland 2 is confined between Pleasant Point Road to the south and an abandoned rail bed to the north. An interior intermittent stream feature conveys surface water to the southeast from a stone culvert under the old rail bed from Wetland 3 to the north. Wetland 3 is located north of the abandoned rail bed and to the east of the rail spurs. Some areas within Wetland 3 have shallow inundation as a result of the artificial impoundment caused by the old rail bed. However, inundation areas do not appear to have sufficient depth or hydrology to support amphibian breeding.

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Assuming adequate erosion controls are properly installed and maintained to protect nearby wetland resources during construction, indirect impacts to wetlands and the stream will be minimal. Due to the proximity of proposed development activities to sensitive wetland resource areas (Wetlands 2 and 3), VHB recommends that an extensive erosion and sedimentation control plan be developed in accordance with the Connecticut Department of Environmental Protection *2002 Connecticut Guidelines for Soil Erosion and Sediment Control* to properly protect wetland resources. This erosion and sedimentation control plan can be developed during the Connecticut Siting Council's Development and Management Plan process, provided the project is approved. VHB recommends that a copy of the draft erosion and sedimentation control plan be provided for review prior to submission to the Connecticut Siting Council to ensure that nearby wetland resources will be properly protected during construction. VHB also recommends that a properly qualified professional independent of the site contractor monitor the installation and maintenance of erosion and sedimentation controls throughout the construction project to further ensure that nearby wetlands are protected.

### Regulatory Compliance

The proposed project was evaluated for eligibility as a Category 1 project under the U.S. Army Corps of Engineers New England Division (Corps) State of Connecticut Programmatic General Permit (PGP; effective May 31, 2006, expiration date May 31, 2011). Determination as a Category 1 project also provides determination of a "significant environmental effect" under the National Environmental Policy Act (NEPA) by evaluating the project's wetland/waterway impacts against the Corps' minimal impact threshold criteria to "Waters of the U.S." (e.g., wetlands, waterways, etc.). Generally, if a project is determined to satisfy the requirements of a Category 1 project (minimal impact and eligible without screening by reviewing agencies under the PGP) it is not considered to result in a significant environmental effect and a Finding of No Significant Impact (FONSI) could be issued for the NEPA listed category item 7. In order to support this conclusion, a careful review of the PGP criteria for Category 1 eligibility is provided below.

For the proposed project and associated wetland impacts, the following key criteria are required to be satisfied in order to be eligible under Category 1 of the PGP.



- *Less than 5,000 SF of Inland Waters, Waterway and/or Wetland Fill and Secondary Impacts.*
- *Projects with direct or secondary impacts to Threatened, Endangered, or Special Concern Species.*
- *Projects with fill placed within a FEMA established floodplain that would adversely affect the hydraulic characteristics of the floodplain.*

The construction of the proposed gravel drive carefully considered these requirements (in addition to the PGP's General Requirements) in order to minimize impact to wetland areas and be compliant with a Category 1 determination. First, the total wetland impact of 600± SF is significantly less than the 5,000 SF Category 1 ineligibility trigger. Secondly, the Connecticut Department of Environmental Protection (CTDEP) Natural Diversity Data Base determined that "there are no known extant populations of Federal or State Endangered, Threatened or Special Concern Species that occur at the site in question" as noted in the enclosed August 18, 2010 letter. Finally, State NFIP Coordinator, Diane Ifkovic of the CTDEP Flood Management Program determined in a September 3, 2010 letter that "With the proposed telecommunications facility located in Zone C, an area of minimal flooding and outside the 100-year floodplain, there are no compliance requirements associated with the National Flood Insurance Program (NFIP) for this structure." Ms. Ifkovic goes on to further state "the gravel driveway proposed in the 100-year floodplain (Zone A6, BFE 12 feet) and filling (90 cubic yards) within Zone B, the 500-year floodplain, is compliant with minimum NFIP standards since impacts a negligible and activities are allowable." A copy of the NFIP compliance determination is enclosed.

As a result of adherence to the Corps' PGP requirements, the proposed wetland impacts associated with T-Mobile's development are considered minimal impact and eligible without screening by reviewing agencies under the PGP as a Category 1 project. Therefore, a Finding of No Significant Impact (FONSI) for NEPA listed category item 7 is also provided. In addition, as the proposed wetland impacts are relatively small and located adjacent to existing disturbed and developed areas, the proposed wetland impacts are not considered to result in a likely adverse impact to wetland functions and values.

If you have any questions concerning this matter do not hesitate to call me.

Very truly yours,

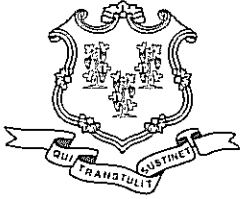
VANASSE HANGEN BRUSTLIN, INC.



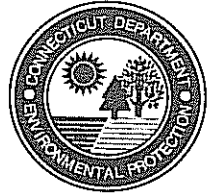
Dean Gustafson  
Professional Soil Scientist

Enclosures





STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Inland Fisheries Division-Natural History Survey  
Natural Diversity Data Base  
79 Elm Street, 6<sup>th</sup> floor  
Hartford, CT 06106-5127

August 18, 2010

Ms. Lauren Mehringer  
EBI Consultants  
21 B Street  
Burlington, CT 01803

Subject: T-Mobile, Amtrack Branford 2, Cell Tower on Pleasant Point Road, Branford, CT  
State/Federal Listed Species

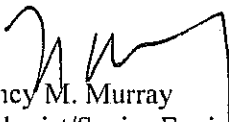
Dear Ms. Mehringer:

I have reviewed Natural Diversity Data Base maps and files regarding the area delineated on the map you provided and listed above. According to our information, there are no known extant populations of Federal or State Endangered, Threatened or Special Concern Species that occur 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 Geological and Natural History Survey and cooperating units of the 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 substituted 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.

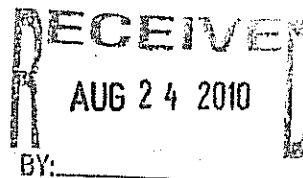
Please contact me if you have further questions ([nancy.murray@ct.gov](mailto:nancy.murray@ct.gov); 860-424-3589). Thank you for consulting the Natural Diversity Data Base and continuing to work with us to protect State listed species.

Sincerely,

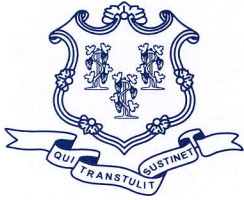
  
Nancy M. Murray  
Biologist/Senior Environmental Analyst  
NDDDB Program Coordinator

cc: NDDDB File # 17951

NM:hw







**STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**



September 3, 2010

Mr. Dean Gustafson  
Senior Environmental Planner  
Vanasse Hangen Brustlin, Inc.  
54 Tuttle Place  
Middletown, CT 06457-1847

RE: Proposed Telecommunications Facility, Pleasant Point Road, Branford, Connecticut  
(T-Mobile Site ID# CTNH802B)

Dear Mr. Gustafson:

I received your letter, dated August 20, 2010, along with design drawings, site photographs, flood mapping, and additional data for the proposed telecommunications facility to be located off Pleasant Point Road in Branford. These materials were reviewed by our flood management program staff as requested.

The project site is located on the Flood Insurance Rate Map (FIRM) Panel 090073 0006C for the Town of Branford, dated April 18, 1983. With the proposed telecommunications facility located in Zone C, an area of minimal flooding and outside the 100-year floodplain, there are no compliance requirements associated with the National Flood Insurance Program (NFIP) for this structure. The gravel driveway proposed in the 100-year floodplain (Zone A6, BFE 12 feet) and filling (90 cubic yards) within Zone B, the 500-year floodplain, is compliant with minimum NFIP standards since impacts are negligible and activities are allowable.

The Town of Branford will be receiving revised FIRM on December 17, 2010. Review of the new FIRM for this location (map number 09009C0469H) showed no substantial changes from previous mapping used to evaluate this project as outlined in your letter.

If you have any questions or comments concerning the issues discussed in this letter, please contact me at (860) 424-3537 or via email at [diane.ifkovic@ct.gov](mailto:diane.ifkovic@ct.gov).

Sincerely,

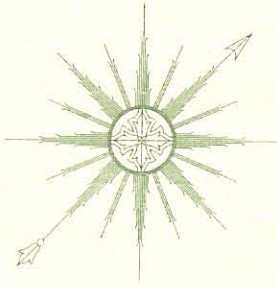
Diane Ifkovic  
Environmental Analyst III  
State NFIP Coordinator  
IWRD, Flood Management

File: NFIP Correspondence - Branford

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79 Elm Street • Hartford, CT 06106-5127  
[www.ct.gov/dep](http://www.ct.gov/dep)  
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# **EXHIBIT L**



# ALL-POINTS TECHNOLOGY CORPORATION, P.C.

HPC Development, LLC  
Attn: Ms. Jamie Ford  
46 Mill Plain Road  
Danbury, CT 06811

December 14, 2009

RE: T-Mobile Site# CTNH802B  
Pleasant Point Road Branford, CT  
Proposed Tower Site  
Memo: Residences within 1000-ft

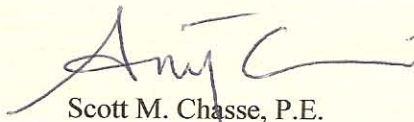
Dear Ms. Ford:

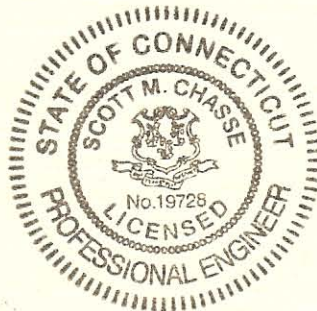
All-Points Technology Corporation, P.C. (APT) was retained by T-Mobile Northeast, LLC to prepare base drawings for their proposed wireless telecommunications facility at the above referenced property. As part of that work, APT evaluates how many residences are situated within 1000 feet of the proposed facility.

Based on our 'windshield survey' of the area on November 2, 2009, review of Town Assessor's Maps H08 & J08, and review of Digital Global 2006 Digital Orthophotographs, we find that there are no residences located within 1000-feet of the proposed facility.

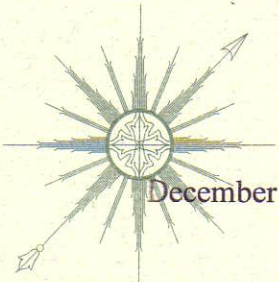
Sincerely,

ALL-POINTS TECHNOLOGY CORPORATION, P.C.

  
Scott M. Chasse, P.E.  
Principal



# **EXHIBIT M**



# ALL-POINTS TECHNOLOGY CORPORATION, P.C.

December 14, 2009

Ms. Julie D. Kohler, Esq.  
Cohen and Wolf P.C.  
1115 Broad Street  
Bridgeport, CT 06604

RE: Tree Inventory  
Site: CTNL802B Branford 2 – Tilcon  
Pleasant Point Road  
Branford, CT 06405

Dear Ms. Kohler:

A Tree Inventory was completed at the subject site on December 1, 2009 to determine the size and quantity of existing trees that will need to be removed for the installation of the proposed facility. Access to the facility is via a proposed 12' wide gravel access way established along the northern side of Pleasant Point Road and atop the abandoned rail bed eastward towards the proposed facility. Installation of the proposed 50' x 50' compound area and 450 feet of access way improvements will require the removal of trees summarized as follows:

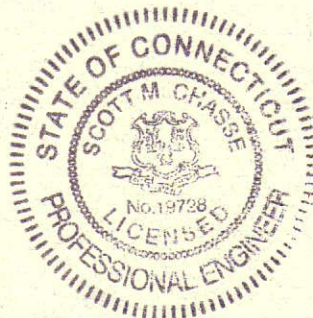
8" – 10" dbh - 6 trees  
10" – 14" dbh - 5 trees  
14" or greater dbh - 8 trees

A tree buffer will remain on all sides of the facility. In addition, proposed landscaping will be installed around the perimeter of the compound to further screen the proposed facility.

Sincerely,

ALL-POINTS TECHNOLOGY CORPORATION, P.C.

Scott M. Chasse, P.E.  
Principal



# **EXHIBIT N**

**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 PLEASANT POINT ROAD IN THE  
TOWN OF BRANFORD, CONNECTICUT

DOCKET NO. \_\_\_\_

Date: September 16, 2010

**AFFIDAVIT OF MICHAEL P. LIBERTINE REGARDING  
BALLOON FLOAT FOR VISUAL ANALYSIS REPORT**

I, Michael P. Libertine, do hereby declare and state:

1. I am over the age of 18 years, and believe in the obligation of an oath.
2. I am the Director of Environmental Services for Vanasse Hangen Brustlin, INC. ("VHB").
3. I have personal knowledge of the above-captioned Application for a Certificate of Environmental Compatibility and Public Need, to be filed with the Connecticut Siting Council ("Application") by T-Mobile Northeast LLC ("T-Mobile"), as well as the specific events attested to in this affidavit.
4. T-Mobile retained VHB to provide a Visual Analysis Report, a wetlands compliance analysis and a coastal consistency analysis for the proposed telecommunications facility at Pleasant Point Road, Branford, Connecticut ("Facility").
5. On April 6, 2010, I oversaw and/or supervised a balloon float at the site of the Facility.
6. The purpose of the balloon float was to confirm the results of the predictive computer modeling, conducted by VHB, of the Facility's potential viewshed within a two mile radius of the Facility.

7. VHB tethered a helium-filled weather balloon, approximately four feet in diameter, at the site of the proposed Facility, at a height of 160 feet above grade level.

8. The balloon was aloft from approximately 8 a.m. until 3 p.m.

9. On April 6, 2010, the weather conditions were sunny (approximately 65 degrees Fahrenheit) and clear, with calm wind conditions. These are favorable conditions for a balloon float.

10. Once the balloon was aloft and stabilized, VHB conducted an in-field reconnaissance of the Study Area. VHB performed this in-field reconnaissance to confirm the predictive computer modeling of the Facility's visibility within the Study Area.

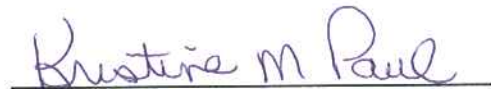
11. During the in-field reconnaissance, VHB took photographs of the site of the proposed Facility from public areas located within the Study Area. VHB focused on residential areas and other potential sensitive visual receptors. VHB also recorded the latitude and longitude of each photograph using a handheld global positioning system (GPS) receiver unit. The photographs were taken using a NIKON D-80 digital camera body and NIKON eighteen to 135 millimeter lens. VHB set the lens to fifty millimeters, which most accurately represents the unaided human eye.



IN WITNESS WHEREOF, I have hereunto set my hand and seal this 16th day of September, 2010.

  
Michael P. Libertine

Sworn and subscribed to before me this  
16 day of September, 2010.

  
\_\_\_\_\_

*Notary Public*  
*My Commission expires*

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

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# *Proposed Wireless Telecommunications Facility*

CTNH802B  
Pleasant Point Road  
Branford, Connecticut

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Prepared for 

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

April 2010

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## Visual Resource Evaluation

T-Mobile Northeast, LLC, dba T-Mobile, seeks approval from the Connecticut Siting Council for a Certificate of Environmental Compatibility and Public Need for the construction of a wireless telecommunications facility ("Facility") to be located on property off Pleasant Point Road, in the Town of Branford, Connecticut (identified herein as the "host property"). This Visual Resource Evaluation was conducted to assess the visibility of the proposed Facility within a two-mile radius ("Study Area"). Attachment A contains a map that depicts the location of the proposed Facility and the limits of the Study Area.

