STATE OF CONNECTICUT CONNECTICUT SITING COUNCIL

IN RE:

APPLICATION OF NEW CINGULAR WIRELESS PCS, LLC (AT&T) FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF A TELECOMMUNICATIONS TOWER FACILITY AT ST. MATTHEW LUTHERAN CHURCH AT 224 LOVELY STREET IN THE TOWN OF AVON

DOCKET NO. 373

FEBRUARY 27, 2009

NEW CINGULAR WIRELESS ("AT&T) RESPONSES TO SITING COUNCIL PRE-HEARING INTERROGATORIES

- Q1. Did AT&T receive return receipts for all adjacent landowners listed in Application Attachment 9? If not, list the landowners who have not received notice and describe any additional effort to serve notice.
- A1. Return receipts for all adjacent landowners listed in Application Attachment 9 were received. Included as Exhibit A are copies of the return receipts.
- Q2. Who is the owner of Lot 1870138, Map 11? (two different owners listed in application).
- A2. According to the Town of Avon Tax Assessor, Lot 1870138, Map 11 is held in the name of J.S. Lawless (Trustee). A tax card is included as Exhibit B.
- Q3. Who was contacted in regards to use of the Brighenti properties at 99 Lovely Street?
- A3. 99 Lovely Street is owned by Jackson, Inc., a Brighenti family corporation. By letter dated August 5, 2008 representatives of AT&T advised Mr. Brighenti of AT&T's interest in locating a telecommunications facility in the area. Mr. Brighenti subsequently returned a form provided by representatives of AT&T indicating that there was no interest in hosting such a facility. The original communication to Mr. Brighenti did not specifically cite to the property at 99 Lovely Street (Town of Avon Tax Map 005 Lot 3060099). A subsequent letter of interest was sent to Jackson, Inc. specifically inquiring as to placing a wireless facility at 99 Lovely Street. A provided form was returned indicating that the Jackson, Inc. property is not available to host a wireless telecommunications facility consistent with prior communications with Mr. Brighenti. These communications are included in Exhibit C.

- Q4. Were a radio frequency analysis and/or a visibility analysis conducted at the Briarcliff Lake Swim Club property? If so, please submit. Was the property owner contacted and amenable to the potential installation of a telecommunications facility at property?
- A4. A radio frequency analysis was not conducted for the Briarcliff Lake Swim Club Property. The property owners were also not contacted. Field investigations determined that the likely visible impact of a tower at this site was so pronounced a formal visibility analysis was unwarranted. In addition, the site is also located in a flood plain as per mapping available through the Town of Avon and included in Exhibit D. Photos of the area around the Swim Club demonstrate the topography of the area that would lend to high visibility as well as flooding conditions. These photos are also included in Exhibit D. Given the potential visual impacts as well as the poor site conditions no further investigation of the site was conducted.
- Q5. What were the conditions that precluded use of the Vibert parcel at 335 Lovely Street? What were the Town's objections regarding this property? Was the property owner contacted and amenable to the potential installation of a telecommunications facility at property?
- A5. The Vibert property lies directly south of an area of higher elevation which AT&T sought to avoid in order to maximize coverage in the area without the need for a tower taller than 100' to get service north. The Town did not specifically object to the site and the site was not suggested or offered as a possible siting alternative at any time. References in the Site Search Summary regarding this site relate to AT&T's initial due diligence which included discussions with certain local officials prior to discussions with any property owners. A review of the Town of Avon Existing Land Use Map provided in Attachment 2 of the Application indicates that this property abuts Town Open space to the north and is directly across the street from property owned by the Avon Land Trust. The property owner was not contacted regarding their interest in light of the noted site and surrounding conditions.
- Q6. Please resubmit the site search information on a topographic map that includes all of the sites investigated. Denote the sites in numeric order as presented in the site search summary (1 through 9).
- A6. Included as Exhibit E please find a topographical map labeled "SR2013 Avon Site 224 Lovely Street, Avon CT" which labels the investigated sites including the site proposed. Please note that labels 6-1, 6-2 and 6-3 represent the aggregation of the Brighenti properties as listed in the Site Search Summary in Attachment 2 of the Application.
- Q7. What is the distance and direction to the nearest landowner from the tower site? Identify the property owner.

- A7. The nearest residential dwelling from the tower site is 188.5'+/- south of the site at 15 Greenwood Lane. Town of Avon Tax records indicate that the property is owned by Jane P. Garret, Trustee of the Jane P. Garrett Trust. Please see Exhibit F.
- Q8. What is the distance to the nearest residential dwelling from the tower site? Identify the property owner.
- A8. The nearest residential dwelling from the tower site is 238'+/- south at 21 Greenwood Drive. Town of Avon Tax records indicate that the owners are Thomas C. & Patricia S. McMahon. Please see Exhibit F.
- Q9. How many residences are within 1,000 feet of the tower site?
- A9. Based on the City of Avon online assessor's database and a review of the municipal tax map there are 39 residential dwellings within a 1000' radius of the proposed tower. Please see Exhibit F.
- Q10. Would blasting be required to develop the site?
- A10. Based on research of the local soils it would be unlikely that bedrock would be encountered and require blasting. Soil boring tests will confirm this prior to any construction. Please see Exhibit F.
- Q11. Resubmit the coverage plots provided in Application Exhibit 1, at a scale of 1:40,000. Depict and label major roads on the plot. What is the transmit frequency of the coverage plots?
- A11. Included as Exhibit G please find plots demonstrating current coverage as well as the coverage provided by the proposed facility at the requested scale. The transmit frequencies are identified in the legend. Sites with 1900 MHz only are shown in blue and sites with both frequencies (850 MHz and 1900MHz) are shown in orange. The proposed coverage for this site is represented at 850MHZ.
- Q12. Provide a multi-signal level propagation plots, at a scale of 1:40,000, depicting coverage from existing sites and the proposed site at tower heights of 87' and 77'. Depict and label major roads on the plots.
- A12. Included as Exhibit G please find propagation plots at 87' and 77' which also depict existing coverage and major local roads. The proposed coverage for this site is represented at 850MHZ.
- Q13. Explain what the maps in Application Exhibit 4, Attachment A & D depict. How does the information on the maps compare with the visibility analysis conducted in the field? Provide the photo locations on topographic map A without the yellow overlay.

A13. The photo location map provided in Exhibit 4 of the Application (Attachment A of EBI's Visual Resource Evaluation Report) depicts the visibility of the proposed tower from various points located within a 1 mile radius of the proposed tower site. Attached as Exhibit H is a revised topographic map without the yellow overlay.

EBI conducted a Project Site Area Reconnaissance along the roads located within the Project Site Area. Included in Exhibit H please find a letter from EBI Consulting providing a table representing the proposed tower's visibility based on three visual categories: leaf-on site reconnaissance, leaf-off site reconnaissance and visibility based on the Viewshed Analysis Maps.

