

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

IN RE:

APPLICATION OF OPTASITE TOWERS LLC
AND OMNIPOINT COMMUNICATIONS, INC.
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR
THE CONSTRUCTION, MAINTENANCE AND
OPERATION OF A TELECOMMUNICATIONS
FACILITY AT 651 PADDOCK AVENUE IN
CITY OF MERIDEN, CONNECTICUT

DOCKET NO. 329

Date: April 2, 2007

**INTERROGATORY RESPONSES TO CONNECTICUT SITING COUNCIL
FROM CO-APPLICANTS OPTASITE TOWERS LLC AND OMNIPOINT
COMMUNICATIONS, INC.**

Co-applicants Optasite Towers LLC ("Optasite") and Omnipoint Communications, Inc. ("T-Mobile") submit the following responses to the interrogatories from the Connecticut Siting Council in connection with the above captioned Docket.

Questions for Optasite:

- Q1. How many of the return receipts for the notices sent to abutting landowners did Optasite receive? If some return receipts were not received, did Optasite make other attempts to notify the landowners? If yes, explain.**
- A1. Of the 22 abutters, Optasite has received return receipts of the notice from 21. Optasite has sent a second mailing to the one abutter for whom it did not receive a return receipt on March 23, 2007. If no return receipt is received, Optasite will send a third (and final) mailing to this abutter on or before April 16, 2007.
- Q2. When did Optasite begin looking for a site in this area of Meriden?**
- A2. October, 2005.
- Q3. What prompted Optasite's search in this area?**
- A3. Optasite has a close working relationship with T-Mobile and develops many of their raw land tower sites. This area is one that T-Mobile determined a need, and they have entered into an Agreement with

Optasite to become a joint applicant in this Docket.

Q4. Has Optasite received any indications that the City of Meriden might be interested in using this tower for its antennas?

A4. The City of Meriden has not expressed any interest in the tower at this time. Optasite will continue to reserve space for the City's emergencies service should the need arise in the future.

Q5. Did Optasite receive any comments from Meriden city officials regarding its proposal? Did any of Meriden's boards and commissions hold any public meetings regarding this proposal? If so, did the board or commission issue any resolutions regarding the proposal? If yes, provide such resolutions.

A5. As part of its municipal consultation, representatives of Optasite met with the Assistant Planning Director, Tom Skoglund. As part of that discussion, Mr. Skoglund requested that Optasite review a property owned by the City located at 883 Paddock Avenue. Based upon that request, Optasite forwarded the City a proposal to lease a portion of this property. Optasite received notice from the town that the tower would have an impact on the residential properties and they could not comment on the financial terms of Optasite's proposal. Optasite made themselves available for meetings in January for several municipal boards but Optasite was not invited nor put on the agendas for any of the various boards.

Q6. Has Optasite contacted any other carriers about their possible interest in locating on this tower? Provide correspondence if available.

A6. Optasite has contacted all carriers licensed in Connecticut. Sprint/Nextel has determined the proposed Site will fill a need but has indicated that this Site is not in their immediate build plan. Cingular and Verizon have not commented on the Site. Optasite will construct the Site, if approved, to accommodate all carriers licensed in Connecticut.

Q7. What are the dimensions of Optasite's proposed lease area?

A7. Optasite has leased 5,000 square feet at the Property.

Q8. To what engineering standard would the proposed tower be built?

A8. The tower will be designed to ANSI/EIA/TIA-222-G and will comply

with the State Building Code.

Q9. What is the distance and direction from the proposed tower's location to the nearest residence? Who owns this property?

A9. The nearest residence to the tower is approximately 146 feet to the south. The property is owned by Mario V and Judy F. D'Acunto.

Q10. How many residences are located within 1,000 feet of the proposed tower location?

A10. Based upon review of aerial photographs, there are approximately 83 residences within 1,000 feet of the proposed tower.