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## Project Introduction

The proposed Facility includes the installation of a 160-foot tall monopole with associated ground equipment to be located at its base. Both the proposed monopole and ground equipment would be situated within a 50-foot by 50-foot fence-enclosed compound. The proposed Facility is located at approximately 25 feet Above Mean Sea Level ("AMSL"). Access to the Facility would be provided via an existing gravel driveway currently located on the host property.

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## Site Description and Setting

Identified in the Town of Branford land records as Map 08/Block 02/Lot 1, the host property consists of approximately 92.3 acres of undeveloped and mostly wooded land. The proposed Facility would be located on the southern portion of the host property, roughly 530 feet to the east of Pleasant Point Road. Land use in the immediate vicinity of the proposed Facility consists of low-density residential development and undeveloped woodlands. Segments of US Route 1, Route 139, Route 146 and Interstate 95 are contained within the Study Area. In total, the Study Area features approximately 91 linear miles of roadways and rail line.

The topography within the Study Area is characterized by gently rolling hills with ground elevations that range from sea level to approximately 165 feet AMSL. The Study Area contains approximately 1,845 acres of surface water, including portions of Long Island Sound which occupies the southern third of the Study Area. The tree cover within the Study Area consists mainly of mixed deciduous hardwood species. The tree canopy occupies approximately 3,787 acres of the 8,042-acre study area (47%). During the in-field activities associated with this analysis, an infrared laser range finder was used to determine the average tree canopy height throughout the Study Area. Numerous trees were selected for measurement and the average tree canopy was determined to be 60 feet.

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## METHODOLOGY

In order to better represent the visibility associated with the Facility, VHB uses a two-fold approach incorporating 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 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.

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## Visibility Analysis

Using ESRI’s ArcView® Spatial Analyst, a computer modeling tool, the areas from where the top of the 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 and existing vegetation. Data incorporated into the predictive model includes a digital elevation model (DEM) and a digital forest layer for the Study Area. The DEM was derived from the Connecticut LiDAR-based digital elevation data. The LiDAR data was produced by the University of Connecticut Center for Land Use Education and Research (CLEAR) in 2007 and has a horizontal resolution of 10 feet. In order to create the forest layer, digital aerial photographs of the Study Area are incorporated into the computer model. The mature trees and woodland areas depicted on the aerial photos are manually traced in ArcView® GIS and then converted into a geographic data layer. The aerial photographs were produced in 2006 and have a pixel resolution of one foot.

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 assists in the evaluation of potential seasonal visibility of the proposed Facility. The average height of the tree canopy was determined in the field using a laser range finder. The average tree canopy height is incorporated into the final viewshed map; in this case, 60 feet was identified as the average tree canopy height. The forested areas within the Study Area were then overlaid on the DEM with a height of 60 feet added and the visibility calculated. As a final step, the forested areas are 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 State of Connecticut Department of Environmental Protection (“CTDEP”), which depicts various land and water resources such as parks and forests, recreational facilities, dedicated open space, CTDEP boat launches and other categories. Lastly, based on a review of information published by both the State of Connecticut Department of Transportation and the Town of Branford, it was determined that the portion of Stony Creek Road (Route 146) that traverses the Study Area is a state-designated scenic roadway.

A preliminary viewshed map (using topography only) is used during the in-field activity to assist in determining if significant land use changes have occurred since the aerial photographs used in this analysis were produced and to compare the results of the computer model with observations of the balloon float. Information obtained during the reconnaissance was then incorporated into the final visibility map.

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## Balloon Float and Study Area Reconnaissance

On April 6, 2010 Vanasse Hangen Brustlin Inc., (VHB) conducted a balloon float at the proposed Facility location 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 at a height of 160 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 document where the balloon was, and was not, visible above and/or through the tree canopy. During the balloon float, the temperature was approximately 65 degrees Fahrenheit with calm wind conditions and sunny skies.

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## Photographic Documentation

During the balloon float, VHB personnel drove the public road system within the Study Area to inventory those areas where the balloon was visible. VHB personnel also walked portions of the Pine Orchard Trail which is located within the general vicinity of the proposed Facility. The Trail is also depicted on the attached viewshed map. The balloon was photographed from several different vantage points to document the actual view towards the proposed Facility. Several photographs where the balloon was not visible are also included. The locations of the photos are described below:

1. View from Pleasant Point Road.
2. View from Pleasant Point Road.
3. View from Pleasant Point Road at rail crossing.
4. View from Pleasant Point Road at rail yard.
5. View from Pine Orchard Trail parking area.
6. View from Pine Orchard Trail.
7. View from Pine Orchard Trail.
8. View from Pine Orchard Trail on boardwalk.
9. View from Pine Orchard Trail at baseball field.
10. View from Stony Creek Road adjacent to house #225.
11. View from Stony Creek Road adjacent to house #175.
12. View from end of Fellsmere Farm Road Cul-de-Sac.
13. View from Whiting Farm Road adjacent to house #12.
14. View from Young's Pond Park.

15. View from Pine Orchard Trail on trestle bridge.
16. View from Pine Orchard Road at driving range.
17. View from Indian Point Road – Stony Creek area.

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 50 mm. “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.”<sup>1</sup>

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.

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## Photographic Simulation

Photographic simulations were generated for thirteen representative locations where the balloon was visible during the in-field activities. The photographic simulations represent a scaled depiction of the proposed Facility (a monopole, in this case with three antenna arrays) from these locations. The height of the Facility is determined based on the location of the balloon in the photograph and a proportional monopole image is simulated into the photographs. The simulations are contained in Attachment A.

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## CONCLUSIONS

Based on this analysis, areas from where the proposed 160-foot tall monopole may be visible year-round comprise approximately 1,061 acres within the 8,042-acre Study Area. As depicted on the attached viewshed map, the majority of year-round visibility would occur south of the host property and primarily over open water on Long Island Sound. Year-round visibility on Long Island Sound accounts for approximately 970 acres of the 1,061-acre total (91%). The map also depicts areas of year-round visibility over nearby tidal marshes to the south/southeast of the proposed Facility; portions of the Pine Orchard walking trail to the south and southeast (including areas extending to the north and south of the Trail); and along select portions of Pleasant Point Road and Stony Creek Road/Route 146 (a state-designated scenic roadway). Overall, potential year-round visibility associated with the proposed Facility is limited to the areas described above by a combination of the mature vegetation, particularly among the wooded areas on and adjacent to the host property, and the intervening topography contained within the Study Area. VHB estimates that at least partial year-round views of the proposed Facility may be achieved from approximately 17 residential properties located within the Study Area. This includes fourteen (14) residential properties located along Stony Creek Road/Route 146 and three (3) residential properties located along West Point Road. In general, potential views from several of these areas would

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

be limited to portions of rear yards that are oriented in the direction of the proposed Facility. As such, the majority of these locations could not be photo-documented by VHB staff during the conduct of the April 6, 2010 balloon float.

The viewshed map also depicts several additional areas where seasonal (i.e. during "leaf off" conditions) views are anticipated. These areas comprise approximately 108 additional acres and are located within the general vicinity of the host property (typically within 0.50-mile) including select portions of Stony Creek Road/Route 146, Pleasant Point Road, Fellsmere Farm Road and Whiting Farm Road. VHB estimates that seasonal views of the proposed monopole may be achieved from portions of approximately 22 additional residential properties. This includes nine (9) residential properties located along Route 146; five (5) residential properties located along Pleasant Point Road; four (4) residential properties located at the end of Fellsmere Farm Road; three (3) residential properties located along the Whiting Farm Road Cul-de-Sac; and one (1) residential property located along Gaylea Drive. As evidenced by the associated photographic simulations from these areas, potential seasonal views would generally be through the trees and/or fairly well-screened by the intervening vegetation.

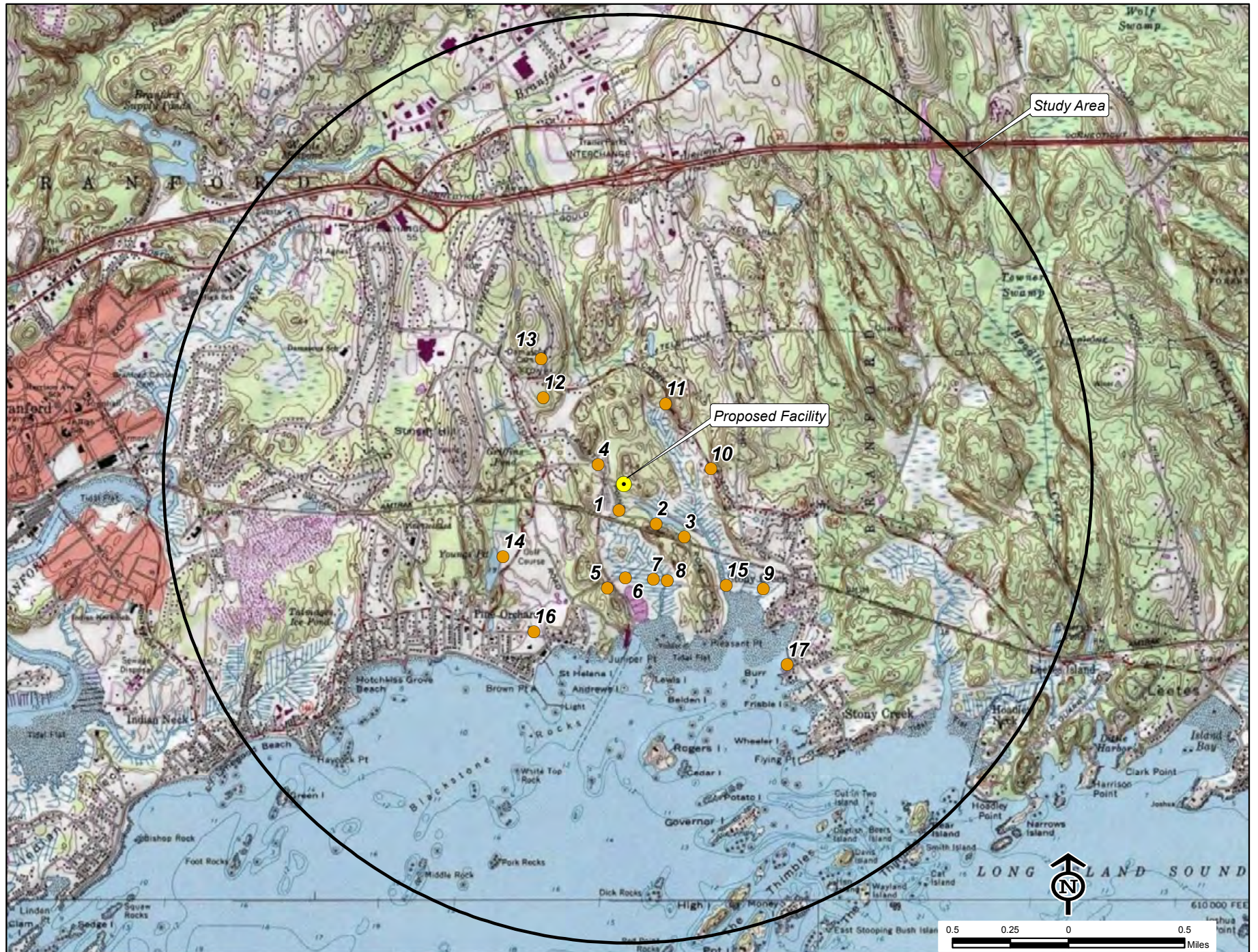


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# Attachment A

## Photolog Documentation Map, Balloon Float Photographs, and Photographic Simulations

# PHOTOLOG MAP



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# PHOTOGRAPHIC DOCUMENTATION



ct:\mtdat\40505.12\graphics\FIGURES\40505.12\_Photosim

VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
1	PLEASANT POINT ROAD	NORTHEAST	0.11 MILE +/-	YEAR-ROUND

# PHOTOGRAPHIC SIMULATION



ct:\mtdat\40505.12\graphics\FIGURES\40505.12\_Photosim

VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
1	PLEASANT POINT ROAD	NORTHEAST	0.11 MILE +/-	YEAR-ROUND

# PHOTOGRAPHIC DOCUMENTATION



cmiddat\40505.12\graphics\FIGURES\40505.12\_Photos\im

VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
2	PLEASANT POINT ROAD	NORTHWEST	0.22 MILE +/-	YEAR-ROUND

# PHOTOGRAPHIC SIMULATION



c:\mddat\40505.12\graphics\FIGURES\40505.12\_Photosim

VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
2	PLEASANT POINT ROAD	NORTHWEST	0.22 MILE +/-	YEAR-ROUND

# PHOTOGRAPHIC DOCUMENTATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
3	PLEASANT POINT ROAD AT RAIL CROSSING	NORTHWEST	0.34 MILE +/-	SEASONAL

# PHOTOGRAPHIC SIMULATION



ct:\midatl\40505.12\graphics\FIGURES\40505.12\_Photosim

VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
3	PLEASANT POINT ROAD AT RAIL CROSSING	NORTHWEST	0.34 MILE +/-	SEASONAL



# PHOTOGRAPHIC DOCUMENTATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
4	PLEASANT POINT ROAD AT RAIL YARD	SOUTHEAST	0.13 MILE +/-	YEAR-ROUND

# PHOTOGRAPHIC SIMULATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
4	PLEASANT POINT ROAD AT RAIL YARD	SOUTHEAST	0.13 MILE +/-	YEAR-ROUND

# PHOTOGRAPHIC DOCUMENTATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
5	PINE ORCHARD TRAIL PARKING AREA	NORTHEAST	0.44 MILE +/-	YEAR-ROUND



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
5	PINE ORCHARD TRAIL PARKING AREA	NORTHEAST	0.44 MILE +/-	YEAR-ROUND

# PHOTOGRAPHIC DOCUMENTATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
6	PINE ORCHARD TRAIL	NORTH	0.39 MILE +/-	YEAR-ROUND

# PHOTOGRAPHIC SIMULATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
6	PINE ORCHARD TRAIL	NORTH	0.39 MILE +/-	YEAR-ROUND

# PHOTOGRAPHIC DOCUMENTATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
7	PINE ORCHARD TRAIL ON BOARDWALK	NORTHWEST	0.42 MILE +/-	YEAR-ROUND

# PHOTOGRAPHIC SIMULATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
7	PINE ORCHARD TRAIL ON BOARDWALK	NORTHWEST	0.42 MILE +/-	YEAR-ROUND



# PHOTOGRAPHIC DOCUMENTATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
8	PINE ORCHARD TRAIL ON BOARDWALK	NORTHWEST	0.75 MILE +/-	YEAR-ROUND

# PHOTOGRAPHIC SIMULATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
8	PINE ORCHARD TRAIL ON BOARDWALK	NORTHWEST	0.75 MILE +/-	YEAR-ROUND

