

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

RE: APPLICATION BY PHOENIX PARTNERSHIP  
LLC, FOR A CERTIFICATE OF ENVIRONMENTAL  
COMPATIBILITY AND PUBLIC NEED  
FOR A TELECOMMUNICATIONS FACILITY  
AT 50 DEVINE STREET IN THE TOWN  
OF NORTH HAVEN, CONNECTICUT

DOCKET NO. 384

Date: November 24, 2009

**PRE-FILED TESTIMONY OF KEITH COPPINS**

**Q1. Please state your name and profession.**

A1. Keith Coppins and I am the managing member of Phoenix Partnership, LLC ("Phoenix").

**Q2. What is Phoenix?**

A2. Phoenix is a limited liability company organized under the laws of the State of Connecticut. Phoenix develops telecommunications facilities in the Northeast Corridor, and is presently developing telecommunications facilities in Connecticut, Massachusetts, New York, New Jersey, Rhode Island, and Florida.

**Q.3. What does Phoenix specifically do to develop telecommunications facilities?**

A.3. Once Phoenix identifies a need for wireless coverage in a certain area, Phoenix researches properties that would serve as suitable hosts for telecommunications facilities, and markets those properties to wireless carriers. Once Phoenix secures a tenant for the site, Phoenix prepares that site for the regulatory process, which includes engineering, environmental, and FAA analysis and design. Once the regulatory process

is complete, Phoenix oversees all phases of construction to ensure the site is constructed to the proper standards and that it complies with the approved Development and Management Plan. Finally, upon the completion of the facility, Phoenix ensures that the site has the proper signage, including emergency contact information, and maintains the facility with scheduled routine maintenance.

**Q.4. What is your professional background in telecommunications?**

A.4. I am the Managing Member of Phoenix Partnership, LLC. Prior to starting Phoenix, I was the Vice President of Development for Optasite, Inc., where I led a development team in the Northeast Region. I have more than ten years of experience in the telecommunications industry, with a primary focus on property development, lease contract negotiations, and construction of newly-approved towers. Prior to joining Optasite, I was the Vice-President of Site Acquisitions, Inc., where I oversaw the leasing, zoning and construction of new towers sites. My responsibilities also included the management of consulting teams for AT& T Wireless and T-Mobile.

Prior to Site Acquisitions, I was General Manager for American Tower Corporation. I managed a consulting group for Cellular One and Southern New England Telephone. My primary responsibilities included site acquisitions, lease negotiations and zoning of new cellular sites in the New England and New York markets. Overall, I have successfully completed all aspects of development activities for more than 300 sites in Connecticut, Massachusetts, Vermont and New York.

**Q.5. How does Phoenix conduct a site search?**

A.5. Phoenix seeks out a site in an area based upon its knowledge and understanding of existing weaknesses in the systems of the wireless carriers operating in the area and its consultation with the individual carriers. A target area is chosen central to the area in which the coverage and/or capacity needs have been identified. The area targeted is the geographical location where the installation of a site would, based on general radio frequency engineering and system design standard, likely address the identified problem. Phoenix's goal is to locate sites that will provide for orderly integration into the existing wireless systems of multiple carriers. In selecting a particular site, Phoenix considers the potential impacts on environmental and historical resources, including the potential visual impacts of a proposed telecommunications facility.

**Q.6. Please describe Phoenix's search for the proposed Facility.**

A.6. Phoenix commenced its site search in September, 2008. Phoenix was aware of Youghioghenny Communications Northeast LLC d/b/a Pocket Wireless' ("Pocket") need for a facility in this area of North Haven. Accordingly, Phoenix focused its search in the area between Exit 9 and Exit 12 of Interstate 91 in North Haven. In that area, Phoenix did not find any existing telecommunication towers suitable for Pocket's coverage needs. The nearest telecommunication towers are either already in use by Pocket or do not provide the necessary coverage to resolve the identified coverage needs. Additionally, Phoenix concluded there were no existing structures which were suitable for use and available. As a result, Phoenix then considered locations for a new telecommunications tower.

Phoenix's investigation demonstrated that 50 Devine Street, North Haven, Connecticut (the "Property") is superior to other properties in the immediate area which might be used to locate a new facility. A telecommunications facility located on the Property (the "Facility") would address the coverage need in this area of North Haven for carriers such as Pocket. The Property is zoned for industrial use and is currently used for commercial and industrial purposes. The Property is also located away from residential neighborhoods — the nearest residential areas are separated from the Property by transportation corridors such as Interstate 91, Route 40 and Route 5.

Additionally, the proposed Facility would have little, if any, environmental impact. There are no wetlands in the immediate vicinity and the installation of the Facility would require minimal intrusion. Finally, the visual impact would be minimal – limited to the immediate area, which consists primarily of the nearby transportation corridors of Interstate 91, Route 40 and Route 5. There is no anticipated visibility from the Pines Bridge Historic District (approximately .7 miles away) or from Sleeping Giant, Quinnipiac or Wharton Brook State Parks located between two and five miles away to the north of the Facility. The Property, therefore, is uniquely suited for a telecommunications facility. Please see photographs of the site attached hereto as Exhibit A.

