

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

IN RE:

APPLICATION OF OPTASITE, INC. AND  
OMNIPOINT COMMUNICATIONS, INC.  
FOR A CERTIFICATE OF ENVIRONMENTAL  
COMPATIBILITY AND PUBLIC NEED FOR  
THE CONSTRUCTION, MAINTENANCE AND  
OPERATION OF A TELECOMMUNICATIONS  
FACILITY AT 940 MERIDEN ROAD IN THE  
CITY OF WATERBURY, CONNECTICUT

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

Date: SEPTEMBER 13, 2006

**APPLICATION FOR CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED**

**I. Introduction**

**A. Purpose and Authority**

Pursuant to Chapter 277a, Sections 16-50g *et seq.* of the Connecticut General Statutes ("CGS"), as amended, and Sections 16-50j-1 *et seq.* of the Regulations of Connecticut State Agencies ("RCSA"), as amended, Optasite, Inc. ("Optasite") and Omnipoint Communications, Inc., a subsidiary of T-Mobile USA, Inc. ("T-Mobile") (collectively the "Applicants") hereby submit an application and supporting documentation (collectively, the "Application") for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a wireless communications facility (the "Facility") in the City of Waterbury. The proposed Facility is a necessary component in the network plan of T-Mobile to provide personal wireless communications services in the State of Connecticut and New Haven County. The proposed Facility will provide service in the City of Waterbury and the Town of Wolcott along Interstate I-84 and Meriden Road, as well as in adjacent areas.

## **B. Executive Summary**

The proposed Facility will consist of a 110 foot, self-supporting monopole, antennas, associated equipment and other site improvements integral to a wireless communications facility. Optasite identified the Pine Grove Cemetery, located at 940 Meriden Road in Waterbury (the "Property") for the construction and operation of its proposed Facility. The Property consists of 104 acres and is currently used as a cemetery but large portions of the Property are undeveloped and wooded. The Property is located in the RL Low Density Residential zone.

The leased area is located in the north central portion of the Property. Optasite proposes to install a monopole with appurtenances extending to approximately 110 feet in height and an equipment shelter at grade within a 60 foot by 60 foot fenced equipment compound (the "Site"). Vehicular access to the facility would extend from Meriden Road over an existing paved driveway to the Cemetery's parking lot/office building and continue on over a new gravel driveway to the Site. Underground utility connections would extend from existing service on the Property near the Cemetery's office building to the Site.

The monopole and compound area will be designed to accommodate use by all of the wireless carriers active in Connecticut and the Waterbury public safety communications, if requested. T-Mobile has committed to locating at the Site and will serve as the anchor tenant. Nextel has also expressed its interest in co-locating at the Site, if approved. The compound will be enclosed by an 8-foot high security fence. T-Mobile and Nextel's equipment also would be monitored 24 hours a day, 7 days a week from remote locations.

Included in this Application and the exhibits attached hereto, are survey-based plans, attached hereto as Exhibit A, and other information detailing the Facility proposed at the Site and potential environmental impacts associated therewith. The Applicants respectfully submit that the reports and other supporting documentation included in this Application contain relevant site specific information as required by Statute and the regulations of the Connecticut Siting Council (the "Siting Council" or "Council"). A copy of the Council's Community Antenna Television and Telecommunication Facilities Application Guide with page references from this Application is also included in Exhibit B.

### **C. The Applicants**

The co-applicant Optasite is a Delaware corporation with offices at One Research Drive, Suite 200C, Westborough, Massachusetts 01581. Optasite will construct and maintain the proposed Facility. The co-applicant T-Mobile is a Delaware corporation with a Connecticut office at 100 Filley Street, 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 CGS Section 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.

Correspondence and/or communications regarding this Application shall be addressed to the attorneys for the applicants:

Cohen and Wolf, P.C.  
1115 Broad Street  
Bridgeport, CT 06604  
Attention: Julie Kohler, Esq.  
Carrie L. Larson, Esq.

#### **D. Application Fee**

Pursuant to RCSA Section 16-50v-1a(b), a check made payable to the Siting Council in the amount of \$1,000.00 accompanies this Application. The estimated total construction cost is \$158,000.00. As such, the applicable application fee is \$1,000.00 in accordance with RCSA Section 16-50v-1a(b).

#### **E. Compliance with CGS Section 16-50/(c)**

Neither Optasite nor T-Mobile is engaged in generating electric power in the State of Connecticut. As such, the proposed Facility is not subject to CGS Section 16-50r. The proposed Facility has not been identified in any annual forecast reports. As such, the proposed Facility is not subject to CGS Section 16-50/(c).