# PHOTOGRAPHIC DOCUMENTATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
9	PINE ORCHARD TRAIL AT BASEBALL FIELD	NORTHWEST	0.75 MILE +/-	YEAR-ROUND

# PHOTOGRAPHIC SIMULATION



ct:\mddat\40505.12\graphics\FIGURES\40505.12\_Photosim

VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
9	PINE ORCHARD TRAIL AT BASEBALL FIELD	NORTHWEST	0.75 MILE +/-	YEAR-ROUND

# PHOTOGRAPHIC DOCUMENTATION



crimdat\40505.12\graphics\FIGURES\40505.12\_Photosim

VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
10	STONY CREEK ROAD ADJACENT TO HOUSE #225	SOUTHWEST	0.38 MILE +/-	YEAR-ROUND

# PHOTOGRAPHIC SIMULATION



crimiddat\40505.12\graphics\FIGURES\40505.12\_Photosim

VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
10	STONY CREEK ROAD ADJACENT TO HOUSE #225	SOUTHWEST	0.38 MILE +/-	YEAR-ROUND

PHOTOGRAPHIC DOCUMENTATION



ct:\mtdat\40505.12\graphics\FIGURES\40505.12\_Photosim

VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
11	STONY CREEK ROAD ADJACENT TO HOUSE #175	SOUTHWEST	0.39 MILE +/-	YEAR-ROUND

# PHOTOGRAPHIC SIMULATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
11	STONY CREEK ROAD ADJACENT TO HOUSE #175	SOUTHWEST	0.39 MILE +/-	YEAR-ROUND



**PHOTOGRAPHIC DOCUMENTATION**



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
12	END OF FELLSMERE FARM ROAD CUL-DE-SAC	SOUTHEAST	0.50 MILE +/-	SEASONAL

# PHOTOGRAPHIC SIMULATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
12	END OF FELLSMERE FARM ROAD CUL-DE-SAC	SOUTHEAST	0.50 MILE +/-	SEASONAL

# PHOTOGRAPHIC DOCUMENTATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
13	WHITING FARM ROAD ADJACENT TO HOUSE #12	SOUTHEAST	0.64 MILE +/-	SEASONAL

# PHOTOGRAPHIC SIMULATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
13	WHITING FARM ROAD ADJACENT TO HOUSE #12	SOUTHEAST	0.64 MILE +/-	SEASONAL

# PHOTOGRAPHIC DOCUMENTATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
14	YOUNG'S POND PARK	NORTHEAST	0.60 MILE +/-	NON-VISIBLE

# PHOTOGRAPHIC DOCUMENTATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
15	PINE ORCHARD TRAIL ON TRESTLE BRIDGE	NORTHWEST	0.62 MILE +/-	NON-VISIBLE

# PHOTOGRAPHIC DOCUMENTATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
16	PINE ORCHARD ROAD AT DRIVING RANGE	NORTHEAST	0.74 MILE +/-	NON-VISIBLE

# PHOTOGRAPHIC DOCUMENTATION



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VIEW	LOCATION	ORIENTATION	DISTANCE TO SITE	VISIBILITY
17	INDIAN POINT ROAD - STONY CREEK AREA	NORTHWEST	1.04 MILES +/-	NON-VISIBLE



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# Attachment B

## Viewshed Map

**Viewshed Analysis**  
**Proposed T-Mobile Wireless**  
**Telecommunications Facility**  
**CTNH802B**  
**Pleasant Point Road**  
**Branford, Connecticut**

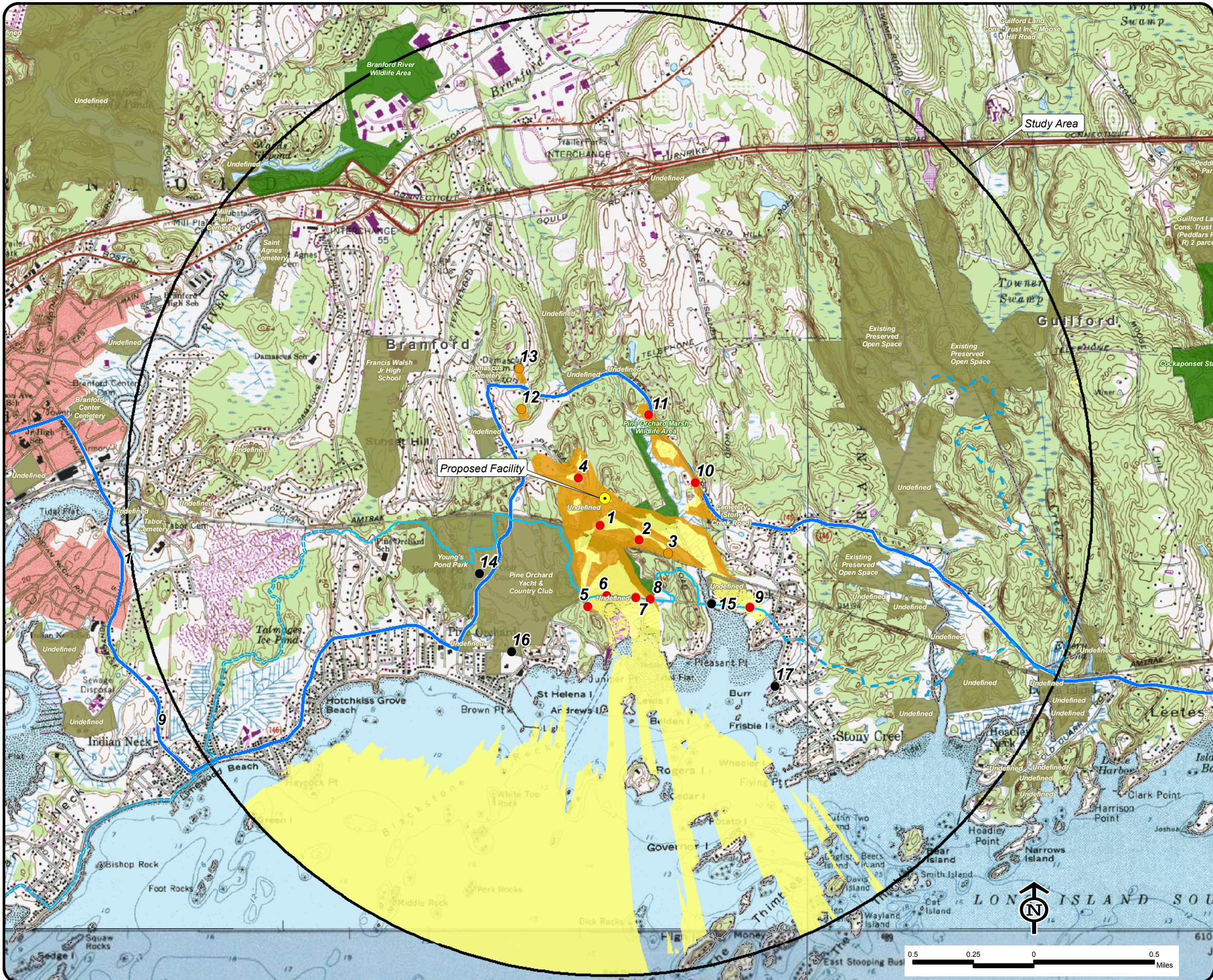
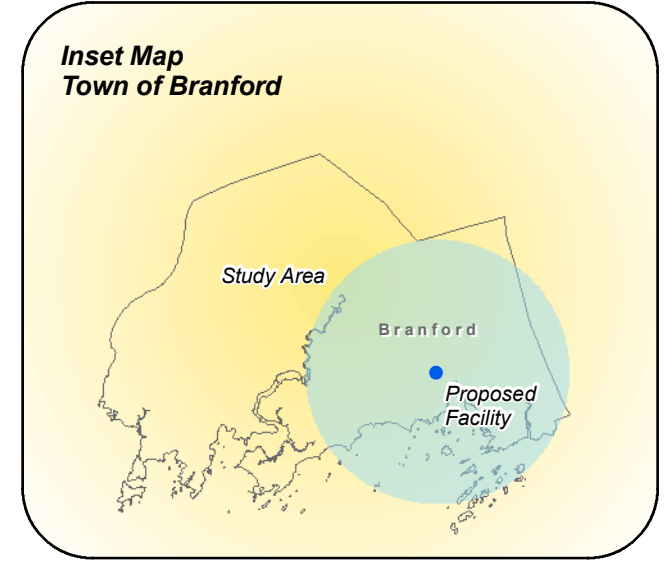
**NOTE:**  
 - Viewshed analysis conducted using ESRI's Spatial Analyst.  
 - Proposed Facility height is 160 feet.  
 - Existing tree canopy height estimated at 60 feet.  
 - Study Area is comprised of a two-mile radius surrounding the proposed facility and includes 8,042 acres of land.

**DATA SOURCES:**  
 - Digital elevation model (DEM) derived from Connecticut LiDAR-based Digital Elevation Data (collected in 2000) with a 10-foot spatial resolution produced by the University of Connecticut and the Center for Land Use Education and Research (CLEAR); 2007  
 - Forest areas derived from 2006 digital orthophotos with 1-foot pixel resolution; digitized by VHB, 2009  
 - Base map comprised of Branford (1984) and Guilford (1984) USGS Quadrangle Maps  
 - 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 CTDEP, May 2007  
 - CT DEP boat launches data layer provided by CT DEP, 1994  
 - Scenic Roads layer derived from available State and Local listings.  
 - Branford Walking Trails provided by the Town of Branford GIS Dept.

Map Compiled April, 2010

**Legend**

- |  |  |  |                                     |
|--|--|--|-------------------------------------|
|  | Tower Location   |  | CT DEP Protected Properties (2007)  |
|  | Photographs - April 6, 2010                                  |  | State Forest                        |
|  | Balloon is not visible                                       |  | State Park                          |
|  | Balloon is visible through trees                             |  | DEP Owned Waterbody                 |
|  | Balloon visible above trees                                  |  | State Park Scenic Reserve           |
|  | Seasonal Visibility (Approximately 108 acres)                |  | Historic Preserve                   |
|  | Year-Round Visibility (Approximately 1,061 acres)            |  | Natural Area Preserve               |
|  | Protected Municipal and Private Open Space Properties (1997) |  | Fish Hatchery                       |
|  | Cemetery   |  | Flood Control                       |
|  | Preservation   |  | Other                               |
|  | Conservation   |  | State Park Trail                    |
|  | Existing Preserved Open Space                                |  | Water Access                        |
|  | Recreation   |  | Wildlife Area                       |
|  | General Recreation   |  | Wildlife Sanctuary                  |
|  | School   |  | Federal Protected Properties (1997) |
|  | Uncategorized  |  | CT DEP Boat Launches (1994)         |
|  |  |  | Scenic Road (State and Local)       |
|  |  |  | Town Line                           |
|  |  |  | Indian Neck Trail                   |
|  |  |  | Pine Orchard Trail                  |
|  |  |  | Stony Creek Trail                   |



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# **EXHIBIT O**



Vanasse Hangen Brustlin, Inc.

54 Tuttle Place  
Middletown, Connecticut 06457  
860 632-1500  
FAX 860 632-7879

**Memorandum**

To: Mr. Scott Chasse  
All-Points Technology Corp., P.C.  
3 Saddlebrook Drive  
Killingworth, CT 06419

Date: December 16, 2009

Project No.: 40505.12

From: Dean Gustafson  
Senior Environmental Scientist

Re: Coastal Consistency Analysis  
T-Mobile Amtrak Branford 2  
Site No. CTNH802B  
Pleasant Point Road  
Branford, Connecticut

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Vanasse Hangen Brustlin, Inc. (VHB) provides the following assessment to demonstrate that the proposed T-Mobile Amtrak Branford 2 project meets the requirements of the Connecticut Coastal Management Act (CGS Section 22a-90 through 22a-112) and is adequately protective of the interests of these regulations and the State's coastal resources.

The property consists of a primarily wooded undeveloped property located along a Tilcon railroad track and spurs and north of Pleasant Point Road in Branford, Connecticut. The 92.3± acre parcel is bisected by the active Tilcon railroad tracks with the proposed T-Mobile facility located east of the tracks and north of an abandoned rail bed. Based on a review of plans prepared by All-Points Technology Corporation, P.C. (latest revised date 12/14/09) VHB understands that T-Mobile proposes to construct a wireless communications facility ("Facility") along the southern property boundary just north of the abandoned rail bed. VHB also understands that the proposed gravel access drive for the Facility will be located along the abandoned rail bed to provide access from Pleasant Point Road.

The proposed Facility location is within the coastal boundary; refer to the enclosed Coastal Boundary and Tidal Wetlands Map. Although inland wetlands are located in close proximity to the proposed project, no federal or state-regulated coastal resources (e.g., tidal wetlands) are located on the subject property. The nearest coastal resources consisting of tidal wetlands and an estuary area associated with a tributary to Stony Creek are located approximately 290 feet south of the proposed Facility. The enclosed Coastal Boundary and Tidal Wetlands Map depicts 1990 state tidal wetlands data with respect to the proposed Facility location.

Due to the distance separating nearby coastal resources from the proposed Facility, no likely adverse impact to coastal resources will result from the proposed T-Mobile Amtrak Branford 2 project. The project's consistency with the State's coastal policies and goals are detailed below.

## Coastal Consistency Review

The proposed T-Mobile Amtrak Branford 2 project will not result in adverse impacts to coastal resources as defined in the Connecticut Coastal Management Act (CCMA). The CCMA identifies eight potential adverse impacts to coastal resources. This section provides a definition of each potential adverse impact for each resource area and why the proposed project will not adversely affect each resource.

- 1) *Degrading **water quality** of coastal waters by introducing significant amounts of suspended solids, nutrients, toxics, heavy metals or pathogens, or through the significant alteration of temperature, pH, dissolved oxygen or salinity.*

The proposed project will not affect water quality within tidally influenced Stony Creek, its tributary or associated tidal wetlands. Since the proposed wireless telecommunications compound creates minimal impervious surface and is underlain by a gravel surface, no significant stormwater runoff will be generated by the proposed project. In addition, erosion and sedimentation controls will be installed and maintained during construction in accordance with the CTDEP 2002 *Connecticut Guidelines For Soil Erosion and Sediment Control* to avoid discharge to inland resources that flow into nearby coastal resources.

- 2) *Degrading **existing circulation patterns of coastal waters** by impacting tidal exchange or flushing rates, freshwater input, or existing basin characteristics and channel contours.*

The proposed project is located outside of tidally influenced coastal water areas and as such will not impact current drainage or circulation patterns to tidally influenced areas.

- 3) *Degrading **natural erosion patterns** by significantly altering littoral transport of sediments in terms of deposition or source reduction.*

The proposed project would not affect littoral transport of sediments since the Facility location is not on a shoreline.

- 4) *Degrading **natural or existing drainage patterns** by significantly altering groundwater flow and recharge and volume of runoff.*

Existing drainage patterns, groundwater flow and recharge and stormwater runoff will not be significantly altered by the proposed Facility due to its small size (2,500 square foot compound) and limited impervious surfaces.