- Q14. Provide the affidavit of publication for Notice pursuant to CGS Section 16-50l(b).
- A14. Included with these interrogatories as Exhibit I please find an affidavit of publication in the Hartford Courant pursuant to CGS Section 16-50*l*. In addition to the statutorily required publication, it should be noted that notice of AT&T's proposed site was also published in the Avon Post in May 2008 in accordance with Federal regulatory procedures. Finally, notice regarding the proposed facility was also included in the St. Matthew Church monthly newsletter sent to all members. Please see Exhibit I for samples of all of these published notifications.
- Q15. Provide a copy of the lease agreement between AT&T and the lessor.
- A15. A copy of the redacted lease was bulk filed with the original application. In addition, one unredacted page of the lease containing proprietary and confidential information was also submitted in a sealed envelope with a motion for a protective order.

CERTIFICATE OF SERVICE

I hereby certify that on this day, an original and twenty copies of AT&T's responses to Siting Council's interrogatories were served on the Connecticut Siting Council by overnight mail with an electronic copy sent via email.

Dated: February 27, 2009

Daniel M. Laub

cc: David Akerblom

John Blevins Michele Briggs

Derek Creaser

Kevin Dey

Christopher B. Fisher, Esq.

Exhibit A

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.	A. Signature
 Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	B. Received by (Printed Name) C. Date of D.
Article Addressed to:	D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
Ben Van De Bunt & Laura Fox 5959 Topanga Canyon Blvd 180 Woodland Hills, CA 91367	3. Service Type Certified Mail
2. Article Number 7008 0	150 0001 6869 6386
DO F 2011 F 2001	
SENDER: COMPLETE THIS SECTION	A. Signature
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse 	X Ager Add
so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.	B. Received by (Printed Name) C. Dute of D. A. A. A. T.A. D. Is delivery address different from item 1? Yes
1. Article Addressed to:	D. Is delivery address different from item 1? Yes If YES, enter delivery address below:
William & Patricia Panetta	(3/ 050 \3)
144 Cold Spring Rd Avon, CT 06001	3. Service Type Certified Mail Registered Insured Mail C.O.D
2. Article Number	4. Restricted Delivery? (Extra Fee) Yes
(manded methods record	0150 0001 6869 6393 · aturn Receipt 102595-02-
SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete	A. Signature
item 4 if Restricted Delivery is desired.	X Gen
 Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	B. Received by (Printed Name) C. Date of Di
so that we can return the card to you. Attach this card to the back of the mailpiece,	B. Received by (<i>Printed Name</i>) C. Date of D. D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to:	D. Is delivery address different from item 1? ☐ Yes
so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: David E Norris	D. Is delivery address different from item 1?
so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to:	D. Is delivery address different from item 1?

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: 	A. Signature X
Brian Grant & Andrea Grant 204 Lovely St Avon, CT 06001	3. Service Type Certified Mail
2. Article Number 7008 0150	0001 6869 6416
PS Form 3811, February 2004 Domestic Ret	Structures A
SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature Agent Addresse B. Received by (Printed Name) C. Date of Deliver Addresse different from item 1? Yes
Thomas & Patricia McMahon 21 Greenwood Dr. Avon, CT 06001	If YES, enter delivery address below: ☐ No 3. Service Type
	4. Restricted Delivery? (Extra Fee) ☐ Yes
2. Article Number 7008 (Transfer from service label)	0150 0001 6869 6379
PS Form 3811, February 2004 Domestic Ret	
 SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to: 	A. Signature X
Jane P. Garrett 15 Greenwood Dr Avon, CT 06001	3. Service Type Certified Mall Registered Insured Mail C.O.D.
	4. Restricted Delivery? (Extra Fee) ☐ Yes
2. Article Number 7008 01	.50 0001 6869 6324
(Transfer from service label)	20 0007 0001 0764

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1

	COMPLETE THIS SECTION ON DELIVERY
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, 	A. Signature X. Received by (Printed Name) C. Date of Delive
or on the front if space permits. 1. Article Addressed to:	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
Silvio Brighenti Family LLC 165 Lovely Street Avon, CT 06001	3. Service Type ☐ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandie ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes
2. Article Number 7006 (Transfer from service label)	, , ,
PS Form 3811. February 2004 Domestic Re	The state of the s
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to: 	A. Sigrature Agent Address B. Received by (Printed Name) C. Date of Delivery Address different from item 1? Yes If YES, enter delivery address below:
Peter W. Wiese	
240 Lovely St Avon, CT 06001	3. Service Type ☐ Certified Mail ☐ Registered ☐ Insured Mail ☐ C.O.D.
2. Article Number 7008 01	4. Restricted Delivery? (Extra Fee) ☐ Yes
- TUUB UL	
(Transfer from service label)	50 0001 6869 6348
PS Form 3811, February 2004 Domestic R	
PS Form 3811, February 2004 Domestic R SENDER: COMPLETE THIS SECTION	eturn Receipt 102595-02-M- COMPLETE THIS SECTION ON DELIVERY
PS Form 3811, February 2004 SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse	COMPLETE THIS SECTION ON DELIVERY A. Signatur Address
PS Form 3811, February 2004 SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.	COMPLETE THIS SECTION ON DELIVERY A. Signature Agent Address B. Received by (Printed Name) C. Date of Delivery
PS Form 3811, February 2004 SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece,	COMPLETE THIS SECTION ON DELIVERY A. Signatur Address
PS. Form 3811, February 2004 SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: JS Lawless Trustee	COMPLETE THIS SECTION ON DELIVERY A. Signature Agent Address B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1?
PS Form 3811, February 2004 SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.	COMPLETE THIS SECTION ON DELIVERY A. Signature Agent Address B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1?

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X
Article Addressed to:	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
Mark & Sheridan Toomey 9 Greenwood Dr Avon, CT 06001	3. Service Type Certified Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.
2. Article Number 7008 015	4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ Yes ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐
PS Form 3811, February 2004	
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature A. Signature A. Signature A. Signature A. Signature A. Agent Address B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? Yes
1. Article Addressed to: George & Jennifer Barrows	If YES, enter delivery address below:
156 Cold Spring Rd Avon, CT 06001	3. Service Type Certified Mail ☐ Express Mail ☐ Registered ☑ Return Receipt for Merchandis ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes
2. Article Number 7008 01.5	50 0001 6869 6362
(transfer from service tabel)	eturn Receipt 102595-02-M-15

