

STATE OF CONNECTICUT
SITING COUNCIL

Florida Tower Partners LLC d/b/a North Atlantic Towers
Application for a Certificate of Environmental Compatibility
and Public Need for the construction, maintenance,
and operation, of a telecommunications facility at one of two
locations at Bethel
Tax Assessor's Map 65, Block 57, Lot 122
62-64 Codfish Hill Road, Bethel, Connecticut.

: DOCKET # 458

PREHEARING DISCLOSURE

The following are Intervenor's, Codfish Hill Environmental Trust's, pre-hearing disclosures:

1. Witnesses:

Please see the pre-filed testimony filed herewith of the following witnesses who are all neighboring property owners to the proposed facility.

Gordana Bogdan, 90 Codfish Hill Road, Bethel
Mark Reinders, Codfish Hill Road
Gillean Reinders, Codfish Hill Road
Susan White, Twin Maple Drive, Bethel
Caryl L. Kirschbaum, 12 Twin Maple Drive
Lada Bediry, 14 Twin Maple Drive
Leon Kurjiaka, 80-82 Codfish Hill Road

2. Exhibits:

1. Responses to Applicant's Interrogatories. May 26, 2015.

2. Prefiled Testimony of:

- a. Gordana Bogdan, 90 Codfish Hill Road, Bethel
- b. Mark Reinders, Codfish Hill Road
- c. Gillean Reinders, Codfish Hill Road
- d. Susan White, Twin Maple Drive, Bethel
- e. Caryl L. Kirschbaum, 12 Twin Maple Drive

f. Lada Bediry, 14 Twin Maple Drive

g. Leon Kurjiaka, 80-82 Codfish Hill Road

Intervenors reserve the right to file supplemental testimony and exhibits in rebuttal to evidence received during the hearing proceedings.

Respectfully Submitted,

CHET,

By _____

Keith R. Ainsworth, Esq.

Evans Feldman & Ainsworth, L.L.C. #101240

261 Bradley Street

P.O. Box 1694

New Haven, CT 06507-1694

(203)772-4900

(203)782-1356 fax

krainsworth@EFandA-law.com

CERTIFICATE OF SERVICE

This is to certify that a true copy of the foregoing was deposited in the United States mail, first-class, postage pre-paid this 26th day of May, 2015 and addressed to:

Ms. Melanie Bachman, Esq., Executive Director, Connecticut Siting Council, 10 Franklin Square, New Britain, CT 06051 (1 orig, 15 copies, plus 1 electronic) (US Mail/electronic).

Applicant c/o Julie D. Kohler, Esq., Cohen and Wolf, P.C. 1115 Broad Street, Bridgeport, CT 06604 (203) 368-0211, (203) 394-9901 fax jkohler@cohenandwolf.com, (electronic and US Mail)

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

New Cingular Wireless PCS, LLC c/o Daniel Laub, Esq, Cuddy & Feder, LLP, 445 Hamilton Avenue, 14th Floor, White Plains, NY 10601 (914) 761-1300 (914) 761-5372 fax dlaub@cuddyfeder.com

Keith R. Ainsworth, Esq.

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: DOCKET # 458

: MAY 18 , 2015

AFFIDAVIT OF LADA BEDRIY

I, LADA BEDRIY, the undersigned, being duly sworn, do depose and say:

1. I am over the age of eighteen and believe in the obligations of an oath.
2. A true and accurate copy of my pre-filed testimony for use before the Connecticut Siting Council attached hereto as Exhibit A.
3. I am the author of the attached pre-filed testimony and believe the facts contained therein are true and accurate to the best of my knowledge and belief.

FURTHER the deponent sayeth not.

L Bedriy

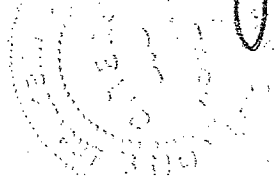
Subscribed and sworn to before me this 18 th day of May, 2015.

Debra Sutton

Commissioner of the Superior Court

Notary Public

My commission expires: 10-31-2017



We are the the Bethel family at 14 Twin Maple Drive off of Codfish Hill Rd. We are the parents of a 7 year old healthy daughter, the owners of small and cozy house in the best part of town. We are the people who have no guarantee that anything we've just mentioned will stay the same: our health, the worth of our house or the beauty of land surrounding it. I was raised in the communist country of Soviet Union and not being able to have my voice heard or just being ignored as a human being and tax paying citizen is exactly why I felt necessary to leave. I want my voice being heard now. The way this tower is shoved down our throats is not only unfair, it's un-American to me. I know I am not guaranteed happiness by the Constitution, but I have the right to pursue it and I will keep doing it. Living with the 175 foot monster in my back yard, the one that can hurt my family and other families in this town does not make me happy.