- 5) *Increasing the hazard of **coastal flooding** by significantly altering shoreline configurations or bathymetry, particularly within high velocity flood zones.*

The proposed project will not significantly alter shoreline configurations or bathymetry. Based on the Town of Branford Flood Insurance Rate Map Number 090073 0010C, dated April 18, 1983, the proposed project is located outside of the 100-year flood hazard zone.

- 6) *Degrading **visual quality** by significantly altering the natural features of vistas and viewpoints.*

Although the proposed 160 foot monopole will be visible from select areas along Stony Creek, The Thimbles Islands and from open water in Long Island Sound, the proposed facility will not significantly obstruct views of coastal resources from scenic overlooks or publically accessible areas. Refer to VHB's Preliminary Viewshed Analysis map, dated December 2009, provided under separate cover.

- 7) *Degrading or destroying essential wildlife, finfish or shellfish habitat by significantly altering the composition, migration patterns, distribution, breeding or other population characteristics of the natural species or significantly altering the natural components of the habitat.*

The proposed facility will not degrade or destroy essential coastal wildlife, finfish or shellfish habitat. The proposed facility is located in an upland forest with the nearest coastal resource 290± feet to the south.

- 8) *Degrading tidal wetlands, beaches and dunes, rocky shorefronts, and bluffs and escarpments by significantly altering their natural characteristics or function.*

The proposed project will not alter the natural characteristics of any coastal resource area. The proposed facility is located in an upland forest with the nearest coastal resource 290± feet to the south.

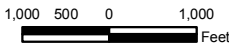
Enclosure



Base Map Source: USGS 7.5 Minute Topographic Quadrangle Maps, Branford (1984) and Guilford (1984)

**Legend**

- Proposed Facility Location
- Tidal Wetlands (1990s)
- Coastal Boundary



**Vanasse Hangen Brustlin, Inc.**

**Coastal Boundary and Tidal Wetlands Map  
 Proposed T-Mobile Wireless  
 Telecommunications Facility  
 CTNH802B  
 Pleasant Point Road  
 Branford, Connecticut**



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# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

New England Field Office  
70 Commercial Street, Suite 300  
Concord, NH 03301-5087  
<http://www.fws.gov/newengland>

January 4, 2010

To Whom It May Concern:

The U.S. Fish and Wildlife Service's (Service) New England Field Office has determined that individual project review for certain types of activities associated with communication towers is **not required**. These comments are submitted in accordance with provisions of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

Due to the rapid expansion of the telecommunication industry, we are receiving a growing number of requests for review of **existing** and **new** telecommunication facilities in relation to the presence of federally-listed or proposed, threatened or endangered species, critical habitat, wilderness areas and/or wildlife preserves. We have evaluated our review process for proposed communications towers and believe that individual correspondence with this office is not required for the following types of actions relative to **existing** facilities:

1. the re-licensing of existing telecommunication facilities;
2. audits of existing facilities associated with acquisition;
3. routine maintenance of existing tower sites, such as painting, antenna or panel replacement, upgrading of existing equipment, etc.;
4. co-location of new antenna facilities on/in existing structures;
5. repair or replacement of existing towers and/or equipment, provided such activities do not significantly increase the existing tower mass and height, or require the addition of guy wires.

In order to curtail the need to contact this office in the future for individual environmental review for **existing** communication towers or antenna facilities, please note that we are not aware of any federally-listed, threatened or endangered species that are being adversely affected by any existing communication tower or antenna facility in the following states: Vermont, New Hampshire, Rhode Island, Connecticut and Massachusetts. Furthermore, we are not aware of any **existing** telecommunication towers in federally-designated critical habitats, wilderness areas or wildlife preserves. Therefore, no further consultation with this office relative to the impact of the above referenced activities on federally-listed species is required.

January 4, 2010

Future Coordination with this Office Relative to New Telecommunication Facilities

We have determined that proposed projects are not likely to adversely affect any federally-listed or proposed species when the following steps are taken to evaluate new telecommunication facilities:

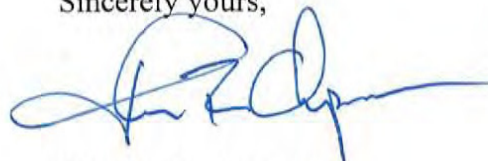
1. If the facility will be installed within or on an existing structure, such as in a church steeple or on the roof of an existing building, no further coordination with this office is necessary. Similarly, new antennas or towers in urban and other developed areas, in which no natural vegetation will be affected, do not require further review.
2. If the above criteria cannot be met, your review of our lists of threatened and endangered species locations within Vermont, New Hampshire, Rhode Island, Connecticut and Massachusetts may confirm that no federally-listed endangered or threatened species are known to occur in the town or county where the project is proposed.
3. If a listed species is present in the town or county where the project is proposed, further review of our lists of threatened and endangered species may allow you to conclude that suitable habitat for the species will not be affected. Based on past experiences, we anticipate that there will be few, if any, projects that are likely to impact piping plovers, roseate terns, bog turtles, Jesup's milk-vetch or other such species that are found on coastal beaches, riverine habitats or in wetlands because communication towers typically are not located in these habitats.

For projects that meet the above criteria, there is no need to contact this office for further project review. A copy of this letter should be retained in your file as the Service's determination that no listed species are present, or that listed species in the general area will not be affected. Due to the high workload associated with responding to many individual requests for threatened and endangered species information, we will no longer be providing response letters for activities that meet the above criteria. This correspondence and the species lists remain valid until January 1, 2011. Updated consultation letters and species lists are available on our website:

(<http://www.fws.gov/newengland/EndangeredSpec-Consultation.htm>)

Thank you for your cooperation, and please contact Mr. Anthony Tur at 603-223-2541 for further assistance.

Sincerely yours,



Thomas R. Chapman  
Supervisor  
New England Field Office

**FEDERALLY LISTED ENDANGERED AND THREATENED SPECIES  
IN CONNECTICUT**

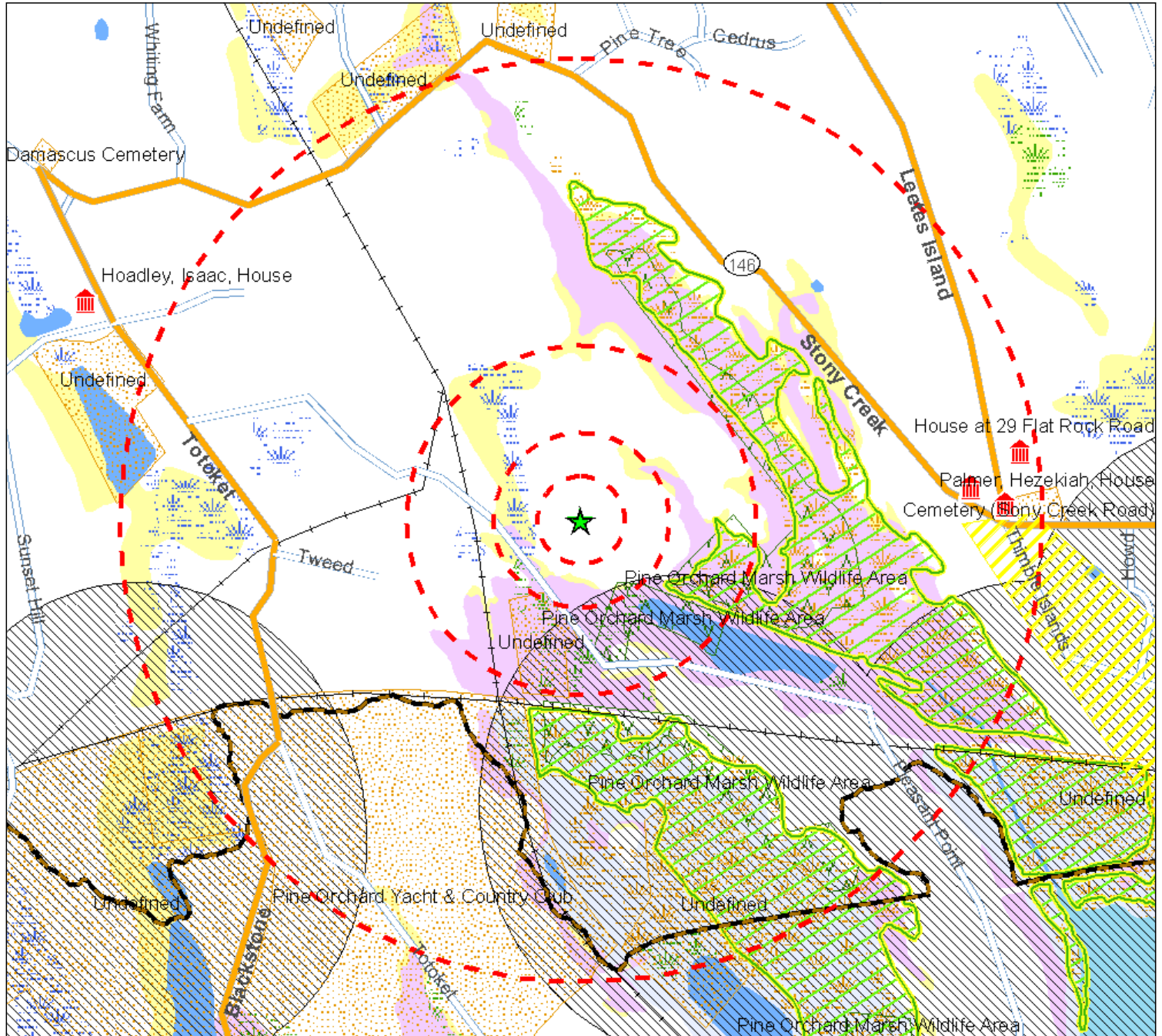
COUNTY	SPECIES	FEDERAL STATUS	GENERAL LOCATION/HABITAT	TOWNS
Fairfield	Piping Plover	Threatened	Coastal Beaches	Westport, Bridgeport and Stratford
	Roseate Tern	Endangered	Coastal beaches, Islands and the Atlantic Ocean	Westport and Stratford
	Bog Turtle	Threatened	Wetlands	Ridgefield and Danbury.
Hartford	Dwarf wedgemussel	Endangered	Farmington and Podunk Rivers	South Windsor, East Granby, Simsbury, Avon and Bloomfield.
Litchfield	Small whorled Pogonia	Threatened	Forests with somewhat poorly drained soils and/or a seasonally high water table	Sharon.
	Bog Turtle	Threatened	Wetlands	Sharon and Salisbury.
Middlesex	Roseate Tern	Endangered	Coastal beaches, islands and the Atlantic Ocean	Westbrook and New London.
	Piping Plover	Threatened	Coastal Beaches	Clinton, Westbrook, Old Saybrook.
New Haven	Bog Turtle	Threatened	Wetlands	Southbury
	Piping Plover	Threatened	Coastal Beaches	Milford, Madison and West Haven
	Roseate Tern	Endangered	Coastal beaches, Islands and the Atlantic Ocean	Branford, Guilford and Madison
New London	Piping Plover	Threatened	Coastal Beaches	Old Lyme, Waterford, Groton and Stonington.
	Roseate Tern	Endangered	Coastal beaches, Islands and the Atlantic Ocean	East Lyme and Waterford.
	Small whorled Pogonia	Threatened	Forests with somewhat poorly drained soils and/or a seasonally high water table	Waterford
Tolland	None			

-Eastern cougar, gray wolf, seabeach amaranth and American burying beetle are considered extirpated in Connecticut.

-There is no federally-designated Critical Habitat in Connecticut.

7/31/2008

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Legend

- ★ Project Site
- ▭ Site Buffer at 250', 500', 1000' and 1/2 mile

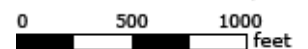
See associated legend for additional map symbology

Source: See associated map legend








Land and Historic Resources Map

CTNH802B/Amtrak Branford 2  
Pleasant Point Road  
Branford, CT 06405

PN: 61096154











# National Datalayers Legend\*







-  National Register Historic Site
-  National Register Historic District  
Source: NPS National Register of Historic Places, updated July 2008
-  National Park Service Trail  
Source: U.S. National Parks Service. Various dates. NR/GIS WebSite, U.S. Dept. of the Interior, NPS, Wash., D.C. <http://science.nature.nps.gov/nrdata/index.cfm>.
-  National Scenic Parkway
-  National Wild and Scenic River
-  Federally Owned Land  
Source: National Atlas of the U.S., Reston, VA, 12/05, Federal Land Features of the U.S.  
-Parkways and Scenic Rivers  
-Federal Lands of the United States
-  FWS Critical Habitat  
Source: U.S. Fish and Wildlife Service. Various dates. FWS Critical Habitat for Threatened & Endangered Species website. U.S. Dept. of the Interior, FWS, Wash, D.C. <http://crithab.fws.gov/>.

\*Includes data obtained from federal agencies developed to be consistent throughout the US.

## National Wetlands Inventory









-  Stream or Creek
-  Freshwater Forested/Shrub Wetland
-  Freshwater Emergent Wetland
-  Estuarine & Marine Wetland
-  Unconsolidated Shore
-  Freshwater Lake, Pond, or River
-  Estuarine & Marine Deepwater
-  Open Water  
Source: U.S. Fish and Wildlife Service. Various dates. National Wetlands Inventory website. U.S. Dept. of the Interior, FWS, Wash, D.C. <http://www.fws.gov/nwi/>.

## FEMA Q3 Flood Zone

-  500-year inundation area.
-  100-year inundation area.
-  100-year inundation area with velocity hazard.
-  Area not included on any FIRM publication.
-  Undetermined but possible flood hazard area.
-  Floodway area, including watercourse extent.

 No Flood Data  No Flood Data Available  
Source: FEMA

## Connecticut - State Specific Datalayers Legend

-  CT - Natural Diversity Database Area  
Source: CT DEP  
Data Date: December 2009  
<http://www.ct.gov/dep/gis>
-  CT - DEP Property  
Source: CT DEP  
Data Date: October 2009  
<http://www.ct.gov/dep/gis>
-  CT - DEP Municipal and Open Space  
Source: CT DEP Office of Information Management  
Data Date: 1997  
<http://www.ct.gov/dep/gis>
-  CT - DEP Critical Habitat  
Source: CT DEP  
Data Date: December 2009  
<http://www.ct.gov/dep/gis>
-  CT - Aquifer Protection Area
-  Final  
Source: CT DEP  
Data Date: March 2010  
<http://www.ct.gov/dep/gis>
-  Preliminary
-  CT - DEP Trails  
Source: CT DEP  
Data Date: January 2010  
<http://www.ct.gov/dep/gis>

# Land Based and Historic Resources Legend

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April 2, 2010

Mr. David Poirier, Staff Archaeologist  
Connecticut Commission on Culture and Tourism  
One Connecticut Plaza; Second Floor  
Hartford, CT 06103

**Subject: Submission Packet, FCC Form 620, for proposed New Tower Project**  
Pleasant Point Road, Branford, CT 06405  
CTNH802B / Amtrak Branford 2  
EBI Project Number: 61096154

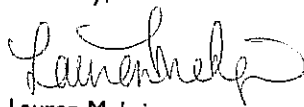
Dear Mr. Poirier:

In accordance with the Federal Communication Commission (FCC) National Environmental Policy Act (NEPA) rules and Section 106 of the National Historic Preservation Act (NHPA), the above-referenced telecommunications project is being evaluated by EBI for its potential effects to districts, sites, buildings, structures, or objects significant in American history, architecture, archeology, engineering, or culture that are listed, or potentially eligible for listing in the National Register of Historic Places (NRHP). Based on EBI's review of the characteristics and location of the proposed project, the project does not meet the exclusions stated in the "Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission," dated September 2004 ("Nationwide Agreement"); therefore, the project is required to undergo Section 106 review with the State Historic Preservation Office.

