

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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April 9, 2010

Jesse A. Langer, Esq.
Cohen and Wolf P.C.
1115 Broad Street
P.O. Box 1821
Bridgeport, CT 06601-1821

RE: **DOCKET NO. 384** – Phoenix Partnership, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located at 50 Devine Street, North Haven, Connecticut.

Dear Attorney Langer:

At a public meeting of the Connecticut Siting Council held on April 8, 2010, the Connecticut Siting Council (Council) considered and approved the Development and Management (D&M) Plan submitted for this project on March 31, 2010.

This approval applies only to the D&M Plan submitted on March 31, 2010. Any changes to the D&M Plan require advance Council notification and approval.

Please be advised that deviations from this plan are enforceable under the provisions of the Connecticut General Statutes § 16-50u. Enclosed is a copy of the staff report on this D&M Plan, dated April 8, 2010.

Thank you for your attention and cooperation.

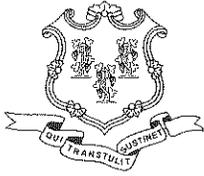
Very truly yours,

Daniel F. Caruso
Chairman

DFC/CDM/laf

Enclosure: Staff Report, dated April 8, 2010

c: Parties and Intervenors
The Honorable Michael J. Freda, First Selectman, Town of North Haven
Arthur Hausman, Zoning Enforcement Officer, Town of North Haven



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**Docket 384
North Haven
Phoenix Partnership
Development and Management Plan
Staff Report
April 8, 2010**

On February 25, 2010, the Connecticut Siting Council issued a Certificate of Environmental Compatibility and Public Need to Phoenix Partnership, LLC (Phoenix) for the construction, maintenance, and operation of a cellular telecommunications facility at 50 Devine Street in North Haven, Connecticut. As required in the Council's Decision and Order, Phoenix submitted a Development and Management (D&M) Plan for this facility on April 1, 2010. In its decision, the Council specified that the approved tower shall not exceed 120 feet in height, that the tower be designed with a yield point at approximately 90 feet above ground level, and that all ground equipment shall be installed above the 100-year flood elevation, which is 9.5 feet above mean sea level in this location.

Phoenix's site is located on a 6.037-acre property that is owned by 424 Chapel Street, LLC and used for storage and warehousing. Phoenix is leasing a 100-foot by 100-foot parcel in the southeastern portion of the property. Within the lease area, Phoenix would construct a 70-foot by 70-foot compound that would be enclosed by an eight-foot high chain link fence (without barbed wire on top). The tower is designed to be 120 feet tall. The tower elevation shows a yield point at approximately 90 feet above ground level.

Pocket Wireless, an intervenor in this proceeding, would flush-mount three antennas at a centerline height of 117 feet above ground level. Its ground equipment would be located within a cabinet mounted on an "H" frame, consisting of metal poles. The bottom of Pocket's equipment cabinet would be at least two feet above the compound's finished grade, which would put it just above the 100-year flood elevation.

Access to the facility would be over existing asphalt pavement associated with the warehouse on the property. Utilities would be extended underground from an existing pole in the southwestern corner of the 424 Chapel Street property, near its entrance from Devine Street.

Erosion controls would be installed around the area to be disturbed and kept in place during the construction period.

The D&M plans indicate that Phoenix would plant approximately ten evergreen trees along the compound's western fence line.

The D&M plans as presented conform to the Council's Decision and Order and with the scope of the project described during this docket's proceedings. Staff recommends approval.

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> U.S. Mail	Phoenix Partnership	Julie D. Kohler, Esq. Monte E. Frank, Esq. Jesse A. Langer, Esq. Cohen and Wolf, P.C. 1115 Broad Street Bridgeport, CT 06604 (203) 368-0211 (203) 394-9901 fax jkohler@cohenandwolf.com mfrank@cohenandwolf.com jlanger@cohenandwolf.com
Party (granted on Sept. 17, 2009)	<input checked="" type="checkbox"/> U.S. Mail	Youghiogheny Communications Northeast LLC d/b/a Pocket Wireless	Carrie Larson, Esq. Pullman & Comley, LLC 90 State House Square Hartford, CT 06103-3702 (860) 424-4312 (860) 424-4370 fax clarson@pullcom.com