#### **II. Service and Notice Required by CGS Section 16-50/(b)**

Pursuant to CGS Section 16-50/(b), copies of this Application have been sent by certified mail, return receipt requested, 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 included in Exhibit C. Pursuant to CGS 16-50/(b), notice of the Applicants' intent to submit this application was published on two occasions in The Republican American. Copies of the published legal notices are included in Exhibit D. The publisher's affidavit of service will be forwarded upon receipt. Further, in compliance with CGS 16-50/(b), notices were sent to each person appearing of record as owner of a property which abuts the Site. Certification of such notice, a sample notice letter, and the list of property owners to whom the notice was mailed are included in Exhibit E.

### **III. Statements of Need and Benefits**

#### **A. Statement of Need**

As the Council is aware, the United States Congress, through adoption of the Telecommunications Act of 1996, recognized the important public need for high quality telecommunication services throughout the United States. The purpose of the Telecommunication Act's overhaul of the Communications Act of 1934 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). With respect to wireless communications services, 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 such authority and preempted State or local regulatory oversight in the area of emissions as more fully set forth in 47 U.S.C. § 332(c)(7). In essence, Congress struck a balance between legitimate areas of State and/or local regulatory control over wireless infrastructure and the public's interest in its timely deployment to meet the public need for wireless services.

The Facility proposed in this Application is an integral component of both T-Mobile and Nextel's wireless networks in this area of the State of Connecticut. Currently, a gap in coverage exists in both T-Mobile and Nextel's network in the Waterbury/Wolcott area, specifically along Interstate I-84 and Meriden Road. The proposed Facility, in conjunction with other existing and future facilities in Waterbury, Wolcott and surrounding towns, is needed by both T-Mobile and Nextel to provide its wireless services to people living in and traveling through this area of the State.

T-Mobile's specific need for the proposed Facility is detailed in the propagation plots which identify T-Mobile's specific need for this Facility in the Waterbury area attached hereto as Exhibit F. In addition, included in Exhibit G are propagation plots from Nextel identifying Nextel's specific need for this Facility in the Waterbury area. Based on the location of the proposed Facility and the lack of coverage in this area, Optasite can not readily predict a point in time at which 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 with over 20 million subscribers. T-Mobile and its corporate predecessors constructed one of the first wireless networks in Connecticut and is actively involved today in the deployment of next generation wireless services. Over the past two decades, T-Mobile has seen the public's demand for traditional cellular telephone services in a highly mobile environment migrate to a demand for anytime-anywhere wireless connectivity with the ability to send and receive voice, text, image and video. People today are using their wireless devices more and more as their primary form of communication for both personal and business needs. Modern devices allow for calls to be made, the internet to be reached and other services to be provided irrespective of whether a user is mobile or stationary and provided network service is available.

Wireless devices have become integral to the telecommunications needs of the public and their benefits can no longer be considered a luxury. Indeed, in an effort to ensure the benefits of wireless technologies to all Americans, Congress enacted the Wireless Communications and Public Safety Act of 1999 (the "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 found that networks that would provide for the rapid, efficient deployment of emergency services would enable faster delivery of emergency care with reduced fatalities and severity of injuries. With each year since 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 wireless carriers, such as T-Mobile, to 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 network technologies to implement the FCC's E911 mandates. The proposed Facility in Waterbury will become an integral component of T-Mobile's E911 network in this area of the state. These factors will apply equally to other wireless carriers as they expand their service in the Waterbury area through the proposed Facility.

### **C. Technological Alternatives**

The FCC licenses granted to T-Mobile and other wireless carriers authorize them to provide cellular and PCS services in this area of the State through deployment of a network of wireless transmitting sites. The proposed Facility is a necessary component of both T-Mobile and Nextel's wireless network. The proposed Facility will 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 this area. Significant terrain variations and tree cover

in Waterbury and the surrounding area, as well as other practical considerations limit the use of such technologies. As such, they are not an alternative to the proposed Facility. The Applicants submit that there are no equally effective technological alternatives to construction of a new tower Facility for providing reliable personal wireless services in this area of Connecticut.