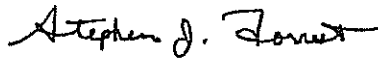
In accordance with the Nationwide Agreement, please find the attached Submission Packet, FCC Form 620, which presents the details on the proposed project as well as efforts that have been taken to identify, assess, and make determinations of effect on the impacts of the proposed project on Historic Properties.

We would appreciate your review of the data for the proposed project presented above and shown on the attached form and attachments. On behalf of T-Mobile Northeast LLC, a Delaware limited liability company, as successor-in-interest to Omnipoint Communications, Inc., a Delaware corporation (hereinafter, T-Mobile), I would appreciate your comments on this proposed telecommunications installation in a letter directed to the address noted above. Please do not hesitate to contact us if you have any questions or concerns on the proposed project or the information contained in this Submission Packet.

Sincerely,



Lauren Mehringer  
Staff Scientist



Stephen Forrest  
Historian

**NO EFFECT**

 DEPUTY SHPO

STATE HISTORIC PRESERVATION OFFICE

Date ~~5-10~~ 5-4-10 Project \_\_\_\_\_



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June 15, 2010

Susan R. Chandler, Historical Architect  
State Historic Preservation Office  
Connecticut Commission on Culture & Tourism  
One Constitution Plaza, Second Floor  
Hartford, CT 06103

**Subject: Addendum to FCC Form 620  
Amtrak Branford 2/CTNH802B  
Pleasant Point Road, Branford, New Haven County, Connecticut  
EBI Project #61096154**

**NO EFFECT**

*Sarah Belcher*  
DEPUTY SHPO

STATE HISTORIC PRESERVATION OFFICE

Date 6-17-10 Project 06405

Dear Ms. Chandler:

EBI Consulting (EBI) is preparing an environmental review on behalf of T-Mobile Northeast LLC, a Delaware limited liability company, as successor-in-interest to Omnipoint Communications, Inc., a Delaware corporation (hereinafter T-Mobile) for the property noted above as part of its regulatory review by the Federal Communications Commission (FCC). The review is focused on the National Environmental Policy Act (NEPA) compliance and includes an evaluation of whether historic properties or archaeological sites may be affected by the proposed telecommunications facilities at the address noted above under Section 106 of the National Historic Preservation Act (NHPA).

On April 2, 2010, EBI submitted a request for comments to your office regarding our "No Effect" determination for the above-referenced telecommunications installation project. On May 10, 2010, EBI received your office's comments of "No Effect."

On May 24, 2010, EBI received revised project drawings. The previous project design called for a 150-foot monopole, with antennas at 146.75 feet, within a 50-foot by 50-foot fenced equipment compound located within a 100-foot by 100-foot lease area.

The revised design calls for a 160-foot monopole, with antennas at 157.75 feet, within a 50-foot by 50-foot fenced equipment compound located within a 60-foot by 80-foot lease area. Changes to the project design have been taken into consideration and EBI's determination remains "No Effect" on historic properties.

An amended public notice will be posted within the *Branford Sound* on Thursday June 17, 2010. Any responses received by EBI or T-Mobile from this public notice will be forwarded to your office.

On behalf of T-Mobile, I would appreciate your comments on this proposed telecommunications installation in a letter to my attention at the address noted above.

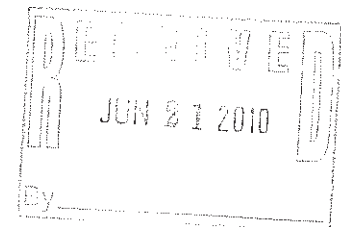
Sincerely,

*Alexis Godat*

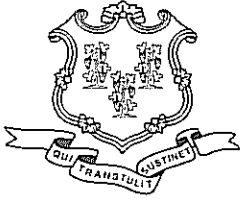
Ms. Alexis Godat  
Architectural Historian  
agodat@ebiconsulting.com

Attachments: Previous CT SHPO Response, Revised Drawings, and Legal Notice

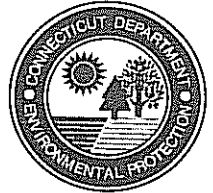
Cc: Town of Branford Planning and Zoning Department  
Branford Historical Society



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STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Inland Fisheries Division-Natural History Survey  
Natural Diversity Data Base  
79 Elm Street, 6<sup>th</sup> floor  
Hartford, CT 06106-5127

August 18, 2010

Ms. Lauren Mehringer  
EBI Consultants  
21 B Street  
Burlington, CT 01803

Subject: T-Mobile, Amtrack Branford 2, Cell Tower on Pleasant Point Road, Branford, CT  
State/Federal Listed Species

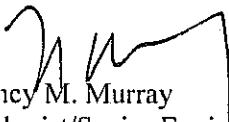
Dear Ms. Mehringer:

I have reviewed Natural Diversity Data Base maps and files regarding the area delineated on the map you provided and listed above. According to our information, there are no known extant populations of Federal or State Endangered, Threatened or Special Concern Species that occur 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 Geological and Natural History Survey and cooperating units of the 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 substituted 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.

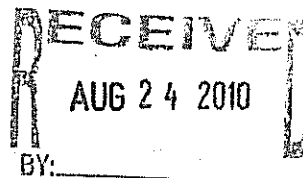
Please contact me if you have further questions ([nancy.murray@ct.gov](mailto:nancy.murray@ct.gov); 860-424-3589). Thank you for consulting the Natural Diversity Data Base and continuing to work with us to protect State listed species.

Sincerely,

  
Nancy M. Murray  
Biologist/Senior Environmental Analyst  
NDDDB Program Coordinator

cc: NDDDB File # 17951

NM:hw



# **EXHIBIT P**

## Technical Memo

To: Ray Vergati  
From: Scott Heffernan - Radio Frequency Engineer  
cc: Jason Overbey  
Subject: Power Density Report for CTNH802B  
Date: December 18, 2009

### 1. Introduction:

This report is the result of an Electromagnetic Field Intensities (EMF - Power Densities) study for the T-Mobile PCS/UMTS antenna installation on a Monopole at Pleasant Point Road, Branford, 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),(1980 to 1985),(2140-2145) & (2110-2120) MHz frequency Bands.
- 2) The antenna array consists of three sectors, with 3 antennas per sector.
- 3) The model number for GSM antenna is APX16DWV-16DWV.
- 3) The model number for UMTS antenna is APX16DWV-16DWV.
- 4) GSM antenna center line height is 157.75 ft.
- 4) UMTS antenna center line height is 157.75 ft.
- 5) The maximum transmit power from any GSM sector is 1661.04 Watts Effective Radiated Power (EiRP) assuming 6 channels per sector.
- 5) The maximum transmit power from any UMTS sector is 2209.48 Watts Effective Radiated Power (EiRP) assuming 2 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 Pleasant Point Road, Branford, CT, is 0.03688 mW/cm<sup>2</sup>. This value represents 3.688% of the Maximum Permissible Exposure (MPE) standard of 1 milliwatt per square centimeter (mW/cm<sup>2</sup>) 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.

**Worst Case Assumptions:** is defined as assuming that the main lobe of the transmitting antenna is always focused at the sample point of interest. This assumes that the maximum gain is realized at this point and will yield the highest possible MPE% value possible for that given point / distance. In reality, due to the highly focused nature of the proposed antennas, most of the available energy transmitting from the proposed facility will be directed toward the horizon to best enhance the desired coverage footprint area. The net result is that a very small percentage of the available energy is directed toward the ground area in close proximity to the facility. Values seen in the immediate area of the facility will be on the order of 10 to 20 dB lower in actual value than the worst case assumption since the gain of the antenna pattern is dramatically reduced at these angles. A 10 to 20 dB reduction in power output potential equates to a value that is between 10 and 100 times lower than expected calculated values.

# Connecticut Market



## Worst Case Power Density

**Site:** CTNH802B  
**Site Address:** Pleasant Point Road  
**Town:** Branford  
**Tower Height:** 160 ft.  
**Facility Style:** Monopole

GSM Data		UMTS Data	
Base Station TX output	20 W	Base Station TX output	40 W
Number of channels	6	Number of channels	2
Antenna Model	APX16DWV-16DWV	Antenna Model	APX16DWV-16DWV
Cable Size	1 5/8 in.	Cable Size	1 5/8 in.
Cable Length	180 ft.	Cable Length	180 ft.
Antenna Height	157.8 ft.	Antenna Height	157.8 ft.
Ground Reflection	1.6	Ground Reflection	1.6
Frequency	1945.0 MHz	Frequency	2.1 GHz
Jumper & Connector loss	4.50 dB	Jumper & Connector loss	1.50 dB
Antenna Gain	18.0 dBi	Antenna Gain	18.0 dBi
Cable Loss per foot	0.0116 dB	Cable Loss per foot	0.0116 dB
Total Cable Loss	2.0880 dB	Total Cable Loss	2.0880 dB
Total Attenuation	6.5880 dB	Total Attenuation	3.5880 dB
Total EIRP per Channel (In Watts)	54.42 dBm 276.84 W	Total EIRP per Channel (In Watts)	60.43 dBm 1104.74 W
Total EIRP per Sector (In Watts)	62.20 dBm 1661.04 W	Total EIRP per Sector (In Watts)	63.44 dBm 2209.48 W
nsg	11.4120	nsg	14.4120
Power Density (S) = 0.015825 mW/cm <sup>2</sup>		Power Density (S) = 0.021050 mW/cm <sup>2</sup>	
T-Mobile Worst Case % MPE = 3.6875%			

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

# EXHIBIT Q



December 23, 2009

Ms. Jamie Ford  
Project Coordinator  
HPC Development, LLC  
53 Lake Ave Ext.  
Danbury, CT 06811

Subject: National Environmental Policy Act (NEPA) - Letter of Low Potential Impact  
CTNH802B / Amtrak Branford 2  
Pleasant Point Road, Branford, CT  
EBI Project # 61091626

Dear Ms. Ford:

Attached please find our *National Environmental Policy Act (NEPA)* Letter of Low Potential Impact for the proposed telecommunications installation at the address noted above (the Subject Property). The purpose of this *letter* is to evaluate the above-referenced property for potential environmental and historical concerns specified by the Federal Communications Commission (FCC) in 47 CFR 1.1307.

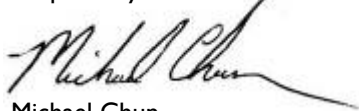
As of the date of this *Report* Omnipoint Communications, Inc., a subsidiary of T-Mobile USA, Inc., d.b.a. T-Mobile, proposes to construct a 160-foot monopole at the Project Site, within a 50-foot by 50-foot (15.2m by 15.2m) fenced compound located within a 60-foot by 80-foot lease area. The Project Site will be accessed by a proposed 12-foot wide gravel access drive and a 25-foot wide utility easement. A proposed utility pole will connect proposed overhead electrical and telecommunications from existing sources.

Based upon the results of our preliminary NEPA screening, it appears that the proposed installation will not impact any of the criteria as outlined in 1.1307(a) items (1) through (8) and preparation of an Environmental Assessment (EA) is not required; however, our Section 106 and Native American Indian consultation required under Section 1.1307(a) (4) & (5) of the FCC Rules is incomplete. Identified historic properties within the area of potential effects are at least 2,375-feet from the project site in a heavily wooded area. Our determination will be that the proposed undertaking will not have an adverse effect on aboveground historic resources and is not sensitive for the presence of significant prehistoric or historic archaeological resources.

Based on our preliminary review and archaeological assessment, there is a low potential that the proposed undertaking will impact listed historic resources and Native American religious sites.

Thank you for the opportunity to prepare this *Report*, and assist you with this project. Please call us if you have any questions or if we may be of further assistance.

Respectfully Submitted,



Michael Chun  
Program Director  
Direct# (646) 789-9206

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# National Environmental Policy Act (NEPA) Screening Report

Prepared for:

T-Mobile USA  
% HPC Development, LLC  
5827 Shamrock Court  
Hamburg, NY 14075



## **CTNH802B / AMTRAK BRANFORD 2**

**Pleasant Point Road  
Branford, CT, 06405**

EBI Project No. 61096154

Site Report Date: September 2, 2010

September 2, 2010

Mr. Hans Fielder  
T-Mobile USA  
% Ms. Amy English  
HPC Development, LLC  
5827 Shamrock Court  
Hamburg, NY 14075

**Subject: National Environmental Policy Act (NEPA) Screening Report  
CTNH802B / Amtrak Branford 2  
Pleasant Point Road, Branford, CT  
EBI Project #61096154**

Dear Mr. Fielder:

Attached please find our *National Environmental Policy Act (NEPA) Screening Report*, (the *Report*) for the proposed telecommunications installation at the address noted above (the Subject Property). The purpose of this *Report* is to evaluate the above-referenced property for environmental and historical concerns specified by the Federal Communications Commission (FCC) in 47 CFR 1.1307, and general industry standards.

The Subject Property, known as Pleasant Point Road, consists of an approximately 92.3-acre lot that is predominantly occupied by woodlands and several existing railroad tracks. The railroad tracks are located on the western portion of the Subject Property. Surrounding properties consist primarily of undeveloped woods.

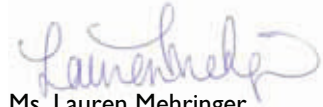
As of the date of this *Report*, T-Mobile Northeast LLC (hereinafter, T-Mobile) proposes to construct a 160-foot monopole at the Project Site. Nine antennas are proposed to be mounted at a centerline height of 157.75 feet above ground level (AGL) on the proposed monopole. The monopole and associated equipment will be located within a 50-foot by 50-foot fenced compound located within a 60-foot by 80-foot lease area. The Project Site will be accessed by a proposed 12-foot wide gravel access drive easement. A proposed culvert will also be installed along the access road for the management of on-site water due to the presence of wetlands. Utilities will follow a proposed easement running roughly along, and zigzagging across the proposed access road. The utilities will run from a proposed utility pole adjacent to the proposed tower compound, overhead via proposed additional utility poles and will connect an existing electrical and telco demarc. Underground electrical and telecommunications service will then run from the proposed adjacent utility pole, to a proposed CSC cabinet, transformer, and meter board, and then connect to the proposed equipment area.

