

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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IN RE:

CONNECTICUT
SITING COUNCIL

DOCKET NO. 366

ORIGINAL

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

August 29, 2008

EXHIBIT LIST

Party City of Danbury will present the following exhibits at the public hearing to be held on September 9, 2008:

1. City of Danbury Tax Assessor field cards for 52 Stadley Rough Road for the years of 2006 and 2008.
2. Resident Comments and Concerns

Dated at Danbury, Connecticut, this 29th day of August 2008.

City of Danbury



Robin L. Edwards
Assistant Corporation Counsel
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810
(203) 797-4518

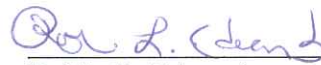
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was delivered to the Connecticut Siting Council by Federal Express mail with an electronic copy sent via email, and one (1) original copy was served on the Applicant's legal counsel by Federal Express with an electronic copy sent via email, as follows:

Christopher Fisher, Esq.
Lucia Chiocchio, Esq.
Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, NY 10601

Dated: August 29, 2008

City of Danbury



Robin L. Edwards
Assistant Corporation Counsel
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810
(203) 797-4518

**STATE OF CONNECTICUT
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IN RE:

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DANBURY, CONNECTICUT

DOCKET NO. 366

August 29, 2008

PRE-HEARING EXHIBIT A

City of Danbury Tax Assessor field cards for 52 Stadley Rough Road for the years of 2006 and 2008.

CURRENT OWNER		TOPO.	UTILITIES	STRT./ROAD	LOCATION	CURRENT ASSESSMENT			VISION 6034 Danbury, CT
CHRIST THE SHEPHERD CHURCH PCA	52 STADLEY ROUGH RD	Level	Well	Paved	Description	Code	Appraised Value	Assessed Value	
			6 Septic		Comm	200	1,580,000	1,106,000	
Additional Owners:						Comm	200	537,100	375,900
Supplemental Data:						Comm	200	24,000	16,800
Other ID: 9345, 4946						Total			
TC MAP 23G						2,141,100			
Census Tract						1,498,700			
F/SALE									
F/SALE									
GIS ID: K070190000									
ASSOC PID#									

RECORD OF OWNERSHIP				PREVIOUS ASSESSMENTS (HISTORY)					
CHRIST THE SHEPHERD CHURCH PCA	BK-VOL/PAGE	SALE DATE	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value	
	1948/ 939	07/25/2007	2007	200	1,106,000	2007	200	967,100	
	0510/0346	01/24/1972	2007	200	375,900	2006	200	128,800	
			2007	200	16,800	2006	200	16,800	
Total:				1,498,700				1,112,700	

EXEMPTIONS				OTHER ASSESSMENTS			
Year	Type	Description	Amount	Code	Description	Number	Amount
Total:							

ASSESSING NEIGHBORHOOD				APPRAISED VALUE SUMMARY				
NBHD/SUB	NBHD NAME	STREET INDEX NAME	TRACING	Batch	Appraised Values			
0001/A					Appraised Bldg. Value (Card)	1,580,000		
					Appraised XF (B) Value (Bldg)	0		
					Appraised OB (L) Value (Bldg)	24,000		
					Appraised Land Value (Bldg)	537,100		
					Special Land Value	0		
					Total Appraised Parcel Value	2,141,100		
					Valuation Method:	C		
					Adjustment:	0		
					Net Total Appraised Parcel Value	2,141,100		

BUILDING PERMIT RECORD				VISIT/CHANGE HISTORY									
Permit ID	Issue Date	Type	Description	Amount	Insp. Date	% Comp.	Date Comp.	Date	Type	IS	ID	Cd.	Purpose/Result
					11/6/1998						DS	00	Meas. & Listed

LAND LINE VALUATION SECTION																			
B Use #	Use Description	Zone	D Frontage	Depth	Units	Unit Price	I Factor	S.A.	C. Factor	ST. Idx	Adj.	Notes-Adj	Special Pricing	Adj. Unit Price	Land Value				
1	2001 Commercial MDL-96	RA40			2.00 AC	175,000.00	0.97	A	1.00	3000	1.15				389,900				
1	200 Commercial MDL-94	RA40			3.20 AC	40,000.00	1.00	0	1.00	3000	1.15				147,200				
Total Card Land Units: 5.20 AC										Parcel Total Land Area: 5.2 AC									
										Total Land Value: 537,100									

CONSTRUCTION DETAIL **CONSTRUCTION DETAIL (CONTINUED)**

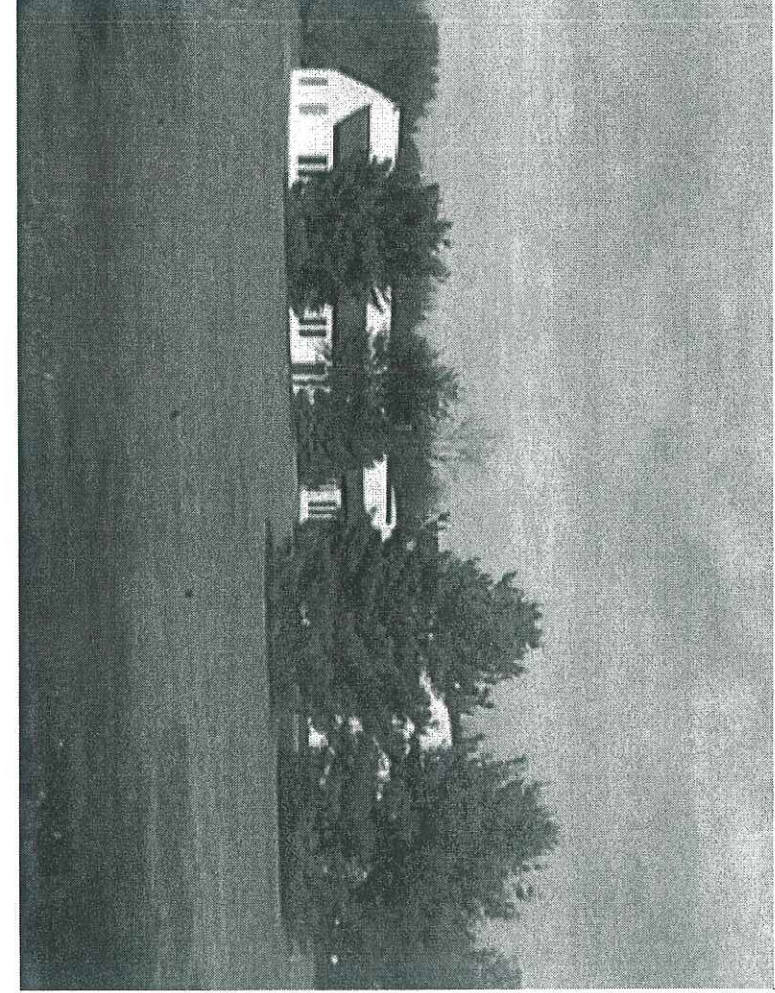
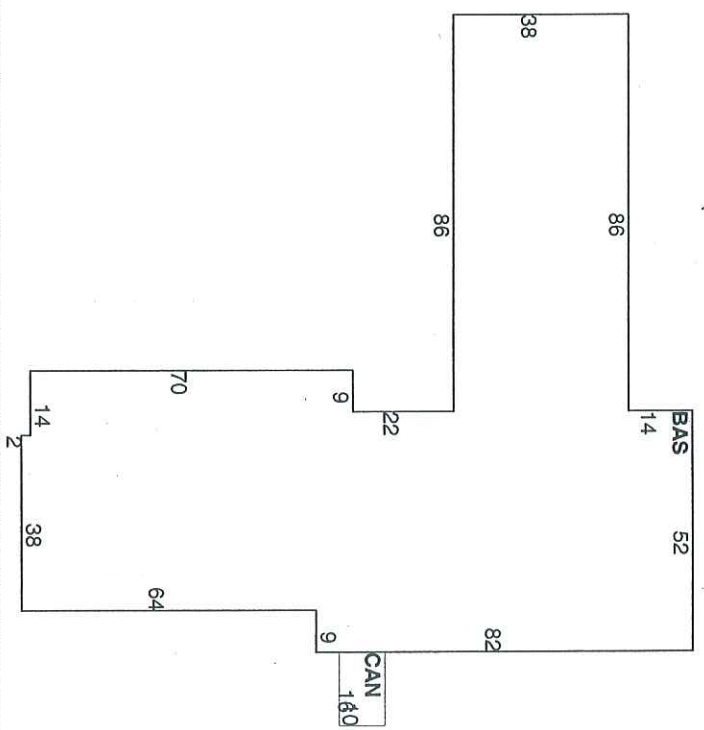
Element	Cl.	Ch. Description	Element	Cl.	Ch. Description
Style	71	Churches			
Model	96	Ind/Comm			
Grade	05	Good			
Stories	2				
Occupancy	1				
Exterior Wall 1	25	Vinyl Siding			
Exterior Wall 2					
Roof Structure	03	Gable/Hip			
Roof Cover	03	Asphalt Shingl.			
Interior Wall 1	05	Drywall/Sheet			
Interior Wall 2					
Interior Floor 1	14	Carpet			
Interior Floor 2					
Heating Fuel	03	Gas			
Heating Type	04	Forced Air-Duc			
AC Type	03	Central			
Bldg Use	2001	Commercial MDL-96			
Total Rooms	00				
Total Bedrms	0				
Total Baths	0				
Heat/AC	02	HEAT/AC SPLIT			
Frame Type	02	WOOD FRAME			
Baths/Plumbing	02	AVERAGE			
Ceiling/Wall	06	CEIL & WALLS			
Rooms/Prms	02	AVERAGE			
Wall Height	12				
% Conn Wall	0				

MIXED USE		Percentage
Code	Description	
2001	Commercial MDL-96	100

COST/MARKET VALUATION	
Adj. Base Rate:	150.49
Replace Cost	1,645,813
AYB	1997
EYB	2003
Dep Code	G
Remodel Rating	
Year Remodeled	
Dep %	4
Functional Obslnc	0
External Obslnc	0
Cost Trend Factor	1
Condition	
% Complete	96
Overall % Cond	
Apprais Val	1,580,000
Dep % Ovr	0
Dep Ovr Comment	
Misc Imp Ovr	0
Misc Imp Ovr Comment	
Cost to Cure Ovr	0
Cost to Cure Ovr Comment	

OB-OUTBUILDING & YARD ITEMS(D) / XF-BUILDING EXTRA FEATURES(B)												
Code	Description	Sub	Sub Descript	LB	Units	Unit Price	Yr	Gde	Dp Rt	Cnd	%Cnd	Appr Value
PAV1	Paving-Asphalt			L	20,000	2.00	2002		0		60	24,000

BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprec. Value
BAS	First Floor	10,904	10,904	10,904	150.50	1,640,997
CAN	Canopy	0	160	32	30.10	4,816
Tot. Gross Liv/Lense Area:		10,904	11,064	10,936		1,645,813



CURRENT OWNER	TOPO.	UTILITIES	STRT./ROAD	LOCATION	CURRENT ASSESSMENT
CANDLEWOOD BAPTIST CHURCH 52 STADLEY ROUGH RD DANBURY, CT 06811-3237 Additional Owners:	1 Level	5 Well 6 Septic	1 Paved		Code 200 200 200 184,000 1,381,600 24,000 128,800 967,100 16,800 6034 DANBURY/2002 REV, VISION
SUPPLEMENTAL DATA					
Other ID: 9345, 4946 TC MAP 23G TC LOT Census Tract F/SALE F/SALE F/SALE F/SALE F/SALE GIS ID: 23658 ASSOC PID#					
PREVIOUS ASSESSMENTS (HISTORY)					
Total: 1,589,600 1,112,700					

RECORD OF OWNERSHIP	BK-VOL/PAGE	SALE DATE	Yr. Code	Yr. Code	Assessed Value	Yr. Code	Yr. Code	Assessed Value	Yr. Code	Assessed Value
CANDLEWOOD BAPTIST CHURCH	0510/0346	01/24/1972	2005 200	2005 200	128,800	2004 200	2004 200	967,100	2003 200	128,800
			2005 200	2005 200	967,100	2004 200	2003 200	16,800	2003 200	16,800
			Total:		1,112,700	Total:		1,112,700	Total:	

EXEMPTIONS		OTHER ASSESSMENTS		APPRAISED VALUE SUMMARY	
Year	Type Description	Amount	Code Description	Number	Amount
ASSESSING NEIGHBORHOOD					
	NBHD/ SUB	NBHD NAME	STREET INDEX NAME	TRACING	BATCH
	0001/A				
NOTES					
CANDLEWOOD BAPTIST CHURCH					
Appraised Bldg. Value (Card) 1,362,700					
Appraised XF (B) Value (Bldg) 0					
Appraised OB (L) Value (Bldg) 24,000					
Appraised Land Value (Bldg) 184,000					
Special Land Value 0					
Total Appraised Parcel Value 1,589,600					
Valuation Method: 0					
Adjustment: 0					
Net Total Appraised Parcel Value 1,589,600					