#### **IV. Site Selection and Tower Sharing**

##### **A. Site Selection**

Optasite conducted the site search for this Facility in this area of Waterbury. A search area is an area where a coverage and/or capacity problem exists within a carrier's network and where a new wireless facility is needed to provide service to the public. In general, wireless carriers and developers attempt to identify any existing towers or other structures of adequate height in a site search area and the surrounding environs which might accommodate the height and structural requirements for a wireless facility. There are no existing towers or other tall structures within approximately two miles of the proposed site sufficient for the operations of T-Mobile and Nextel and no wireless facilities exist in this area of Waterbury.<sup>1</sup>

Initially, both individual carriers and Optasite seek to identify any existing towers or other structures of adequate height in a site search area and the surrounding environs that may accommodate a wireless facility. Optasite identified 17 towers, within approximately 5 miles of the site search area. All are shown in the table of "Surrounding

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<sup>1</sup> The Council's Application Guide (N) requests a list of towers within four miles of the site search area "or within any other area from which use of the proposed prime or alternative tower might be feasible." Given T-Mobile's system and use of towers when feasible that are often within two miles of a proposed facility, existing towers over two miles from a site search area are not technically feasible. As such, Optasite has included information on all known towers within a five mile radius and despite the fact that co-location on towers outside of a two mile radius would not serve to fill T-Mobile's gap in coverage

Site Information” included in Exhibit H as well as plotted on a topographical map also included in Exhibit H.

Once it was determined that a new tower facility was required, Optasite’s goal was to find properties upon which a tower could be constructed and provide service to the public while at the same time minimizing any potential environmental impact to the extent practicable and feasible. The Site Selection narrative and map of rejected sites, attached hereto as Exhibit I, provides a complete explanation of Optasite’s methodology and actual search for potential sites in Waterbury and depicts the locations reviewed during Optasite’s search and the reasons for elimination from consideration of all but the proposed Site.

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

To promote the sharing of wireless facilities in the Waterbury area, Optasite has proposed a Facility that can accommodate up to four antenna platforms and equipment for the wireless carriers in the Connecticut marketplace and the Waterbury public safety functions. Both T-Mobile and Nextel have committed to use the Facility, if approved. Details of the design are included in Exhibit A. Optasite has committed to provide, free of charge, space on the proposed monopole for the Waterbury public safety communications antennas.

#### **V. Facility Design**

Optasite has leased a 3,600 square foot parcel within the approximately 104 acre Property. The proposed Facility would at a minimum require the construction of a 110 foot high self-supporting monopole. Both Nextel and T-Mobile would install up to twelve panel antennas on a platform at 107 feet and 97 feet AGL respectively and occupy equipment shelters, approximately 12 foot by 20 foot in size, within a 60 foot by 60 foot

equipment compound. The compound would be enclosed by a security, chain-link fence, eight (8) feet in height. The monopole and equipment compound are designed to accommodate the facilities of all wireless carriers active in the Connecticut marketplace and Waterbury emergency services, if requested.

Vehicular access to the Facility would extend from Meriden Road over existing driveways, then along a new gravel drive approximately 130 feet to the equipment compound. Construction of the new gravel drive will not result in the removal of any trees of 6" in diameter or greater. See Exhibit A, tree inventory letter. Overhead utility connections would extend from existing service on the existing driveway and then would continue on to follow the new gravel drive underground to the compound. Exhibit A contains the specifications for the proposed Facility at the Site including a site plan, a compound plan, tower elevation, access map and other relevant information. Exhibit J contains a wetlands delineation report. Exhibit K contains visual resources evaluation including a computer-based, predictive viewshed model and photosimulations. Some of the relevant information included in these exhibits for the Site reveals that:

- The property is classified in the RL Low Density Residential zoning district;
- No wetlands are found within 300 feet of the proposed Site or new access drive;
- The property is and will continue to be used as a cemetery and undeveloped, wooded land;
- Minimal grading of the proposed access drive and minimal grading of the proposed compound area would be required for the construction of the proposed Facility;
- Minimal clearing would be required for development of the proposed access drive and compound area;

- The proposed Facility will have no effect on historic or architectural resources according to the State Historic Preservation Officer; and
- The proposed Facility will have no impact on water flow, water quality, or air quality and will not emit any noise.

## **VI. Environmental Compatibility**

Pursuant to CGS Section 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 proposed Facility will have no significant adverse environmental impacts.

### **A. Visual Assessment**

The visual impact of the proposed Facility would vary from different locations around the towers depending upon factors such as vegetation, topography, distance from the towers, and the location of structures around the towers. Exhibit K contains a computer-based, predictive viewshed model which depicts the potential impact of the proposed Facility from surrounding views for the Site as well as a Visual Resource Evaluation.

