

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

IN RE:

APPLICATION OF GLOBAL SIGNAL
ACQUISITIONS II FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND
PUBLIC NEED FOR THE RE-LOCATION,
CONSTRUCTION, MAINTENANCE AND
OPERATION OF A TELECOMMUNICATIONS
FACILITY AT 1919 BOSTON POST ROAD,
GUILFORD, CONNECTICUT

DOCKET NO. _____

DATE: October 19, 2007

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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, Global Signal Acquisitions II¹ (the "Applicant") hereby submits an application and supporting documentation (collectively, the "Application") for a Certificate of Environmental Compatibility and Public Need for the re-location, re-construction, maintenance and operation of a wireless communications facility currently existing on the property located at 1919 Boston Post Road (the "Existing Facility") to another location on the same property (the "Re-located Facility") in the Town of Guilford. The proposed Facility is a necessary component in the network plans of T-Mobile, Nextel, Sprint, Verizon Wireless and AT&T Wireless to provide personal wireless communications services in the State of Connecticut and New Haven County. The

¹ At the time of the filing of the technical report, the Existing Facility was owned by Global Signal. In the interim, the Existing Facility was sold in an acquisition by Crown Atlantic Company LLC. The ground lessee of the Existing Facility is now STC 5. Global Signal Acquisitions II is the sublessee of STC 5 and has the authority to submit this Application.

proposed Re-located Facility will allow the above-mentioned wireless communications providers to continue to provide service in the Town of Guilford along Interstate I-95 and the Boston Post Road, as well as in adjacent areas.

B. Executive Summary

A 150 foot telecommunications tower currently exists on the property located at 1919 Boston Post Road. On May 22, 1997, the Guilford Planning and Zoning commission approved an application for a special permit for Sprint Spectrum, LP to construct a 130 foot monopole at 1919 Boston Post Road, and a special permit was issued on June 4, 1997. A copy of that approval is attached hereto as Exhibit A. Subsequent to the construction of the Existing Facility, regulatory jurisdiction over the Existing Facility became the province of the Council. See Westport v. Connecticut Siting Council, 260 Conn. 46 (2002).

On February 14, 2003, Sprint Sites USA filed a petition for a declaratory ruling, Petition No. 613, with the Council for a twenty foot extension of the existing monopole. The Council made a determination that the modifications to the Existing Facility would not result in an adverse environmental impact, and in fact the modifications were necessary to allow Nextel, T-Mobile and AT&T to provide adequate wireless coverage to this area. A copy of the approval is attached hereto as Exhibit B.

The property consists of three parcels (collectively the "Property"): (1) The parcel on which the Existing Facility is located is owned by Roger Stone and is listed as Map 79, Lot 35 in the Guilford Tax Assessor's records; (2) two adjacent parcels where the Facility would be re-located are owned by Developers Diversified Realty ("DDR") and are listed as Map 79, Lot 34 and Map 79, Lot 36A in the Guilford Tax Assessor's records. DDR currently has a long term lease for the Roger Stone parcel. The Property totals 28.22

acres. The Property is located in the SCW Service Center West Zoning District. The Existing Facility needs to be re-located because DDR is in the process of obtaining necessary approvals to construct a lifestyle retail development on the Property and the current location of the Existing Facility is within the footprint of a proposed building.

Global Signal proposes to dismantle the Existing Facility, which is located on the northwest portion of the Property and construct the Re-located Facility on the northeast corner of the Property ("Site"). As demonstrated on the plans attached hereto as Exhibit C, it proposes to re-construct the existing 150 foot tall steel monopole in an approximately 3,050 square foot compound area.² The proposed Re-located Facility will be the same height as the Existing Facility, which was previously approved by the Council in Petition 613. In addition, the compound size will be the same as the compound at the Existing Facility.

The equipment compound will be enclosed by an 8-foot tall, garden fence. The Re-located Facility would be designed to accommodate all of the tenants on the Existing Facility. These include: T-Mobile, Nextel, Sprint, Verizon Wireless and AT&T.