BUILDING PERMIT RECORD							VISIT/CHANGE HISTORY							
Permit ID	Issue Date	Type	Description	Amount	Issp. Date	% Comp.	Date Comp.	Comments	Date	Type	IS	ID	Cd.	Purpose/Result
									11/6/1998				00	Meas. & Listed
									11/6/1998				00	Meas. & Listed
									11/6/1998				00	Meas. & Listed
									11/6/1998				00	Meas. & Listed

LAND LINE VALUATION SECTION																		
B#	Use Code	Description	Zone	D	Frontage	Depth	Units	Unit Price	I. Factor	S.A.	S.O.	C. Factor	ST. Idx	Adj.	Notes- Adj.	Special Pricing	Adj. Unit Price	Land Value
1	2001	Commercial MDL-96 RA40					2.00	AC	72,000.00	0.56	5	5	1.50	1.00				120,000
1	200	Commercial MDL-94 RA40					3.20	AC	20,000.00	1.00	0	0	1.00	1.00				64,000
Total Card Land Units: 5.20 AC Parcel Total Land Area: 226,512 SF																		
Total Land Value: 184,000																		

CONSTRUCTION DETAIL / **CONSTRUCTION DETAIL (CONTINUED)**

Element	Cd.	Ch.	Description	Element	Cd.	Ch.	Description
Style	71		Churches				
Model	96		Ind/Comm				
Grade	05		Good				
Stories	2						
Occupancy	1						
Exterior Wall 1	25		Vinyl Siding				
Exterior Wall 2							
Roof Structure	03		Gable/Hip				
Roof Cover	03		Asphalt Shngl.				
Interior Wall 1	05		Drywall/Sheet				
Interior Wall 2							
Interior Floor 1	14		Carpet				
Interior Floor 2							
Heating Fuel	03		Gas				
Heating Type	04		Forced Air-Duc				
AC Type	03		Central				
Bldg Use	2001		Commercial MDL-96				
Total Rooms	00						
Total Bedrms	0						
Total Baths	0						
Heat/AC	02		HEAT/AC SPLIT				
Frame Type	02		WOOD FRAME				
Baths/Plumbing	02		AVERAGE				
Ceiling/Wall	06		CEIL & WALLS				
Rooms/Prms	02		AVERAGE				
Wall Height	12						
% Comm Wall	0						

OB-OUTBUILDING & YARD ITEMS(D) / XF-BUILDING EXTRA FEATURES(B)

Code	Description	Sub	Sub Descript	L/B	Units	Unit Price	Yr	Gde	Dp	Rt	Cnd	%Cnd	Apr	Value
PAVI	PAVING-ASPI			L	20,000	2.00	2002		0			60		24,000

BUILDING SUB-AREA SUMMARY SECTION

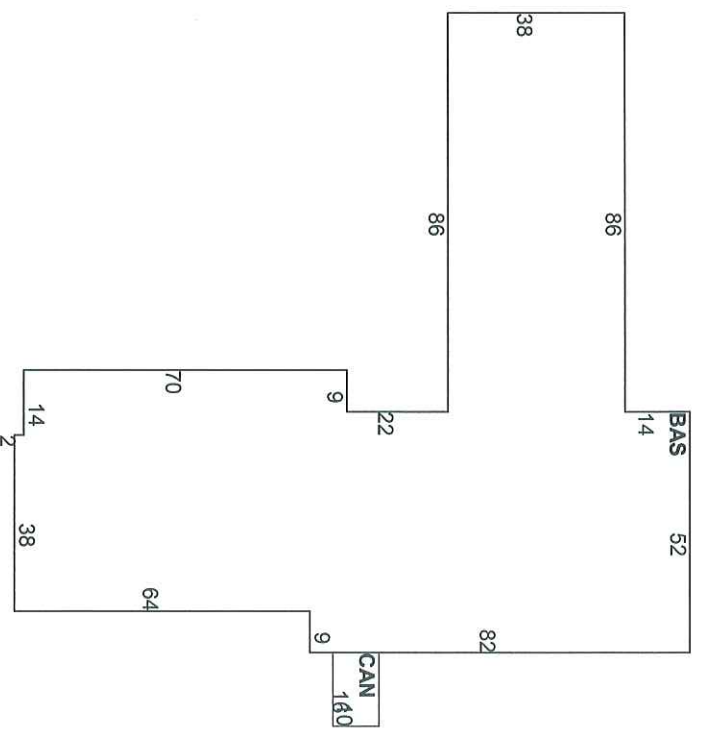
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undreprec. Value
BAS	First Floor	10,904	10,904	160	125.86	1,372,423
CAN	Canopy	0	0	0	25.17	4,028
Ttl. Gross Liv/Lease Area:		10,904	11,064	10,936		1,376,451

MIXED USE

Code	Description	Percentage
2001	Commercial MDL-96	100

COST/MARKET VALUATION

Adj. Base Rate:	125.86
Section, RCN:	1,376,451
Net Other Adj:	0.00
Replace Cost	1,376,451
AYB	1997
EYB	2001
Dep Code	G
Remodel Rating	
Year Remodeled	
Dep %	1
Functl Obslnc	0
Econ Obslnc	0
Cost Trend Factor	1
Status	
% Complete	99
Overall % Cond	
Apprais Val	1,362,700
Dep % Ovr	0
Dep Ovr Comment	
Misc Imp Ovr	0
Misc Imp Ovr Comment	
Cost to Cure Ovr	0
Cost to Cure Ovr Comment	



No Photo On Record

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FACILITY AT 52 STADLEY ROUGH ROAD,
DANBURY, CONNECTICUT

DOCKET NO. 366

August 29, 2008

PRE-HEARING EXHIBIT B

Resident Comments and Concerns
(Please refer to Interrogatories at P3-6)

Docket 366
Proposed Cell Tower
Located at 52 Stadley Rough Road
Danbury, CT 06811

Resident Comments and Concerns

EXHIBIT B

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Executive Summary – Docket 366

As residents of the Stadley Rough / Great Plain area, we oppose the construction 140' cell tower located on the 5 acre parcel behind Christ the Sheppard Church located at 52 Stadley Rough Road.

Docket 366 is essentially the same application that came before the Danbury Planning Commission May 2006. Now, instead of building a 130' cell tower, Optasite wants to increase the tower to 140'! The 2006 inquiry resulted in a negative recommendation by the City of Danbury. Optasite/T-Mobile was asked to find a more appropriate alternative site that would provide wireless service in the claimed "gap in coverage" from I84 W, with the junction of Route 7, and north and south of Lake Candlewood.¹

Optasite claims it has not been able to find an alternate site in the last two years since its initial proposal, and that there are no other equally effective technological alternatives to *construction of a new cell tower* providing reliable personal wireless services in this area of Connecticut. We believe the application submitted by Optasite is *incomplete* and question efforts in researching *this site* as well as the availability of alternative site(s). As residents, we have included our comments and concerns for your review.

The placement of an industrial-type of utility in a densely populated residential area should be considered the least desired location. Surrounding the proposed cell tower would be two schools: Stadley Rough School (850') and the Colonial Hills Baptist School (508') as well as 53 homes within 1000' of the site. Colonial Hills Baptist Church, which abuts the property, has invested considerable time and money to beautify the 10 acre parcel it resides on, into a park-like setting. At a time where our state and cities are preserving open space, it would not be prudent to permit the construction of a cell tower at 52 Stadley Rough Road.

The City of Danbury has enacted Planning & Zoning regulations that accommodate the communication needs of residents and business by a *balancing the location of wireless telecommunication facilities*, towers and antennas while protecting public health, safety, convenience and property values. The construction of the proposed cell tower does not conform to these regulations and construction of a cell tower would dramatically affect the value of surrounding properties.

Although the City of Danbury does not support the proposed location, the ultimate decision rests upon the Connecticut Siting Council. The CSC has the resources and the ability to determine an alternate site that is more appropriate, be it another pending or approved site in the state, or even a federal site located within our state.

You only need to see the area to know, an industrial-type utility will have an adverse environmental affect on this neighborhood. Because of its high profile and wide visibility, the *proposed cell tower can characterize an entire region*. If approved, the cell tower will create an immeasurable hardship: reduce our quality of life, decrease our real estate values, and negatively affect the natural beauty and vistas of the Stadley Rough / Great Plain area.

¹ Optasite's Proposal Dated 6/30/08 – Page 5

Comments and Concerns

RE: Optasite Application for Certificate of Environmental Compatibility and Public Need dated
June, 30th 2008 (CSC Docket # 366).

Author: Michael Iacovacci

Date of review: August 6, 2008

Overview: Optasite submitted an Application to construct a cellular communications tower on the property of 52 Stadley Rough Road Danbury, CT. The following is a list of questions and concerns regarding the application.

1. In section 1 of the Proposal Optasite makes the following "Statements of Need":

"The proposed Facility will provide wireless service in the northeast portion of the City of Danbury, particularly north of the 1-84 junction with Route 7 in an area between Candlewood Lake, the Town of Brookfield border and Padanaram Road (section i-a. Purpose and Authority, pp1)."

"Currently, a gap in coverage exists in T-Mobile's network in the Danbury area, specifically along 1-84 west of the junction with Route 7, and in the area north of 1-84 and south of Candlewood Lake(section iii-a. Statement of Need, pp5)."

The following are questions and concerns regarding the above statements:

A. The needs analysis appears to be based purely on computer modeling, are there other sources of needs justification? Examples:

- Does T-Mobile have records of complaint from its customers which evidence the gap exists?
- Does T-Mobile have record of persons canceling service due to inadequate coverage for this area?

B. The maps submitted for Nextel coverage were modeled in 2006. Since the merger of Sprint/Nextel, significant changes have been made to cellular infrastructure due to tower sharing and band consolidation.

- Did the Nextel coverage maps (which are not dated) include Sprint based PCS towers that are now in use as a result of the merger?

C. The coverage maps both Nextel & T-Mobile maps are not dated as recommended by the CSC application guide.

D. A "net new coverage" map was drawn from the collection of T-Mobile maps submitted in the proposal (see attached figure 1). This new coverage appears limited.

- Can Optasite/T-Mobile provide a net new coverage map?
- Can Optasite/T-Mobile provide the number and names of new streets and residences that would receive coverage?

2. In the Proposal, Optasite makes the following statements regarding possible "Technological Alternatives" to providing coverage other than constructing the tower as proposed:

"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 (section iii-c. Technological Alternatives, pp7)."

"Significant terrain variations and tree cover in Danbury 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 Facility. The Applicants submit that there are no equally effective technological alternatives to construction of a new tower Facility for providing reliable personal wireless services in this area of Connecticut (section iii-c. technological alternatives, pp8.)."

The following are questions and concerns regarding the above statements:

- A. How was the conclusion reached that none of the above mentioned technologies would suffice? Was a study conducted? If a study was conducted, what were the methods used to make these determinations? Was the study physically conducted in the area or using computer simulations?
- B. Was the determination made based on using a single repeater or microcell or did it consider multiple pieces of equipment?

3. In the Proposal, Optasite made the following statements regarding "Site Selection":

"Optasite and T-Mobile analyzed the existing towers within four miles of the search ring and determined that no existing sites are available for collocation to provide service in the area targeted for service. Indeed, T-Mobile is using or proposing to collocate on several of these existing towers to provide service outside of the area targeted for service by the proposed Facility. The towers located within four miles of the search area are identified in the table titled "Existing Tower Listing" included in Attachment 3 (section iv-a. site selection, pp8)."

"The Site Selection narrative and map of rejected sites, attached hereto as Attachment 3, provides a complete explanation of Optasite's methodology and actual search for potential sites in Danbury and depicts the locations reviewed during Optasite's search, including sites identified during the municipal consultation and the reasons for elimination from consideration of all but the proposed Site (section iv-a. Site Selection, pp8)."

The following are questions and concerns regarding the above statements:

The CSC Community antenna television and telecommunications facilities application guide dated February 16, 2007 states the applicant shall include:

- O. A list describing the type and height of all existing and proposed towers and facilities within a four mile radius within the site search area, or within any other area from which use of the proposed towers might be feasible from a location standpoint for purposes of the application;
 - A. When was the list of towers compiled? The list document is not dated.
 - B. Which area towers is T-Mobile considering co-location? Can T-Mobile provide updated coverage simulations that identify the gap would still exist following the co-locations?
 - C. If the co-locations are approved, would micro-cell or repeater technologies become viable?

4. In the Proposal, Optasite made the following statements regarding "Facility Design":

"Pockets of wetland soils were delineated approximately 6 feet from the proposed Site, but will not be disturbed (section v. facility design, pp10)."

"Minimal grading of the proposed access drive and minimal grading of the proposed compound area would be required for the construction of the proposed Facility (section v. facility design, pp10)."

"The proposed Facility will have no impact on water flow, water quality, or air quality and will not emit any noise (section v. facility design, pp10)."