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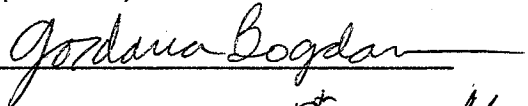
: May 18, 2015

AFFIDAVIT OF GORDANA BOGDAN

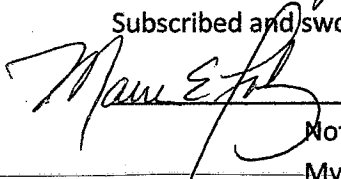
I, Gordana Bogdan, the undersigned, being duly sworn, do depose and say:

1. I am over the age of eighteen and believe in the obligations of an oath.
2. A true and accurate copy of my pre-filed testimony for use before the Connecticut Siting Council attached hereto as Exhibit A.
3. I am the author of the attached pre-filed testimony and believe the facts contained therein are true and accurate to the best of my knowledge and belief.

FURTHER the deponent sayeth not.

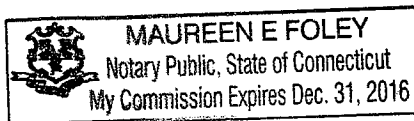


Subscribed and sworn to before me this 18th day of May, 2015.



Commissioner of the Superior Court
Notary Public

My commission expires: 12-31-2016



Gordana Bogdan
90 Codfish Hill Rd.
Bethel, CT 06801

To the Members of the Citing Council,

As a resident of Codfish Hill Rd. for over 20 years, I would like to take this opportunity to say that I am writing this letter with anger, disbelief and disappointment that the Council is considering the construction of a cell tower by North Atlantic Towers in our neighborhood.

The reason we have moved to Codfish Hill Rd., and I am sure it is the same for the long-time homeowners and for the new-comers, was to escape the view of cell towers from our windows which seem to be popping up overnight everywhere. If that was the view we wanted to see, we would have purchased a home elsewhere.

It seems to me that Bethel has enough cell towers. This small town of Bethel, with the population of approximately 17,000, has 8 cell towers. While we understand about shared societal burdens, our town has more than its fair share of these monstrous structures.

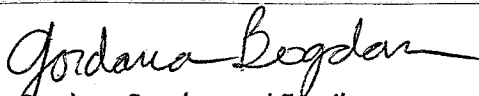
North Atlantic Towers conducts its business with no consideration to our well-being. The impairment of our property and the fact that we have no problem with service, is enough reason to REJECT this 175 foot monstrosity.

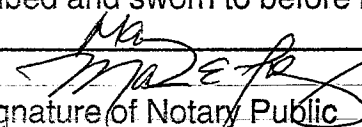
Our home is the biggest investment we have made and have been investing in for over 20 years. If YOU allow North Atlantic Towers, whose only interest is to make a profit, to construct this cell tower against the wishes of the Codfish Hill Community, you will not only ruin our way of life, but also take our blood, sweat and tears and money we have invested over all these years.

Time comes when you have to listen to the people and do the right thing. This is one of those times.

JUST SAY NO TO THE CODFISH HILL CELL TOWER !!!!!!! PLEASE

Thank you for your time and consideration in this important matter.


Gordana Bogdan and Family

State of Connecticut County of Fairfield ss,
Subscribed and sworn to before me
this 18th day of Nov, 2015

Signature of Notary Public
My commission expires: 12-31-2016

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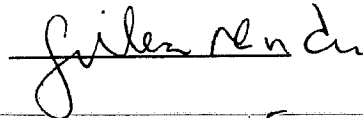
: May 14, 2015

AFFIDAVIT OF GILLEAN REINDERS

I, Gillean Reinders, the undersigned, being duly sworn, do depose and say:

1. I am over the age of eighteen and believe in the obligations of an oath.
2. A true and accurate copy of my pre-filed testimony for use before the Connecticut Siting Council attached hereto as Exhibit A.
3. I am the author of the attached pre-filed testimony and believe the facts contained therein are true and accurate to the best of my knowledge and belief.

FURTHER the deponent sayeth not.



Subscribed and sworn to before me this 15 th day of May, 2015.

 , Commissioner of the Superior Court
Notary Public

My Commission Expires July 31, 2019 My commission expires:

Exhibit A

My husband and I were 48 years old when we moved to 86 Codfish Hill Road. It took us a long time to save up to buy a home in a place of quiet, rural beauty. It was our dream.

Now, at age 63 as we approach retirement and are looking forward to enjoying the fruits of our many years of hard work, we are faced with the possibility of a cell tower in a place that it is not needed, does not belong, and that will rob us of all that we have strived for.