Optasite retained Vanasse Hangen Brustlin ("VHB") to prepare the Visual Resource Evaluation. On July 6, 2006, VHB conducted a crane test at 120 feet AGL at the proposed Site in order to evaluate the potential viewshed associated with the proposed Facility. VHB sought to determine the visibility impact of the Facility, accounting for local, state and federal historic, hiking and recreational sites within the study area, as well as within a two-mile radius of the proposed Site ("Study Area"). After

conducting the crane test, the Applicants voluntarily reduced the proposed height of the Facility from 120 feet to 110 feet. VHB notes this height reduction and adjusts its analysis accordingly, as can be seen in its evaluation in Exhibit K.

The Visual Resources Evaluation demonstrates that the Facility will be as inconspicuous as possible. The topography and the mature vegetation at the proposed Site will significantly limit the visual impact of the proposed Facility.

The existing vegetation in the area of the proposed Site is mature, mixed deciduous hardwood and coniferous species with an average estimated height of 50 feet. Based on the viewshed analysis contained in Exhibit K, areas from which the proposed Site will be at least partially visible comprise only 33 acres, which is less than one half of one percent (>.5%) of the entire Study Area. The visibility of the tower at the proposed Site will be minimized due largely to the topography and extent of tree cover found within the Study Area and particularly on the Property itself, which is 104 acres. The Facility at the proposed Site will be visible above the tree canopy from portions of Meriden Road and from Calvary Cemetery to the south, but views from the proposed Facility are expected to be limited to primarily within 0.5 miles to the north of the proposed Facility. The Facility will be visible during leaf off conditions along portions of Decicco Road. Overall, eight (8) residences will have partial year round views of the Facility and thirty-six (36) residences will have partial, seasonal views of the Facility.

The compound area will have a de minimis visual impact as it will be screened by the proposed fencing. In addition, the Property itself provides a vegetative buffer around the Site. Finally, the tower and antenna installations will be painted a color to blend in with the trees in the vicinity to further reduce the overall visibility of the Site.

These Visual Resources demonstrate that, even from most of the areas where the Facility will be visible, the tower is unobtrusive. Accordingly, the proposed Facility will not result in an unacceptable adverse visual impact.

As the Visual Resources confirm, the location of the proposed Facility at the proposed Site will not have a significant visual impact on the surrounding area. In addition, the Visual Resources confirm that the location of the proposed Facility at the proposed Site will not have a significant visual impact on any hiking or recreational sites, scenic highways or historic sites.

Weather permitting, Optasite will raise a balloon with a diameter of at least three (3) feet at the proposed Site 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**

Optasite submitted requests for review and comment for each site to the Connecticut State Historic Preservation Officer ("SHPO") and Department of Environmental Protection ("DEP") representatives responsible for the Natural Diversity Data Base and endangered species review. Given the nature of the terrain and soil on the Property, no impacts are anticipated.

Copies of DEP's and SHPO's correspondence are included in Exhibit L.

#### **C. Power Density Analysis**

In August 1996, the FCC adopted a standard for exposure to Radio Frequency ("RF") emissions from telecommunications facilities like those proposed in this Application. To ensure compliance with applicable standards, T-Mobile has performed maximum power density calculations for the proposed 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 and Nextel's operations at the proposed site would be approximately 15.457% of the applicable MPE standards.

Copies of the Power Density Calculations and Memorandum attached hereto as Exhibit M.

#### **D. Other Environmental Factors**

The proposed Facility would be unmanned, requiring monthly maintenance visits by each carrier that will last approximately one hour. Both T-Mobile and Nextel's equipment at the Facility would be monitored 24 hours a day, 7 days a week from remote locations. The proposed Facility at the Site would not require a water supply or wastewater utilities. No outdoor storage or solid waste receptacles will be needed. Further, the proposed Facility will not create or emit any smoke, gas, dust or other air contaminants, noise, odors or vibrations. The construction and operation of the proposed Facility will have no significant impact on the air, water, or noise quality at the Site.