The following are questions and concerns regarding the above statements:

The CSC Community antenna television and telecommunications facilities application guide dated February 16, 2007 states:

VI. Contents of Application (General Statutes § 16-50j and Regs. Conn. State Agencies § 16-50j-74)
Section K.

A statement explaining mitigation measures for the proposed facility including:

1. Construction techniques designed specifically to minimize adverse effects on natural areas and sensitive areas;
2. Special design features made specifically to avoid or minimize adverse effects on natural areas and sensitive areas;
3. Establishment of vegetation proposed near residential, recreation, and scenic areas; and
4. Methods for preservation of vegetation for wildlife habitat and screening.

The drawing provided in Optasite's application dated 6/30/08 (Site Access Map sheet AO2) states that the base map information was obtained from drawings by URS Corporation (dated 12/27/05) and *does not represent an actual field survey*. That said, the precise location of the wetlands and watercourses should be *determined by the actual character of the land, the distribution of wetland soil types, vegetation, and locations of the watercourses*.

- A. What specific construction techniques will be employed to assure that the wetlands soils which are six feet from the construction area, will not be disturbed? Shouldn't there be a minimum buffer zone between the Site and the wetlands? Wouldn't the wetlands and water flow be disturbed by the construction of a concrete pad?
- B. How accurate are the drawings provided? From the coordinates, 41°25'-59.17 "N, 73° 25'-54.90" W, the site actually drops down into a depression. Is the site location of the proposed tower actually closer to wetlands than is depicted in the drawings? The proposal indicates minimal grading will be required. Was the site physically visited? The site contains a significant below grade portion which would need to be backfilled. This portion is at least five feet below the average grade of the area.
- C. Can Optasite provide the studies that indicate water flow in the area will not be impacted? Would the existing drainage easement (required by 14 Indian Spring) located on the property be affected by the construction of the compound? Would site construction interfere with the septic and leaching fields of the church located on the property?
- D. After interviewing residents, many of the homes that are located on Spring Road were built on slabs and do not have basements because the water table for the area is naturally high (when digging only 4-5' down water is present). Many of the homes in the area were built in the 1960's and have fragile septic systems already. Will excavation of the Site disturb the water table, wells, septic systems, or drainage for any of the abutting residences?
- E. Can Optasite provide more details regarding noise? Noise will be a concern for the resident located at 14 Indian Spring Road. The residents property is less than 50 (fifty) feet from their property border. The residents have a back patio and in-ground swimming pool that will be approximately 100 feet from the facility.

5. In the Proposal, Optasite made the following statements regarding the "Visual Assessment":

"Based on the view shed analysis contained in Attachment 5, year round visibility of the proposed Facility above the tree canopy will occur on the Premises and immediate vicinity of the Site. Overall, fourteen (14) residences will have partial year round views of the Facility. These properties are located along Stadley Rough Road and Great Plain Road. Ten (10) additional residences will have partial, seasonal views of the Facility, and these properties are located along portions of Stadley Rough Road and Indian Spring Lane (pp11)."

"Approximately 53 residences are located within 1,000 feet of the proposed tower. The closest residence is located approximately 142' to the northwest at 14 Indian Spring Lane (pp12)."

Optasite contracted VHB to conduct a view shed analysis:

- The analysis claims that the facility will not be visible from Corntassle road residences.
- The analysis claims that Indian Spring residences will only have seasonal views of the facility.

The following are questions and concerns regarding the above statements:

The CSC Community antenna television and telecommunications facilities application guide dated February 16, 2007 states the applicant shall provide...

N. Sight line graphs to the named sites from visually impacted areas such as residential developments, recreational areas, and historic sites;

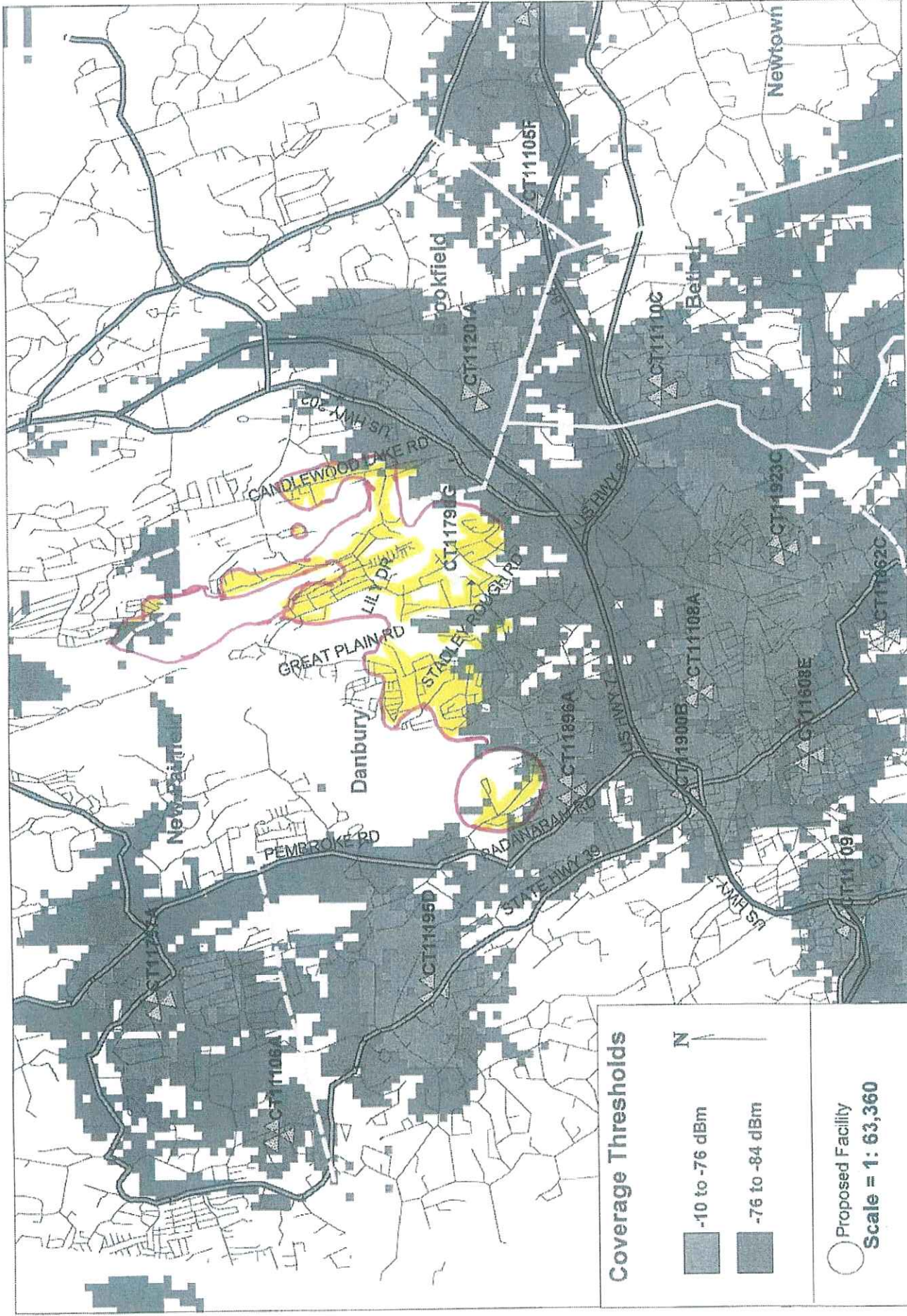
A. Why has Optasite not provided sight line graphs of the visually impacted areas?

A separate balloon flight test was conducted by area residents, the residents used a red weather balloon which was flown at the location as indicated within the application using a hand held GPS. The residents took photos of the balloon from various locations (see Visual Assessment).

- The photos depict the balloon (facility) will be visible from Corntassle road residences.
- The photos depict the balloon (facility) will be visible from Indian Spring residences.

B. Why does the VHB study differ from the study conducted by the residents?

C. Can Optasite conduct another study during leaf-off season?

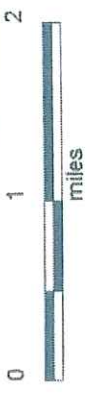


Existing T-Mobile On Air Coverage

Coverage Thresholds

- 10 to -76 dBm
- 76 to -84 dBm

○ Proposed Facility
Scale = 1: 63,360



Visual Assessment of Proposed T-Mobile Tower

Author: Michael Iacovacci

Date of assessment: July, 19, 2008

Overview: On the morning of July 19th 2008 a 4' diameter red weather balloon was flown at the proposed T-Mobile tower located at 52 Stadley Rough Road, Danbury CT. A series of photographs were taken to assess the potential visual impact from area residents should the tower be constructed.

Methodology: The balloon was flown at the GPS location indicated in the Optasite proposal. A reel of nylon line marked using a tape measure to indicate 10 (ten) foot increments up to 140 feet. The last 10 (ten) feet were also marked at 1 (one) foot increments. A handheld GPS unit (Garmin Nuvi 200) was used to locate the exact GPS location to fly the balloon. The balloon was inflated to the 4 (four) foot diameter. The GPS location was found to be a minimum of 5 (five) feet below the average grade in the area, therefore the balloon was flown at 140 feet above the GPS location plus 5 (five) feet.

21 locations were photographed using a 10 megapixel Cannon Rebel XTI model 400D digital SLR and the GPS coordinates were recorded. All 21 locations indicate that the balloon was visible. The high-resolution photographs were edited to add a red arrow indicator to assist in locating the balloon. The original un-edited photographs were also retained.

Since the time of year resulted in a full leaf on setting, some photographs depict the balloon behind partial tree cover, the thought was that during leaf off seasons, the balloon (tower) would be significantly more visible.

Results: Two site locations of particular interest are site 15 and site 19. These two locations were duplicated from the VHB Visual study submitted as part of the Optasite proposal. In the VHB study, the photo's indicated that the balloon was not visible. However, in these photographs, the balloon is clearly visible.

21 locations show the balloon is visible.

It should be noted that due to weather conditions, the study could not be completed from all potential locations. The study was only completed for Indian Spring Road, North of 52 Stadley Rough Road, and North of 30 Corntassie Road. Other roads were not assessed.

All photographed locations plotted using handheld GPS unit on Google Map.



Site 1: 52 Stadley Rough Road (GPS N 41° 25' 59.8" - W73° 25' 48.5")



Site 2: 81 Stadley Rough Road (GPS N 41° 26' 1.8" - W73° 25' 48.5')



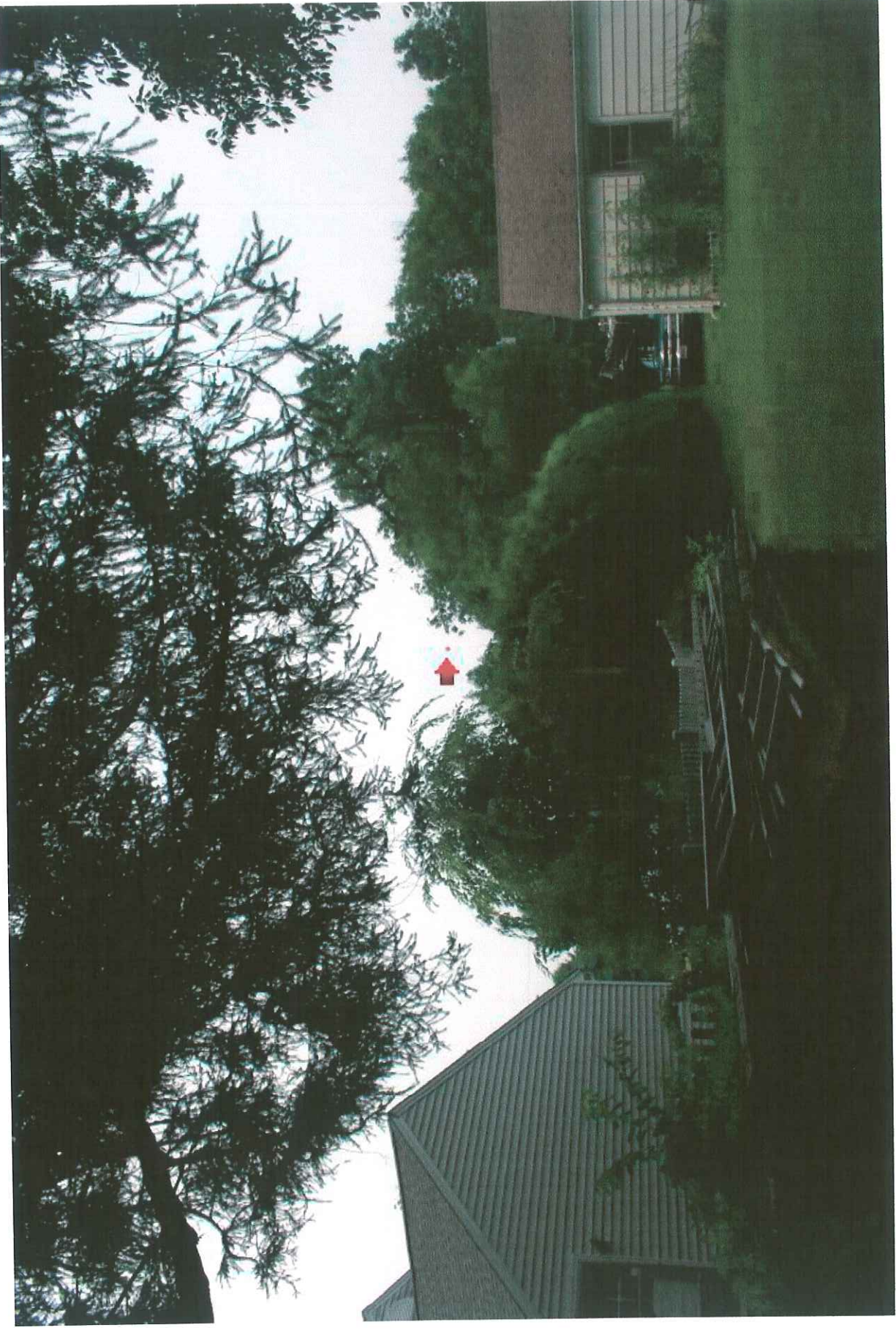
Site 3: 83 Stadley Rough Road (GPS N 41° 26' 2.9" - W73° 25' 48.0")



