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CONNECTICUT  
SITING COUNCIL

GRANT OF RIGHT OF WAY

KNOW ALL MEN BY THESE PRESENTS, That I, JOE BAKER, of the Town of Canaan, County of Litchfield and State of Connecticut, for the consideration of One Dollar (\$1.00) and other valuable considerations, received to my full satisfaction of CATHERINE B. OSBORN, of said Town of Canaan, do give, grant, bargain, sell and confirm unto the said Catherine B. Osborn, her heirs and assigns forever, a perpetual easement right of way for all purposes for which a public highway now or hereafter may be used, including public utilities, said right of way being thirty (30) feet in width, fifteen (15) feet on either side of the centerline of a roadway as presently laid out across lands of the grantor leading from Barnes Road across Lot #5 shown on the map hereinafter referred to as lands of the grantor.

Reference is hereby made to a map entitled "Proposed Subdivision Plan Property Of; Joseph Baker Barnes Road Canaan, Conn. Scale 1" = 50' Dec. 14, 1973" by Howard B. Stearns, Jr., R.L.S. #7035, which map is on file in the Town Clerk's Office in the Town of Canaan.

TO HAVE AND TO HOLD the above granted right, privilege and easement unto the said Catherine B. Osborn, her heirs and assigns forever.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 12<sup>TH</sup> day of JUNE, Nineteen Hundred Eighty-One.

Signed, sealed and delivered in the presence of:

Christopher M. Dakin  
Christopher M. Dakin

Susette T. Dakin  
Susette T. Dakin

STATE OF CONNECTICUT )

) ss. Town of Salisbury  
COUNTY OF LITCHFIELD )

Joe Baker (LS)  
Joe Baker

The foregoing instrument was acknowledged before me this 12th day of June, 1981, by Joe Baker.

Received for recording  
August 19, 1981 at 2:23 P.M.  
Luille M. Marston  
Town Clerk

Susette T. Dakin  
Susette T. Dakin  
Notary Public

will be attached to his original report  
& sent to City Council

1W9-B

## NORTHEAST CONSULTING, LLC

DEVELOPMENT CONSULTANTS • CIVIL & CONSULTING ENGINEERS • ENVIRONMENTAL & SITE PLANNERS • PERMIT MANAGEMENT

118 EAST MAIN STREET, SUITE 201, TORRINGTON, CT 06790 – PHONE: 860-626-0270 – FAX: 860-626-1630

December 2, 2010

Town of Canaan  
Town Hall  
PO Box 47  
Falls Village, CT 06031

Attn: Frederick Laser  
Chairman  
Planning & Zoning Commission

Re: AT&T Proposed Cellular Tower  
8 Barnes Road

Dear Mr. Laser,

Pursuant to your request, we have reviewed the following documents related to the above referenced application to the Connecticut Siting Council:

The following documents were included in the documents related to this application and review:

- AT&T Technical Report, Proposed Cellular Tower Facility, Prepared by New Cingular Wireless PCS, LLC
- Letter to Town of Canaan dated September 10, 2010, prepared by Cuddy & Feder, LLP

Our comments are as follows:

### Width of Access Easement / Right of Way

Clarification should be required with regard to access width. Drawing CO1 indicates a proposed 20' Wide Access and Utility Easement. Drawing CO2A also indicates a 20' Wide Access and Utility Easement but also includes the following language:

*Perpetual easement right of way for all purposes for which a public highway now or hereafter may be used, including public utilities. ROW being 30 feet wide, 15 feet on either side of the centerline of a roadway as presently laid out across parcel 2 hereof leading from Barnes Road to other lands of Joe Baker.*

The proposed access way, in part deviates from the existing access. This should be clarified with the language indicated. The width of the access construction exceeds 30 feet in areas with slope limits exceeding 80 feet in some areas. The total slope width also impacts that property of NF Michael Burke and Patricia Ann Rovezzi. This needs to be clarified with the language and slope rights acquired.

### Access Design and Construction

The "Application for Certificate of Environmental Compatibility and Public Need", dated October 18, 2010 contains a letter from CHA, dated September 22, 2010 (Tab 5) indicating the evaluation of the proposed access, designed by CHA. The Letter indicates the following:

## SITE ACCESS PLANS

### Slope of Driveway

- The slope of the driveway is on average approximately 20% with areas of 26%. This is extremely steep, especially for a gravel surface. A publication entitled "Forest Road Design", published by the Oregon Department of Forestry, July, 2006, contains the statement:

*"Grades over 20% require assist vehicles. Rock surfaced grades over 16% require special surfacing design to alleviate traction problems."*

This publication was intended for the logging industry in designing roads for the use with logging equipment.

We would be very concerned about accessibility of the site, both during construction and in operation, by emergency vehicles. In the event of a fire or construction accident, it would be our opinion that with these slopes and a gravel surface, it may be impossible for a fire truck or ambulance to reach the compound area.

- Details need to be given for the road construction to assess the feasibility of the site. Access for maintenance of the equipment may only be feasible when the ground is frozen and considerable maintenance of the gravel road will be required after every rain event.
- Erosion of the gravel surface can be considerable with significant sediment loading of the watercourses down stream. A sediment and erosion control plan needs to be submitted to assess the facility of the site for this use.
- There needs to be a cut and fill analysis done for the driveway. Stock pile areas may be difficult to designate with a narrow ROW.
- There are cuts of up to 26-feet and fills of up to 38-feet. Slopes of 1:1 are used in these areas. Slope stabilization may be a key element in the ability to utilize the driveway. Sliding slopes could make the driveway impassable.
- The soils in the area are known to be shallow to bedrock with rock outcroppings. The application should indicate if blasting will be required and the amount of blasting expected.

The information reviewed for this report requires considerable clarification. The Fire Chief and the ambulance service should be consulted for their opinion on the steepness of the driveway and the gravel surface. Further environmental reviews and studies need to be done to ascertain the environmental effect of not only the tower operation but the construction of the tower and the access drive construction.

If you have any questions or require further information, please feel free to contact me.

Sincerely,  
NORTHEAST CONSULTING, LLC

Richard M. Calkins, PE  
Principal

RMC: rrc