



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 1 DEERFIELD LANE,
ANSONIA, CONNECTICUT

DOCKET NO. _____

Date: June 5, 2007

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

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ANSONIA, CONNECTICUT

DOCKET NO. _____

Date: June 8, 2007

**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 Towers LLC ("Optasite") and Omnipoint Communications, Inc., a subsidiary of T-Mobile USA, Inc., d/b/a T-Mobile ("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 Ansonia. 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 Ansonia and Town of Woodbridge along Route 313, Peck Hill Road and surrounding areas.

B. Executive Summary

Optasite and T-Mobile are joint applicants for the proposed Facility. Optasite was responsible for the site search in the area. Optasite will be the certificate holder and, as such, will be responsible for the construction and maintenance of the Facility. T-Mobile has agreed to serve as a co-applicant and has committed to locating at the Site and will serve as the anchor tenant on the proposed Facility.

The proposed Facility will consist of a 180 foot, self-supporting stealth monopole, antennas, associated equipment and other site improvements integral to a wireless communications facility. Optasite identified the Macabee Properties, LLC property, located at 1 Deerfield Lane in Ansonia (the "Property") for the construction and operation of its proposed Facility. The Property consists of approximately 16 acres and is currently utilized as a horse boarding and riding facility with associated accessory structures. There is also a building with four (4) residential apartments located on the Property.¹ A large portion of the Property is undeveloped and wooded. The Property is located in the AA residential zone.

The leased area is located in the north central portion of the Property. A copy of Optasite's notice of lease is attached hereto as Exhibit A. Optasite proposes to install a monopole with appurtenances extending to approximately 180 feet in height and an equipment shelter at grade within a 43 foot by 73 foot fenced equipment compound (the "Site"). Vehicular access to the facility would extend from Osbourne Lane² over an

¹ While not required by statute, the Applicants are sending notification of the filing of this Application to the tenants of those three residential apartment buildings. The tenants' names are included in the Abutters Certification attached hereto as Exhibit F.

² While the property address for the Property is 1 Deerfield Lane, according to the Ansonia Assessors Records, access to the Property actually extends from Osbourne Lane. In various documents recorded on the Ansonia Land Records, the spelling of Osbourne Lane is also shown as Osborne Lane. Based upon

existing dirt driveway to the Site. Above-ground utility connections would extend from existing service on Deerfield Lane 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 Ansonia and Woodbridge public safety communications, if requested. T-Mobile has committed to locating at the Site and will serve as the anchor tenant. The compound will be enclosed by an 8-foot high security fence. T-Mobile's equipment would be monitored 24 hours a day, 7 days a week from a remote location.

Included in this Application and the exhibits attached hereto, are survey-based plans, attached hereto as Exhibit B, 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 C.

C. The Applicants

Co-applicant Optasite is a Delaware limited liability company with offices at One Research Drive, Suite 200C, Westborough, Massachusetts 01581. Optasite will construct and maintain the proposed Facility. Co-applicant T-Mobile is a Delaware corporation with a Connecticut office at 35 Griffin Road South, Bloomfield, Connecticut, 06002. The company and its affiliated entities are licensed by the Federal

review of the Ansonia Land Records, both spellings refer to the roadway over which the owners of 1 Deerfield Lane gain access to the Property.

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 \$186,000. 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 D. Pursuant to CGS 16-50/(b), notice of the Applicants' intent to submit this application was published on two occasions in The New Haven Register and on one occasion in the Amity Observer. Copies of the published legal notices are included in Exhibit E. The publishers' affidavits 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 F.

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, 104th 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 T-Mobile's wireless network in this area of the State of Connecticut. Currently, a gap in coverage exists in T-Mobile's network in the Ansonia area, specifically along Route 313, Peck Hill Road and the surrounding area. The proposed Facility, in conjunction with other existing and future facilities in Ansonia, Woodbridge and surrounding towns, is needed by T-Mobile 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 Ansonia area attached hereto as Exhibit G. 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 on 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 Ansonia 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 Ansonia 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 T-Mobile'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 Ansonia, Woodbridge 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 Ansonia and Woodbridge. 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 four miles of the proposed site sufficient for the operations of T-Mobile and no wireless

facilities exist in this area of Ansonia. Optasite did investigate an existing water tank located at 99 Ford Street owned by Birmingham Utilities. The property owner has indicated that they are not willing to enter into a lease.

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 twenty-six (26) towers, either existing or proposed, within approximately 4 miles of the site search area. All are shown in the table of "Surrounding Site Information" included in Exhibit H as well as plotted on a topographical map also included in Exhibit H. None of these existing towers are close enough to the search area or of sufficient height to fill T-Mobile's existing coverage gap in this area.