Site 4: 85 Stadley Rough Road (GPS N 41° 26' 3.7" - W73° 25' 48.8")



Site 5: 87 Stadley Rough Road (GPS N 41° 26' 4.6" - W73° 25' 48.4")



Site 6: 91 Stadley Rough Road (GPS N 41° 26' 6.2" - W73° 25' 51.6")



Site 7: Indian Spring Road & Stadley Rough Road Corner (GPS N 41° 26' 5.0" - W73° 25' 51.9")



Site 8: 6 Indian Spring Road (GPS N 41° 26' 4.0" - W73° 25' 54.0")



Site 9: 5 Indian Spring Road (GPS N 41° 26' 4.7" - W73° 25' 54.8")



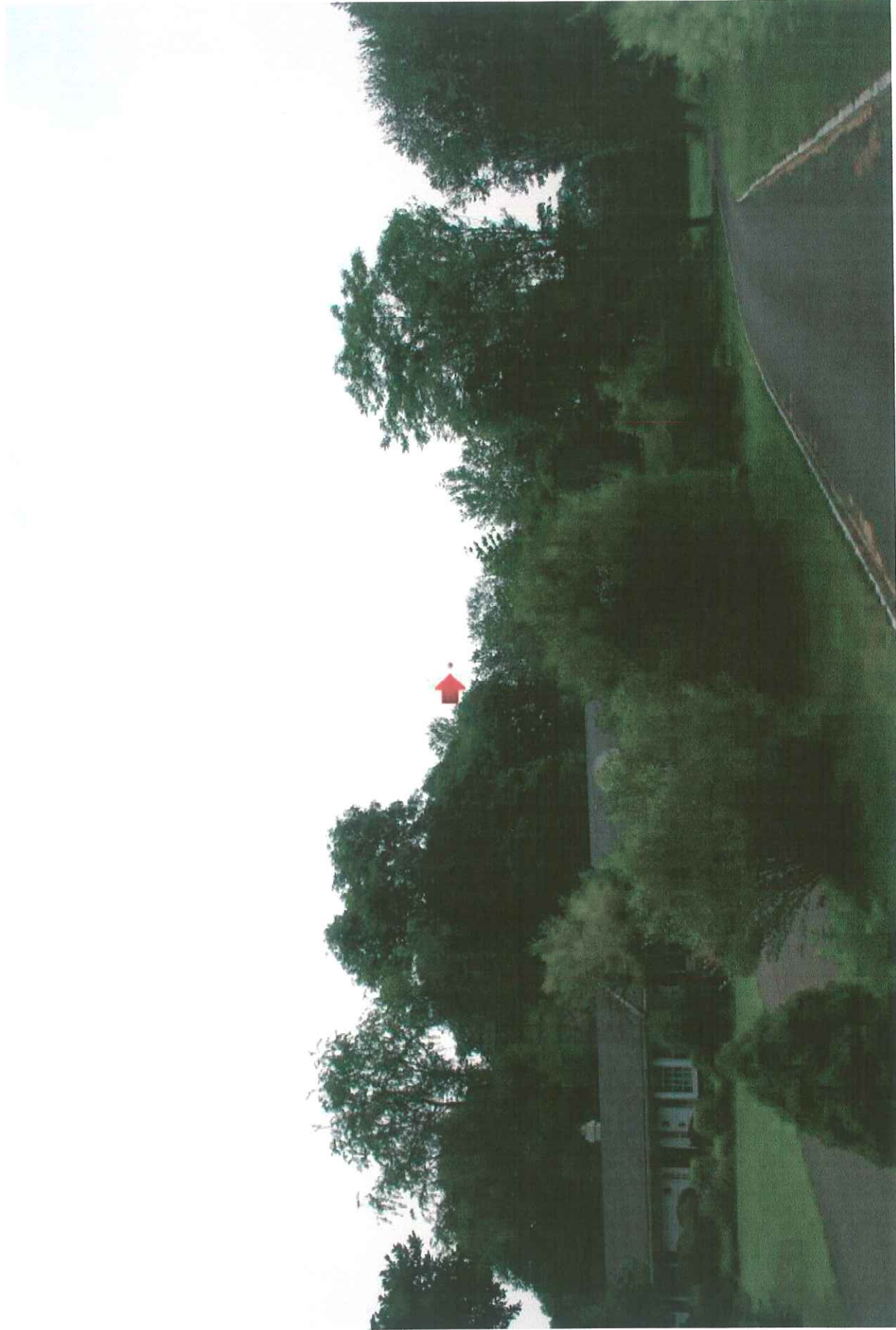
Site 10: 8 Indian Spring Road (GPS N 41° 26' 2.9" - W73° 25' 56.1")



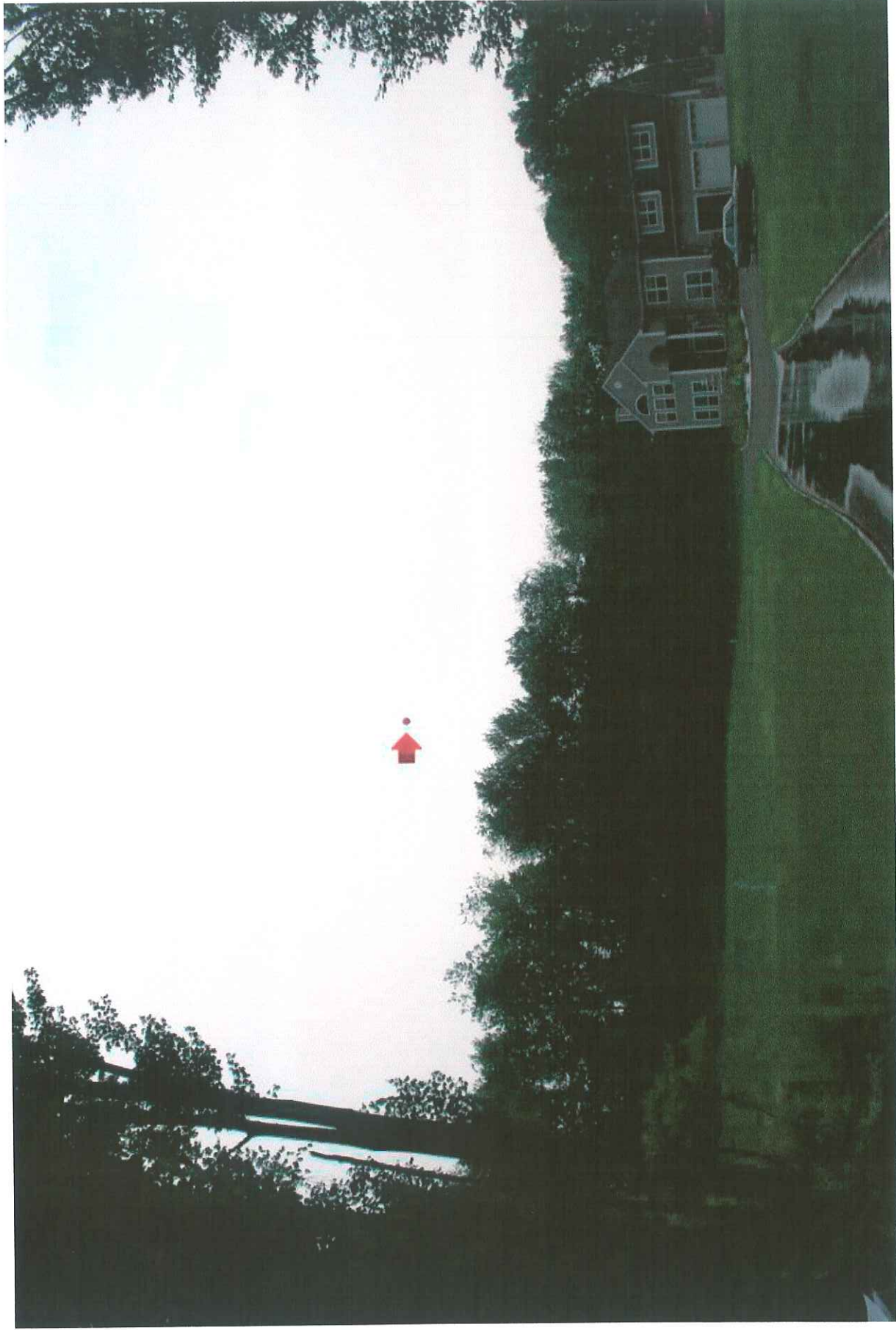
Site 11: 9 Indian Spring Road (GPS N 41° 26' 4.1" - W73° 25' 58.4")



Site 12: 12 Indian Spring Road (GPS N 41° 26' 2.8" - W73° 26' 1.2")



Site 13: 14 Indian Spring Road (GPS N 41° 26' 0.7" - W73° 25' 59.7")



Site 14: 14 Indian Spring Road (GPS N 41° 25' 58.1" - W73° 25' 57.6")



Site 15: 16 Indian Spring Road (GPS N 41° 26' 2.3" - W73° 26' 1.9")



Site 16: 16 Indian Spring Road (GPS N 41° 26' 1.1" - W73° 26' 1.7")



Site 17: Indian Spring Road (GPS N 41° 26' 2.7" - W73° 26' 2.9")



Site 18: 15 Indian Spring Road (GPS N 41° 26' 3.5" - W73° 26' 4.5")



Site 19: 30 Corntassle Road (GPS N 41° 25' 55.8" - W73° 26' 5.6")



Site 20: 28 Corntassel Road (GPS N 41° 25' 57.9" - W73° 26' 6.3")



Site 21: Stadley Rough School – Playground (GPS N41° 25' 56.7" - W73° 25' 43.8")



Comments and Concerns

RE: Optasite Application – Consistency with the City of Danbury’s Land Use Regulations
dated June, 30th 2008 (CSC Docket # 366).

Author: Armen Stauffer

Date of review: August 6, 2008

Historical Sites:

At one time, the Stadley Rough / Great Plain area was all farmland. As previously mentioned in the public hearing held on May 3, 2006, the tower will be located within the view shed of six historic properties that would qualify for the National Register of Historic Places and will have an adverse impact on historical sites:

77 Great Plain Road	Built 1900	The Old Great Plain School House
78 Great Plain Road	Built 1800	Residence
90 Great Plain Road	Built 1750	Residence
94 Great Plain Road	Built 1815	Residence
95 Great Plain Road	Built 1783	Residence
62 Stadley Rough Rd	Built 1873	Residence

Planning and Zoning

Section 3.E.6 – District Regulation¹:

The City of Danbury has enacted Planning & Zoning regulations that accommodate the communication needs of residents and business by a balancing the location of wireless telecommunication facilities, towers and antennas while protecting public health, safety, convenience and property values. The placement of any wireless telecommunication facility shall be a special exception use in all zoning districts subject to approval by the City of Danbury Planning Commission.

The site proposed at 52 Stadley Rough Road DOES NOT CONFORM to District Regulations set forth:

Section 3.E.6 – District Regulation d. General Standards:

(2) A tower must comply with the yard setback requirements for principal uses and buildings in the zoning district in which it is located (RA-40), or be set back from all property lines a distance equal to the height of the tower plus twenty-five (25) feet, whichever is greater. ²

- A. The proposed tower at 140' plus 25' would be equal to 165', per the Site Access Map sheet AO2 provided as part of the Application dated 6/30/08, clearly a safety issue and over limits of the "fall zone". Wouldn't the 165' radius of the tower and allowance not only extend well over the property line, but also intrudes upon the existing home located on 14 Indian Spring Road as well as the in-ground pool in the back yard and the playground area of Christ the Sheppard Church (see attached figures 1-3)?
- B. Optasite indicates that it will "engineer the tower accordingly".³ Per drawing titled "Tower Elevation", "tower to be designed with an engineered break point to maintain structure on primary parcel in event of failure": Even with a "collapsible tower design", how in the event the tower fails or collapses, will it not encroach upon any adjoining property, as well as disturb wetlands on the southwest corner located 6' from the tower?
- C. In addition to this safety concern, can Optasite prove that based on the site plan submitted, there adequate set backs from tower/antenna sites to protect against falling equipment and debris? Also, can it be proved that there will be no detrimental impact resulting in the routine maintenance of the tower or any damage caused by a lightning strike?