Exhibit B

roperty at 00138 COLD SPRING ROAD										
Opercy at ourse come strate rows	Prop ID 18	370138	Printed	17-Feb-	2009 1:	35 PM D	esign and	d Layou	ut (C)	Right/Angl
Administrative Information Owner name: LAWLESS J S TRUSTEE				Build	ing Val	uation Su	mmary	Ar	0.0	
Second name: Address: 138 COLD SPRING ROAD City/state: AVON CT Zip: 0600	1	Dwelling Basement Heating Plumbing	Frame Full with Yes 3 F/B	walk A	/C Ye	w/bsmt es l fix.	1 Uh (n		588	269,410 8,160 16,500
Map: 011 Clerk map: Lot: 1870138 Neigh.: AR Zone: R40 Vol: 559	Page: 1158 Last sale————	Attic Additions Other Featu	None			Attic :	size:	3,500		75,500 22,430
Resident Land .92 105,000 Sale p Resident Dwellng 1.00 296,350 Resident Excess .28 1,470 Mkt va Cost v	alid: Y -Values lue : alue: 575,460	Sub-Total Grade CDU Depreciatio	8+ on		Factor Factor	1.3500 1.00 20 % Computed	cost va	lue a 1	70%	392,000 529,200 529,200 423,360 296,350
Summary Utilities S Total assessments 402,820 Water Avon Cost/s Total exemptions Sewer Public sewer Mkt/s		100		A	Buildir	ng addition	ns		122	
Net assessment 402,820 Gas None Assmt/ Land Information		Category L Living G Garages L Living	4.2		FR A	Frame uppe Attached f Frame Over	rame LE	65	Area 676 676 76	Value 39,900 21,200 4,900
RIM 11 .920 150,000 150, Primary Site 40,075	100 1,470	L Living L Living P Porches			AIR A	Air condit Air condit Vood deck			76 676 419	200 1,500 7,800
1 2000 acres Total land value 152	100 106 470									
Exterior Walls 01 Clapboards										
Residential Dwelling Information Subject Code Description Condominium Style 04 Colonial Exterior Walls 01 Clapboards Roof Material 01 Asphalt Shingles Roof Type 01 Gable Foundation 01 Poured Concrete Total Rooms 9 Garage	.0 e cars 2						Tota	al add	itions	75,500
Residential Dwelling Information Style 04 Colonial Exterior Walls 01 Clapboards Roof Material 01 Asphalt Shingles Roof Type 01 Gable Foundation 01 Poured Concrete Interior Walls 02 Drywall Floors 01 Hardwood Family Rooms 1 Dormed Heating System 02 Forced Hot Air Fuel 01 Dil Half Baths 2 Finis Attic 99 None Addtn't fixtures 4 Rec R Grade 43 8+ Whirlpools 1 Livin	e cars 2 ished area rr linear f rry trim sf 1,040 h bsmt sz oom Size						Tota	al add	itions	75,500

Exhibit C



500 Enterprise Drive Suite 3 A Rocky Hill, Connecticut 06067 Kevin D. Dey Ph: 732-267-3359

August 5, 2008

Mr. Silvio Brighenti 165 Lovely St. Avon, CT. 06001

RE: Potential Lease/Agreement CT SR2013 11/3060225, 3060165, 05/3060099

Dear Mr. Brighenti

SAI is a telecommunication company that provides complete services to the wireless industry including site leasing and acquisition of cell sites. ATT Mobility is currently looking to improve its service in the Avon area. I have identified your property as a possible candidate for the placement of a wireless facility that may potentially suit the needs of ATT.

If there is any interest in pursuing this further and possibly leasing a portion of your property, please contact me to discuss.

Very truly yours,

Kevin D. Dey Site Acquisition/Construction Ph: 732-267-3359

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, the front if space permits.	B. Received by (Printed Nume) C. Date of Deliv D. Is delivery address different from item 1? Yes If YES, enter delivery address below:
Mr. Silvio Brighenti 165 Lovely St.	
Avon, CT. 06001	3. Service Type Certified Mail
	☐ Registered ☐ Return Receipt for Merchandis ☐ Insured Mail ☐ C.O.D.
2. Article Number	The state of the s

102595-02-M-15



500 Enterprise Drive Suite 3 A Rocky Hill, Connecticut 06067 Kevin D. Dey Ph: 732-267-3359 kevin.dey@sai-comm.com

Date 4 8 08
Name Situro Brighenti
Phone
Property Ref. # or address
Town AVON
I am not interested in possibly placing a wireless facility on my property.
I am interested in possibly placing a wireless facility on my property and would like more information.
The best method and time to contact me is
Comments:
49

What happens next?

If you are interested, we will arrange to meet at the property and decide the best location to possibly place the facility and any access issues. Once the location has been determined our company reports the exact location to the ATT Mobility Engineers. The Engineering Dept. will evaluate the location for suitability and determine the app. height needed. We would then negotiate the lease amount and enter into a lease agreement. Each location is different and needs to be discussed on an individual basis.

Look forward to hearing from you,

Kevin D. Dey



500 Enterprise Drive
Suite 3 A
Rocky Hill, Connecticut 06067
Kevin D. Dey Ph: 732-267-3359
kevin.dey@sai-comm.com

Date \$ \23/29		
Name(s) JACKSON INC.		
Phone (660) 677-6437	e-mail Silvi	oaun @ AOL, Com
Property Ref. # or address PROP. ID	3060099	99 LOVERY ST.
Town AUON		0
I am not interested in possibly placing information.		
The best method and time to contact me is_		
Comments:		

What happens next?

If you are interested, we will arrange to meet at the property and decide the best location to possibly place the facility and any access issues. Once the location has been determined our company reports the exact location to the AT&T Mobility Engineers. The Engineering Dept. will evaluate the location for suitability and determine the app. height needed.

We would then discuss the type of structure, access, utility and other construction issues. At some point we would negotiate the lease amount and enter into a lease or lease/option agreement. Each location is different and needs to be discussed on an individual basis.

Look forward to hearing from you,

Kevin D. Dey

Please return this form even if you are not interested.