Please find the attached National Environmental Policy Act (NEPA) Checklist, NEPA Summary Report, and associated documentation for the above-referenced site. Based upon the results of our assessment, it appears that the proposed installation will not adversely impact any of the criteria as outlined in 1.1307(a) items (1) through (5), and item (8). Regarding item (6), **based on information reviewed by EBI, a portion of the Project Site (i.e. proposed access road) is located within a 100-year floodplain.** Additionally, regarding item (7), **based on the information reviewed by EBI, a portion of the Project Site (i.e. proposed access road) is located within a wetland. Therefore, EBI recommends that an Environmental Assessment (EA) be prepared and submitted to the FCC.**

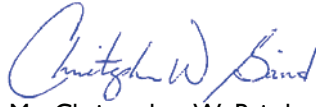
The *Report* was completed according to the terms and conditions authorized by you. There are no intended or unintended third party beneficiaries to this *Report*, unless specifically named. EBI is an independent contractor, not an employee of either the property owner or the project proponent, and its compensation was not based on the findings or recommendations made in the *Report* or on the closing of any business transaction. Note that the findings of this *Report* are based on the project specifications provided to EBI and described in this *Report*. In the event that the design or location of the installation changes, please contact EBI as additional review and/or consultation may be required.

Thank you for the opportunity to prepare this *Report*, and assist you with this project. Please call us if you have any questions or if we may be of further assistance.

Respectfully Submitted,



Ms. Lauren Mehringer  
Author/Staff Scientist




Mr. Christopher W. Baird  
Reviewer/NEPA Technical Director  
Direct# (617) 715-1846



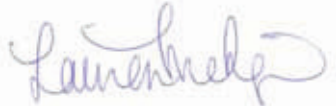
Ms. Ashley Bonavenia  
Program Manager

Appendix A – NEPA Checklist  
Appendix B – FCC NEPA Summary Report  
Appendix C – Figures, Drawings, and Maps  
Appendix D –SHPO Correspondence  
Appendix E – Tribal Correspondence  
Appendix F – Land Resources Map  
Appendix G – Federal and State Fish and Wildlife Service Correspondence  
Appendix H – Wetlands Map  
Appendix I – FEMA Floodplain Map

	Site type (choose one): <input checked="" type="checkbox"/> Raw land <input type="checkbox"/> Tower colo <input type="checkbox"/> Other colo <input type="checkbox"/> Tower Replacement	Site ID: CTNH802B / Amtrak Branford 2	Site Address: Pleasant Point Road, Branford, CT
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### NEPA Land Use Screening Checklist


FCC NEPA Category	Consulting Agency to Contact	Check appropriate boxes below			
		No Adverse Impact	Potential Adverse Impact	Exempt from Review	NPA Applies
Designated Wilderness Areas	National Park Service, US Forest Service, Bureau of Land Management (BLM)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Designated Wildlife Preserves	National Park Service, US Forest Service, BLM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Threatened or Endangered Species & Critical Habitats	US Fish & Wildlife Service - Field Office (USF&WS)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Historic Places	State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO)	<input checked="" type="checkbox"/> SHPO consultation completed	<input type="checkbox"/>	<input type="checkbox"/>	Collocation Agreement applies: <input type="checkbox"/> Nationwide Agreement Exclusion applies: <input type="checkbox"/>
Indian Religious Sites	American Indian Tribes, Bureau of Indian Affairs	<input checked="" type="checkbox"/> Tribal consultation completed	<input type="checkbox"/>	<input type="checkbox"/>	Collocation Agreement applies: <input type="checkbox"/> Nationwide Agreement Exclusion applies: <input type="checkbox"/>
Floodplain	Federal Emergency Management Agency (FEMA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Wetlands & Surface Waterways	USF&WS NWI Maps US Army Corps of Engineers (ACOE)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



Signature: \_\_\_\_\_ Company: EBI Consulting

Print name: Lauren Mehringer Date: September 2, 2010

**FCC NEPA Summary Report  
(47 CFR Subpart I, Chapter I, Sections I.1301-I.1319)**

	Site type (choose one): <input checked="" type="checkbox"/> Raw land <input type="checkbox"/> Tower colo <input type="checkbox"/> Other colo <input type="checkbox"/> Tower Replacement	Site ID: CTNH802B / Amtrak Branford 2	Site Address: Pleasant Point Road, Branford, CT

**1. Is the antenna structure located in an officially designated wilderness area?**

According to a review of the Land Resources Map (Appendix F) and the Department of Agriculture's list of wilderness areas (<http://www.wilderness.net/index.cfm?fuse=NWPS>), the Project Site is not located in an officially designated wilderness area. In addition, according to EBI's review of available on-line resources, the Project Site is not located in a National Park ([www.nps.gov/gis](http://www.nps.gov/gis)), NPS Interactive Map Center), a designated Scenic and Wild River (<http://www.rivers.gov/wildriverslist.html>), a land area managed by the Bureau of Land Management ([www.blm.gov/nhp/facts/index.htm](http://www.blm.gov/nhp/facts/index.htm)), or within 1 mile of a National Scenic Trail as identified by the National Park Service ([http://www.nps.gov/ncrc/programs/nts/nts\\_trails.html](http://www.nps.gov/ncrc/programs/nts/nts_trails.html)).

**2. Is the antenna structure located in an officially designated wildlife preserve?**

According to a review of the Land Resources Map (Appendix F), the Project Site is not located in an officially designated wildlife preserve. In addition, according to EBI's review of available on-line resources, the Project Site is not located in a US Fish and Wildlife Service National Wildlife Refuge (<http://www.fws.gov/refuges/refugeLocatorMaps/index.html>).

**3. Will the antenna structure likely affect threatened or endangered species or designated critical habitats? (Ref. 50 CFR Part 402)**

EBI reviewed the Connecticut Department of Environmental Protection Natural Diversity Data Base (NDDB) map (Appendix G), which represents approximate locations of endangered, threatened and special concern species and significant natural communities in Connecticut. The NDDB maps are intended to be a pre-screening tool to identify potential impacts to state-listed species. Shaded areas on the NDDB maps depict approximate locations of state and federal listed species and significant natural communities. If a project falls within a shaded area, the applicant must submit an Environmental Review Request Form, a map, and a project description to the NDDB for further review. Based on EBI's review, the Project Site is located within a shaded area on the NDDB map, and therefore further consultation is required. EBI submitted a request for review of the project to CT DEP and received a response dated August 18, 2010 which stated, "According to our information, there are no known extant populations of Federal or State Endangered, Threatened or Special Concern Species that occur at the site in question." Therefore, based on the CT DEP response (Appendix G) no further consultation is required at this time.

In addition, based on the information currently available to us, provided by the U.S. Fish and Wildlife Service (USFW) dated January 4, 2010 and a review of the listed endangered species for Connecticut, one federally-listed endangered or threatened species was identified in Branford, Connecticut. The following table compares the species habitat and the conditions at the Project Site:

Listing	Status	Species Habitat	Project Site	Determination of Effect
Roseate Tern	Federally Endangered	Coastal beaches, islands, and the Atlantic Ocean	Wooded area near an active railroad	No Effect – Project Site not located within close proximity to coastal beaches, islands, or Atlantic Ocean

Based on the characteristics of the Project Site and vicinity, it is EBI's opinion that the proposed project will not significantly affect listed and proposed threatened and endangered species (based on data reviewed, site reconnaissance, and comparison of habitat present with habitat necessary to support species). Therefore, further consultation with the USFWS is not warranted.

Additionally based upon the proposed design (monopole tower, without guy wires) and height (under 199 feet AGL) it is unlikely that the proposed telecommunications installation would adversely impact migratory bird species.

**4. Will the antenna structure affect districts, sites, buildings, structures, or objects significant in American history, architecture, archeology, engineering, or culture that are listed, or potentially eligible for listing in the National Register of Historic Places (NRHP)? (Ref. 36 CFR Part 800 regulations implementing Section 106 of the National Historic Preservation Act).**

EBI reviewed the proposed project plans against the Exclusions of the *Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process* (NPA). EBI concluded that the proposed tower construction does not meet any of the Exclusions listed in Section III of the NPA. Therefore, consultation with the Connecticut State Historic Preservation Officer (SHPO) was required.

Based on EBI's review of files online at the National Register Information System ([www.nr.nps.gov](http://www.nr.nps.gov)), Connecticut SHPO, and the map of Known Cultural Resources provided by Heritage Consultants, LLC, three Historic Properties were identified within the ½-mile Area of Potential Effect (APE) for visual effects of the proposed tower.

Additionally, EBI contracted Dr. David W. Perry, PhD of Archaeobotanical Research, to perform an evaluation of the proposed Project Site for the likelihood of containing archaeological resources. This report concludes "it is evident that the [Area of Potential Effect for Direct Effects] does not possess the potential to produce significant archaeological resources. All shovel test pits (STPs) were negative for cultural remains, and the depositional environment in the APE-DE was shown to be either significantly disturbed, or insufficiently deep to preserve cultural materials. For this reason, it is my professional opinion that no further work is necessary in conjunction with this project." (see Appendix D).

EBI submitted project plans, the results of the archaeological survey, and a request for comment on FCC Form 620 to the Connecticut SHPO on April 2, 2010. In correspondence dated May 4, 2010, the SHPO concurred with our determination, stating "NO EFFECT."

On May 24, 2010, EBI received revised project drawings from T-Mobile. EBI submitted an addendum letter and the revised project plans the Connecticut SHPO on June 15, 2010. In correspondence dated June 17, 2010, the SHPO concurred with our determination, stating "NO EFFECT." Please see Appendix D for copies of this correspondence.

In the unlikely event that unanticipated Historic Properties, cultural artifacts, archeological deposits, or human remains are inadvertently encountered during the proposed construction and associated excavation activities, *T-Mobile* must halt activities immediately and contact the appropriate local officials and state agencies, in accordance with Federal and State regulations (36 CFR 800.13(b)).

**5. Will the antenna structure affect Indian religious site(s)**

Based on the requirements of the *Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process* (NPA), Tribal consultation was required for this project because the proposed tower construction did not meet Exclusions A, B, C or F of the NPA.

EBI submitted documentation regarding the proposed project to the FCC's Tower Construction Notification System (TCNS). On October 16, 2009, the FCC's TCNS sent the project information to Tribes listed on their database who have interest in the state in which the project is planned. Those Tribes included the Mashantucket Pequot Tribe and the Narragansett Indian Tribe. Additionally, EBI submitted follow-up requests for comment to each of the Tribes indicated by the TCNS to have a potential interest in the area of the project. Neither Tribe raised any concerns about the proposed telecommunications facility.



Tribal communication for this project is summarized in the following table.

#	Tribe Name	Initial Notification (via TCNS)	Response to Initial Contact	Second Contact Attempt	Response to Second Attempt	Additional Contact Attempts	Response to Additional Attempts	Action Recommended
1	Mashantucket Pequot Tribe	October 16, 2009	October 14, 2009 - Request for Archaeological Report	May 3, 2010	May 6, 2010 – Agreed with Archaeological Report	N/A	N/A	No Further Action
2	Narragansett Indian Tribe	October 16, 2009	None	November 4, 2010 (Overnight Mail)	None	November 16, 2010 (Overnight Mail) December 3, 2010 (Overnight Mail)	January 22, 2010 – No Further Interest	No Further Action

Please note, in the unlikely event that unanticipated Historic Properties, cultural artifacts, archeological deposits, or human remains are inadvertently encountered during the proposed construction and associated excavation activities, *T-Mobile* must halt activities immediately and contact the appropriate tribal governments, local officials and state agencies, in accordance with Federal and State regulations (36 CFR 800.13(b)).

Correspondence between EBI and the Tribes that includes copies of the Tower Construction Notification System emails, follow-up correspondence, and Tribal responses are appended to this *Report* (Appendix E).

**6. Will the antenna structure be located in a floodplain? (Ref. Executive Order 11988 and 40 CFR Part 6, Appendix A)**

According to the FEMA Flood Insurance Rate Map data for Branford, CT (Community Map #090073, Panel #0006C) included on the Land Resources Map (Appendix F), the proposed tower compound location is not located within a 100-year floodplain; however the associated proposed access road crosses an area which has been identified as being a 100-year floodplain. A review of the Flood Insight Flood Zone determination (Appendix I) confirmed that the access road is within a floodplain. **As such, EBI recommends that an Environmental Assessment be completed and submitted to the FCC for review and comment.**

**7. Will construction of the antenna structure involve significant change in surface features (e.g. wetlands, deforestation, or water diversion)? (Ref. Executive Order 11990 and 40 CFR Part 6, Appendix A)**

It is EBI’s opinion that documented or potential wetlands are located at or within a 100-foot radius of the proposed tower based upon the following facts:

- According to the Fish and Wildlife Service National Wetlands Inventory (NWI) information, which is included on the Land Resources Map, the Project Site is located adjacent to a Freshwater Emergent Wetland (PEMIR) and Freshwater Forested/Shrub Wetland (PFCIE). According to the proposed project plans, including the proposed access road and culvert, will impact a portion of the mapped wetlands.
- According to the Natural Resources Conservation Service (NRCS) Web Soil Survey (WSS), the dominant soil types on the Project Site are Raynham silt loam (10C) and Cheshire-Holyoke complex, 3 to 15 percent slopes (77C). The first of these are poorly drained, deep silty loam deposits from glaciofluvial deposits derived from granite, schist, and gneiss, while the Cheshire-Holyoke complex consists of possibly shallower and rockier sediments sometimes containing boulders (Web Soil Survey 2009). These soils do meet the characteristics of hydric soils necessary to support wetland vegetation.

**Based on the identification of wetlands at the proposed Project Site, EBI recommends that an Environmental Assessment be completed and submitted to the FCC for review and comment.**

Additionally, the area proposed to be occupied by T-Mobile consists of forested land. However, the proposed construction plans do not call for the significant removal of mature trees; therefore, the proposed installation will not result in deforestation. According to the proposed construction plans and onsite observations, surface water body diversion will not occur.

**8. Is the antenna structure located in a residential neighborhood and required to be equipped with high intensity white lights?**

According to client representatives and site plans, the proposed installation will not include high intensity white lights and be located in a residential neighborhood.

**9a. Will the antenna structure equal or exceed total power (of all channels) of 2000 Watts ERP (3280 EIRP) and have antenna located less than 10 meters above the ground?**

**9b. Will the rooftop antenna project equal or exceed total power (of all channels) of 2000 Watts ERP (3280 EIRP)?**

An evaluation to determine whether radiofrequency (RF) emissions standards are met was not included as part of this *Report*. EBI understands that client representatives will evaluate the project to ensure compliance with applicable RF standards.

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## Tim OBrien

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**From:** towernotifyinfo@fcc.gov  
**Sent:** Friday, October 16, 2009 3:01 AM  
**To:** Lauren Mehringer  
**Cc:** kim.pristello@fcc.gov; diane.dupert@fcc.gov  
**Subject:** NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #2321583

Dear Sir or Madam:

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this electronic mail message is to inform you that the following authorized persons were sent the information you provided through TCNS, which relates to your proposed antenna structure. The information was forwarded by the FCC to authorized TCNS users by electronic mail and/or regular mail (letter).

Persons who have received the information that you provided include leaders or their designees of federally-recognized American Indian Tribes, including Alaska Native Villages (collectively "Tribes"), Native Hawaiian Organizations (NHOs), and State Historic Preservation Officers (SHPOs). For your convenience in identifying the referenced Tribes and in making further contacts, the City and State of the Seat of Government for each Tribe and NHO, as well as the designated contact person, is included in the listing below. We note that Tribes may have Section 106 cultural interests in ancestral homelands or other locations that are far removed from their current Seat of Government. Pursuant to the Commission's rules as set forth in the Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission (NPA), all Tribes and NHOs listed below must be afforded a reasonable opportunity to respond to this notification, consistent with the procedures set forth below, unless the proposed construction falls within an exclusion designated by the Tribe or NHO. (NPA, Section IV.F.4).