**Q.7. What other properties did you consider and why were they rejected in favor of the Property?**

A.7 Phoenix considered and rejected several other sites. The reasons for rejecting each of these sites are as follows:

Commercial property, 41 Stiles Lane. This is a large parcel owned by Pharmacea and Upjohn Company (c/o Pfizer). The property is apparently used for

manufacturing activities and is secured with a security gate. The property owners have not responded to correspondence sent by Phoenix.

Stiles Lane Company, 33 Stiles Lane. The property owners have not responded to correspondence sent by Phoenix.

Marlin Firearms, 100 Kenna Drive. On November 13, 2000, the Town's Planning and Zoning Commission denied a site plan application submitted by AT&T Wireless Services regarding a proposed tower for this property. One of the concerns cited was the visual impact to nearby residents. The landowner has indicated it will not sign a lease until the Town demonstrates clear support for the project. Regardless, as evidenced by the Commission's letter, this property is within close proximity to nearby residential properties. It is also near wetlands. After reviewing both sites, Phoenix is confident that the Devine Street Site will have little or none of the visual impact that the Commission was concerned about with the Marlin Firearms site.

New York Central Lines LLC, (Map 52, Lots 1 and 2). These parcels are directly adjacent to the proposed Site. The parcels, however, are not suitable because of existing wetlands and salt marsh.

**Q.8. Has Phoenix consulted with municipal officials about the Facility?**

A.8. Yes. Phoenix has met with North Haven municipal officials in compliance with General Statutes § 16-50/ (e). On May 29, 2009, Phoenix submitted a technical report to the First Selectman regarding the Facility, which included specifics about the Property, the Facility, the site selection process and the environmental effects of the proposed Facility. On June 11, 2009, representatives of Phoenix met with Alan A. Fredericksen, the Town's Land Use Administrator, to discuss the Facility and answer any questions the Town might have regarding the Facility. On July 23, 2009, Phoenix submitted additional information, including revisions to the plans at the Town Planner's request, to the Town. Finally, on August 3, 2009, the Planning and Zoning Commission held a public meeting to discuss the proposed Facility. Attorney Monte E. Frank attended this meeting and discussed the proposed Facility with the Commission.

**Q.9. Did the Town request any modification to the proposal as a result of the municipal consultation, and if so, were these changes incorporated into the project as submitted in Docket No. 384?**

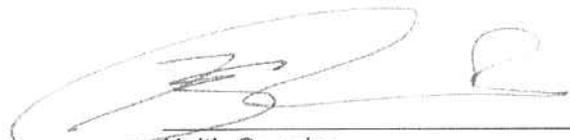
A.9 The Town requested that Phoenix revise the site plans so that the Facility would be set back from the property lines a distance of at least three-quarters the height of the tower. Phoenix incorporated this request into its plans and provided the Town with a revised site plan prior to the meeting with the Planning and Zoning Commission on August 3, 2009.

**Q.10. Has Phoenix offered the Town of North Haven the opportunity to co-locate its emergency services equipment on the Facility?**

A.10. Phoenix has expressed to the Town of North Haven its willingness to provide, free of charge, space on the proposed monopole for municipal public safety communications antennas.

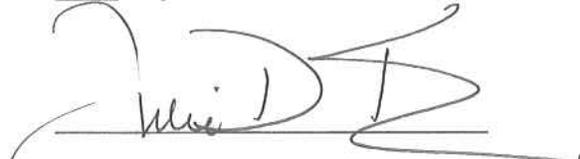
**Q.11. Did Phoenix post a sign giving the public notice of the hearing on this Application?**

A.11. Yes, on November 12, 2009, Phoenix posted a sign at the Property giving the public notice of the hearing on this Application. A photograph of the sign is attached hereto as Exhibit B.



Keith Coppins

Sworn and subscribed to before me this  
27<sup>th</sup> day of November, 2009.



Notary Public  
My Commission expires

# **EXHIBIT A**













# **EXHIBIT B**

**11 ACRES  
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## **PUBLIC NOTICE**

Phoenix Partnership, LLC has filed an application with the Connecticut Siting Council ("Council") for the construction of a telecommunications facility on this site. The maximum height of this facility shall not exceed 120 feet. The Council will hold a public hearing on December 1, 2009 at Library Community Room 17 Elm St. North Haven, CT at 3:00 p.m. and at the offices of the Council in New Britain, CT at 3:00 p.m. and please contact the Council in New Britain, CT. For more information, at [siting.council@ct.gov](mailto:siting.council@ct.gov), or by mail at 10 Franklin Square, New Britain, Connecticut, 06051

NOV/12/2009