In addition, our biggest investment is now under threat of being significantly reduced in value. I have a disabled daughter, who sustained a traumatic brain injury when she was hit by a train at age 17. My plan to provide for her future has always been to leave her a large portion of our property in our will. An unnecessary nearby tower (possibly as close as approx 600 ft) will significantly reduce the value of the investment meant to provide for my daughter's future and will rob me of my peace of mind for the remainder of my years. I have already been through enough trauma with my daughter's accident and her life sentence of disability. I would like to believe that the laws in our country are designed to protect its citizens over the rights of billion dollar companies who want to make more money.

My other daughter is married to an aerospace engineer who graduated from MIT and went on to receive his doctorate from Cambridge University in England. He is highly educated and has a solid base of scientific knowledge. When he and my daughter looked to purchase their first home, they found a house they fell in love with. However they did not make an offer on it based solely on its proximity to a cell tower. We may not be allowed to fight this on health concerns. But, there is no doubt that even the perception of health risks automatically devalues our home and thus our dreams, peace of mind and the future of my disabled daughter.

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: DOCKET # 458

: May 15, 2015

AFFIDAVIT OF CARYL L. KIRSCHBAUM

I, Caryl L. Kirschbaum, the undersigned, being duly sworn, do depose and say:

1. I am over the age of eighteen and believe in the obligations of an oath.
2. A true and accurate copy of my pre-filed testimony for use before the Connecticut Siting Council attached hereto as Exhibit A.
3. I am the author of the attached pre-filed testimony and believe the facts contained therein are true and accurate to the best of my knowledge and belief.

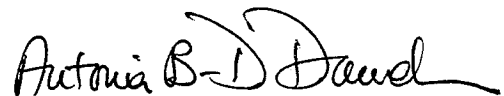
FURTHER the deponent sayeth not.

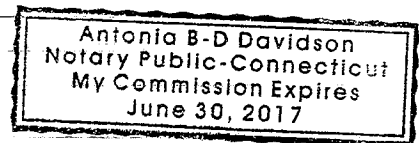


Subscribed and sworn to before me this 15th day of May, 2015.

Commissioner of the Superior Court
Notary Public

My commission expires: June 30, 2017





I live in and own the house where I grew up. My family moved to the beautiful, quiet community of Bethel to take advantage of the excellent schools, employment opportunities, and superior quality of life. We participated in football, little league, band, Girl Scouts, Boy Scouts, 4H, and Drama Club. All three children in our family have gone on to have successful careers, due to our education and upbringing in the strong and nurturing community of Bethel.

My fondest childhood memories are of exploring the woods and fields behind my house. I spent countless hours finding woodland plants and flowers, identifying them with field guides. I would sit quietly, waiting for wildlife to appear. There were deer, fox, grouse, woodcock, pheasant, turkey, Pileated Woodpeckers and the box turtle that found its way to my yard each year. I also enjoyed visiting the sheep and cows that grazed in the fields.

It was and continues to be a beautiful, peaceful and private place to live. We have had nesting Great Horned and Barred Owls. We have Red Tailed Hawks that nest annually. There are abundant migrant songbirds and hummingbirds. The local flock of turkeys pass through daily. I can sit in my kitchen or on my patio and enjoy the solitude and nature that makes my yard and my neighborhood so special.

I have lovingly cared for my home and tended the gardens. It is warm and inviting to come home to everyday, and an enjoyable place to entertain my friends and family. It is an extension of my heart and an expression of who I am.

I have spent my 30+ year career in the corporate relocation industry, servicing our clients who move their employees cross country or around the globe. The past 20 years has been spent assisting our transferees in the marketing of their departure homes, and partnering with our local real estate agents to sell our corporate owned properties. The goal is always to secure the highest possible sale in the shortest possible time so that our transferee can purchase a new home in their new location, and minimize the financial risk to our client corporations. In my experience, while it is possible to manage the sale of a property with cosmetic issues and deferred maintenance, it is extremely difficult to overcome the stigma of being located close to train tracks, a highway, manufacturing facilities, high power lines, and cell towers. The possibility of health risks associated with some of these issues (factual or perceived) as well as visual impact will affect whether or not a potential buyer will make an offer. If an offer is made, the price will reflect the buyer's perception of value versus a similar home without the stigma. A forward thinking buyer will not take a chance if they think it will pose a resale issue for them later. Ultimately, the resale value will be discounted by the buyer's perception of the external issue and how it will affect their quality of life. The market time will also be longer.