The information you provided was forwarded to the following Tribes and NHOs who have set their geographic preferences on TCNS. If the information you provided relates to a proposed antenna structure in the State of Alaska, the following list also includes Tribes located in the State of Alaska that have not specified their geographic preferences. For these Tribes and NHOs, if the Tribe or NHO does not respond within a reasonable time, you should make a reasonable effort at follow-up contact, unless the Tribe or NHO has agreed to different procedures (NPA, Section IV.F.5). In the event such a Tribe or NHO does not respond to a follow-up inquiry, or if a substantive or procedural disagreement arises between you and a Tribe or NHO, you must seek guidance from the Commission (NPA, Section IV.G). These procedures are further set forth in the FCC's Declaratory Ruling released on October 6, 2005 (FCC 05-176).

1. THPO Kathleen Knowles - Mashantucket Pequot Tribe - Mashantucket, CT - electronic mail  
Details: For every tower construction this Tribe requires a site location map, site plans for every project that will result in ground disturbance, and a detailed description of the proposed site. If the proposed tower construction is on an already existing building, the Tribe would like to be informed of that as well.

2. Cell Tower Coordinator Sequahna Mars - Narragansett Indian Tribe - Wyoming, RI - electronic mail and regular mail

The information you provided was also forwarded to the additional Tribes and NHOs listed below. These Tribes and NHOs have NOT set their geographic preferences on TCNS, and therefore they are currently receiving tower notifications for the entire United States. For these Tribes and NHOs, you are required to use reasonable and good faith efforts to determine if the Tribe or NHO may attach religious and cultural significance to historic properties that may be affected by its proposed undertaking. Such efforts may include, but are not limited to, seeking information from the relevant SHPO or THPO, Indian Tribes, state agencies, the U.S. Bureau of Indian Affairs, or, where applicable, any federal agency with land holdings within the state (NPA, Section IV.B). If after such reasonable and good faith efforts, you determine that a Tribe or NHO may attach religious and cultural significance to historic properties in the area and the Tribe or NHO does not respond to TCNS notification within a reasonable time, you should make a reasonable effort to follow up, and must seek guidance from the Commission in the event of continued non-response or in the event of a procedural or substantive disagreement. If you determine that the Tribe or NHO is unlikely to attach religious and cultural significance to historic properties within the area, you do not need to take further action unless the Tribe or NHO indicates an interest in the proposed construction or other evidence of potential interest comes to your attention.

None

The information you provided was also forwarded to the following SHPOs in the State in which you propose to construct and neighboring States. The information was provided to these SHPOs as a courtesy for their information and planning. You need make no effort at this time to follow up with any SHPO that does not respond to this notification. Prior to construction, you must provide the SHPO of the State in which you propose to construct (or the Tribal Historic Preservation Officer, if the project will be located on certain Tribal lands), with a Submission Packet pursuant to Section VII.A of the NPA.

3. SHPO John W Shannahan - Connecticut Historical Commission - Hartford, CT - electronic mail

4. SHPO Cara Metz - Massachusetts Historical Commission - Boston, MA - electronic mail

5. Deputy SHPO Brona Simon - Massachusetts Historical Commission - Boston, MA - electronic mail

6. SHPO Frederick C Williamson - Rhode Island Historic Preservation & Heritage Comm - Providence, RI - regular mail

7. Deputy SHPO Edward F Sanderson - Rhode Island Historic Preservation & Heritage Comm - Providence, RI - electronic mail

8. SHPO Karen J Senich - Connecticut Commission on Culture and Tourism - Hartford, CT - electronic mail

If you are proposing to construct a facility in the State of Alaska, you should contact Commission staff for guidance regarding your obligations in the event that Tribes do not respond to this notification within a reasonable time.

Please be advised that the FCC cannot guarantee that the contact(s) listed above opened and reviewed an electronic or regular mail notification. The following information relating to the proposed tower was forwarded to the person(s) listed above:

Notification Received: 10/13/2009  
Notification ID: 56956  
Tower Owner Individual or Entity Name: T-Mobile  
Consultant Name: Lauren A Mehringer  
Street Address: 21 B Street  
City: Burlington  
State: MASSACHUSETTS  
Zip Code: 01803  
Phone: 781-418-2329  
Email: LMehring@ebiconsulting.com

Structure Type: UPOLE - Utility Pole/Tower used to provide service (Electric, Telephone, etc)

Latitude: 41 deg 16 min 35.9 sec N  
Longitude: 72 deg 46 min 4.0 sec W  
Location Description: Pleasant Point Road  
City: Branford  
State: CONNECTICUT  
County: NEW HAVEN  
Ground Elevation: 6.4 meters  
Support Structure: 45.7 meters above ground level  
Overall Structure: 45.7 meters above ground level  
Overall Height AMSL: 52.1 meters above mean sea level

If you have any questions or comments regarding this notice, please contact the FCC using the electronic mail form located on the FCC's website at:

<http://wireless.fcc.gov/outreach/notification/contact-fcc.html>.

You may also call the FCC Support Center at (877) 480-3201 (TTY 717-338-2824). Hours are from 8 a.m. to 7:00 p.m. Eastern Time, Monday through Friday (except Federal holidays). To provide quality service and ensure security, all telephone calls are recorded.

Thank you,  
Federal Communications Commission

## Lauren Mehringer

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**From:** towernotifyinfo@fcc.gov  
**Sent:** Thursday, May 06, 2010 12:48 PM  
**To:** Lauren Mehringer  
**Cc:** tcns.fccarchive@fcc.gov; KKnowles@mptn-nsn.gov  
**Subject:** Reply to Proposed Tower Structure (Notification ID: 56956) - Email ID #2478847

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Lauren A Mehringer,

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this email is to inform you that an authorized user of the TCNS has replied to a proposed tower construction notification that you had submitted through the TCNS.

The following message has been sent to you from THPO Kathleen Knowles of the Mashantucket Pequot Tribe in reference to Notification ID #56956:

Dear Ms Mehringer,  
Regarding Notification ID # 56956, I have reviewed the Phase I Archaeological Sensitivity Assessment & Literature Review entitled "CTNH802B/AMTRAK BRANFORD 2 PLEASANT POINT ROAD, BRANFORD, NEW HAVEN COUNTY, CT 06405, EBI PROJECT NO 61096154," submitted by EBI Consulting. The research design and testing strategy meets acceptable professional standards and I agree with the recommendations and conclusions. Please keep me informed of any further developments with respect to this project.  
Kathleen Knowles, Tribal Historic Preservation Officer Mashantucket Pequot Tribe

For your convenience, the information you submitted for this notification is detailed below.

Notification Received: 10/13/2009  
Notification ID: 56956  
Tower Owner Individual or Entity Name: T-Mobile  
Consultant Name: Lauren A Lauren  
Street Address: 21 B Street  
City: Burlington  
State: MASSACHUSETTS  
Zip Code: 01803  
Phone: 781-418-2329  
Email: [LMehring@ebiconsulting.com](mailto:LMehring@ebiconsulting.com)

Structure Type: UPOLE - Utility Pole/Tower used to provide service (Electric, Telephone, etc)

Latitude: 41 deg 16 min 35.9 sec N  
Longitude: 72 deg 46 min 4.0 sec W  
Location Description: Pleasant Point Road  
City: Branford  
State: CONNECTICUT  
County: NEW HAVEN  
Ground Elevation: 6.4 meters

Support Structure: 45.7 meters above ground level  
Overall Structure: 45.7 meters above ground level  
Overall Height AMSL: 52.1 meters above mean sea level



## Lauren Mehringer

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**From:** Lauren Mehringer  
**Sent:** Monday, May 03, 2010 7:30 PM  
**To:** 'Knowles, Kathleen'  
**Subject:** TCNS# 56956 Branford, CT  
**Attachments:** 61096154\_Branford\_CT\_Archaeological\_Sensitivity\_Assessment[1].pdf

Ms. Knowles,

Please see the attached Preliminary Archeology Assessment for TCNS#56956, Pleasant Point Road, Branford, CT 06405.

The archeological survey was conducted by Dr. David W. Perry, PhD of Archaeobotanical Research in accordance with state guidelines (CT SHPO). Dr. Perry completed an evaluation of the proposed Project Site, which included shovel test pits (STPs), for the likelihood of containing archeological Historic Properties. Please refer to the attached report documenting the findings of this project review by a qualified archaeologist including a description of the techniques and the methodology used to identify Historic Properties within the APE for direct effects. This report concludes "it is evident that the APE-DE does not possess the potential to produce significant archaeological resources. All shovel test pits (STPs) were negative for cultural remains, and the depositional environment in the APE-DE was shown to be either significantly disturbed, or insufficiently deep to preserve cultural materials. For this reason, it is my professional opinion that no further work is necessary in conjunction with this project."

The SHPO submission package along with the Preliminary Archeology Assessment were submitted to the CT SHPO on April 2, 2010. The CT SHPO has not yet responded.

Would you please submit your comments regarding this project? If it is not too much to ask, would you please provide an electronic copy (either via TCNS or via email) of your comments as soon as possible? Thank you very much for your assistance.

Please let me know if you have any further questions.  
Sincerely,

Lauren Mehringer  
Staff Scientist  
**EBI Consulting**  
**21 B Street**  
**Burlington, MA 01803**  
Tel: 781-418-2329 \ Fax: 781-418-2379  
[LMehring@ebiconsulting.com](mailto:LMehring@ebiconsulting.com) / <http://www.ebiconsulting.com>

## Tim OBrien

---

**From:** towernotifyinfo@fcc.gov  
**Sent:** Wednesday, October 14, 2009 4:37 PM  
**To:** Lauren Mehringer  
**Cc:** tcns.fccarchive@fcc.gov; KKnowles@mptn-nsn.gov  
**Subject:** Reply to Proposed Tower Structure (Notification ID: 56956) - Email ID #2322219

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Lauren A Mehringer,

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this email is to inform you that an authorized user of the TCNS has replied to a proposed tower construction notification that you had submitted through the TCNS.

The following message has been sent to you from THPO Kathleen Knowles of the Mashantucket Pequot Tribe in reference to Notification ID #56956:

Dear Ms Mehringer,  
Regarding Notification ID # 56956, after reviewing the information provided, we have no knowledge of properties of religious and cultural importance to the Mashantucket Pequot Tribe. However, we recommend a Phase I Archaeological Reconnaissance Survey be conducted to identify previously unknown properties of cultural and religious importance. We would appreciate a copy of any work performed on this project.  
Kathleen Knowles,  
Tribal Historic Preservation Office  
Mashantucket Pequot Tribe

For your convenience, the information you submitted for this notification is detailed below.

Notification Received: 10/13/2009  
Notification ID: 56956  
Tower Owner Individual or Entity Name: T-Mobile  
Consultant Name: Lauren A Lauren  
Street Address: 21 B Street  
City: Burlington  
State: MASSACHUSETTS  
Zip Code: 01803  
Phone: 781-418-2329  
Email: [LMehring@ebiconsulting.com](mailto:LMehring@ebiconsulting.com)

Structure Type: UPOLE - Utility Pole/Tower used to provide service (Electric, Telephone, etc)

Latitude: 41 deg 16 min 35.9 sec N  
Longitude: 72 deg 46 min 4.0 sec W  
Location Description: Pleasant Point Road  
City: Branford  
State: CONNECTICUT  
County: NEW HAVEN

Ground Elevation: 6.4 meters  
Support Structure: 45.7 meters above ground level  
Overall Structure: 45.7 meters above ground level  
Overall Height AMSL: 52.1 meters above mean sea level

Narragansett Indian Tribal Historic Preservation Office  
Section 106 Review  
Consultation Response Form

TCNS Notification ID Number:	56956
Project ID Number	61096154
Consultant/Environmental Firm:	EBI Consulting
Address or Location Description:	Pleasant Point Road
City, State:	Branford, CT
Point of Contact/Initial Submission	Lauren Mehninger

Response:

- We have no comments related to the proposed project.
- NITHPO's site examination revealed no indicators of the presence of past tribal cultural resources. On behalf of the Narragansett Indian Tribe, the NITHPO considers this project in compliance with and cleared of the Narragansett Tribe's section 106 concerns. NITHPO anticipates no inadvertent encounters by you or your client with significant intact cultural resources (burials, village sites or ceremonial sites).

- Based on information provided to us the site is not to include any ground disturbance and is therefore found to be in compliance with and cleared of the Narragansett Tribe's section 106 concerns.

- NITHPO's site examination revealed probable indicators of the presence of past tribal cultural resources, and recommends the following actions:

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**Exception:** *If archaeological materials or human remains are encountered during construction, the Narragansett Indian Tribal Historic Preservation Office and applicable Historic Preservation Office(s) will be notified.*

  
Sequahna Mars, Project Manager, NITHPO

  
Date

Narragansett Indian Tribal Historic Preservation Office  
P.O. Box 350  
Wyoming, RI 02898  
Email: [Sequahna@yahoo.com](mailto:Sequahna@yahoo.com)  
Phone: 401-419-2959 Fax: 401-491-9044

December 2, 2009

Ms. Sequahna Mars  
NITHPO  
Narragansett Indian Tribe  
Narragansett Island Longhouse  
P.O. Box 350  
Wyoming, RI 02898

**RE: Third Follow-Up Invitation to Comment in Section 106 Review Process**

TCNS Reference No: 56956

Wireless Site Name / Number: Amtrak Branford 2 / CTNH802B

Site Address: Pleasant Point Road, Branford, CT, 06405

**New 150-foot monopole tower and compound**

EBI Project No.: 61096154

Dear Ms. Mars:

“T-Mobile Northeast LLC, a Delaware limited liability company, as successor-in-interest to Omnipoint Communications, Inc., a Delaware corporation” (hereinafter, T-Mobile Northeast LLC) is proposing to construct a wireless telecommunications facility at the above-referenced location. *T-Mobile Northeast, LLC* has retained EBI Consulting (EBI) to conduct a review of proposed telecommunication facility for compliance with the Federal Communications Commission’s Nationwide Programmatic Agreement for Review Under the National Historic Preservation Act (47 CFR Part 1, dated January 4, 2005). This notification has been prepared as a follow-up to the Tower Construction Notification System (TCNS) notice (Notification ID 56956, which was sent on October 16, 2009). Additionally, based on EBI’s pre-existing relationship with your Tribe, EBI submitted additional information on the proposed project including maps, site plans, photographs, and a review fee on November 4, 2009. A second follow-up letter was sent on November 16, 2009.

As of the date of this letter, EBI has not received a response from your Tribe indicating whether you have interest in commenting on this project.

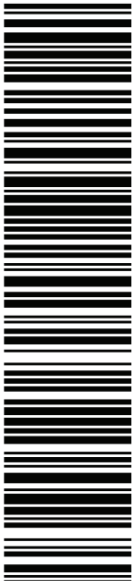
Please respond by December 7, 2009 with an opinion of interest or no interest in commenting further on this project. Should you have any questions or require additional information, please contact me at (781) 418-2329 or [LMehring@ebiconsulting.com](mailto:LMehring@ebiconsulting.com).