Exhibit D



Photos of Briarcliff Swim Club and Surroundings Avon, Connecticut



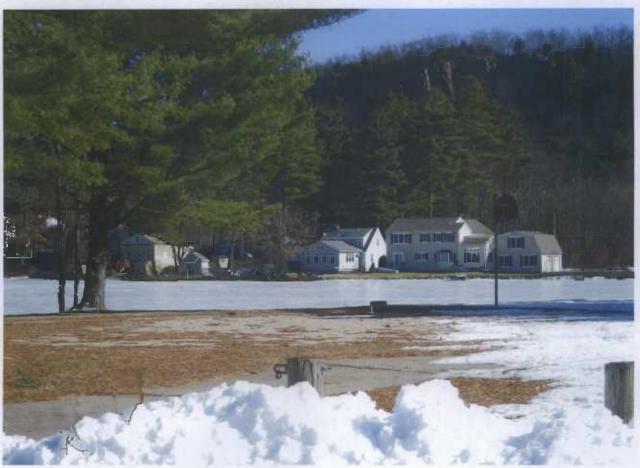










Exhibit E

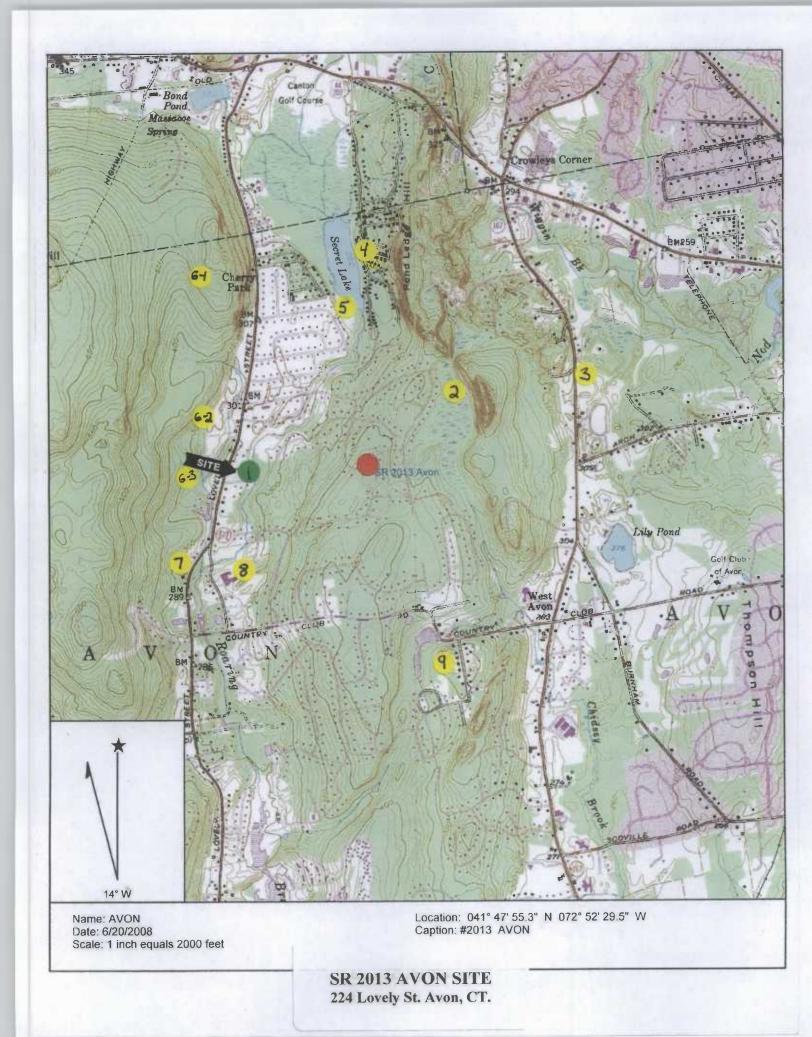


Exhibit F



MEMORANDUM

TO: Daniel Laub, Cuddy & Feder, LLP

FROM: Derek Creaser, HDG Sr. Project Manager

SUBJ: AT&T CT1257 (SR 2013) Interrogatories

DATE: February 18, 2009

CC: Kevin Dey, SAI

Chris Fisher, Cuddy & Feder, LLP

7. What is the distance and direction to the nearest landowner from the tower site? Identify the property owner.

188.5'+/-, SOUTH GARRETT JANE P TRUSTEE OF THE JANE P GARRETT TRUST 15 GREENWOOD DRIVE AVON, CT 06001

8. What is the distance to the nearest residential dwelling from the tower site? Identify the property owner.

238'+/-THOMAS C. & PATRICIA S. MCMAHON 21 GREENWOOD DRIVE AVON, CT 06001

9. How many residences are within 1,000 feet of the tower site?

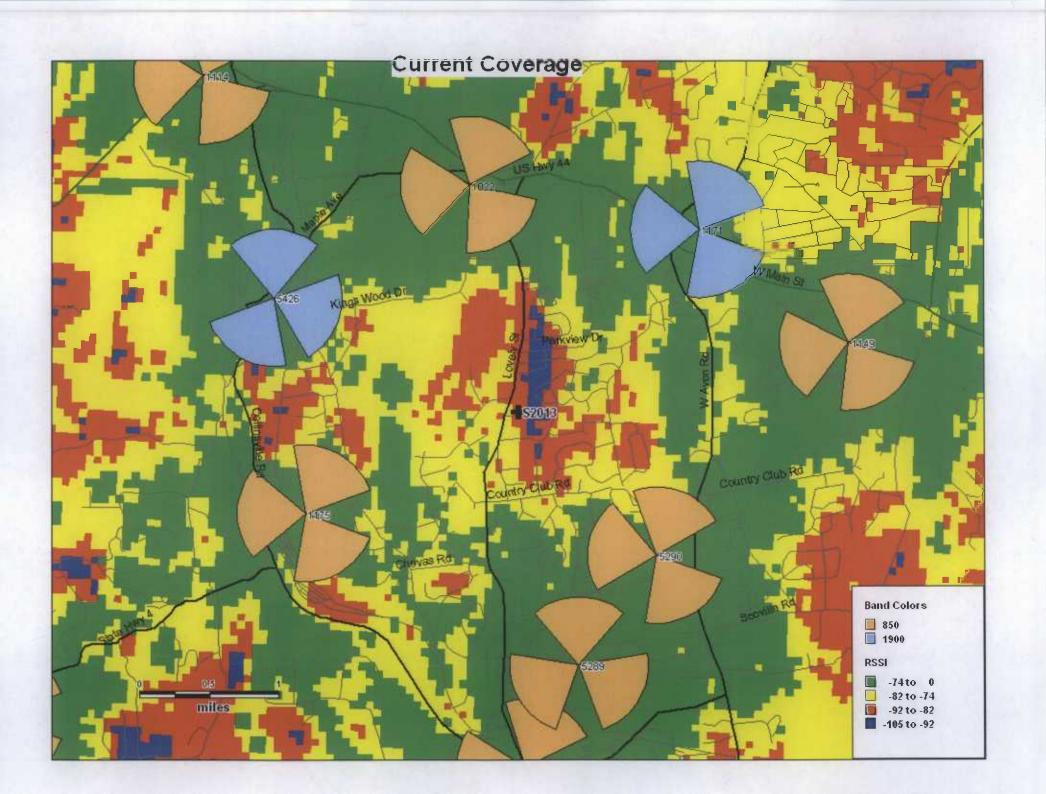
Based on the City of Avon online assessor's database there are 39 residential dwellings within a 1000' radius of the proposed tower.