¹ <http://www.ci.danbury.ct.us/content/41/205/878/914.aspx> - District Regulation 3-4

² <http://www.ci.danbury.ct.us/content/41/205/878/914.aspx> - District Regulation 3-5

³ Optasite's Proposal Dated 6/30/08 – Zoning Regulations & Design Page 15

- D. If approved, the construction of a 140' tower would be **higher than the building height of Danbury Hospital** (at 134') in a residential neighborhood where RA-40 zoning only permits a maximum building height of 35' or a maximum of three stories⁴.

Section 3.E.6 – District Regulation d. General Standards:

(4) All towers in residential zoning districts shall be monopole design unless otherwise modified and approved by the Planning Commission. The Planning Commission may require that a monopole be designed and treated with architectural materials so that it is camouflaged to resemble a woody tree with a single trunk and branches on its upper part, or other suitable camouflage as determined by the Planning Commission.⁵

- A. If you look at the simulated pictures Optasite provided (Application filed 6/30/08), the cell tower can clearly be seen from the parking lot at St. Gregory's church. At 140' it towers over the treetops and is extremely visible (depicted in a "leaf on" setting). If the tower can be seen from .58 miles away, it is not logical that residents in the area will not have a year round view of the cell tower since it extends above the existing tree canopy (65-75')? The tree canopy is mature and future growth will not compensate for the additional 65-75' needed to disguise the cell tower into the existing tree line. It is not logical that the cell tower, in **any form** be it monopole, flag pole, or a "fake tree" is going to be camouflaged into its surroundings.

Section 3.E.6 – District Regulation d. General Standards:

(8) Towers which protrude above the tree coverage on any property that is located within a view corridor of any vista that is identified by the Planning Commission pursuant to the Plan of Conservation and Development, and any amendments thereto, are prohibited.⁶

- A. Consistent with the City of Danbury's Comprehensive Planning Program & Plan of Conservation & Development (2002) the City plans on protecting the environment and preserving open space which includes creating an overlay zoning district to protect hillsides and ridgelines (compliance with the overlay standard is in **addition** to compliance with other land use regulations).⁷
- B. Ridgeline protection is typically instituted to preserve views and protect the aesthetic character of an area. There is no ideal definition of what is described as a Ridgeline. The nature of the threatened development and surrounding topography because the features for which protection is sought vary as do the circumstances in which they are located.⁸ Because of its high profile and wide visibility, the proposed **cell tower can characterize an entire region**. Ridgeline development that obstructs or otherwise damages the view can potentially reduce property values (reference simulated photos supplied by Optasite in their application dated 6/30/08 – Attachment A). The State has the authority to enable municipalities more authority to develop their own ridgeline protection requirements and use of existing planning and zoning authority.
- C. Ridgeline Protection techniques that support the denial of the site for the construction of a cell tower are:
- o Restriction on tree removal for view creation and landscaping requirements to minimize structure visibility (note: the tree canopy is mature at 75' and planning additional vegetation will not address the visual impact)
 - o Limitation on size, placement, and height of vertical projections maintaining continuity of natural features
- D. From simulations Optasite performed, the 140' cell tower would be visible above the tree canopy that comprised approximately 25 acres of study area (leaf on) and an additional 19 acres leaf off (.20 miles radius surrounding the facility)⁹. Directly affected residences: 14

⁴ Optasite's Proposal Dated 6/30/08 – Statement of Need, T-Mobile Surrounding Sites

⁵ <http://www.ci.danbury.ct.us/content/41/205/878/914.aspx> - District Regulation 3-6

⁶ <http://www.ci.danbury.ct.us/content/41/205/878/914.aspx> - District Regulation 3-6

⁷ Danbury's Comprehensive Planning Program & Plan of Conservation & Development (2002) Page 4

⁸ OLR Research Report, The Connecticut General Assembly RE: Ridgeline Protection page 3

⁹ Optasite's Proposal Dated 6/30/08 – Conclusion Section 5-4

residences have partial view year round (Stadley Rough/Great Plain). Another 10 residences have partial seasonal views (Stadley Rough/Indian Spring), 53 Residences are 1000' from the cell tower and the closest residence is 142' from the tower (14 Indian Spring).¹⁰ How can the negative effect of the proposed cell tower on this many residences be justified (attached figures 2 & 3)?

Section 3.E.6 – District Regulation d. General Standards:

(11) A tower must be able to accommodate a minimum of three users unless the applicant demonstrates that it is technically infeasible.

- A. Enclosed in Optasite's application dated 6/3/08, T-Mobile has signed a contract, but ***Optasite cannot readily predict a point in time at which the facility might reach a maximum capacity***¹¹. Of the other two interested carriers Optasite listed in their proposal, Verizon provided a letter of intent from stating that "the project is not included in the budget at this time".
- B. Sprint/Nextel, since its merger in 2005, has struggled and is having financial difficulties. Sprint stated that it had to borrow some \$2.5 billion just to get access to cash.¹²
- C. The term of the lease that Optasite secured with the now defunct Candlewood Valley Baptist Church, is for a term of 30 years. The single **firm** commitment that Optasite has received is the lease exhibited in Optasite's application from T-Mobile which is for only a period of 5 years. The wireless industry is constantly changing as wireless carriers merge, consolidate, and acquire one another. Is it possible there will be a better utilization of existing towers as opposed to constructing new towers as the industry matures? Case in point, as of 7/21/08 SBA Communications has agreed to enter into a merger agreement with Optasite.¹³ How can one justify constructing an industrial utility in a residential area for ONE carrier?

Alternative Sites and Co-location:

The application filed on 6/30/08 for the construction of a new cell tower at 52 Stadley Rough Road was filed by Optasite with T-Mobile as an "anchor tenant". What motivation does Optasite have in discovering an alternate site for the use by T-Mobile? What is the incentive for Optasite if T-Mobile were to be able to co-locate a tower onto an existing tower at its current height or even increase the height to increase coverage if it's not owned by Optasite? Why would Optasite want to lose a carrier to the competitor and not utilize the right to use the property located at 52 Stadley Rough Road as secured by the 30 year lease?

- A. The Site Coordinates, 41°25'-59.17 "N, 73° 25'-54.90" W, reflect the **same** location that was previously submitted to the City of Danbury May 2006 in Optasite's Technical Report but has increased the tower height from 130' – 140'. May 2006, the City of Danbury advised a negative recommendation and asked Optasite to find a more appropriate alternate location.
- B. In the past, the City of Danbury has offered municipal water tanks and related municipal water facilities as alternate sites for proposed cell towers. These sites are ideal due to the nature of their high elevation and they are not in close proximity to residential neighborhoods. Did Optasite research any of these alternate locations?
- C. Federal Law mandates that Federal facilities "shall" make their sites available for communications facilities siting. The FCI located in Northern Danbury (at a very high elevation)

¹⁰ Optasite's Proposal Dated 6/30/08 – VI Environmental Compatibility Page 10-11

¹¹ Optasite's Proposal Dated 6/30/08 – Page 6

¹² http://news.cnet.com/8301-10784_3-9881857-7.html "The Sprint nightmare is far from over", 2/28/08

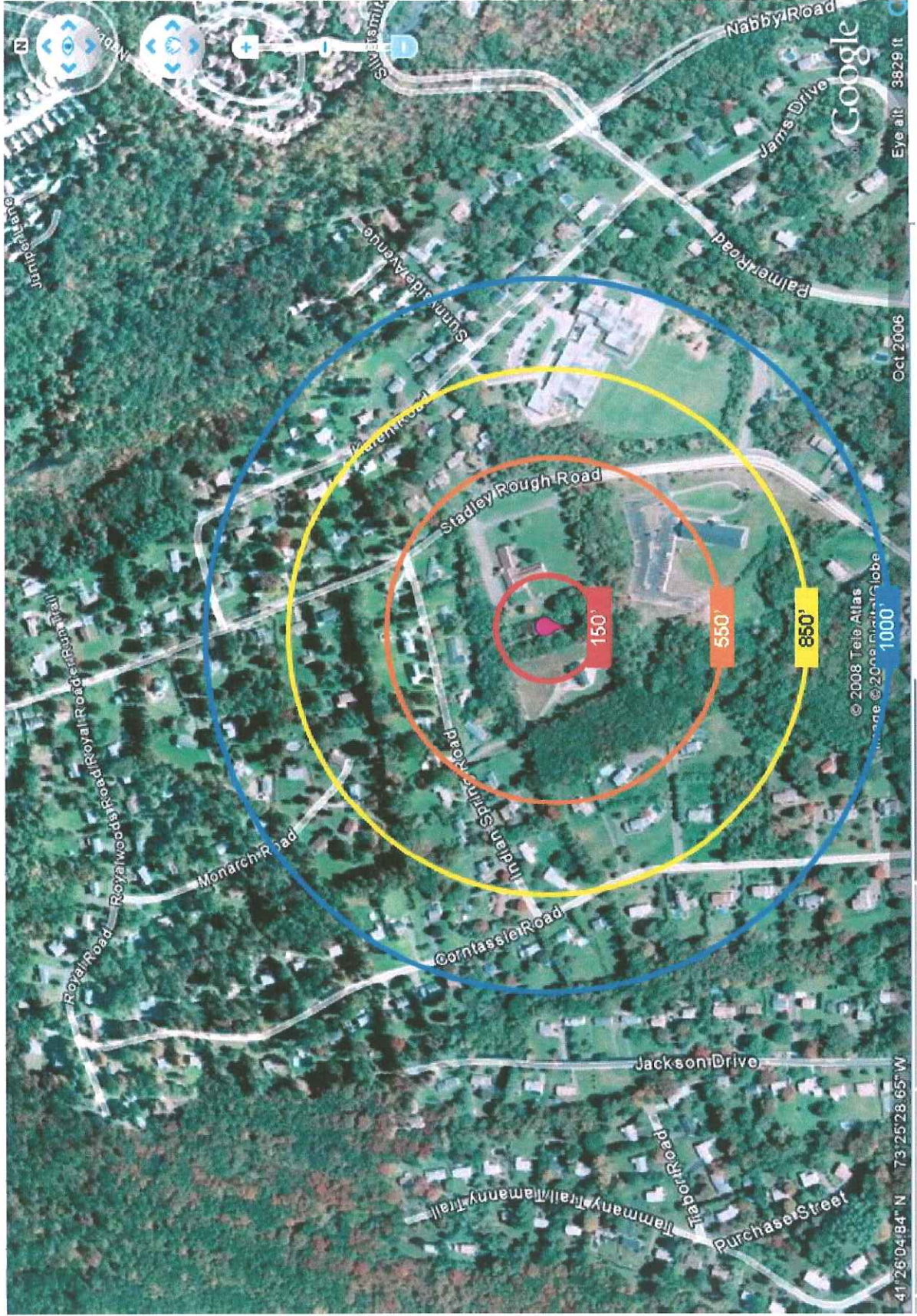
¹³ <http://www.optasite.com/info/press/detail.cfm?Article=33> "SBA COMMUNICATIONS CORPORATION AGREES TO ACQUIRE OPTASITE HOLDING COMPANY INC.", 7/21/08

would provide one of the most ideal sites in the Greater Danbury area for a cell tower. Was this site explored? If the site was rejected, why?

