

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

RECEIVED
SEP - 4 2008

CONNECTICUT
SITING COUNCIL

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

September 4, 2008

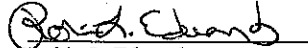
SECOND SUPPLEMENTAL EXHIBIT LIST

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

1. Report of Candlewood Lake Authority to City of Danbury Planning & Zoning Department dated August 1, 2006.

Dated at Danbury, Connecticut, this 4th day of September 2008.

City of Danbury


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

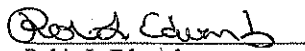
CERTIFICATE OF SERVICE

I hereby certify that 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:

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

Dated: September 4, 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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September 4, 2008

PRE-HEARING EXHIBIT D

Report of Candlewood Lake Authority to City of Danbury Planning & Zoning
Department dated August 1, 2006.



EXHIBIT D

CANDLEWOOD LAKE AUTHORITY

P.O. BOX 37 • SHERMAN, CONNECTICUT 06784-0037 • (860) 354-6928 • FAX (860) 350-5611

August 1, 2006

Ms. Jennifer Emminger, Associate Planner
Planning and Zoning Department
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

RECEIVED
AUG - 2006
PLANNING &
CITY OF DANBURY

Dear Ms. Emminger:

Thank you for the opportunity to comment on the wireless telecommunications tower facility proposed for 52 Stadley Rough Road and for sending along your memo dated May 17, 2006. I have had the opportunity to review the Optasite Technical Report and will provide my comments below.

Our concerns in this matter pertain to public safety on the water, construction activities in the watershed that pose a threat to environmental qualities associated with Candlewood Lake, and potential and unnecessary degradation of scenic views from and to the lake due to the proposed tower. By Connecticut General Statutes, the Candlewood Lake Authority is the agency charged with providing public safety on the water and with advising member municipalities on issues such as water quality and other environmental issues associated with the lake.

The site construction necessary for the proposed tower appears to lie within the watershed boundary or very close to it. Land development in a watershed, if not handled in an environmentally sensitive manner, has the potential to degrade the watershed and pollute the lake, particularly when such development is in close proximity to the lake such as the proposed tower. We strongly advise anyone building within the watershed area to strictly adhere to the 2002 CT Erosion and Sedimentation Manual and the 2004 CT Stormwater Quality Manual, both put out by the CT DEP.

We would also have you consider the possible safety hazards to small aircraft flying in the area. A number of light planes regularly land on and take off from Candlewood Lake. Additionally, there are planes departing from nearby local airports in Danbury and New Milford. The relatively high number of light planes in the area and landing on Candlewood does present a safety issue for boaters

www.candlewoodlakeauthority.org

on the lake as well as pilots and passengers in the aircraft. There were no references to private plan traffic in the Optasite Technical Report. We would suggest that the applicant address this.

On page 13 of the Optasite Report it states that a review of the CT DEP Natural Diversity Data Base (NDDDB) is pending. I am enclosing a map from the NDDDB that shows the entire lake area as a NDDDB Area of Concern. The area does provide habitat to a variety of wildlife federally or state listed as endangered, threatened or a species of special concern. These include bald eagles, bog turtles, and common loon. This should be addressed in the Optasite report as well.

The viewshed analysis exhibited at the back of the Optasite report indicates that the tower would be visible through out the bottom quarter of the lake. However, there appears to be very little, if any improvement of coverage on the lake. While recognizing the need for effective cellular phone coverage, especially in cases of emergency, there must be a compromise between providing service and protecting aesthetic values associated with Candlewood. Pending the outcome of this proposed project, it is conceivable that more towers could be erected on the surrounding high points around the lake, forever marring the historically beautiful vistas associated with the Candlewood Lake area.

There are alternate sites and less obtrusive alternative technologies available and we ask that these be thoroughly investigated, as well as stealth cell tower styles. One of the alternative sites is the Federal Correction Agency's facility in Danbury. Alternatives should be explored so that towers will not intrude on the natural beauty of the lake.

Sincerely,

CANDLEWOOD LAKE AUTHORITY



Larry Marsicano
Executive Director

cc: Hon. Mayor Mark Boughton
Michael McLaughlan, Administrative Aide to the Mayor
Attorney Robin L. Edwards
Scott LeRoy, Director Health Department

enc:



**STATE AND FEDERAL LISTED SPECIES
AND SIGNIFICANT NATURAL COMMUNITIES
NEW FAIRFIELD, CT**

LEGEND

Symbol	Description
	State and Federal Listed Species
	Significant Natural Communities
	Water
	Highway
	Other Road
	Other Road
	Other Road
	Other Road
	Other Road
	Other Road
	Other Road
	Other Road
	Other Road
	Other Road

TO USE MAP

This map was prepared for the purpose of identifying and mapping state and federal listed species and significant natural communities in New Fairfield, Connecticut. The map is based on data provided by the Connecticut Department of Environmental Protection and the United States Fish and Wildlife Service. The map is not intended to be used for any other purpose.

DATA SOURCES

The data for this map were obtained from the Connecticut Department of Environmental Protection and the United States Fish and Wildlife Service. The data were provided to the Connecticut Department of Environmental Protection for the purpose of identifying and mapping state and federal listed species and significant natural communities in New Fairfield, Connecticut.

NEW FAIRFIELD, CT

Scale: 1 inch = 1 mile

Map Date: 1998

Map Author: [Name]

Map Title: STATE AND FEDERAL LISTED SPECIES AND SIGNIFICANT NATURAL COMMUNITIES, NEW FAIRFIELD, CT



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

PLANNING & ZONING DEPARTMENT
(203) 797-4525
(203) 797-4586 (FAX)

I, JoAnne V. Read, Planning Assistant and Clerk of Record for the Planning & Zoning Department of the City of Danbury, do hereby certify that the attached document is a true copy of the correspondence dated August 1, 2008 received from the Candlewood Lake Authority regarding the cell tower facility proposed for 52 Stadley Rough Road.

1. Two Page letter signed by Executive Director Laurence Marsicano with attached 8½" X 11" copy of a map titled "State and Federal Listed Species and Significant Natural Communities, New Fairfield, CT".

ATTEST:


JoAnne V. Read, Planning Assistant

Dated at Danbury, Connecticut,
This 4th day of September 2008.