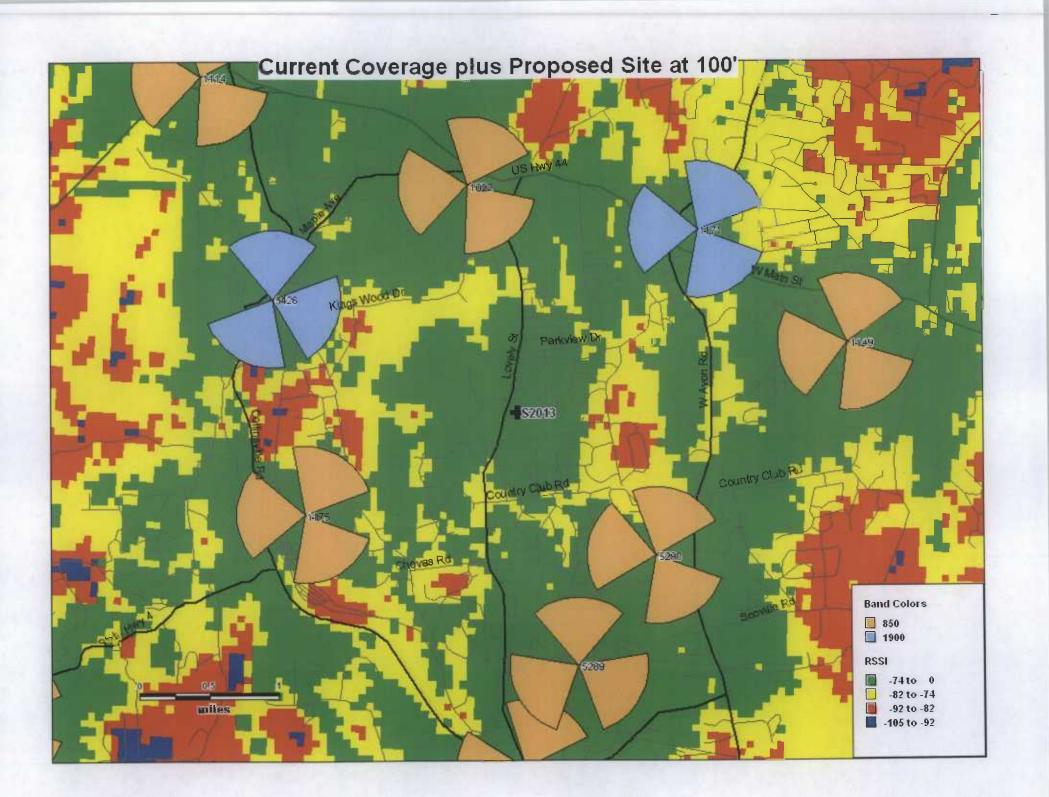
10. Would blasting be required to develop the site?

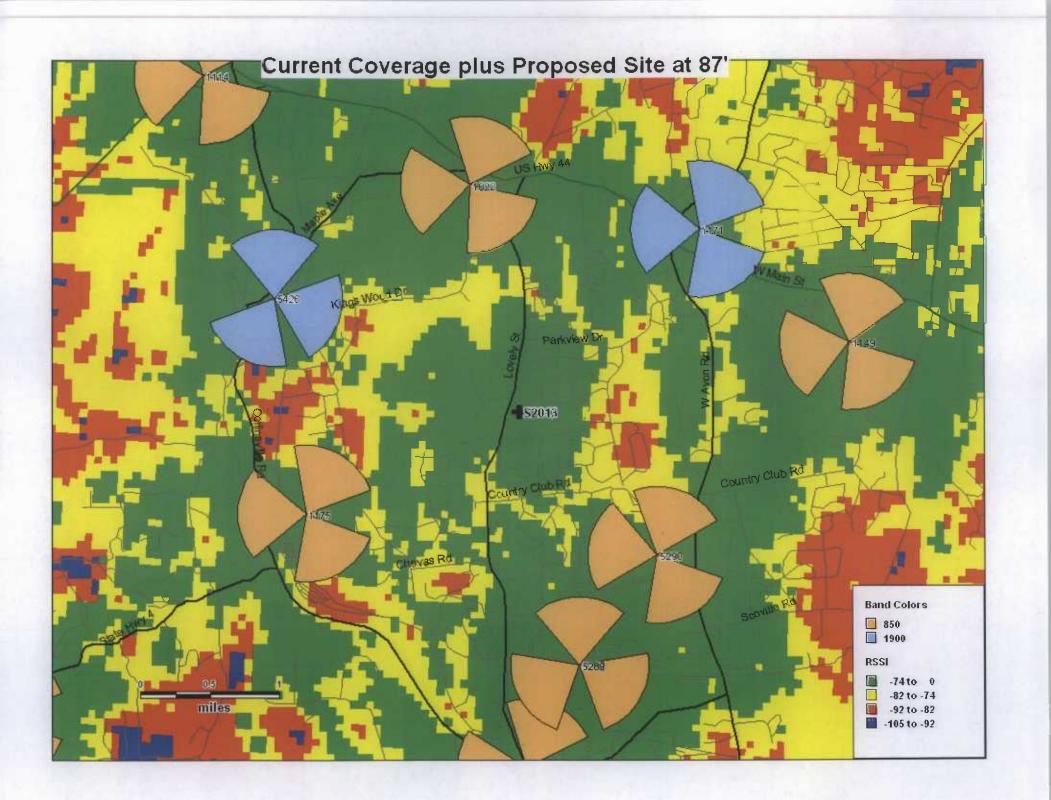
Based on the USDA Natural Resources Conservation Services WEB Soil Survey 2.1 it would be unlikely that bedrock would be encountered and require blasting. Soil boring tests will confirm this prior to any construction.