Q11. Drawing SC-2 in Exhibit A shows the proposed compound in One location, and Drawing SC-2 in Exhibits K and N (the environmental site assessment and the NEPA report) shows it in another location. Which location is correct?

A11. Drawing SC-2 in Exhibit A shows the proposed compound in the correct location. Exhibits K and N are based on an earlier version of the drawings prior to the compound and tower location being relocated.

Q12. How much cut and fill would be required to develop the proposed site?

A12. The proposed site would require 2 cubic yards of cut and 10 cubic yards of fill.

Q13. Would any blasting be required to develop this site?

A13. No Blasting is required to construct the tower site.

Q14. Provide a copy of Optasite's lease with the owners of the host property.

A14. See copy of Memorandum of Lease attached hereto as Exhibit 1.

Q15. The tower elevation depicted in Drawing SC-3 in Exhibits K and N show T-Mobile's antennas being installed on T-arm mounts, yet the tower is referred to as a "stealth" tower. Explain this apparent discrepancy.

A15. When Optasite commenced designing the Site, it anticipated utilizing

low profile, t-arm platforms for antenna mounting. In order to further reduce any potential visual impact of the tower, Optasite changed the design prior to filing and is proposing, instead, a stealth, flush-mounted brown stick.

Q16. Does the setback radius (fall zone) of the tower encroach on any abutting properties?

A16. The tower fall zone encroaches on three abutting properties. It encroaches on the Merritt parkway to the northwest by approximately 11 feet, on property of Donald W. and Charlotte J. Jahnke to the southwest by 27 feet and on property of Mario V. and Judy E. D'Acunto to the southwest by 26 feet.

Q17. City tax records and the environmental site assessment in Exhibit K indicate that the church property is 2.98 acres. Elsewhere in the application, the parcel is described as being 3.89 acres. Which figure is correct?

A17. Although the City tax records indicate the area of the subject parcel being 2.98 acres, the actual area of the subject property calculates to 3.89 acres based on survey information.

Q18. The application refers to talks Optasite has had with City of Meriden officials about a city-owned property as an alternate site. Is there any updated information about the status of these talks?

A18. Upon the request of the City, Optasite reviewed city-owned property at 883 Paddock Avenue and supplied the City with a proposal on January 16, 2007. The response from the City is attached hereto as Exhibit 2. Optasite has not received any further comment from the City regarding this proposal.

Q19. Optasite inquired about the city-owned parcel at 883 Paddock Avenue and had not received a determination about the city's willingness to consider this property as a potential site when the application was submitted. Has Optasite received any further indication from the city about this site?

A19. Not at this time. Optasite is willing to consider this property as alternate site should the City decide to pursue a lease with Optasite.

Q20. If Optasite used this property for its site, could it locate its tower on top of the hospital building?

A20. Optasite's proposal to the City consisted of a ground-mounted tower on the hospital property. Because Optasite did not receive any indication from the City that it was interested in moving forward with a lease on the hospital property, Optasite has not pursued an analysis of the engineering feasibility of mounting the tower on the hospital.

Q21. What is the distance from the compound to the nearest point of wetland soils?

A21. The distance from the compound to the nearest point of wetland soils is approximately 18 feet.

Q22. How would Optasite protect the wetland area from erosion and sedimentation?

A22. Sedimentation erosion control measures would include the installation of sedimentation erosion control fencing to protect wetland areas from construction activities as well as the implementation of best management practices for the protection of the environment during construction. Erosion control measures will be installed prior to start of any construction and removed upon completion and stabilization of construction.

Q23. The application states that the "compound will have a de minimis visual impact as it will be screened by the proposed fencing." Will Optasite use privacy slats or stockade fencing to help reduce the visual impact of the compound?

A23. If requested, Optasite would use privacy slats or stockade fencing to further reduce any potential visual impact of the equipment compound.

