

**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. 340

Date: SEPTEMBER 10, 2007

PRE-FILED TESTIMONY OF MICHAEL LIBERTINE

Q1. Mr. Libertine, please state your name and position.

A. Michael Libertine and I am Director of Environmental Services for Vanasse Hangen Brustlin, Inc. ("VHB"). I am also a Licensed Environmental Professional in the State of Connecticut. VHB is located at 54 Tuttle Place in Middletown, Connecticut.

Q2. Please state your qualifications.

A. I have a Bachelor of Science degree from the University of Connecticut with a concentration in Natural Resources Management. My background includes over 25 years of professional experience, including 17 years of environmental engineering consulting. I have been Project Manager for more than 1600 environmental site assessments and field investigations for property transfers in Connecticut, Rhode Island, New Hampshire, Massachusetts, New Jersey, New York, Florida and Canada. In addition, I have assisted in the permitting of more than 500 wireless telecommunication facilities in New England during the past ten years. My responsibilities include: coordination and

oversight of site screenings and environmental assessments to fulfill NEPA requirements, environmental site assessments, wetland delineations and assessments, vegetative/biological surveys, noise analyses, visual impacts analyses and regulatory permitting support.

Q3. Please describe your involvement in this matter.

A. VHB was responsible for preparing a Visual Resources Evaluation report for the proposed site at 1 Deerfield Lane (the "Site"), which is located on property owned by the Macabee Properties LLC. The Site is currently utilized as a horse boarding facility and contains several associated accessory structures. In addition, there is a building on the Site that contains four residential apartments. The purpose of this Visual Resources Evaluation Report was to evaluate the potential visibility of the proposed telecommunications facility ("Facility") from the surrounding areas.

VHB was also responsible for completing the NEPA compliance documentation for the proposed Site. In addition, VHB conducted the wetlands delineation and wetlands impact analysis for the proposed Site.

Q4. Please describe the process for conducting the Visual Resource Evaluation.

A. At the request of Optasite, VHB conducted the Visual Resource Evaluation (found at Exhibit K of the Application), which included the preparation of a computer-generated viewshed map and performing a balloon float test at the Site on May 10, 2007. The balloon float test consisted of raising a helium-filled weather balloon, approximately four feet in diameter, to the height of 180 feet at the Site. Once the balloon was aloft, VHB personnel drove the public road

system within a two-mile radius (the "Study Area") to inventory those areas where the balloon was visible and photograph the balloon from numerous vantage points to document representative locations where the proposed tower will be visible. The location of each photograph was recorded using a hand-held GPS receiver and subsequently plotted on a USGS 7.5 Minute topographic quad map, utilizing ESRI's ArcView® Spatial Analyst software, to indicate their approximate distance and relative location to the proposed Facility.

Q5. How were the representative locations chosen?

A. Several photo locations were selected prior to the in-field evaluation, utilizing a preliminary version of the viewshed map to identify areas adjacent to public roads from where the proposed Facility might be visible. Other locations were identified based on in-field observations made during the time of the balloon float.

Q6. Please describe how you prepared the viewshed analysis for the Visual Resources Evaluation.

A. Using ESRI's ArcView® Spatial Analyst, a computer modeling tool, the areas from which the top of the tower is expected to be visible are calculated. This is based on information entered into the computer model, such as tower height, its ground elevation, existing vegetation and surrounding topography. Data incorporated in the model includes 7.5 minute digital elevation models ("DEMs") and a digital forest layer for the project area. The forested areas within the Study Area are overlaid on the DEMs and then a series of constraints are applied to the computer model to achieve a realistic estimate of where the tower will be visible from within the surrounding landscape.

Also included in the viewshed model is a data layer, obtained from the Connecticut State Department of Environmental Protection (“DEP”), which depicts various land and water resources such as state parks and forests, recreational facilities, dedicated open space and DEP boat launches. Additionally, information is gathered from the Connecticut State Department of Transportation (“DOT”) and local officials to determine if there are any state or locally designated scenic or historic roadways.

Q7. Please describe the visibility of the proposed Facility.

A. Areas from which the proposed Facility will be at least partially visible year-round comprise only 14 acres or less than 1% of the entire Study Area, with much of that visibility occurring on the host Site itself and in the immediate vicinity of the Site. We expect the proposed Facility to be visible along portions of Osbourne Lane, Ford Road, Milan Street and Kimberly Lane. We estimate approximately 7 residential properties may have partial views of the proposed Facility from portions of the parcels.