Exhibit G







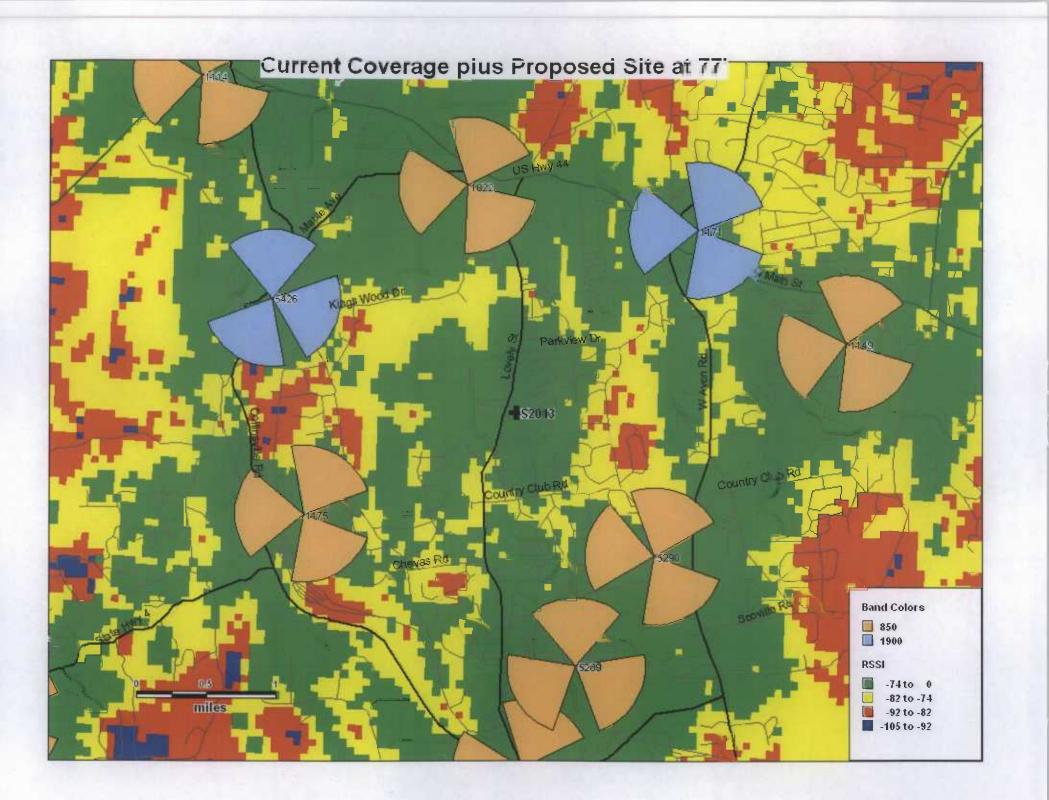
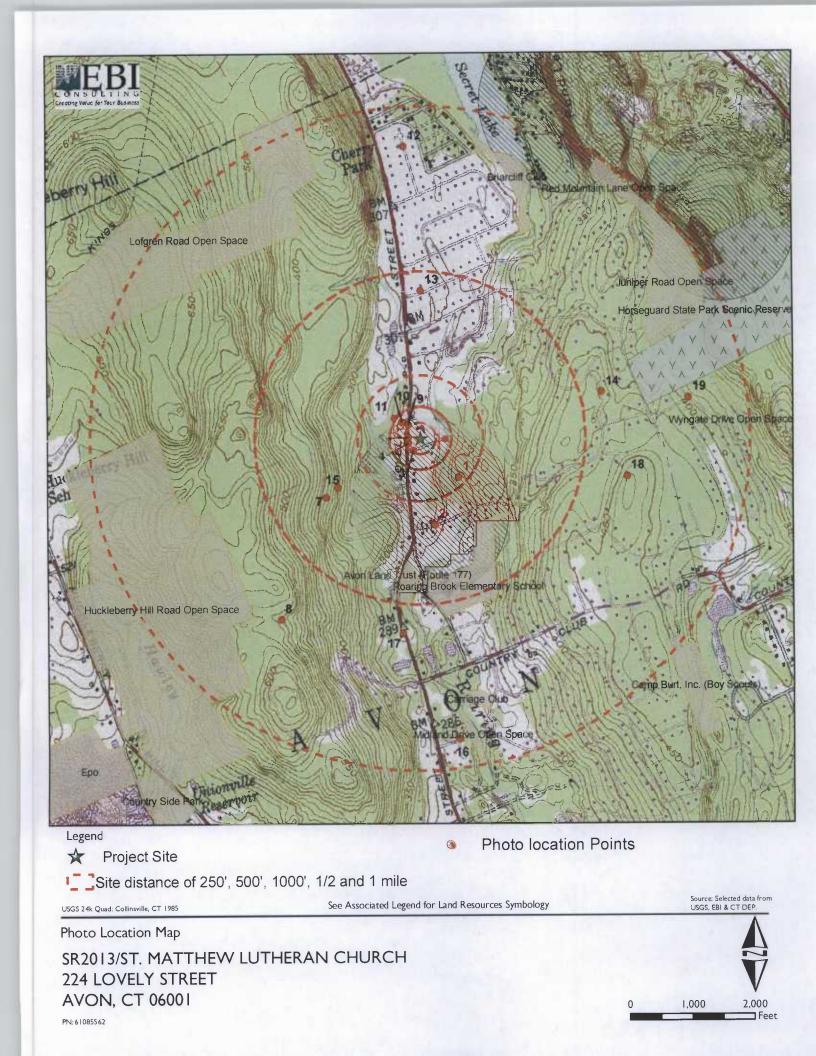


Exhibit H





21 B Street Burlington, MA 01803 Tel: (781) 273-2500

Fax: (781) 273.3311

February 20, 2009

Mr. Derek Creaser Hudson Design Group 1600 Osgood Street Building 20 North, Suite 2-101 North Andover, MA 01805

Visual Resource Evaluation Report - Docket No. 373 - Item #13 Subject:

SR2013/St, Matthew Lutheran Church

224 Lovely Street Avon, Connecticut

Dear Mr. Creaser:

The following supplemental has been provided to you office to address the questions and information request outlined in Connecticut Siting Council Docket No. 373 - Item # 13 dated February 5, 2009.

Explanation of Maps from Attachment A and D

The photo location map provided in Attachment A of EBI's Visual Resource Evaluation Report depicts the visibility of the proposed tower from various points located within a 1 mile radius of the proposed tower site. The photo location data points were measured using a hand held WAASenabled GPS receiver.

Additionally, the photo locations were plotted on a USGS topographic map using EBI's GIS mapping program to extrapolate the tower visibility from each of the photo locations. Two maps were created as shown in Attachment "D" to depict the tower visibility.

Attachment D Viewshed Analysis Map "Areas calculated as visible" depicts the areas where the 100-foot tall proposed tower is potentially visible from eye-level of a 5.5-foot tall viewer.

Attachment D Viewshed Analysis Map with Groundcover and Land Resources "Areas calculated as visible" also depicts the areas where the 100-foot tall proposed tower is potentially visible from eye-level of a 5.5-foot tall viewer, but also takes into account the known surface elevation and an estimated tree canopy height of 60 feet within the 1 mile radius of the proposed tower site.

Field Studies vs. Mapping:

EBI conducted a Project Site Area Reconnaissance along the roads located within the Project Site Area with an emphasis on nearby residential areas and other potential sensitive receptors in order to evaluate the results of the viewshed analysis maps and to verify where the proposed tower was, and was not visible above and/ or through the tree canopy ("leaf on/off"). The following table represents the proposed tower's visibility based on three visual categories: site reconnaissance (leaf on), site reconnaissance (leaf off) and visibility based on the Viewshed Analysis Maps.