Vehicular access will be provided via a paved driveway which will also be used by the proposed commercial development at the Property. Utility service will extend underground from the Boston Post Road to the Re-Located Facility. No water or sanitary facilities are required and once built, the Facility will generate minimal traffic because each of the collocating entities will only need to visit the Re-located Facility about once a month to perform routine maintenance and inspection.

² Due to the structural issues associated with tower removal and reconstruction the existing monopole will not be used. A new 150 ft monopole will be purchased and existing equipment will be re-used to the extent possible.

Included in this Application and the exhibits attached hereto, are survey-based plans, attached hereto as Exhibit C, and other information detailing the Re-located Facility proposed at the Property and potential environmental impacts associated therewith. The Applicant respectfully submits that the reports and other supporting documentation included in this Application contains the 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 D.

C. The Applicant

Global Signal is a wireless infrastructure company that owns, operates and maintains telecommunications towers throughout the country, including the State of Connecticut. Its home office is located in Canonsburg, PA. Global Signal specializes in providing wireless infrastructure to licensed wireless carriers and data providers. It has successfully developed new wireless facilities throughout the Northeast and has specifically acquired existing towers from telecommunication providers in Connecticut. Global Signal's goal is to develop, operate and maintain quality communication facilities to be shared and used by numerous wireless providers that will benefit the community, as well as the service providers. The company and its affiliated entities, including STC 5, the lessee of the Existing Facility and Crown Atlantic Company, LLC 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).

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 \$215,000.00. 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)

Global Signal is not 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 Re-located Facility has not been identified in any annual forecast reports. As such, the proposed Re-located 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 E. Pursuant to CGS 16-50/(b), notice of the Applicant's intent to submit this application was published on two occasions in The New Haven Register and The Shoreline Times. Copies of the published legal notices are included in Exhibit F. 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 Property. Certification of such notice, a sample notice letter, and the list of property owners to whom the notice was mailed are included in Exhibit G.

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 Existing Facility is an integral component of T-Mobile, Nextel, Sprint, Verizon Wireless and New Cingular Wireless's wireless networks in this area of the State of Connecticut. The Existing Facility currently fills a gap in coverage the coverage for all of these wireless carriers' networks in the Guilford area, specifically along Interstate I-895

and Boston Post Road. The proposed Re-located Facility would continue to fill the existing gaps in coverage for these wireless carriers and, in conjunction with other existing and future facilities in Guilford and surrounding towns, is needed by T-Mobile, Nextel, Sprint, Verizon Wireless and New Cingular Wireless to provide its wireless services to people living in and traveling through this area of the State.

Included herein as Exhibits H and I are propagation plots prepared by T-Mobile and Nextel filed in support of petition 613T, showing coverage from existing and approved surrounding sites both with and without the Existing Facility. These propagation plots clearly demonstrate the need for a site in the area, the effectiveness of the Existing Facility and the necessity of the proposed Re-located Facility to maintain effective coverage in this area of Guilford. Based on the location of the proposed Re-located Facility and the lack of coverage in this area, Global Signal can not readily predict a point in time at which the Facility might reach maximum capacity.

B. Statement of Benefits

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. The carriers that are currently located on the Existing Facility and will be co-locating on the Re-located Facility have deployed and continue to deploy network technologies to implement the FCC’s E911 mandates. The proposed Re-located Facility in Guilford will become an integral component of each of these carriers’ E911 network in this area of the state.

C. Technological Alternatives

The FCC licenses granted to 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 Re-located Facility is a necessary component of T-Mobile, Sprint/Nextel, Verizon Wireless and New Cingular’s wireless network.

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 Guilford 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 Re-

located Facility. The Applicant submits that there are no equally effective technological alternatives to re-location and re-construction of the Existing Facility for providing reliable personal wireless services in this area of Connecticut.