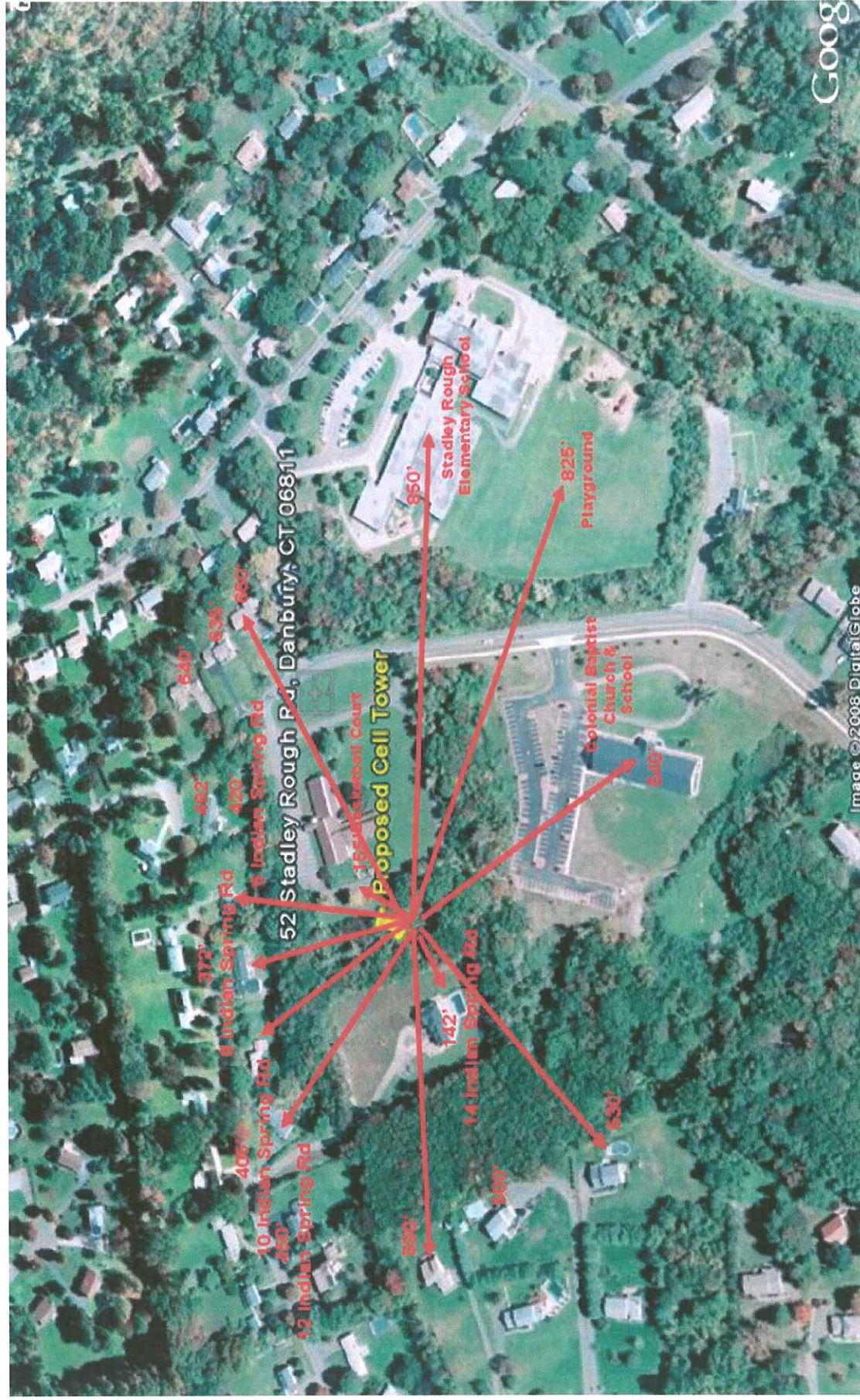
- D. The list of existing cell towers provided by Optasite (15 sites) is an incomplete list of all the cell towers in the Danbury, New Fairfield, and Brookfield area. Included in another cell tower application, Pecks Road Docket 357, 25 potential alternative sites were listed within 4-mile radius, a very similar radius covered by docket 366. If you compare the coverage areas between docket 357 and 366, it appears that there is a great deal of overlapping and that they essentially cover the same areas?
- E. There are many high elevation locations within a 4 mile radius of the Stadley Rough site that have not been considered. Examples of high elevation locations that may be more suitable are Bear Mountain and Beaver Brook Mountain as well as other surrounding non-residential sites located at high elevations (see attached figures 4-7)?.

The CSC has access to, is and is responsible for updating a data base on a quarterly basis that would include all approved cell towers within the state of Connecticut as well as knowledge of pending applications for new towers. The CSC has the resources and the ability to determine an alternate site that is more appropriate, be it another site in the state or even a federal site located within our state.

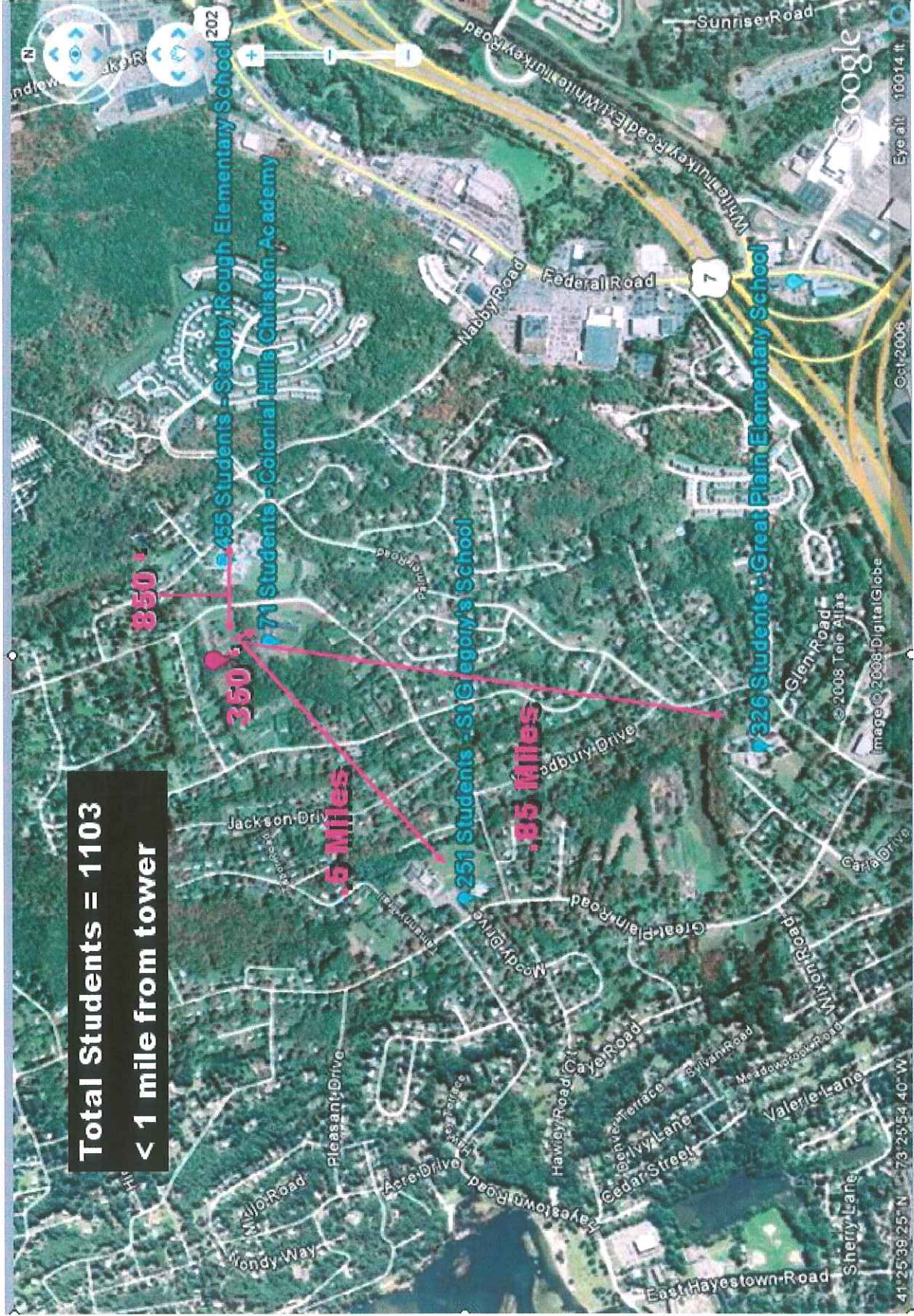
Consistency with the City of Danbury's Land Use Regulations - Figure 1



Consistency with the City of Danbury's Land Use Regulations - Figure 2

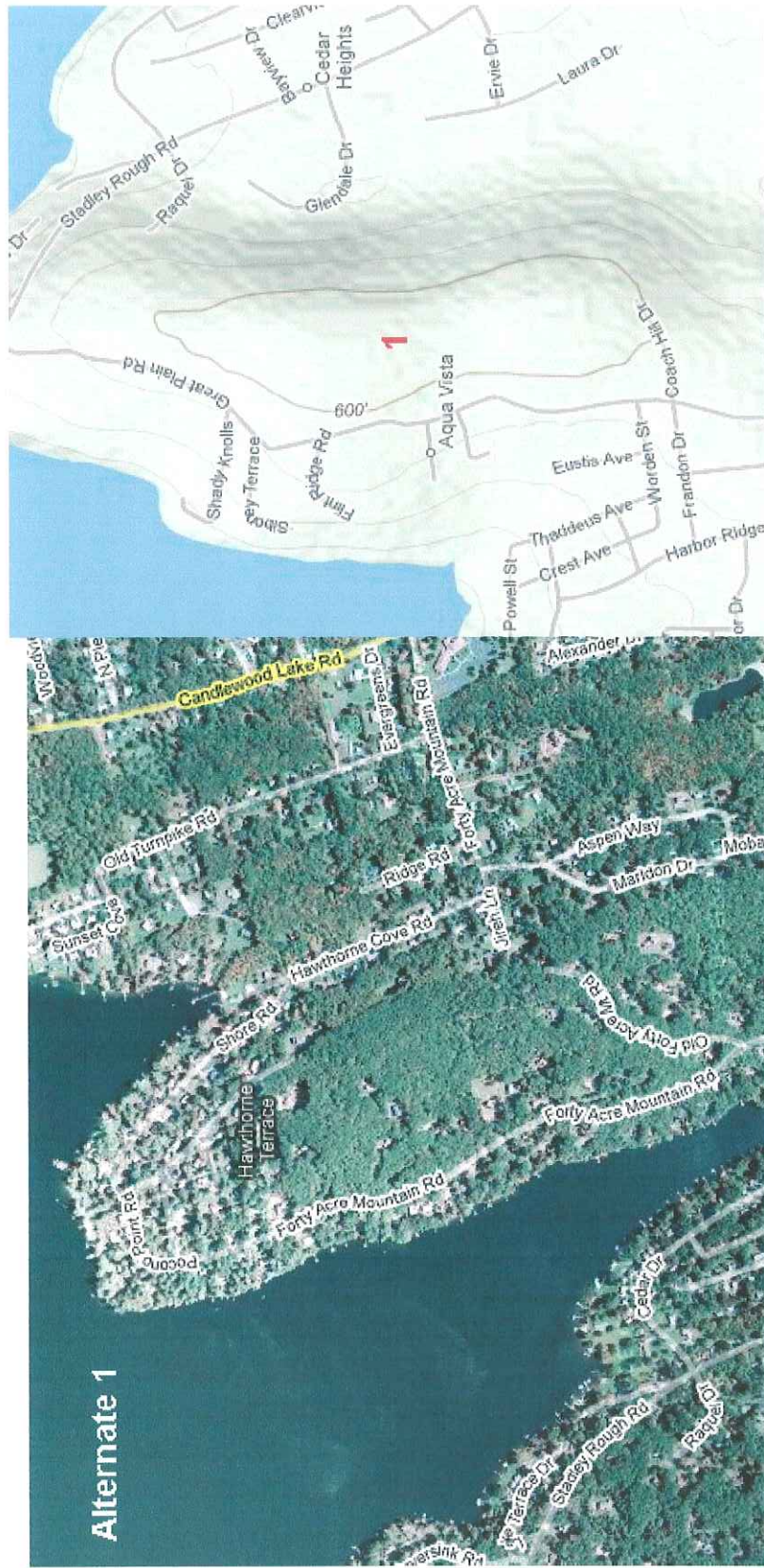


Consistency with the City of Danbury's Land Use Regulations - Figure 3

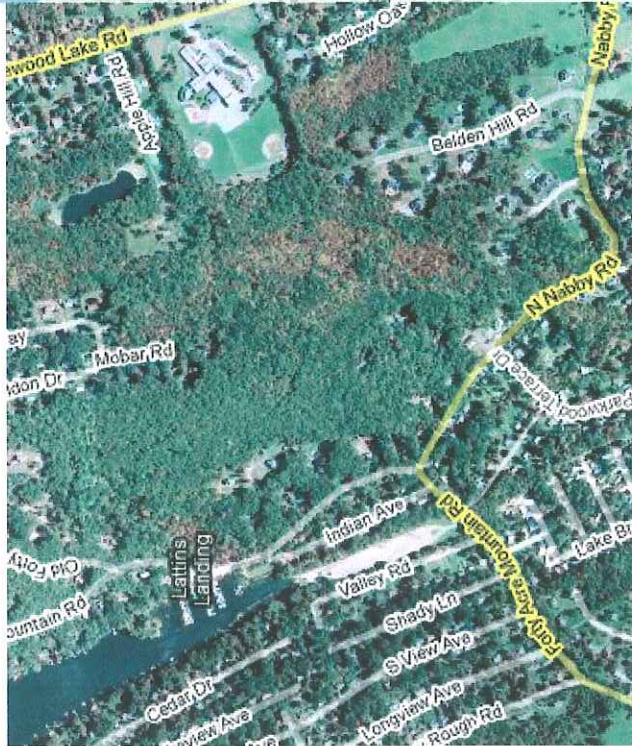
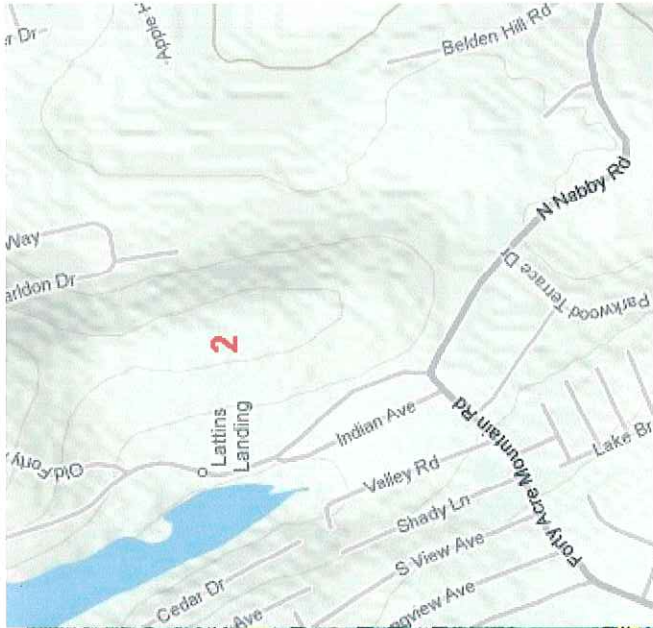