Photo No.	Tower Visible (Y/N) Site Recon (leaf on)	Tower Visible (Y/N) Site Recon (leaf off)	Tower Visible (Y/N) Viewshed analysis	Description
1	N	Υ	Υ	Billingsgate
2	N	Υ	N	Blueberry Lane
3	Υ	Υ	Υ	Greenwood Lane & Lovely Street
4	N	N	Υ	Southern portion of property at Lovely Street
5	Υ	Υ	Υ	Central portion of property at Lovely Street
6	Υ	Υ	Υ	Greenwood Lane (Eastern End)
7	Υ	Υ	Υ	Bridgewater Lane (Approx. at House No. 94)
8	N	Υ	Υ	Huckleberry Hill Road open space
9	Υ	Υ	Υ	Northern portion of property at Lovely Street
10	Υ	Υ	Υ	Bridgewater Lane and Lovely Street
11	Υ	Υ	Υ	Bridgewater Lane
12	N	N	N	Andrea Lane
13	N	N	N	Parkview Drive
14	N	Υ	N	Ardsley Way
15	Y (Top)	Υ	Υ	Bridgewater Lane (Approx. a House No. 86)
16	N	N	N	Midland Drive
17	N	Υ	N	361 Lovely Street (Town of Avon Historic Property)
18	N	Υ	N	Henley Way
19	N	N	N	Indian Pipe (Wyngate Drive Open Space)

Respectfully submitted,

Mr. David Akerblom Program Manager

EBI Consulting (617) 715-1842

Attachments Photo location map (yellow highlighting removed)

Exhibit I



Affidavit of Publication

State of Connecticut

Wednesday, December 24, 2008

County of Hartford

I, Joy Shroyer, do solemnly swear that I am Financial Operations Assistant of the Hartford Courant, printed and published daily, in the state of Connecticut and that from my own personal knowledge and reference to the files of said publication the advertisement of Public Notice was inserted in the regular edition.

On dates as follows: 12/23/2008 12/24/2008

In the amount of \$852.08 CUDDY & FEDER LLP 087507

ZONE 5

Financial Operations Assistant Joy Shroyer

Subscribed and sworn to before me on December 24, 2008

Wham M Small Notary Public

WILLIAM 8. MGIJONALD NOTARY PUBLIC, CONNECTICUT MY COMMISSION EXPIRES FEB. 28, 2009

NOTICE

Notice is hereby given, pursuant to Section 16 50l(b) of the Connecticut General Statutes and Section 16-501-1(e) of the Regulations of Connecticut State Agencies of an Application to be filed with the Connecticut Siting Council ("Siting Council") on or after December 26, 2008 by AT&T (the "Applicant") for a certificate of environmental compatibility and public need for the construction and maintenance of a wireless telecommunications facility in Avon, Connecticut. The property being considered for the proposed wireless telecommunications facility (the "Facility") is located at 224 Lovely Street (also known as Route 177) on the property of St. Matthew Church. The proposed Facility will be located in the central portion of the parcel and will consist of a 100-foot self-supporting monopole tower, antennas and a 50'x 50' fenced equipment compound designed to accommodate unmanned equipment in single-story equipment buildings and concrete pads.

The location, height and other features of the proposed Facility are subject to review and potential change under provisions of the Connecticut General Statutes Sections 16-50g et. seq.

The Facility is being proposed to allow AT&T and other federally licensed wireless carriers to provide service in this area of the Town. The Application explains the need, purpose and benefits of the Facility and also describes the environmental impacts of the proposed Facility.

A balloon, representative of the proposed height of the monopole, will be flown at the proposed site on the first day of the Siting Council public hearing on the Application, which will take place in Town, or such other date specified by the Siting Council and a time to be determined by the Siting Council, but anticipated to be between the hours of 1pm and 5pm.

Interested parties and residents of the Town of Avon, Connecticut are invited to review the Application during normal business hours after December 26, 2008 at any of the following offices:

Connecticut Siting Council 10 Franklin Square New Britain, CT 06051

Ann L. Dearstyne, Town Clerk Avon Town Hall 60 West Main Street Avon, CT 06001

or the offices of the undersigned. All inquiries should be addressed to the Connecticut Siting Council or to the undersigned.

Christopher B. Fisher, Esq. Cuddy & Feder LLP 445 Hamilton Ave, 14th Floor White Plains, New York 10601 (914) 761-1300 Attorneys for the Applicant

NT SUBMISSION PACKET – FCC FORM 620 PROJECT NAME: St. Matthew Church-Avon

Attachment 5: Public Involvement

Pursuant to 36 CFR 800.3(e), AT&T Mobility has been advised of the requirement to develop an appropriate plan to involve the public. According to AT&T Mobility, a public hearing has not been scheduled but may be required during the planning and zoning process. A public notice regarding the proposed undertaking was published in the *Avon Post* from May 2 to May 9, 2008. A copy of the public notice is attached. To date, no responses have been received.





THE VOICE

THE NEWSLETTER OF ST. MATTHEW LUTHERAN CHURCH, AVON, CT June 2008

STAFF:

William S. Carter, Pastor Geoff T. Sinibaldo, Pastor

Mark Orf , Vicar

Krysia Robinson, Director of Music

Diane Theriault, Office Administrator

Rhonda Dart, Publisher

Helen Kilburn, Marion and Ken Knaple; Circulation

St. Matthew Lutheran Church

224 Lovely Street

Avon, CT 06001-4018

(860) 673-3301

Website: www.stmatthewavon.org

Sunday Worship 8:30 & 11:00 a.m.

Sunday School 9:40 a.m.

Adult Forum 9:40 a.m.

DATES TO REMEMBER:

June 8 - Noon - Grand Gathering Krysia Robinson's last Sunday

June 15 - 9:00 a.m. Worship begins

June 25 - 7:30 p.m. Summer

Wednesday Holy Communion begins

LOOKING AHEAD:

July 14-18 - Vacation Bible Camp

A LETTER FROM PASTOR

Summer is coming.

Warm breezes in the morning.
Cool breezes at night.
The wind of the Spirit blowing.
Thanks be to God.

Green.
Buzzing.
Flowers.
Thanks be to God.

Campfires and Picnics.
Baseball and Bike Rides.
Forests, Prairies, Mountains, Oceans.
Thanks be to God.

Travels.
Reunions.
Goodbyes.
Thanks be to God.

Reflections.
Longings.
Hopefulness.
Thanks be to God.

Enjoy this summer as God's gift to you. May you be renewed in God's grace, in the season of growth and heat. Be refreshed in the Spirit, the reminders of the cooling waters of your baptism, and know that your prayers of praise and thanksgiving are met in the embrace of our Father's ongoing care of life and creation, redeemed in the life, death and resurrection of Christ. Be safe, Be well. See you in worship. *Thanks be to God*.

Peace

Paster Gost Simbaldo

Guess Who is Coming for the Summer . . . Timothy Ness

Tim Ness, of Torrington, a member of St. Paul's Lutheran Church, and a student at Muhlenberg College (ELCA) in Allentown, PA will be among us for 10 weeks starting in June. He is exploring and discerning the call to public ministry through Project Connect, a ministry of Region 7 of the ELCA. "Project Connect offers connections and information for Young Adults and Church Leaders. Information we hope will encourage participation in and involvement with programs and opportunities that encourage us to consider God's call in our lives. We are a network of connections." (For more information go to www.projectconnect.org.) As a teaching congregation of twenty-three consecutive seminarians, Project Connect identified St. Matthew as a valued teaching site. and partner for this summer ministry. Tim will receive a small stipend directly from Project Connect. Thank you for continu-

ing to shape the lives and ministries of

leaders for the church!