Optasite has evaluated the Site in accordance with the FCC's regulations implementing the National Environmental Policy Act of 1969 ("NEPA"). A copy of the NEPA report is attached hereto as Exhibit N. The Site was not identified as a wilderness area. No National Parks, National Forests, National Parkways or Scenic Rivers, State Forest, State Designated Scenic Rivers or State Gamelands are located in the vicinity of the Site. The Site is not located in or adjacent to any areas identified as a federal wildlife preserve. Further, according to the site survey and wetlands delineation report, attached hereto at Exhibit J, no federally regulated wetlands or watercourses will be impacted by the proposed Facility. In addition, the NEPA report indicates that the proposed Facility is not located in a floodplain as defined by the Federal Emergency Management Agency ("FEMA"). As such, and based on the information contained in other reports included in

this Application, the Site is categorically excluded from any requirement for further environmental review by the FCC in accordance with NEPA and no permit is required by that agency prior to construction of the proposed Facility. See 47 C.F.R. §§ 1.1306(b) and 1.1307(a).

**VII. Consistency with the Waterbury Land Use Regulations**

Pursuant to the Council's Application Guide, included in this section is a narrative summary of the consistency of the project with the local municipality's zoning and wetland regulations and plan of conservation and development. A description of the zoning classification of the Site and the planned and existing uses of the proposed site locations are also detailed in this section.

**A. Waterbury Plan of Conservation and Development**

The Waterbury Plan of Conservation and Development (the "Plan"), a copy of which is included in the bulk filing, was adopted on July 29, 2005. Wireless communications facilities are not specifically addressed in the Plan. However, the Plan does suggest that, where inadequate, the infrastructure within the City should be improved. See Bulk Filing, Plan of Conservation and Development at 86. Accordingly, Optasite respectfully submits that the proposed Facility, which will provide needed wireless communications service within the City and a means for upgrading the City's emergency communications, is consistent with the City's Plan.

**B. Waterbury Zoning Regulations and Zoning Classification**

According to the City's zoning map and municipal tax records, the Site is classified in the RL Low Density Residential zoning district.

Section 8.2 of the City's Zoning Regulations define "Wireless Telecommunications Facilities" as telecommunications antennae, telecommunications equipment,

communication tower and/or other buildings and support structures used together in connection with the provision of wireless telecommunication service. . . . Wireless telecommunications facilities must meet design and construction standards which adhere to the American National Standards Institute ANSI/EIA-222E manual.”

Sections 5.12-12 and 5.13-9 of the City’s Zoning Regulations set forth the City’s recommended zoning requirements for wireless communications facilities. See Bulk Filing, Zoning Regulations, Section 2. Consistency of the proposed Facility at the Site with these standards and dimensional requirements are illustrated in the following table.

## Standards and Dimensional Requirements

Regulation Section	Requirement of Regulation	Proposal
Section 5.12-12	<b>Maximum Height of Tower</b>	<b>Site</b>
	Max. Height of tower: 160 feet	Proposed Height is 110 feet
Section 5.13-9 (a)	<b>Minimum Lot Area</b>	<b>Site</b>
	Min. Lot Area is 6,000 square feet	Lot size is 104 acres or 4,530,240 square feet
Section 5.13-9 (b)	<b>Maximum Lot Coverage</b>	<b>Site</b>
	Max. Lot Coverage is 25%	Proposed Lot Coverage is less than 1%
Section 5.13-9 (c)	<b>Setback</b>	<b>Site</b>
	Min. 25 foot setback; Min. 50 foot setback from residential property	Minimum setback distance is over 110 feet, minimum setback from residential property is over 110 feet
Section 5.13-9 (d)	<b>Transformers</b>	<b>Site</b>
	All transformers must be located inside of buildings	None proposed
Section 5.13-9 (e)	<b>Utility Lines</b>	<b>Site</b>
	All utility lines must be located underground	Utility lines will be underground from existing cemetery office building

### C. Planned and Existing Land Uses

The proposed Site will be located in the north central portion of an approximately 104 acre property. The Property contains minimal development and no development other development other than the proposed Facility is planned. Small commercial development is found in the surrounding area along Meriden Road and dense residential

development is found in the surrounding areas beyond the Cemetery and abutting commercial developments. Consultation with municipal officials and observations did not indicate any known or planned changes in surrounding land uses.

**D. Waterbury Inland Wetlands and Watercourses Regulations**

The Waterbury Inland Wetlands and Watercourses Regulations (“Local Wetlands Regulations”) regulate certain activities conducted in or adjacent to “wetlands” as defined therein. One such regulated activity is “any removal or deposition of material or any obstruction, construction, alteration or pollution” of such wetland and in areas adjacent to a wetland or watercourse. See Bulk Filing, Inland Wetlands and Watercourses Regulations, § 2.1 (v). Wetlands buffers are defined as 100 feet measured horizontally from the boundary of any wetland or watercourse. See Bulk Filing, Inland Wetlands and Watercourses Regulations, § 2.1 (v).

