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STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL
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IN RE:

APPLICATION OF OPTASITE TOWERS LLC
AND OMNIPOINT COMMUNICATIONS, INC.
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR
THE CONSTRUCTION, MAINTENANCE AND
OPERATION OF A TELECOMMUNICATIONS
FACILITY AT 52 STADLEY ROUGH ROAD,
DANBURY, CONNECTICUT

DOCKET NO. 366

January 8, 2009

FIFTH SET OF PRE-HEARING INTERROGATORIES
OF CITY OF DANBURY TO
OPTASITE TOWERS LLC ("OPTASITE") AND
OMNIPOINT COMMUNICATIONS, INC. ("T-MOBILE")

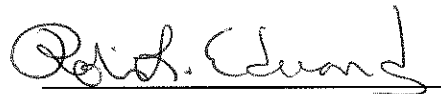
Q1. The City's Department of Health files indicate that the owners of property located at 14 Indian Spring Road received approval for a subsurface sewage disposal system, containing a curtain drain which is an integral part of the system on April 7, 2006. Said curtain drain is located at 52 Stadley Rough Road on the northwestern boundary of the Christ the Sheppard Church site, as is depicted on document recorded in Volume 1893 at Page 582 of the Danbury Land Records and attached hereto. Said curtain drain as depicted appears to render the current code complying area for the subsurface sewage disposal system at 52 Stadley Rough Road non-compliant with the Technical Standards for Subsurface Sewage Disposal Systems prepared pursuant to Section 19-13-B103d(d) of the RCSA, Section II.A., Table No1. Item H., as the current code complying area is located within 50 feet upgradient of the curtain drain placed in the easement area serving the subsurface sewage disposal system for 14 Indian Spring Road. The ability of the property owner, Christ the Sheppard Church, to utilize the land area proposed for the siting of the cell tower and its accompanying equipment limits potential options for future repair or expansion of the existing subsurface sewage disposal system serving 52 Stadley Rough Road. Pursuant to Section 19-13-B100a(d) and (e) of the Public Health Code, Christ the Sheppard Church will be required to establish a code complying area prior to construction of the proposed cell tower and its accompanying equipment.

If you or the property owner has not yet identified and received approval from the Health Department for an alternate location for the code complying area, then how is the Siting Council to be assured that any alternate code complying area does not fall within the same area in which the cell tower is proposed to be located?

The City of Danbury reserves the right to offer additional exhibits, testimony, witnesses and administratively noticed materials as may be necessary during the hearing process.

Dated at Danbury, Connecticut, this 8th day of January 2009.

City of Danbury



Robin L. Edwards
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CERTIFICATE OF SERVICE

I hereby certify that the original copy of the foregoing was delivered to the Connecticut Siting Council via overnight mail, with an electronic copy sent via email, and one (1) copy of the above was mailed to the Applicant's legal counsel via overnight mail, with a copy also electronically delivered, as follows:

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Dated: January 8, 2009

City of Danbury



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