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 Ansonia/Woodbridge 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 Ansonia/Woodbridge 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 Ansonia and Woodbridge public safety functions. T-Mobile has committed to use the Facility, if

approved. Details of the design are included in Exhibit B. Optasite has committed to provide, free of charge, space on the proposed stealth monopole for the Ansonia public safety communications antennas.

V. Facility Design

Optasite has leased a 3,375 square foot parcel within the approximately 16 acre Property. The proposed Facility would at a minimum require the construction of a 180 foot high self-supporting monopole. T-Mobile would install up to twelve panel antennas at 177 AGL and occupy an equipment shelter, approximately 5 foot by 10 foot in size, within the 43 foot by 73 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 Ansonia and Woodbridge emergency services, if requested.

Vehicular access to the Facility would extend from Osbourne Lane over an existing dirt driveway and will require no additional driveway construction with the exception of upgrading the existing dirt driveway to gravel. Construction will result in the removal of no trees of 6" in diameter or greater. See Exhibit B, tree inventory letter. Overhead utility connections would extend from existing service on Osbourne Lane to the compound. Exhibit B 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. Exhibit L contains a summary of the Phase I Environmental Site

Assessment that was performed on the Property.³ Some of the relevant information included in these exhibits for the Site reveals that:

- The Property is classified in the AA Residential zoning district;
- No wetlands are found within approximately 200 feet of the proposed access drive and over 400 feet from the proposed compound;
- The Property is and will continue to be used as a horse boarding and riding facility with associated accessory structures;
- There are no residences located within 700 feet of the Site⁴;
- 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

³ Due to the size, the entire Phase I Environmental Site Assessment was not produced. It will be made available upon request.

⁴ There are four (4) residential apartments located on the Property itself. Those apartments are located 710 feet from the Site.

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 May 10, 2007, VHB conducted a balloon float test at 180 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").

The Visual Resources Evaluation demonstrates that the Facility will be as inconspicuous as possible. The size of the Property and surrounding properties, the topography and the mature vegetation at the Property and the surrounding land uses 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 species with an average estimated height of 65 feet. Based on the viewshed analysis contained in Exhibit K, areas from which the proposed Site will be at

least partially visible comprise only fourteen (14) acres, which is less than one percent (1%) 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 16 acres as well as the adjacent properties. The Facility at the proposed Site will be visible above the tree canopy from portions of Osbourne Lane, Ford Road, Milan Street and Kimberly Lane. Overall, seven (7) residences will have partial year round views of the Facility and eight (8) additional 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 extensive vegetative buffer that exists on the Property itself as well as the undeveloped, large parcels abutting the Property.

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 a request for review and comment for the proposed Site to the Connecticut State Historic Preservation Officer ("SHPO") and the Department of Environmental Protection. Given the nature of the terrain and soil on the Property, no impacts are anticipated.

A copy of the SHPO and DEP correspondence are included in Exhibit M.

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's operations at the proposed site would be approximately 1.394% of the applicable MPE standards. Copies of the Power Density Calculations and Memorandum attached hereto as Exhibit N.

D. Other Environmental Factors

The proposed Facility would be unmanned, requiring monthly maintenance visits by each carrier that will last approximately one hour. T-Mobile's equipment at the Facility will be monitored 24 hours a day, 7 days a week from a remote location. 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 commenced evaluation of the Site in accordance with the FCC's regulations implementing the National Environmental Policy Act of 1969 ("NEPA"). A copy of the NEPA report will be forwarded to the Council upon completion. Of note, 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, wetlands delineation report, attached hereto at Exhibit J, no federally regulated wetlands or watercourses will be impacted by the proposed Facility.

VII. Consistency with the Ansonia 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. Ansonia Plan of Conservation and Development

The Ansonia Plan of Conservation and Development (the "Plan"), a copy of which is included in the bulk filing, was adopted on June 5, 2002. Wireless communications facilities are addressed in the Plan in section 5. The Plan states that "[t]he wireless technologies for phone, television and internet will increase in use over the next ten to twenty years. An increase in the use of this technology will necessitate numerous antennae to increase the usability of such wireless devices. Ansonia should consider adopting regulations or guidelines addressing the desirable locations and type of antennae to guide this activity." See Bulk Filing, Plan of Conservation and Development

at Section 5, Page 44. The Plan goes on to list managing wireless communication infrastructure and adopting wireless facility regulations as goals for Ansonia. Id. at 46. Accordingly, the Applicants respectfully submit that the proposed Facility, which will provide needed wireless communications service within the City while providing the co-location opportunity for all wireless carriers currently active in Connecticut as well as Ansonia emergency services, is consistent with the City's Plan and goal of managing wireless communication infrastructure development.