I am single and in the process of planning for my retirement. While I plan to remain in my home for as long as I am able, I am counting on the equity in my home to provide the funding for any skilled care that I may require in my twilight years.

The location of a cell tower just feet from my back door will profoundly impact my quality of life for years to come. In addition, it will diminish the equity value of my home that I will depend on to support myself in retirement. I personally would not choose to purchase a home next to a cell tower, and it is disturbing that I am being forced in such a position. This will affect the natural beauty and bucolic character of the entire neighborhood. I am respectfully requesting that this proposal be reconsidered and relocated.

My name is Leon Kurjaska. I reside at 14 Wixted Avenue in Danbury Ct. I own a house and a building lot at 80-82 Codfish Hill Road in Bethel, Ct.

There is a reason people buy homes and land in a beautiful area like Codfish Hill. It is because it makes them feel good and happy to come home.

The placing of an electrified tower with the approval of our government destroys that sense of peace.

I am a realtor and I can tell you when clients see towers, they run the other way.

The properties for sale within the area will languish on the market. Ethics are that they must be disclosed. People that have lived there for decades will be hit hard on their equity.

It is not a pretty real estate scenario.

Owning a house and a building lot 600 feet from the proposed sight is a very sad feeling. I was planning on moving to Codfish Hill from Danbury but would that be a good choice?

Would you build a house on a lot next to a tower?

I think towers should only go in industrial areas and utilize satellites in large gaps.

Not to mention health issues which we are not supposed to mention.

There must be a reason cell towers are not being put next to schools to protect children.

Sworn to before me
this 28th day of April, 2015

Patricia L. McManus

Leon Kurziaba

PATRICIA L. McMANUS
NOTARY PUBLIC
MY COMMISSION EXPIRES 12/31/2016

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: DOCKET # 458

: May 14, 2015

AFFIDAVIT OF MARK REINDERS

I, Mark Reinders, the undersigned, being duly sworn, do depose and say:

1. I am over the age of eighteen and believe in the obligations of an oath.
2. A true and accurate copy of my pre-filed testimony for use before the Connecticut Siting Council attached hereto as Exhibit A.
3. I am the author of the attached pre-filed testimony and believe the facts contained therein are true and accurate to the best of my knowledge and belief.

FURTHER the deponent sayeth not.

Mark Reinders

Subscribed and sworn to before me this 15th day of May, 2015.

Dale Gorton, Commissioner of the Superior Court
Notary Public

My Commission Expires: My commission expires:
July 31, 2019

Exhibit A

My name is Mark Reinders and I vehemently oppose North Atlantic Tower's horrifically destructive proposed invasion of our pastoral and beautiful neighborhood.

My wife and I have lived on Codfish Hill Rd. for sixteen years. We moved here because it represented a long-dreamed of possibility i.e. to be surrounded by gardens and trees, unspoiled woods and wildlife and to have a home and property that would bring us peace and contentment the rest of our days. Now, apparently, for no greater reason than unbridled greed we face seeing telecommunication arrays alongside fireflies. For the sake of further enriching gigantic corporations we now, through no choice of our own, must apparently risk relinquishing a significant percentage of our home's value, thereby lessening anything we hope to leave to our children and grandchildren. And, while I fully realize I am not permitted, by law, to fight off this attack on our community by arguing health concerns, those concerns are there and do not magically disappear or lessen in validity just because I am forced to keep my mouth shut about them. Gagging me is not the same as making the problem cease to exist.

>> I am angry and stupefied that my voice; our voices never matter. Nobody ASKS my wife and I whether our service is adequate. Instead we are TOLD that we need it. We are told this through the cold, impersonal slap in the face of this application that this is being done for our own good as if we are stupid, wayward children incapable of discerning what we need and want. How arrogant! If someone from North Atlantic Towers ever asked me they would quickly learn they I do not experience dropped calls or interrupted service, especially to the degree that I would EVER consider it a worthwhile bargain to sacrifice my home values and vistas and health concerns. They would quickly learn that during the two one-week power outages in the last three years we relied solely on our cell coverage. They would quickly learn that we do NOT WANT this horrific blight on our landscape and our lives. My wife and I are voting taxpayers. We know what we value and need and WANT and we are prepared to pay accordingly for these desires: quality education and health care, quality roads and essential services; quality water and air, etc. This tower with all its ugliness and destructive potential is the complete antithesis of all those elements we freely pay for and support. The applicants and their would-be tenants have no desire to listen and understand-their actions are driven by the bottom line mentality of profit and gain regardless of the impact on human lives and futures. Would you, the members of the Siting Council, voluntarily embrace these towers in YOUR back yards and willingly relinquish a portion of your property value to do so? Would you, the members of the Siting Council, listen with a high level of comfort when they hide behind standards dating back to 1996-a time when the cell phone more closely resembled a shoe box and the industry was in its infancy in order to avoid any uncomfortable health related questions?