8 Potential Alternate Locations:

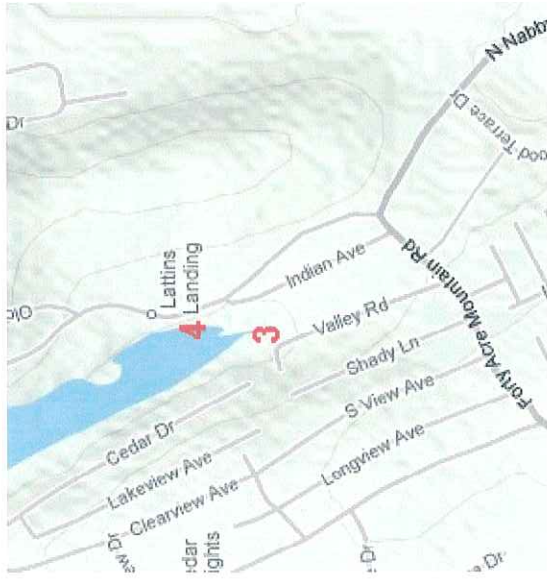
Alternate 1: Elevation 600'



Alternate 2: Elevation 520'



Alternates 3 & 4: Elevation 420' (State property – Latins Cove & Commercial property Pocono Point Marina)



Alternates 5,6,7,8: Elevations from 700' - 800'



Comments and Concerns

RE: Optasite Application – Compromised Property Values

dated June, 30th 2008 (CSC Docket # 366).

Author: Carol Rizza

Date of review: August 6, 2008

Property Values

Per the City of Danbury's **Planning & Zoning Regulations** Section 1, the purpose of the Planning & Zoning Regulations "are enacted to: protect the public health, safety, general welfare, convenience, **and property values** of the City; lessen congestion in the streets; secure safety from fire, panic, flood, and other dangers; provide adequate light and air; prevent the overcrowding of land; avoid undue concentrations of population; and, facilitate adequate provision for transportation, water, sewerage, schools, parks, and other public requirements. These Regulations are made with reasonable consideration given as to the character of districts within the City and to their peculiar suitability for particular uses and with the intent of conserving the value of buildings and encouraging the most appropriate use of land throughout the City."

The construction of a cell tower would dramatically affect the value of surrounding properties. Based on professional findings by an appraiser and local real estate agents, property values of homes within close proximity to high tension wires, electrical towers and cell towers are typically reduced by as much as 25% compared to the same home where there are none of these influencing factors. Though the effects of electromagnetic fields and radiation on humans and wildlife are still unknown, **there's a perception that cell-phone towers, high tension wires and electric towers cause cancer. As long as there's a perception, our property is going to be less marketable and valuable.**

The information shown below was supplied by the Worldwide ERC data base. The current data in this database concurs with the market study O'Neill, Duffy & Co. LLC submitted to the Danbury Planning Commission on October 3, 2000. The proposed cell tower will not be consistent with and in harmony with the area neighborhood, and the installation of such a tower is expected to negatively affect the market values of surrounding properties and homes by as much as – 15% to -25%.

Also, in support of the current real estate market in the Danbury area, attached are letters from local appraisal companies and a local real estate agent that supports these findings.

The Worldwide ERC

The Worldwide ERC, a well known organization by the Relocation Industry has developed a database to assist Appraisers and Real Estate agents throughout the United States with determining appropriate value/price estimates for properties that have unique features.

The World Wide Web address for this data base is:

http://www.worldwideerc.org/unique_property.shtml

Since this is a relatively new database and cell towers are relatively new to residential neighborhoods, the database findings have been extracted for properties that are in close proximity of high tension wires and electrical towers.

In today's current real estate decline and numerous available properties in the City of Danbury one of the many concerns is that buyers don't have to accept a property that has a negative such as a cell tower in close proximity when there are so many other properties that do not have this negative.

The data listed below indicates properties that are in close proximity to high tensions wires and electrical towers sell for much as 24.6% less than a comparable property that does not have this negative feature.

The very last case study listed is for a property value being reduced by 15.47% due to a cell tower. If cell towers become more prominent in residential areas this type of case study will soon become more readily available.

Frequently Asked Questions about the Unique Property Database

Q: [What is the goal of the Unique Property Database?](#)

A: Appraisers and brokers often are challenged with determining an appropriate value/price estimate for properties that are so unique that there are few if any other similar properties to compare them to. Appraisers typically use a paired sales analysis methodology in which adjustments are substantiated by comparing the sales price of a property with the unique feature to the sales price of a nearly identical property without the unique feature. This approach is especially challenging when there are simply either no or few similar sales to analyze. The Unique Property Database is not intended to replace the appraiser's or broker's research and analysis but, rather, to supplement it—to act as a sanity check, especially in those instances in which the appraiser/broker had so little market information on which they could base their analysis of the market reaction to the unique feature.

Q: [What makes a property "unique?"](#)

A: A "unique" feature can be either positive or negative, and a property may fall into this classification for a variety of reasons. It may range from off-site influences such as high-tension wires near or on the subject site, or an adjacent landfill causing odors. It could be a functional problem such as a highly unusual layout. It could be a historical feature such as a home built by an "important architect." Or it may be a physical problem, such as a home that was involved in a fire that was professionally repaired but left buyers with lingering concerns about the health and structural integrity of the home. But it is important to remember that for a property to be eligible for the database, it must have only one unique feature.

Q: [What type of data is being tracked in a property's case study, and is there any concern that proprietary information may be shared?](#)

A: To help make the case studies more relevant to the reader, items such as the location of the home (state and county), sale date, days on market, property age, and living area are tracked. Of particular importance are two narrative sections—one describing the unique feature in enough detail that the reader has a sense of the magnitude of the feature and can compare it to his or her current situation. For instance, if the feature is power lines, is the tower taking up most of the rear view of the home or are the lines off in the distance, partially obscured from view by trees? There also is a narrative section for disposition comments. These would include observations of people who were involved with the marketing of the home and reflect market reaction to the home. The buyer may have been an "ideal buyer" for a home with a unique feature; for instance, a home built for a person in a wheelchair sold to a person in a wheelchair. However, the buyer may have purchased the home despite the unique feature. If the home had a condition problem that was remedied, was it done professionally or by an amateur? The committee took great care in ensuring that all the case studies are submitted anonymously and that they are input in a format that would not allow the identity of the property to be discerned. For example, property age, total days on market, and square footage all are tracked as ranges and the only location information provided on the subject property are the state and county in which it is located.

Q: [Is there a concern that the case studies may be perceived as telling appraisers "how much" to adjust in their appraisals?](#)

A: The data is being entered as anecdotal, and is meant to serve as an "encyclopedia" of sorts. It is not intended to prove adjustments, but rather to be used as a research tool. The appraiser can research a specific category and determine which homes appear to present the most similar conditions to his or her subject property. The reader will be made aware of the original appraised values, how much the appraisers adjusted for the unique feature in question (if any), and what the final sales price was. The next step is to review both the dollar and percentage amounts of the differential between the appraisal and ultimate sales price. The bottom line is that the database is intended to make industry professionals who are involved with the valuation process aware of how large or small a particular unique feature has proven to be in other reported cases.

Q: [Are only negative unique features being tracked in the database?](#)

Q: [Are only negative unique features being tracked in the database?](#)

A: While some of the unique features may result in a negative adjustment, such as location next to a railroad track or synthetic stucco siding, positive adjustments also are being tracked, such as a home that was previously owned by a celebrity or built by a famous architect. You also must remember that some unique features may have entirely different results depending on geography. Power lines running through a backyard in Florida may be viewed as a negative, but those same power lines in some areas of Maine might provide excellent access to miles of snowmobile tracks and have a positive effect.

Q: [Who can enter case studies into the database?](#)

A: The goal is to have as many quality case studies as possible in the system to aid relocation professionals in their jobs. Currently, data is being contributed on an ongoing basis by relocation management companies and appraisers. If you have a property that would be a good addition to the Unique Property Database please submit your information [here](#) and we will contact you with further instructions.

Worldwide ERC® networks and educates workforce mobility professionals and HR innovators.

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Unique Property Database 2008

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24 records retrieved.

Click column name to sort; Click again to reverse sort order

ID	Year Sold	Category	Sub Category A	Sub Category B	State
250	2008	Locational	Proximity to Power Lines	Other	MO
284	2008	Locational	Proximity to Power Lines	Other	NJ
287	2008	Locational	Proximity to Power Lines	Other	MS
292	2008	Locational	Proximity to Power Lines	Other	FL
306	2008	Locational	Proximity to Power Lines	Other	MI
310	2008	Locational	Proximity to Power Lines	Other	IL
313	2008	Locational	Proximity to Power Lines	Other	WI
314	2008	Locational	Proximity to Power Lines	Other	CO
315	2008	Locational	Proximity to Power Lines	Other	TX
323	2008	Locational	Proximity to Power Lines	Other	PA
326	2008	Locational	Proximity to Power Lines	Other	CA
327	2008	Locational	Proximity to Power	Other	GA



Real Estate Appraisal Unique Properties - World Wide ERC

Category: Proximity to Power Lines															
Uninsurable NUL															
Property Id	250	284	287	292	306	310	313								
Year Sold	2008	2008	2008	2008	2008	2008	2008								
State	MO	NJ	MS	FL	MI	IL	WI								
County	Cass	Middlesex	Pearl River	Volusia	Macomb	Willi	Waukesha								
Days on Mkt	181-270	181-270	91-180	91-180	271-360	181-270	0-90								
Property Age	11-20	11-20	20+	6-10	20+	0-5	20+								
SF	2501-3000	2001-2500	1501-2000	2001-2500	1001-1500	2001-2500	1001-1500								
Sales Price	\$ 290,000	\$ 415,000	\$ 152,500	\$ 266,800	\$ 124,000	\$ 240,000	\$ 125,900								
Appr 1	\$ 335,000	\$ 450,000	\$ 175,000	\$ 308,500	\$ 139,000	\$ 315,000	\$ 135,000								
Anticipated Mkt Reaction	\$ -	\$ (10,000)	\$ -	\$ (3,000)	\$ 3,500	\$ (10,000)	\$ (10,000)								
Actual Mkt Reaction	\$ (45,000)	\$ (45,000)	\$ (22,500)	\$ (42,700)	\$ (11,500)	\$ (95,000)	\$ (19,100)								
Act Mkt Reaction	-13.43%	-9.78%	-12.85%	-13.70%	-8.46%	-26.15%	-13.17%								
Appr 2	\$ 320,000	\$ 505,000	\$ 167,000	\$ 298,000	\$ 149,000	\$ 290,000	\$ 132,000								
Anticipated Mkt Reaction	\$ -	\$ (25,000)	\$ -	\$ -	\$ -	\$ (15,000)	\$ (5,000)								
Actual Mkt Reaction	\$ (30,000)	\$ (115,000)	\$ (14,500)	\$ (29,200)	\$ (25,000)	\$ (65,000)	\$ (11,100)								
Act Mkt Reaction	-9.37%	-21.69%	-8.68%	-9.79%	-16.77%	-21.31%	-8.10%								
Appr 3	\$ -	\$ 470,000	\$ -	\$ -	\$ -	\$ 305,000	\$ -								
Anticipated Mkt Reaction	\$ -	\$ (10,000)	\$ -	\$ -	\$ -	\$ (65,000)	\$ -								
Actual Mkt Reaction	\$ -	\$ (95,000)	\$ -	\$ -	\$ -	\$ (65,000)	\$ -								
Act Mkt Reaction	\$ -	-13.54%	\$ -	\$ -	\$ -	-21.31%	\$ -								
Description	High tension power line adjacent to subject	Economic obsolescence noted due to high tension wires behind subject's lot	Power Transformer in close proximity across the street	1/2 SF site w/power lines and transformer to the immediate rear of the site, just beyond a screened in pool area. Add'l landscaping in rear yard in an attempt to offset power lines	Tower in clear view at rear end of site	Backs power lines and tower	High tension voltage lines; transformer abuts rear yard								
Comments	Being a 3rd party appraisal mfg company we do not know effect of item	Economic obsolescence noted due to high tension wires behind subject's lot	None	Several buyers like the house, but bought in different neighborhoods due to concern w/power lines	Depressed area w/much inventory offset by price range of 1st time buyers	With much competition, buyers did not have to accept locational negative									