IV. Site Selection and Tower Sharing

A. Site Selection

As discussed, the Existing Facility was originally approved for the Property by the Guilford Planning and Zoning Commission in 1997. See Exhibit A. Subsequent to the construction of the Existing Facility, regulatory jurisdiction over the Existing Facility became the province of the Council. On February 14, 2003, Sprint Sites USA filed a petition for a declaratory ruling, Petition No. 613, with the Council for a twenty foot extension of the existing monopole. The Council made a determination that the modifications to the Existing Facility would not result in an adverse environmental impact, and in fact the modifications were necessary to allow Nextel, T-Mobile, AT&T and New Cingular to provide adequate wireless coverage to this area. See Exhibit B. Global Signal identified ten (10) 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 J.

The Property is proposed to be the location of new development that will enhance and benefit the residents of Guilford. In order for the Property to be developed in a productive manner, the Existing Facility must be relocated to a different location on the Property. Global Signal has agreed to relocate the Existing Facility in order to accommodate this development. The purpose of this application, then, is simply to relocate the Existing Facility, and will not involve making any changes to the design or collocations. The only change that will occur is that, with the merger of New Cingular

Wireless and AT&T, AT&T has determined that it will only require one set of antennas on the Re-located Facility. Therefore, Global Signal respectfully represents that both the Guilford Planning and Zoning Commission, in 1997 and the Council, in 2003, have determined that the Property is the ideal location in this area of Guilford for the location of a facility and requests a waiver of the Council's requirement in the Application Guideline to provide a USGS map showing rejected sites.

B. Tower Sharing

The Existing Facility and proposed Re-located Facility are prime examples of the benefits of tower sharing. The Existing Facility has six (6) carriers co-locating on it including both Cingular equipment and AT&T Wireless equipment. Due to the merger of Cingular and AT&T Wireless into New Cingular Wireless (now AT&T), AT&T now only requires one set of equipment on the Re-located Tower. To promote the sharing of wireless facilities in the Guilford area, the Re-located Facility can accommodate the remaining five (5) antenna platforms and equipment for the wireless carriers that currently co-locate on the Existing Facility. Other than removing one of the two sets of equipment on the Existing Facility for New Cingular Wireless/AT&T, all of the carriers on the Existing Facility have committed to re-locating on the Re-located Facility. Details of the design of the Re-located Facility are included in Exhibit C.

V. Facility Design

Global Signal will lease a 3,050 square foot parcel within the approximately 28.22 acre Property. The proposed Facility would at a minimum require the construction of a 150 foot high self-supporting monopole. The following is a table of the wireless carriers on the Existing Facility and the proposed heights for each carrier on the Re-located Facility.

WIRELESS CARRIER	EXISTING HEIGHT	PROPOSED HEIGHT
T-Mobile	150 feet	150 feet
Nextel	140 feet	140 feet
Sprint	130 feet	130 feet
Verizon Wireless	120 feet	120 feet
New Cingular Wireless	110 feet	New Cingular Wireless – 110 feet
AT&T Wireless	100 feet	New Cingular Wireless – 110 feet

As shown in Exhibit C, each carrier would occupy equipment shelters, approximately 12 foot by 20 foot in size, with the exception of Verizon Wireless which will occupy a shelter of 12 foot by 30 foot, within a 50 foot by 61 foot equipment compound. In addition, Sprint/Nextel, while maintaining two sets of antennas on the tower, will occupy one equipment shelter. The compound would be enclosed by a garden fence, eight (8) feet in height and will match the exterior of the retail buildings in the development proposed by DDR.

Vehicular access to the Re-located Facility would extend from Boston Post Road over a proposed paved driveway that would also be used by the proposed commercial development on the Property. Construction of the new driveway will not result in the removal of any trees of 6" in diameter or greater. See Exhibit C, tree inventory letter. Underground utility connections would extend from Boston Post Road to the compound. Exhibit C contains the specifications for the proposed Re-located Facility at the Property

including a site plan, a compound plan, tower elevation, access map and other relevant information. Exhibit K contains a wetlands delineation report. Exhibit L contains visual resources evaluation including a computer-based, predictive viewshed model and photosimulations. Some of the relevant information included in these exhibits for the Property reveals that:

- The property is classified in the SCW Service Center West zoning district;
- No wetlands are found within 129 feet of the proposed Re-located Facility or new access drive;
- The property currently contains the Existing Facility, a small self-storage facility and a small commercial building with associated parking and is proposed to be developed as a lifestyle retail development;
- Minimal grading of the proposed access drive and minimal grading of the proposed compound area would be required for the construction of the proposed Re-located Facility and all of the proposed grading is required to be performed as part of the retail development on the Property regardless of the proposed Re-located Facility;
- Minimal clearing would be required for development of the proposed access drive and compound area;
- The proposed Re-located Facility will have no effect on historic or architectural resources, See copy of Archeological Study attached hereto as Exhibit M and Exhibit N, copy of correspondence from the State Historic Preservation Office; and
- The proposed Re-located 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 Re-located 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 L contains a computer-based, predictive viewshed model which depicts the potential impact of the proposed Facility from surrounding views for the Property as well as a Visual Resource Evaluation. In addition, the Visual Resource Evaluation compares the visibility of the Existing Facility with the proposed visibility of the Re-located Facility. Overall, the Re-located Facility will have virtually the same visual impact as the Existing Facility.

Global Signal retained Vanasse Hangen Brustlin (“VHB”) to prepare the Visual Resource Evaluation. On June 14, 2006, VHB conducted a balloon float test at 150 feet AGL at the Site of the Re-located Facility in order to evaluate the potential viewshed associated with the proposed Facility. VHB sought to determine the visibility impact of the Re-located 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 Property (“Study Area”).

The Visual Resources Evaluation demonstrates that the proposed Re-located Facility will have virtually the same visual impact as the Existing Facility and will be as inconspicuous as possible. The topography and the mature vegetation in the area will significantly limit the visual impact of the proposed Re-located Facility.

The existing vegetation in the area of the proposed Property is mature, mixed deciduous hardwood species with an average estimated height of 65 feet. Based on the viewshed analysis contained in Exhibit L, areas from which the proposed Re-located Facility will be at least partially visible comprise only 51 acres, which is less than one percent (>1%) of the entire Study Area. Of note, the total acreage currently experiencing views of the Existing Facility is 54 acres. Therefore, the proposed Re-located Facility will actually result in a net decrease of total areas from which the proposed Re-located Facility will be visible. The visibility of the Re-located Facility will be largely confined to the US Route 1 transportation corridor. Generally, the Re-located Facility will be visible from those locations that currently feature views of the Existing Facility. Only two (2) residences will have year-round views of the Re-located Facility and approximately ten (10) residences will have limited seasonal views of the Re-located Facility.

The compound area will have a de minimis visual impact as it will be screened by the proposed garden fencing. In addition, the Property itself will provide a visual buffer of the compound since the compound itself will be tucked in behind one of the proposed retail buildings. 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 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 Re-located Facility will not result in an unacceptable adverse visual impact.

As the Visual Resources confirm, the location of the proposed Re-located Facility at the proposed Property will not have a significant visual impact on the surrounding area. In addition, the Visual Resources confirm that the location of the proposed Re-located Facility at the Property will not have a significant visual impact on any hiking or recreational sites, scenic highways or historic sites. In particular, there are no anticipated views from Route 77, a state-designated scenic roadway or from the Cockaponset State Forest.

Weather permitting, Global Signal will raise a balloon with a diameter of at least three (3) feet at the proposed Property 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

Global Signal submitted requests for review and comment for the Property 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 N.

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, Global Signal includes, as Exhibit O, a copy of the power density calculations submitted with Petition 613T. The worst-case calculation of power density for operation of all of the carriers currently co-

locating on the Existing Facility would be approximately 31.58 % of the applicable FCC/ANSI standards.