According to the site survey, field investigations conducted at the Site as well as the wetlands report attached hereto as Exhibit J, no watercourses or wetlands are located within 300 feet of the proposed Site. In accordance with the Connecticut Soil Erosion Control Guidelines, as established by the Council of Soil and Water Conservation, soil erosion control measures and other best management practices will be established and maintained throughout the construction of the proposed Facility.

**VIII. Consultations with Local, State and Federal Officials**

**A. Local Consultations**

CGS Section 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 May 31, 2006, Optasite submitted a letter and a technical report to the City of Waterbury with respect to the proposed Facility at the Site. In addition, also on May 31, 2006, Optasite submitted a letter and a technical report to the Town of Wolcott with the respect to the proposed Facility at the Site. Copies of the letters to the City of Waterbury and Town of Wolcott are attached hereto as Exhibit O. The technical report, a copy of which is being bulk filed, included specifics about the proposed Site and addressed the public need for the facility, the site selection process and the environmental effects of the proposed Facility.

On July 25, 2006, Optasite met with City officials to discuss the proposed Facility. During Optasite's follow-up with the City, City Planner James Sequin indicated that the City did not have any opposition to the project and did not intend to offer any comment.

On August 1, 2006, Optasite met with officials from the Town of Wolcott. During Optasite's follow-up with the Town, Mayor Dunne indicated that he did not have any concerns about the proposal and in fact felt that it would be beneficial to the area and its residents.

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

As noted in Section VI.B of this Application, Optasite consulted with and requested review of the proposed Site Facility from DEP and SHPO. Exhibit L contains DEP and SHPO's correspondence for the proposed Sites.

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

Optasite has received a determination from the Federal Aviation Administration ("FAA") for the Site, which is included in Exhibit P. The results indicate the proposed Facility would not require FAA registration, let alone FAA review as a potential air

navigation obstruction or hazard. As such, no FAA lighting or marking would be required for the towers proposed in this Application.

T-Mobile's FCC license permits it to modify its network by building wireless facilities within its licensed area without prior approval from the FCC provided that a proposed facility does not fall within one of the "listed" categories requiring review under NEPA. The "listed" categories, included in 47 CFR §1.1307, are activities that may affect wilderness areas, wilderness preserves, endangered or threatened species, critical habitats, National Register historic districts, sites, buildings, structures or objects, Indian religious sites, flood plains and federal wetlands. As noted in Section VI.D of this Application, Optasite conducted a review for the Site and determined that the Site does not fall under any of the NEPA "listed" categories of 47 CFR §1.1307. Therefore, the proposed Facility does not require review by the FCC pursuant to NEPA. A copy of the NEPA report is attached hereto as Exhibit N.

## **IX. Estimated Cost and Schedule**

### **A. Overall Estimated Cost**

The total estimated cost of construction for the proposed Site facility is \$158,000.00. This estimate includes:

- (1) Tower and foundation costs (including installation) of approximately \$74,000.00;
- (2) Site development costs of approximately \$47,000.00; and
- (3) Utility installation costs of approximately \$37,000.00.

### **B. Overall Scheduling**

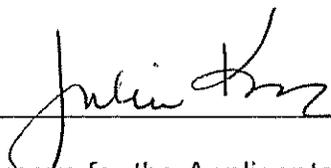
Site preparation and engineering would commence immediately following Council approval of Optasite's Development and Management ("D&M") Plan and is expected to

be completed within three (3) to four (4) weeks. Installation of the monopole, antennas and associated equipment is expected to take eight (8) weeks. The duration of the total construction schedule is approximately eight (8) weeks. Facility integration and system testing is expected to require an additional two (2) weeks after the construction is completed.

X. Conclusion

This Application and the accompanying materials and documentation clearly demonstrate that a public need exists in the Waterbury area for improved wireless services. The foregoing information and attachments also demonstrate that the proposed Facility will not have any substantial adverse environmental effects. The Applicants respectfully submit that the public need for the proposed Facility outweighs any potential environmental effects resulting from the construction of the proposed Facility at the Site. As such, the Applicants respectfully request that the Council grant a Certificate of Environmental Compatibility and Public Need to Optasite for a proposed wireless telecommunication facility at 940 Meriden Road, Waterbury, Connecticut.

Respectfully Submitted,

By: 

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