Q24. Optasite states that it has received a determination from the Federal Aviation Administration which indicates the facility would not require FAA registration or review as a potential air navigation hazard. However, the document provided in Exhibit P is a TOWAIR search result generated from the Federal Communication Commission's website. Has Optasite received any correspondence from the FAA regarding its proposed site?

A24. See copy of FAA determination attached hereto as Exhibit 3.

Questions for T-Mobile:

Q25. What is the distance from the site identified on the submitted propagation maps as CT11493A to the sites identified as CT11246B, as CT11055E, as CTHA244A, and as CT11054A? Identify these sites by address.

A25. Distance from the proposed facility to:

1. CT11246B (546 Broad Street, Meriden) (Rooftop Installation)
Antenna Height: 54 feet AGL
Distance from proposed facility: **1.57 Miles**
2. CT11055E (896 East Main Street, Meriden) (Billboard)
Antenna Height: 64 feet AGL
Distance from proposed facility: **1.13 Miles**
3. CTHA244A (484 Meriden Road, Middlefield) (Monopole)
Antenna Height: 137 feet AGL
Distance from proposed facility: **2.90 Miles**
4. CT11054A (992 Northrop Road, Wallingford) (Monopole)
Antenna Height: 140' AGL
Distance from proposed facility: **1.66 Miles**

Q26. Would T-Mobile's ground equipment be housed in a shelter or would it consist of cabinets on a concrete pad?

A26. T-Mobiles ground equipment will consist of equipment cabinets on a concrete pad.

Q27. What would T-Mobile use for back up power?

A27. T-Mobile will utilize battery back-up power for this facility.

Q28. Does T-Mobile currently use fuel cells as backup generators at any of its Connecticut tower sites? If yes, how many? Does T-Mobile plan to use a fuel cell at the proposed site or have any plans to install them at any existing or future sites in Connecticut?

A28. T-Mobile does not currently use fuel cells as back-up generators for any of its Connecticut Sites. Fuel cell technology is currently being evaluated at the corporate level. At this time, an approved, reliable fuel cell solution for T-Mobile's back-up power needs does not exist.

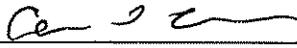
Q29. The application states (on page 9) that T-Mobile would install "up to twelve panel antennas on flush-mounted at 117 feet AGL . . ." Is it possible to flush mount twelve antennas at the same height?

A29. T-Mobile would not be able to flush mount 12 antennas (4 per sector) and maintain its minimum required horizontal separation between antennas. Therefore, it is only possible for T-Mobile to flush mount 3 antennas (1 per sector). This application does propose a flush-mounted installation and therefore T-Mobile would only install 3 antennas.

Q30. If Optasite were to locate its tower at 883 Paddock Avenue, could T-Mobile cover its target from this location?

A30. T-Mobile would be able to cover its target area from a facility at 883 Paddock Avenue. T-Mobile would require an antenna height of approximately 155 feet AGL.

Respectfully Submitted,

By: 
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Certification

This is to certify that a copy of the foregoing has been mailed, this date to all parties and intervenors of record.


Carrie L. Larson

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NOTICE OF LEASE

CS November Notice is hereby given of a Land Lease Agreement executed on the 14th day of October, 2005, by and between The Assembly of God Church of Meriden, Inc with offices at 601 Paddock Avenue, Meriden, Connecticut 06450, as Landlord, and Optasite Inc with a principal address of One Research Drive, Suite 200C Westborough, MA 01581 as Tenant, under the terms of which the Landlord leased to the Tenant and known as 601 Paddock Avenue, City of Meriden, County of New Haven, State of Connecticut, which Property is described on Exhibit A attached hereto

Said lease provides for the initial term to commence on _____ and expire on the last day of _____, all dates inclusive

Tenant has a right to extend the term of said Lease for a period of five (5) years, commencing on _____ and ending on the last day of _____. Tenant has a further right to extend the term of said Lease for an additional period of five (5) years, commencing on _____ and ending on the last day of _____. Tenant has a further right to extend the term of said Lease for an additional period of five (5) years, commencing on _____ and ending on the last day of _____. Tenant has a further right to extend the term of said Lease for an additional period of five (5) years, commencing on _____ and ending on the last day of _____.