D. Other Environmental Factors

The proposed Re-located Facility would be unmanned, requiring monthly maintenance visits by each carrier that will last approximately one hour. All of the proposed carriers' equipment at the Re-located Facility would be monitored 24 hours a day, 7 days a week from remote locations. The proposed Re-located Facility at the Property would not require a water supply or wastewater utilities. No outdoor storage or solid waste receptacles will be needed. Further, the proposed Re-located 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 Re-located Facility will have no significant impact on the air, water, or noise quality at the Property.

Global Signal has evaluated the Property 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 P. The Property 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 Property. The Property 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 K, no federally regulated wetlands or watercourses will be impacted by the proposed Facility. In addition, the NEPA report indicates that the proposed Re-located 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 Property 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 Guilford 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 Property and the planned and existing uses of the proposed site locations are also detailed in this section.

A. Guilford Plan of Conservation and Development

The Guilford Plan of Conservation and Development (the "Plan"), a copy of which is included in the bulk filing, was adopted in 2002. Wireless communications facilities are not specifically addressed in the Plan. However, Section 2.6 of the Plan (Policy C) discusses promoting compatible and sustainable economic development and notes that "[d]eveloping and maintaining a strong local economy is essential to enhance the community's resources . . . provide employment opportunities, and support the provision of the broad number of amenities and services desired by Guilford's growing population. See Bulk Filing, Plan at p.32. The Plan articulates that the Boston Post Road West area, where the Property is located, is targeted for economic development. Id. at 34. As discussed earlier, the entire reason that the Existing Facility needs to be re-located on the Property is because of a proposed commercial/retail development on the Property. Accordingly, Global Signal respectfully submits that the proposed Re-located Facility, which will permit the continued provision of needed wireless communications service

within the Town and, at the same time, make way for economic development is consistent with the Town's Plan.

B. Guilford Zoning Regulations and Zoning Classification

According to the Town's zoning map and municipal tax records, the Property is classified in the SCW Service Center West zoning district.

Section 273-95 of the Town's Zoning Regulations discusses communications towers, antennas and facilities. That section defines "Communication Tower" as "[a] structure that is intended to support equipment used to transmit and/or receive telecommunications signals." See Bulk Filing, Zoning Regulations, § 273-95. Section 273-95 states that the purpose of the communications tower regulations is "(1) to accommodate the need for communications towers while regulating their location and number; (2) to avoid potential damage to adjacent property from these facilities; (3) to reduce the number of communications towers, facilities and sites needed in the future; and (4) to minimize the adverse visual effects through regulations on the Town-wide basis." Id.

Section §273-95 of the Town's Zoning Regulations goes to set forth the Town's recommended zoning requirements for wireless communications facilities. See Bulk Filing, Zoning Regulations, § 273-95. Consistency of the proposed Re-located Facility at the Property with these standards and requirements are illustrated in the following table.

Standards and Dimensional Requirements

Regulation Section	Requirement of Regulation	Proposal
Section 273-95	Maximum Height of Tower	Site
(D) (8)	Shall not exceed the minimum technical requirements of the facility	Proposed Height is 150 feet, the minimum required by the carriers on the Existing Facility. Of note, this height was approved by the Council in Petition 613.
Section 273-95	Setback	Site
(D) (9)	Facility treated as an accessory structure in underlying zone and must meet setback requirements for a principle structure on the lot. For SCW Zone: Front-yard: 75 Feet Rear-yard: 20 Feet Side-yard: 15 Feet	Actual Setbacks: Front-yard: 422 feet Rear-yard: 388 feet Side-yard: 94 feet
Section 273-95	Visual Impact	Site
(D) (5)	Mitigation efforts required including landscaping, fencing, painting	Proposed 8 foot garden fence; Applicant will paint tower in accordance with recommendations of the Town and the Council
Section 273-95	Joint Use	Site
(D) (4)		

	For new towers, tower must be constructed to accommodate 3 carriers and other communications companies	Proposed Re-located Facility will accommodate five (5) wireless carriers
Section 273-95 (D) (6)	Lighting	Site
	No lighting permitted unless required by Town or by the FAA	None proposed
Section 273-95 (D) (7)	Advertising	Site
	No commercial advertising permitted	None proposed

C. Planned and Existing Land Uses

The proposed Re-located Facility will be located in the northeastern corner of an approximately 28.22 acre property. The Property currently contains the Existing Facility, a self-storage facility and a small commercial building. DDR proposes to develop a lifestyle retail development on the Property. Commercial development is found in the surrounding area along the Boston Post Road and residential development is found in the surrounding areas beyond the Boston Post Road and abutting commercial developments. Consultation with municipal officials and observations did not indicate any known or planned changes in surrounding land uses other than the development proposed at the Property.