B. Ansonia Zoning Regulations and Zoning Classification⁵

According to the City's zoning map and municipal tax records, the Site is classified in the AA Residential zoning district. The City of Ansonia's Zoning Regulations (the "Zoning Regulations") were adopted on June 1, 1977 with amendments through December, 2006. As evidenced from the excerpts from the Plan discussed supra, Ansonia does not have any zoning regulations applicable to the development of wireless telecommunications facilities. See Bulk Filing, Zoning Regulations.

Schedule B of the Zoning Regulations sets forth permitted uses for the various zones in Ansonia. While telecommunications facilities are not included, public utility installations and substations are a permitted use in the AA zone with a site plan approval. Schedule B requires that any such installation be properly screened with a masonry wall, fence or landscaping. The Applicants do propose to enclose the proposed Facility with a security fence. Therefore, because Ansonia does not have any Zoning Regulations applicable to the development of wireless telecommunications facilities, the Applicants submit that the proposed Facility is consistent with the Zoning Regulations.

⁵ Ansonia currently does not have the most current amendments (from December, 2006 through the present) to its zoning regulations available in print, electronically or available on-line. When those amendments are available, they will be forwarded to the Council along with any additions or corrections to this section.

C. Planned and Existing Land Uses

The proposed Site will be located in the west-central portion of an approximately 16 acre property. The Property is currently developed as a horse boarding and riding facility with associated accessory structures. In addition, there is a small building located on the Property that contains four (4) residential apartments. No further development is planned for the Property. The surrounding area consists of sparsely developed, residential uses. In addition, the Ansonia Rod and Gun Club is located within the vicinity of the Property as well as a large tract of land currently owned by the City of Ansonia. Consultation with municipal officials and observations did not indicate any known or planned changes in surrounding land uses.

D. Ansonia Inland Wetlands and Watercourses Regulations

The Ansonia 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 operation of any kind within, or use of a wetland or watercourse, involving removal or disposition of material or any obstruction, constriction, alteration, pollution of, or construction within such wetlands . . .” See Bulk Filing, Inland Wetlands and Watercourses Regulations, § 2.1.7 (as amended on December 7, 2000). Wetlands buffers are defined as 100 feet from the boundary of any wetland or watercourse. Id.

According to the site survey, field investigations conducted at the Site as well as the wetlands report attached hereto as Exhibit I, no watercourses or wetlands are located within 200 feet of the access driveway and within 400 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. The proposed Facility is located within 2,500 feet of the Ansonia/Woodbridge town line.

On March 16, 2007, Optasite submitted a letter and a technical report to the City of Ansonia with respect to the proposed Facility at the Site. In addition, also on March 16, 2007, Optasite submitted a letter and a technical report to the Town of Woodbridge with the respect to the proposed Facility at the Site. Copies of the letters to the City of Ansonia and the Town of Woodbridge 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 April 3, 2007, Optasite met with Ansonia officials including Mayor James T. Della Volpe and Corporation Counsel Kevin M. Black, Esq. to discuss the proposed Facility. Ansonia responded to Optasite and stated that it did not object to the proposed Facility and, in addition, waived the 60-day technical period. A copy of that correspondence from the City of Ansonia is also included in Exhibit O. On April 3, 2007, Optasite also met with officials from the Town of Woodbridge, Terry Gilbertson, Building

Official of the Town of Woodbridge, who discussed the facility being proposed in Ansonia and had no comments to the Optasite proposal in Ansonia.

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 SHPO, the Connecticut Department of Environmental Protection (“DEP”) and the United States Department of the Interior; Fish and Wildlife Service. Exhibit M contains copies of this correspondence for the proposed Site.

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.⁶ 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

⁶ Of note, the FAA determination included in Exhibit P was conducted when the proposed height of the facility was 195 feet. Since that time, T-Mobile conducted a drive-test of the site and the height was reduced to the proposed height of 180 feet. Since the height was lowered, the FAA determination is still applicable.

Application, Optasite has undertaken a review for the Site and, upon completion, a copy of the NEPA Report will be forwarded to the Council.

IX. Estimated Cost and Schedule

A. Overall Estimated Cost

The total estimated cost of construction for the proposed Site facility is \$186,000.

This estimate includes:

- (1) Tower and foundation costs (including installation) of approximately \$69,000;
- (2) Site development costs of approximately \$86,000; and
- (3) Utility installation costs of approximately \$31,000.

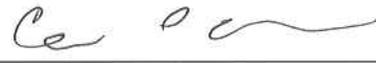
B. Overall Scheduling

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 Ansonia/Woodbridge 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 1 Deerfield Lane, Ansonia, Connecticut.

Respectfully Submitted,

By:  _____

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