Respectfully Submitted,

Lauren Mehringer  
Staff Scientist

Attachments: Project Summary Form

SHIPPING ASSISTANT - LABEL TOTAL: \$4.95

<b>P</b>	<b>U.S. POSTAGE REQUIRED</b>	<b>USPS PRIORITY MAIL®</b>	SHIP DATE: 12/3/2009
			WEIGHT: 0 lb. 6 oz. Flat Rate Envelope
KRUSHANGI PATEL EBI CONSULTING 21 B ST BURLINGTON MA 01803-3485			Ref#: 61091913
<b>SHIP TO:</b> MS. SEQUAHNA MARS NARRAGANSETT INDIAN TRIBE PO BOX 350 WYOMING RI 02898-0350			
<b>ZIP - e/ USPS DELIVERY CONFIRM</b>			
			
420 02898 9101 8052 1368 3148 5685 77			
Electronic Rate Approved # 805213907			

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3. Place label so that it does not wrap around the edge of the package.
4. Affix Priority Mail service postage. There is no extra fee for Delivery Confirmation service.
5. Stamped packages weighing 13 ounces or more may not be placed in Postal Service collection boxes. For information on pickup options, go to the Pickup page on [www.usps.com](http://www.usps.com).
6. Each shipping label number is unique and can be used only once - DO NOT PHOTOCOPY.
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Delivery Confirmation service\*

Print Date: 12/03/09

Ship Date: 12/03/09

Electronic Option Delivery Confirmation Service Fee: 0.00

**From:** KRUSHANGI PATEL

Ref#: 61091913

EBI CONSULTING

21 B ST

BURLINGTON MA 01803-3485

**To:**

MS. SEQUAHNA MARS

NARRAGANSETT INDIAN TRIBE

PO BOX 350

WYOMING RI 02898-0350

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November 16, 2009

Ms. Sequahna Mars  
NITHPO  
Narragansett Indian Tribe  
Narragansett Island Longhouse  
P.O. Box 350  
Wyoming, RI 02898

**RE: Second Follow-Up Invitation to Comment in Section 106 Review Process**

TCNS Reference No: 56956

Wireless Site Name / Number: Amtrak Branford 2 / CTNH802B

Site Address: Pleasant Point Road, Branford, CT, 06405

**New 150-foot monopole tower and compound**

EBI Project No.: 61096154

Dear Ms. Mars:

“T-Mobile Northeast LLC, a Delaware limited liability company, as successor-in-interest to Omnipoint Communications, Inc., a Delaware corporation” (hereinafter, T-Mobile Northeast LLC) is proposing to construct a wireless telecommunications facility at the above-referenced location. *T-Mobile Northeast, LLC* has retained EBI Consulting (EBI) to conduct a review of proposed telecommunication facility for compliance with the Federal Communications Commission’s Nationwide Programmatic Agreement for Review Under the National Historic Preservation Act (47 CFR Part 1, dated January 4, 2005). This notification has been prepared as a follow-up to the Tower Construction Notification System (TCNS) notice (Notification ID 56956, which was sent on October 16, 2009). Additionally, based on EBI’s pre-existing relationship with your Tribe, EBI submitted additional information on the proposed project including maps, site plans, photographs, and a review fee on November 4, 2009.

As of the date of this letter, EBI has not received a response from your Tribe indicating whether you have interest in commenting on this project.


Please respond by November 30, 2009 with an opinion of interest or no interest in commenting further on this project. Should you have any questions or require additional information, please contact me at (781) 418-2329 or [LMehring@ebiconsulting.com](mailto:LMehring@ebiconsulting.com).

Respectfully Submitted,

Lauren Mehringer  
Staff Scientist

Attachments: Project Summary Form

SHIPPING ASSISTANT - LABEL TOTAL: \$4.95

<b>P</b>	<b>U.S. POSTAGE REQUIRED</b>	<b>USPS PRIORITY MAIL®</b>	EBI EMPLOYEE 21 B ST BURLINGTON MA 01803-3485	SHIP DATE: 11/16/2009 WEIGHT: 0 lb, 6 oz. Flat Rate Envelope
			SHIP TO: MS. SEQUAHNA MARS NARRAGANSETT INDIAN TRIBE PO BOX 350 WYOMING RI 02898-0350	Ref#: 61096448
ZIP - e/ USPS DELIVERY CONFIRM			SHIP TO: MS. SEQUAHNA MARS NARRAGANSETT INDIAN TRIBE PO BOX 350 WYOMING RI 02898-0350	
			Ref#: 61096448	
420 02898 9101 8052 1368 3051 5341 57				
Electronic Rate Approved # 805213907				

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Print Date: 11/16/09

Ship Date: 11/16/09

Electronic Option Delivery Confirmation Service Fee: 0.00

From: EBI EMPLOYEE

Ref#: 61096448

21 B ST  
BURLINGTON MA 01803-3485

To:

MS. SEQUAHNA MARS  
NARRAGANSETT INDIAN TRIBE  
PO BOX 350  
WYOMING RI 02898-0350

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October 29, 2009

Ms. Sequahna Mars  
NITHPO  
Narragansett Indian Tribe  
Narragansett Island Longhouse  
P.O. Box 350  
Wyoming, RI 02898

**RE: Invitation to Comment in Section 106 Consultation Process**

TCNS Reference No: 56956

Wireless Site Name / Number: Amtrak Branford 2 / CTNH802B

Site Address: Pleasant Point Road, Branford, CT, 06405

**New 150-foot monopole tower and compound**

EBI Project No.: 61096154

Dear Ms. Mars:

“T-Mobile Northeast LLC, a Delaware limited liability company, as successor-in-interest to Omnipoint Communications, Inc., a Delaware corporation” (hereinafter, T-Mobile Northeast LLC) is proposing to construct a wireless telecommunications facility at the above-referenced location. *T-Mobile Northeast, LLC* has retained EBI Consulting (“EBI”) to conduct a review of the proposed telecommunication facility project for compliance with the Federal Communications Commission’s Nationwide Programmatic Agreement for Review Under the National Historic Preservation Act (47 CFR Part I, dated January 4, 2005). This notification has been prepared as a follow-up to the Tower Construction Notification System (TCNS) notice (Notification ID 56956), which was sent on *October 16, 2009*.

EBI would like to inquire if you would be interested in commenting on this proposed project. Please refer to the attached Project Summary Form for complete details regarding this proposed project.

Please find enclosed the required fee for Tribal review.

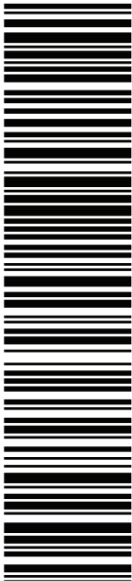
Thank you for your assistance in this matter. Consistent with the timelines outlined in the Nationwide Programmatic Agreement and FCC-USET Best Practices Agreement, please respond within 30 days of the TCNS Notification with an opinion of interest or no interest.

Respectfully Submitted,

Lauren Mehringer  
Staff Scientist  
Phone: (781) 418-2329  
Fax: (781) 418-2379  
Email: [LMehring@ebiconsulting.com](mailto:LMehring@ebiconsulting.com)

Attachment A - Project Summary Form  
Attachment B - Figures, Drawings, and Maps  
Attachment C - Photographs  
Attachment D - Tribal Review Fee

SHIPPING ASSISTANT - LABEL TOTAL: \$4.95

<b>P</b>	<b>U.S. POSTAGE REQUIRED</b>
EBI EMPLOYEE 21 B ST BURLINGTON MA 01803-3485	SHIP DATE: 11/4/2009 WEIGHT: 0 lb. 6 oz. Flat Rate Envelope Ref#: 61094111
SHIP TO: MS. SEQUAHNA MARS NARRAGANSETT INDIAN TRIBE PO BOX 350 WYOMING RI 02898-0350	
ZIP - e/ USPS DELIVERY CONFIRM	
	
420 02898 9101 8052 1368 3144 0884 51	
Electronic Rate Approved # 805213907	

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6. Each shipping label number is unique and can be used only once - DO NOT PHOTOCOPY.
7. Please use this shipping label on the "ship date" selected when you requested the label.

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Delivery Confirmation service\*

Print Date: 11/04/09

Ship Date: 11/04/09

Electronic Option Delivery Confirmation Service Fee: 0.00

From: EBI EMPLOYEE

Ref#: 61094111

21 B ST

BURLINGTON MA 01803-3485

To:

MS. SEQUAHNA MARS  
NARRAGANSETT INDIAN TRIBE  
PO BOX 350  
WYOMING RI 02898-0350

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# **EXHIBIT R**



**JESSE A. LANGER**

PLEASE REPLY TO: Bridgeport  
E-Mail Address: [jlanger@cohenandwolf.com](mailto:jlanger@cohenandwolf.com)

December 28, 2009

**VIA FEDERAL EXPRESS**

The Honorable Anthony "Unk" DaRos  
First Selectman  
Town of Branford  
1019 Main Street  
Branford, CT 06405

**Re: Proposed Development of a Telecommunications Facility  
77-145 Pleasant Point Road, Branford, Connecticut**

Dear Selectman DaRos:

This office represents T-Mobile Northeast LLC, a subsidiary of T-Mobile USA, Inc. d.b.a. T-Mobile ("T-Mobile"). T-Mobile anticipates filing an application for a *Certificate of Environmental Compatibility and Public Need* for the construction, maintenance and operation of a telecommunications facility at 77-145 Pleasant Point Road, Branford, (the "Site"). Pursuant to Connecticut General Statutes § 16-50(e), please find enclosed a copy of the technical report regarding the Site. The technical report includes information regarding the public need for the facility, the site selection process, and the environmental effects of the facility.

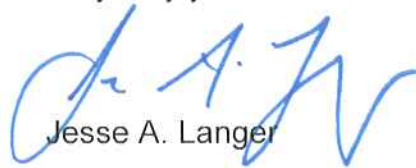
The Town of Branford (the "Town") may conduct public hearings and meetings as it deems necessary to provide recommendations or comments to T-Mobile concerning the proposed Site. If a hearing or meeting is scheduled, we request notice and would be pleased to provide an informational summary of the proposal. If the Town has any recommendations or comments, it must provide them to us within sixty (60) days of the receipt of this filing.

We would like to meet with you or your designee to review the proposed project and will contact you next week to set up an appointment at your convenience.

The Honorable Anthony "Unk" DaRos  
December 28, 2009  
Page 2

If you have any questions, please do not hesitate to contact me directly.

Very truly yours,



Jesse A. Langer

JAL:dlm  
Enclosures (2)

cc: Julie D. Kohler, Esq., (w/encl.)

# **EXHIBIT S**

## FAA Aeronautical Evaluation

Amtrak Branford 2  
CTNH802

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For more information contact:  
[faa@sitesafe.com](mailto:faa@sitesafe.com)  
770.205.1173 phone  
703.997.8605 fax



**SITE SPECIFIC EVALUATION  
FOR**

Client Site Name : Amtrak Branford 2  
Client Site Number: CTNH802  
Client Site Location: Branford, CT.

Client/Requestor Name: Jamie Ford  
Company Name: T-Mobile  
Address: 35 Griffin Rd, S.  
Address: Bloomfield, CT. 06002

Date: 3/4/10

*This is an evaluation based on application of surfaces identified in Federal Aviation Regulation (FAR) Part 77 and Federal Communication Commission (FCC) Rules Part 17.*

**EXECUTIVE SUMMARY OF FINDINGS**

- **The maximum height that can be built at this site without notice to the FAA is 200 feet AGL or 225 feet AMSL.**
- Maximum No Extended Study height at this site is 452 AGL, or 477 AMSL.
- Maximum No Hazard height at this site is 500 AGL, or 525 AMSL.
- Maximum no marking and lighting height at this site is 200 AGL, or 225 AMSL.

**SITE DATA SUBMITTED FOR STUDY**

Type of Structure:	Antenna
Coordinates of site:	Lat: 41° 16' 33.48"
	Long: 72° 45' 56.05"
	Datum: NAD 83
Site Ground Elevation:	25
Total Height above the ground of the entire structure (AGL):	160
Overall height of structure above mean sea level (AMSL):	185

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*Note: This report is for planning purposes only. If notification to the FAA or FCC is submitted on a site (whether it is, or is not required), a determination of no hazard or an approval letter should be received prior to any actions taken at this site.*



## AIRPORT AND HELIPAD INFORMATION

Nearest public use or Government Use (DOD) facility is Tween-New Haven.

This structure would be located 5.5 NM or 33582 FT from the airport on a bearing of 262 degrees true to the airport.

Nearest private use facility is North Branford.

This structure would be located 3.7 NM from the helipad on a bearing of 342 degrees true to the helipad.

## FINDINGS

### **AM Facilities:**

*(The FCC protects AM transmission stations from possible electro magnetic interference for a distance of 1.9 statute miles(SM) for directional facilities, and .6 statute miles(SM) for non-directional facilities. Any antenna structures within these distances will most likely require a detuning evaluation of the site) (Sitesafe offers a full range of detuning services)*

For a free analysis of this site against the most current FCC data, go to our AM evaluation web site at <http://sitesafe.com>. A negative certificate can be generated, (on-line) if no conflict is found. If a conflict is found, our AM Detune department will contact you to discuss the findings.

This site was evaluated against the FCC's AM antenna database, and is not within an AM transmission area.

### **FCC Notice Requirements:**

*(FCC Rules, Part 17)*

This structure does not require notification to the FAA or FCC based on these rules.

### **FAA EMI:**

*(The FAA protects certain air navigational aids and radio transmitters from possible electro-magnetic interference. The distance and direction are dependent on the type of facility be evaluated. Most of these transmission and receiver facilities are listed in the National Flight Data Center (NFDC) database.)*

This site would not affect any FAA air navigational aids or transmitters listed in the NFDC database.

### **Military Airspace:**

This structure will not affect this airspace.

*Note: This report is for planning purposes only. If notification to the FAA or FCC is submitted on a site (whether it is, or is not required), a determination of no hazard or an approval letter should be received prior to any actions taken at this site.*

**FAA Evaluation:**

FAR Part 77 paragraph 13 (FAR 77.13). Construction or Alteration requiring notice:  
*(These are the imaginary surfaces that the FAA has implemented to provide general criteria for notification purposes only.)*

This structure does not require notification to the FAA.

FAR Part 77 paragraph 23 (FAR 77.23). Standards for Determining Obstructions:  
*(These are the imaginary surfaces that the FAA has implemented to protect aircraft safety. If any of these surfaces are penetrated, the structure may pose a Hazard to Air Navigation.)*

This structure does not exceed these surfaces.

**MARKING AND LIGHTING**

*FAA Advisory Circular 70/7460-1*

Marking and lighting is not required for this structure.

**RECOMMENDATIONS OR ACTIONS**

Sitesafe does not consider this site to be a hazard to air navigation as specified in FAR part 77.

FAA Form 7460-1 accomplished.

State notification accomplished.

Date report valid as of 3/4/2010; report valid 60 days from this date.

*Note: This report is for planning purposes only. If notification to the FAA or FCC is submitted on a site (whether it is, or is not required), a determination of no hazard or an approval letter should be received prior to any actions taken at this site.*