D. Guilford Inland Wetlands and Watercourses Regulations

The Guilford 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, § 271-6. Wetlands buffers/upland review areas are defined as 100 feet measured horizontally from the boundary of any wetland or watercourse. See Bulk Filing, Inland Wetlands and Watercourses Regulations, § 271-6.

According to the site survey, field investigations conducted at the Property as well as the wetlands report attached hereto as Exhibit K, no watercourses or wetlands are located within 129 feet of the proposed Property. 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 Re-located 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 July 24, 2006, Global Signal submitted a letter and a technical report to the Town of Guilford with respect to the proposed Re-located Facility at the Property. A copy of the letter to the Town of Guilford is attached hereto as Exhibit Q. The technical report, a copy of which is being bulk filed, included specifics about the proposed Property, the necessity of re-locating the Existing Facility and addressed the public need for the facility, the site selection process and the environmental effects of the proposed Re-located Facility.

On August 3, 2006, attorneys for both the Applicant and DDR met with officials from the Town of Guilford including the First Selectman and the Town's Tower Committee. During Global Signal's follow-up with the Town, the First Selectman indicated that he did not have any concerns about the proposal particularly in light of the fact that the proposal simply involves re-locating the Existing Facility on the Property.

B. Consultations with State Officials

As noted in Section VI.B of this Application, Global Signal consulted with and requested review of the proposed Re-located Facility from DEP and SHPO. Exhibit N contains DEP and SHPO's correspondence for the Property.

C. Consultation with Federal Agencies

Global Signal has received a determination from the Federal Aviation Administration ("FAA") for the Property, which is included in Exhibit R. 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.

As discussed supra, Global Signal has evaluated the Property in accordance with the FCC's regulations implementing the National Environmental Policy Act of 1969 ("NEPA") and evaluated whether any of the proposed construction falls under NEPA's "listed categories." 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, Global Signal conducted a review for the Property and determined that the Property does not fall under any of the NEPA "listed" categories of 47 CFR §1.1307.

Therefore, the proposed Re-located Facility does not require review by the FCC pursuant to NEPA. A copy of the NEPA report is attached hereto as Exhibit P.

IX. Estimated Cost and Schedule

A. Overall Estimated Cost

The total estimated cost of construction for the proposed Re-located facility is \$215,000.00. This estimate includes:

- (1) Tower and foundation costs (including installation) of approximately \$120,000;
- (2) Site development costs of approximately \$30,000; and
- (3) Utility installation costs of approximately \$30,000; and
- (4) De-commissioning Existing Facility costs of approximately \$35,000.

B. Overall Scheduling

Site preparation and engineering would commence immediately following Council approval of Global Signal'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 the Existing Facility is currently fulfilling the public need for improved wireless services and that, therefore, the Re-located Facility should be approved in order to continue to provide improve wireless services to the Guilford area. The foregoing information and attachments also demonstrate that the proposed Re-located Facility will not have any substantial adverse environmental effects. The Applicant respectfully submits that the public need for the proposed Re-located Facility has already been previously established by prior approvals of the Existing Facility by both the Town and the Council and that the clearly established public need outweighs any potential environmental effects resulting from the re-location and re-construction of the proposed Re-located Facility at the Property. As such, the Applicant respectfully requests that the Council grant a Certificate of Environmental Compatibility and Public Need to Global Signal for a proposed re-location and reconstruction of a wireless telecommunication facility at 1919 Boston Post Road, Guilford, Connecticut.

Respectfully Submitted,

By:  _____

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