>> As you, the Council, consider this application please ask yourselves what YOU would do if an all-powerful outsider rammed their way into your carefully cultivated community and proceeded to spend extravagant sums of money to convince you that, without your realizing it, your cell service was not adequate even though it clearly was, that they are only acting in your best interests , a notion that that is condescending and insultingly detached. Would you stand idly by as they maintained a callous indifference to the possibility that it justified risking the property values of all those nearby, it risked the possibility of fuel leaks, generator noise, it risked fires (yes, they happen) and mostly, would you sleep easy at night knowing and trusting that you and your families' physical well being were safely protected by 20 year old standards? Probably not. And that is what I am asking you to do right now and in the next few weeks. Apply a standard to us that you are positive you would apply to yourselves and your families, your children and grandchildren, and your friends and neighbors. Instead of asking these interlopers who are attempting to violate my life and neighborhood whether we need and want this abomination in our collective back yards, just this once, turn away from them and.....ask US. They do not live here. We do. Please, say NO!

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DOCKET: 458

May 15, 2015

AFFIDAVIT OF SUSAN K. WHITE

I, Susan K. White, the undersigned, being duly sworn, do depose and say:

1. I am over the age of eighteen and believe in the obligations of an oath.
2. A true and accurate copy of my pre-filed testimony for use before the Connecticut Siting Council is attached hereto as Exhibit A.
3. I am the author of the attached pre-filed testimony and believe the facts contained therein are true and accurate to the best of my knowledge and belief.

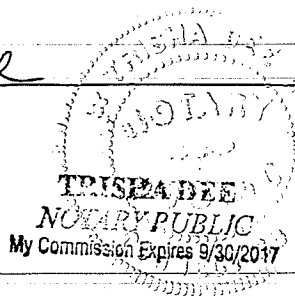
FURTHER the deponent sayeth not.

Susan K. White

Subscribed and sworn to before me this 15th day of May, 2015.

Trisha Dee Notary Public

My commission expires:



Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051
May 15, 2015

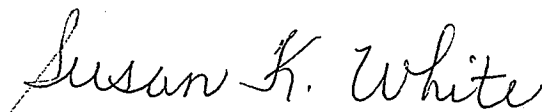
Re: Docket 458

My husband and I purchased our house at 8 Twin Maple Drive in October of 1968, just prior to our marriage. We were attracted to Bethel because of the small, hometown feel of the community and to our house and neighborhood in particular because of the country setting. One of the main reasons we purchased the property was because of the beautiful, serene, scenic view from all the back windows of our home. It was a perfect location to raise children, and though our own children are now grown, it has been a joy to see new families move in and another generation of children growing up in our beautiful area, to say nothing of having our grandson spend time with us here.

While our back property is lightly wooded, there are nowhere near enough trees, nor are they thick enough and certainly not tall enough, to do much to screen a cell phone tower of 150 to 175 feet tall, even in the summer. Since the proposed location of this tower appears to be about 300 - 400 feet from the back wall of our house, based on the picture of the initial balloon float, this will be a glaring eyesore to our landscape. This is NOT the view we would choose every time we look out half the windows in our home. From an esthetic point of view, a cell tower would be a disaster.

In discussing this with neighbors, no one seems to have an issue with their cell phone coverage, problems with dropped calls, etc. My understanding is that the primary beneficiaries of this tower will be people living in the eastern end of Newtown. I cannot help but be opposed to the erection of something so unattractive in ANY residential neighborhood; I am particularly opposed to the degrading of one residential area in order to provide service to another area which will reap whatever benefits there may be but leaving those who do not need the service to suffer the disadvantages. I cannot help but feel that if members of the Siting Council, and even employees of Atlantic Tower and AT&T, would be something less than enthralled were they faced with the location of such an eyesore so close to their own home.

Finally, in addition to the above mentioned concerns, is the fact that locating a cell phone tower in a residential area, especially so close to some of our houses and so visually unappealing to a much larger area, will result in a substantial depreciation in the value of our property. This is something that I feel should be considered very carefully. For my husband and me, like most families, the purchase of our home is the major investment we made for our lifetime, with the intention of our living out our retirement in our beautiful location – it is our most valuable asset, a part of our savings plan, a part of our retirement plan, and a part of our children's inheritance, all in one. To force this kind of devaluation on anyone is unconscionable.



Susan K. White
8 Twin Maple Drive
Bethel, CT 06801