In addition, the proposed Facility may be at least partially visible seasonally (during “leaf off” conditions) from an additional 54 acres and portions of approximately 8 additional residential properties.

Q8. Please describe any features of the Site that will assist in reducing any potential visual impact of the proposed Facility.

A. The size and location of the Site itself will serve to reduce the visual impact of the proposed Facility. Specifically, the host Site is approximately 16 acres in size and is largely undeveloped with extensive, existing vegetation. In addition, the Site is located adjacent to a several undeveloped tracts of land

including property owned by Osbourne Lane Associates LLC to the west and large tract of undeveloped land currently owned by the State of Connecticut.

Q9. Will the proposed Facility have any impact on any sensitive visual receptors such as scenic, historic or recreational sites or parks?

A. No, the proposed Facility will not impact any sensitive visual receptors.

There are three state or local parks within the Study Area. Those include Schriber Park and Alice Newton Street Memorial Park (which includes a public hiking trail). In addition, while not a public park, the Ansonia Nature Center is also included within the Study Area. There will be no visual impact to Alice Newton Street Memorial Park and the public hiking trail included in that park. There will be extremely limited visibility from Schriber Park. There will be limited visibility from the northern edge of the Ansonia Nature Center. Finally, there are no designated scenic roads or historic sites within the Study Area.

Q10. Please describe the results of the NEPA screen conducted by VHB.

A. At the request of Optasite, VHB commenced a NEPA screen to determine if the proposed Facility falls under any listed categories of Section 1.1307 under NEPA. Based upon VHB's preliminary review, the proposed Facility does not fall under any listed categories of Section 1.1307. In addition, VHB corresponded with numerous agencies including the State of Connecticut Department of Environmental Protection ("DEP"), the United States Department of the Interior, Fish and Wildlife Service, the Connecticut Commission on Culture & Tourism, Historic Preservation & Museum Division, among others. Attached hereto as Exhibit 1 is a copy of the NEPA documentation thus far. This includes a letter from the State of Connecticut, Department of Environmental Protection stating

that the proposed Facility will have no impact on any endangered, threatened or species of concern. In addition, Exhibit 1 contains correspondence with the State Historic Preservation Office (“SHPO”) stating that the proposed Facility will have no adverse effect on historic resources in this area. Based upon the NEPA screen and verbal discussions with various agencies, VHB expects that the Site will be 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.

Q11. Please describe the results of the wetlands impact analysis conducted by VHB.

A. At the request of Optasite, VHB conducted a wetlands screen and wetlands impact analysis at the proposed Site. The results of that analysis are included in the Application at Exhibit J. VHB identified a forested wetland in the east portion of the Site south of the existing access way. Based upon VHB’s review, the wetland on the Site is more than 200 feet away from the proposed access drive and more than 400 feet away from the proposed equipment compound and tower. Therefore, VHB concluded that there will be no direct or indirect wetlands impact from the construction and operation of the proposed Facility.

Q12. Based upon your experience, can you please describe what impact, if any, the proposed Facility will have on wildlife in the area, including bird migration and breeding?

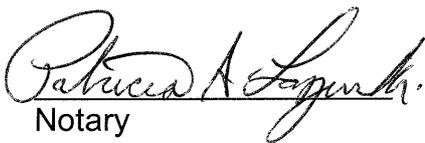
A. The construction and operation of the proposed Facility will have no permanent impact on wildlife in the area, including bird migration and breeding.

The proposed development is a modest footprint and the site's immediate proximity to similar habitats will allow for natural relocation of potential wildlife from the construction zone. Any effects on wildlife and its use of wildlife habitat would be temporary as a result of disturbance during construction. Wildlife species currently using the site are common to the area and are adaptable to minor habitat modifications. We anticipate that the site should maintain its species diversity and abundance after the facility is completed and operational. The proposed height of the tower (less than 200 feet), its design (self-supporting monopole), and the fact that it will not require lighting represent the three major factors in minimizing potential conflict with bird migration. Available research suggests that large towers (in excess of 250 feet), particularly those supported by guyed wires and anchors, and lighting contribute greatly to the increase of bird collisions.

9-10-07
Date


Michael Libertine

Subscribed and sworn before me this 10 day of September, 2007.

By: 
Notary
My Commission expires: August 31, 2010