Real Estate Appraisal Unique Properties - World Wide ERC

Category: Proximity to Uninsurable NUL		314	315	323	326	327	328
Property Id		314	315	323	326	327	328
Year Sold		2008	2008	2008	2008	2008	2008
State		CO	TX	PA	CA	GA	MN
County		Jefferson	Dallas	Allegheny	San Luis Obispo	Fulton	Anoka
Days on Mkt		91-180	0-90	0-90	91-180	0-90	0-90
Property Age		20+	20+	20+	20+	11-20	11-20
SF		1501-2000	3001-3500	2001-2500	2001-2500	3001-3500	1001-1500
Sales Price		\$ 259,900	\$ 348,000	\$ 189,000	\$ 850,000	\$ 382,000	\$ 186,000
Appr 1		\$ 265,000	\$ 360,000	\$ 192,500	\$ 784,500	\$ 370,000	\$ 208,000
Anticipated Mkt Reaction		\$(60,000)	\$(25,000)	\$(10,000)	\$ -	\$(5,000)	\$(10,000)
Actual Mkt Reaction		\$(65,100)	\$(37,000)	\$(13,500)	\$ 65,500	\$ 70,000	\$(32,000)
Act Mkt Reaction		-20.03%	-9.61%	-6.68%	8.34%	1.86%	-14.67%
Appr 2		\$ 260,000	\$ 375,000	\$ 212,500	\$ 925,000	\$ 382,500	\$ 195,000
Anticipated Mkt Reaction		\$(30,000)	\$(10,000)	\$(2,000)	\$ -	\$(10,000)	\$(15,000)
Actual Mkt Reaction		\$(30,100)	\$(37,000)	\$(25,500)	\$(75,000)	\$(10,500)	\$(24,000)
Act Mkt Reaction		-10.37%	-9.61%	-11.88%	-8.10%	-2.67%	-11.42%
Appr 3				\$ 185,000		\$	\$ 182,000
Anticipated Mkt Reaction				\$ -		\$	\$(10,000)
Actual Mkt Reaction				\$ 4,000		\$	\$(6,000)
Act Mkt Reaction				2.16%			-3.12%
Description		The power lines are so close the appraisers recommended a survey to see if the easement passes over the house. Appraisers also noted the house may be in the fall line of the tower. That would be an issue for FHA financing.	Subject backs to high tension power lines	High tension wires and various support towers (easement) cross over rear corner of site and extend along boundary line. Lot size \$11600 SF	High tension wires adjacent to the subject site - only 3800 SF lot so very noticeable	Backs to power lines. Comps were from subject subdivision but did of back power lines	Subject backs power lines
Comments		Both appraisers noted that this was a major issue	None	While not deemed a quantitative influence on the appeal of the property, a situation such as this is likely to result in the perception of an adverse influence. Agent reported little commentary from potential buyers due to price range. Market stable.	Subject also has distant ocean which appeared to offset negative influence of power lines	Appraiser @ \$370 SF forecasted \$382,500 forecasted \$15,000 for over supply and declining market. 2 Brokers reports negative commentary re: power lines from potential buyers.	Appraiser @ \$208 forecasted \$10,000, \$195,000 forecasted \$10,000, \$182 forecasted \$10,000 for over supplied declining market, \$5000 in closing costs also paid

Real Estate Appraisal Unique Properties - World Wide ERC

Category: Proximity to Uninsurable NUL																	
Property Id	119	121	130	137	138	151											
Year Sold	2007	2007	2007	2007	2007	2007											
State	TX	TX	WI	NH	WA	KS											
County	Harris	Harris	Outagamie	None	None	None											
Days on Mkt	0-90	0-90	0-90	91-180	91-180	91-180											
Property Age	0-5	11-20	6-10	20+	6-10	6-10											
SF	2501-3000	2001-2500	1501-2000	1501-2000	1501-2000	1501-2000											
Sales Price	\$ 237,500	\$ 420,000	\$ 185,000	\$ 175,000	\$ 332,000	\$ 190,465											
Appr 1	\$ 245,000	\$ 415,000	\$ 180,000	\$ 166,000	\$ 384,000	\$ 186,000											
Anticipated Mkt Reaction	\$ -	\$ (8,333)	\$ -	\$ (15,000)	\$ (3,000)	\$ (4,000)											
Actual Mkt Reaction	\$ (7,500)	\$ (3,333)	\$ 5,000	\$ (6,000)	\$ (35,000)	\$ 465											
Act Mkt Reaction	-3.06%	-78.00%	2.77%	-3.31%	-9.53%	24.00%											
Appr 2	\$ 240,000	\$ 400,000	\$ 178,000	\$ 183,000	\$ 188,500	\$ 188,500											
Anticipated Mkt Reaction	\$ -	\$ -	\$ 2,000	\$ 8,000	\$ 2,000	\$ 2,000											
Actual Mkt Reaction	\$ (2,500)	\$ 20,000	\$ 9,000	\$ -	\$ (6,035)	\$ (6,035)											
Act Mkt Reaction	-1.04%	5.00%	5.11%	0.00%	-3.07%	-3.07%											
Appr 3				\$ 185,000	\$ 195,000	\$ 195,000											
Anticipated Mkt Reaction				\$ (15,000)	\$ -	\$ -											
Actual Mkt Reaction				\$ (25,000)	\$ (4,535)	\$ (4,535)											
Act Mkt Reaction				-12.50%	-2.32%	-2.32%											
Description	The subject property backs up to a power line	Power lines to the immediate rear - close proximity to the subject town home. Sever poles across entire rear of complex	View of power lines and tower 3-4 blocks away. Power lines run along the rear of the subject site w/transformer visible, a few lots down, but not abutting the subject site.	Abuts power lines in rear, lines are clearly visible	High tension wires & towers are visible nearby	Power lines to the side of the site											
Comments	Large transformers to the immediate rear of the subject was a consistent complaint of buyers who said they simply do not have to buy this home when there is so much available, ample new construction, as well	Backs to power lines and faces small city park	1/2 acre lot appeared to be more desirable, as it was bigger than most of the competition. Power lines mentioned by buyers as an issue as negotiation tool due to over supply and saying they simply do not have to pay top dollar when they are present.	Rural setting, 1 acre, much competition, concerns w/families w/small children	Power lines visible in neighborhood	Power lines to the side of the site a concern to buyers											

Real Estate Appraisal Unique Properties - World Wide ERC

Category: Proximity to Uninsurable NUL																			
Property Id	9	26	39	113	22	244													
Year Sold	2007	2007	2007	2006	2006	2008													
State	TX	AZ	FL	TX	AZ	OH													
County	Brazoria	Maricopa	Orange	Galveston	Maricopa	Geauga													
Days on Mkt	91-180	0-90	0-90	91-180	271-360	181-270													
Property Age	0-5	6-10	0-5	6-10	0-5	0-5													
SF	4001-4500	1001-1500	2001-2500	3001-3500	3001-3500	2001-2500													
Sales Price	\$ 325,000	\$ 3,310,000	\$ 300,000	\$ 240,000	\$ 475,000	\$ 224,000													
Appr 1	\$ 330,000	\$ 305,000	\$ 315,000	\$ 247,000	\$ 550,000	\$ 260,000													
Anticipated Mkt Reaction	\$ (1,667)	\$ 5,000	\$ (10,000)	\$ 500	\$ -	\$ -													
Actual Mkt Reaction	\$ (6,667)	\$ 10,000	\$ (25,000)	\$ (6,500)	\$ (75,000)	\$ (36,000)													
Act Mkt Reaction	-2.01%	3.33%	-7.59%	-2.63%	-13.63%	-13.84%													
Appr 2	\$ 340,000	\$ 325,000	\$ 338,500			\$ 285,000													
Anticipated Mkt Reaction	\$ (854)	\$ -	\$ -			\$ -													
Actual Mkt Reaction	\$ (15,834)	\$ (15,000)	\$ (38,500)			\$ (41,000)													
Act Mkt Reaction	-4.64%	-4.61%	-11.37%			-15.47%													
Appr 3	\$ 315,000	\$ 300,000	\$ 315,000																
Anticipated Mkt Reaction	\$ 1,666	\$ (15,000)	\$ (15,000)																
Actual Mkt Reaction	\$ 11,666	\$ (30,000)	\$ (30,000)																
Act Mkt Reaction	3.91%	-9.09%	-9.09%																
Description	Power lines across back yard, poles and large transformer border rear of subject site	Proximity to power lines	Full view of tower right behind home	High tension power lines	The appraisers inspected the property on a calm day - yet this location is know for steady winds. The overhead lines have floats for danger warnings and these constantly make humming sound. The market response was very negative. The noise was irritating.	Cell phone tower in rear site adjacent to subject													
Comments	Agent report consistent negative feedback due to power lines w/much competition to choose from	None	High appraiser felt power lines were a scare with nothing ever proven	High tension power lines	Irritating sound! Not suspected by the appraisers.	Being a 3rd party management company, we do not know effect of them													

KURT M. KLEIS & ASSOCIATES, INC.

P. O. Box 2475
Danbury, Connecticut 06813

Telephone (203) 790-7900

August 15, 2008

Mr. S. Derek Phelps
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, Connecticut 06051

RE: Cell Tower Docket 366
Optasite Cell Tower Application
Christ the Shepherd Church
52 Stadley Rough Road
Danbury, Connecticut 06811

Dear Mr. Phelps,

I was recently contacted by a representative of the residents of the "Stadley Rough" area of Danbury for my professional opinion regarding the proposal by Optasite Towers, LLC and Omnipoint Communications, Inc. and T-Mobile USA, Inc. to erect a 140' wireless communication tower in their residential neighborhood, on the property of Christ the Shepherd Church, at 52 Stadley Rough Road. I am a Connecticut licensed Certified General Real Estate Appraiser, and have been active, full time, in the appraisal of residential properties in the Danbury area since 1981.

Homeowners in the area are concerned that the installation of a telecommunication tower in their residential neighborhood could have an adverse impact on the marketability of their residences and could potentially cause a detrimental effect on their property values. Based upon my knowledge and experience in the market area, and my familiarity with the impact of adverse external factors of similar character on residential properties, it is my opinion that these reservations are valid, and should receive your attention and consideration in your evaluation of this proposal.

The presence of this type of inharmonious use, in addition to the negative aesthetic impact, frequently has a significant limiting influence on marketability due to the perceived health risks associated with facilities of this character on the part of potential purchasers. Based upon my observations and previous investigations, it is possible that the values of residential properties in the areas surrounding such facilities may be negatively affected by 10% to 25%, depending on individual circumstances.

Respectfully,


Kurt M. Kleis

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August 18, 2008

S. Derek Phelps
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

RE: Cell Tower Docket 366
Optasite Cell Tower Application
Christ The Shepherd Church
53 Stadley Rough Rd.
Danbury, CT 06811

Dear Mr. Phelps,

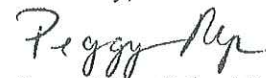
I am writing on behalf of the neighbors in the Stadley Rough area near the Christ Shepherd Church where the proposed cell tower is to be erected. As a licensed realtor in the Danbury area since 1996 with William Raveis Real Estate, I fully support their request that you find a more suitable location for your tower.

I have contacted the Cadre Group Appraisers who can quantify the negative affects of a tower on the property values within its site. Senior Staff Appraiser Susan C. Marra, writes; " After a thorough review of supplied data and opinions and after research of similar external obsolescence (power lines, specifically), I have reached a conclusion that the cell tower would have a negative impact on the properties. Depending on the specific location in respect to a cell tower and a specific view, the negative effect on a residential property approximated 10-15% of a property value with no adverse influences noted."

What an appraiser is not able to add to this equation is how many realtors will never show a property that is compromised by site infractions or how many clients in doing their own previewing will automatically pass by a site impacted property. From my experience I can assure you that the property will take much longer to sell, it will not sell at the same value as it's counter part in another neighborhood, and the homeowner will lose money.

In this current volatile real estate market, property owners do not need any more negatives to add to their list of woes. You must find a more suitable site.

Sincerely,



Peggy Nye, Sales Manager
William Raveis Real Estate
48 Mill Plain Rd., Danbury, CT 06811

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