In the event of any conflict between the provisions of the Lease and this Notice of Lease, the Lease shall be determinative and controlling

A copy of said Lease shall be on file at the executive offices of Landlord at 601 Paddock Avenue, Meriden, Connecticut 06450, and of Tenant at One Research Drive, Suite 200C Westborough, MA 01581, Attention: Manager Real Estate

IN WITNESS WHEREOF, on this 14 day of NOVEMBER, 2005 the below named persons representing the Landlord and Tenant, respectively, have caused this Notice of Lease to be executed and delivered

Signed, Sealed and Delivered
in the Presence of:

Marilyn Roman

Mark E. Stigman

LANDLORD

By [Signature]

Its

Shelley Doolittle

Hinda Brandes

TENANT

By [Signature]

Its

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PLANNING COMMISSION-DIVISION



CITY OF MERIDEN

Tel. (203) 630-4081 Fax (203) 630-5883

January 31, 2006

Keith Coppins, Vice President, Development
Optasite Towers LLC
One Research Drive, Suite 200C
Westborough, MA 01581

RE: Telecom Tower at 883 Paddock Avenue (former Hospital)
Alternative proposal to 651 Paddock Avenue Tower

Dear Mr. Coppins:

Thank you for considering an alternative (proposal dated January 16th) Per your request to provide feedback by January 31, I can provide only a partial response at this time: In summary, there is insufficient information to fully evaluate this alternative and even the concept, as proposed, can not be recommended by Planning staff at this time

- 1) General concerns relayed previously remain:
 - a the site is near residential uses and in a residential district;
 - b any tower of the height mentioned by you in follow-up to your proposal could create an incompatible out-of-scale affect;
 - c the site has a current principal (institutional) use; a long term lease of a portion of the site could diminish the ability to sell or redevelop the site.
- 2) Compatibility can sometimes be addressed by lowering and/or disguising the tower. Staff generally recommends a flag pole design be considered. A flag pole might work at this site (particularly in the front or front side of the building, rather than the rear). However, a flag pole at the height mentioned could very well be out-of-scale. Example photos of a "brown stick" design sent to us lacked visual clarity and were of an unknown distance/height. There is no clear advantage to the City of such design at this location.
- 3) Planning has not considered the financial agreement information provided as we do not negotiate such things; said agreement would be appropriate only if the use and siting were approved by our officials

Has your tower company, or the communications company, considered options such as several lower telecommunication facilities when the company wants to provide better coverage within a large residential area with no tall structures? For instance, have you considered shorter, in-scale flag poles and/or siting on one or more light poles at recreation facilities? Such a proposal could more easily be supported by Planning.

Sincerely,

Thomas Skoglund
Assistant City Planner

Cc: Honorable Mark Benigni, Mayor
Lawrence Kendzior, City Manager
Dominick Caruso, Director of Planning

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Federal Aviation Administration
Air Traffic Airspace Branch, ASW-520
2601 Meacham Blvd.
Fort Worth, TX 76137-0520

Aeronautical Study No.
2006-ANE-1248-OE

Issued Date: 12/27/2006

Keith Coppins
Optasite, Inc
446 Main Street
Worcester, MA 01608

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower
Location: Meriden, CT
Latitude: 41-30-45.45 N NAD 83
Longitude: 72-46-45.99 W
Heights: 120 feet above ground level (AGL)
 435 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory Circular 70/7460-1 AC 70/7460-1K.

This determination expires on 06/27/2008 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above.

Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (404)305-5580. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2006-ANE-1248-OE.

Signature Control No: 486405-516217

(DNE)

Michael Blaich
Technician