Summer Wednesday Eucharist begins June 25 at 7:30 PM

For eleven weeks we will be exploring the Lord's Prayer on Wednesday Evenings as we gather to worship and receive the Sacrament of the Altar. Readings from the Gospels and Luther's Small Catechism will focus us on the prayer that Jesus taught us. Come enjoy the quietness of the service, the reflective preaching, the invitation to prayer and to the altar and the coolness of the air conditioned sanctuary for these themes -

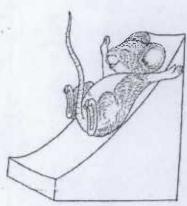
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June 25	"Teach us to Pray"
July 2	"Our Father"
July 9	"Hallowed be Thy name"
July 16	"Thy Kingdom Come"
July 23	"Thy will be done"
July 30	"Give us this day our Daily Bread,
	Part I"
Aug 6	"Give us this day our Daily Bread,
	Part II"
Aug 13	"Forgive us, as we forgive"
Aug 20	"Led us not into Temptation"
Aug 27	"Deliver us from Evil"
8 13	# T

Council Note: The Church Council is considering entering a lease agreement with AT&T to place a cell tower behind the Church buildings. AT&T approached St. Matthew some time ago, requesting our approval to install a cell tower on Church property, probably in the rear of the Church among the trees. Since we are aware of poor cell phone reception in this Rt. 177 area, we have entered into discussion with AT&T. We expect this to be at least a year long process, after our Church Council's decision. Please feel free to share your insights with Sim Austin, Dick Hines. or Pastor Carter.

Mouse

What a wonderful month May was! The grass greened up and folks came and helped our Property Committee spruce things up -- even the spruces were spruced up! Jim O'Herron and Ken Weiland placed great new racks in the Gathering Space that will be used to distribute information about St. Matthew... The New England Synod Mission Area met in Hartford too and Vicar Mark, Carol Kearns, Harry Schuh, and George Reider were a part of

the group from around our area listening to Bishop Payne and sharing in creative conversations...the wonderful concert "For the Love of Music" was enjoyed by many of us (I brought a date, and he was really quite blown away [in a good way]) as we listened to Alex Maldonado, Brittany Stote, Jeffrey Stote, Michelle Davis, Sydney Pierce, Everett Davis, Michelle Gara and Luiza Aquino Salles, all directed by the amazing Krysia Robinson...what a wonderful afternoon....Delicious snacks and treats and beverages, thanks to the parents of the artists, and the Metz family and Vicki Stote who put it all together... Confirmation was a spirited celebration with Pastor Sinibaldo's sermon, and Judy Haag did the calligraphy on the beautiful certificates... Thanks abounded from Pastor Carter to Judy Haag, Linda Harriman, Diane Theriault, Ann Eberhard, Cathy Heidt and Suellen Rogers as they hosted a wonderful luncheon for the Greater Hartford Lutheran Pastors here at St. Matthew... The New York Bus Trip was another wonder in that great city, with the members and friends of St. Matthew enjoying their adventures, and sharing stories on the bus ride home...





THE VOICE

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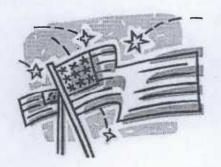
July 14-18 - Vacation Bible Camp

LOOKING AHEAD:

August 2 - Council Retreat

August 17 - Vicar Mark & Tim Ness' last Sunday

August 31 - Pastor Carter returns from Sabbatical



A LETTER FROM PASTOR

just came in from outside to cool off and write this article. It is so sticky out there, that I could visually notice the pollen hanging in that still humid air. It is time to take something for my (achoo...hold on a second, now where was I, oh yes, I need to take something for my) allergies.

Watching the news can be discouraging. Gas prices continue to escalate. Real pain in people's lives through violence, harsh weather, and economic hardship is so evident, at times all I want to do is look away.

Goodbyes are difficult. Sometimes they come as "see you later" and the reunion makes up for time away. Other times "goodbye" reflects the uncertainty of when such a reunion is possible.

And yet...Jesus brings good news.

It is tempting to close our doors and bolt them to keep the world away. It is what the disciples did after Jesus was killed and buried. We see a world around us that we know God created and called "good" and yet it is hard to find the goodness sometimes. You may be like me, and want to come inside from the heat, from the heartache, from the things that antagonize and make us want to sneeze and bury my head in my hands.

But Christ calls us into this world. We are not threatened by it. By Jesus' death and resurrection, we are set free from sin, death and the devil; saved from this world and turned loose back into it. You and I are called to be leaven in the loaf, to be a light of the world, to announce as Christ did before Pilate, "My kingdom is not of this world," knowing that the Kingdom of God is near, because Christ is near, he is near to you.

What if when we looked out at the world, we saw the opportunities to live out this faith God gives to us?

What a breath of fresh air!

Paster Geoff Simbaldo

Cell Tower Update:

At its June meeting, the Church Council approved the Church Officers to sign a lease agreement with AT&T. This will start the formal approval process with the various state organizations to construct a cell tower on church property in the stand of trees between the rear of the church and the parsonage. Once AT&T signs the lease agreement, which should occur within a month's time, AT&T will start the application process. It is estimated that the application process, which includes public notifications and hearings, will take approximately a year before final approval. If you have any questions regarding the cell tower, please contact Sim Austin, Pastor Carter or Pastor Sinibaldo, or other members of the Church Council."

Mouse

We had a wonderful celebration of thirty-one years of ministry for Krysia Robinson, June 8th. Thanks to David and Meg Kraft, Alyson Kraft, Kris and Nancy Jensen, George and Shelley Spoering, Tina Hallenbeck and other countless hands who made the day a



Grand Gathering indeed. Mary Wooten created an original painting of St. Matthew, Diane Theriault created a book of letters sent by members and friends of St. Matthew from past and present, and many of you gave monetary gifts that were given as a gift from all of us. Thank you. Sim Austin, our council president, and both pastors gave addresses of gratitude. A standing ovation at the end of worship was followed by the long line of well-wishers at the Grand Gathering to send Krysia out in style. We will indeed miss you Mrs. Robinson. God bless you in retirement.

Summer Wednesday Eucharist at 7:30 PM

We continue our look at the Lord's Prayer on Wednesday Evenings as we gather to worship and receive the Sacrament of the Altar. Readings from the Gospels and Luther's Small Catechism will focus us on the prayer that Jesus taught us. Come enjoy the quietness of the service, the reflective preaching, the invitation to prayer and to the altar and the coolness of the air conditioned sanctuary for these themes -



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Aug 20	"Led us not into Temptation"
Aug 27	"Deliver us from Evil"
Sept 3	"Amen"