

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

IN RE:

APPLICATION OF SBA TOWERS II, LLC
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR
THE CONSTRUCTION, MAINTENANCE AND
OPERATION OF A TELECOMMUNICATIONS
FACILITY AT 12 BURR ROAD,
BLOOMFIELD, CONNECTICUT

DOCKET NO. _____

Date: March 16, 2009

**APPLICATION FOR CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED**

I. Introduction

A. Purpose and Authority

Pursuant to Chapter 277a, Sections 16-50g *et seq.* of the Connecticut General Statutes ("CGS"), as amended, and Sections 16-50j-1 *et seq.* of the Regulations of Connecticut State Agencies ("RCSA"), as amended, SBA Towers II, LLC (formerly Optasite Towers LLC) ("SBA") hereby submits an application and supporting documentation (collectively, the "Application") for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a wireless communications facility (the "Facility") in the Town of Bloomfield. The proposed Facility is a necessary component in the network plan of Cellco Partnership d/b/a Verizon Wireless ("Verizon") and Omnipoint Communications, Inc. d/b/a T-Mobile ("T-Mobile") to provide personal wireless communication services in the State of Connecticut and Hartford County. The proposed Facility will provide service in the Town of Bloomfield and particularly along Route 185 (Simsbury Road) and adjacent areas.

B. Executive Summary

The proposed Facility will consist of a 130 foot, self-supporting monopole, associated equipment and other site improvements integral to a wireless communications facility. SBA identified the property owned by Maple Hill Farms, Inc. (the "Property") for the construction and operation of its proposed Facility. The Property consists of 29.54 acres¹ and is currently developed with a farming distribution facility and associated outbuildings. The Property is located in the R-30 residential zone.

The leased area is located in the northwestern portion of the Property. A copy of SBA's notice of lease is attached hereto as Exhibit A. SBA proposes to install a monopole with appurtenances extending to approximately 130 feet in height and an equipment shelter at grade within a 50 foot by 90 foot fenced equipment compound (the "Site"). Vehicular access to the facility would extend from Burr Road utilizing an existing gravel driveway a distance of 460 feet and over a new gravel driveway an additional 50 feet to the Site. Underground utility connections would also extend from existing service on Burr Road to the Site.

The monopole and compound area will be designed to accommodate use by all of the wireless carriers active in Connecticut and the Bloomfield public safety communications, if requested. Verizon has expressed its need to locate at the Site and has agreed to intervene in this proceeding. T-Mobile has expressed their need for a facility in this area of Bloomfield and has entered into a lease with SBA. The compound will be enclosed by an 8-foot high security fence. The wireless equipment would be monitored 24 hours a day, 7 days a week from a remote location.

¹ As shown in the site plans attached hereto in Exhibit B, the owners of the Property, Maple Hill Farms, Inc. have recorded a map on the Bloomfield land records purporting to subdivide the Property into two parcels. Based on SBA's review, this subdivision may not have been fully approved by the Town and therefore, throughout this application, SBA refers to the parcel's original size (29.54 acres).

Included in this Application and the exhibits attached hereto, are survey-based plans, attached hereto as Exhibit B, and other information detailing the Facility proposed at the Site and potential environmental impacts associated therewith. The Applicant respectfully submits that the reports and other supporting documentation included in this Application contain relevant site specific information as required by Statute and the regulations of the Connecticut Siting Council (the "Siting Council" or "Council"). A copy of the Council's Community Antenna Television and Telecommunication Facilities Application Guide with page references from this Application is also included in Exhibit C.

C. The Applicant

The applicant SBA is a Delaware limited liability company. SBA is a subsidiary of SBA Communications Corporation, a publicly traded company and a leading independent owner and operator of wireless infrastructure nationwide. SBA owns and maintains over 7,800 telecommunications facilities nationwide. SBA has offices at One Research Drive, Suite 200C, Westborough, Massachusetts 01581. SBA will construct and maintain the proposed Facility.

Correspondence and/or communications regarding this Application shall be addressed to the attorney for SBA::

Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702
Attention: Carrie L. Larson, Esq.

D. Application Fee

The estimated total construction cost is \$225,000.00. As such, the applicable application fee is \$1,000.00 in accordance with RCSA Section 16-50v-1a(b).

E. Compliance with CGS Section 16-50/(c)

SBA is not engaged in generating electric power in the State of Connecticut. As such, the proposed Facility is not subject to CGS Section 16-50r. The proposed Facility has not been identified in any annual forecast reports. As such, the proposed Facility is not subject to CGS Section 16-50/(c).

II. Service and Notice Required by CGS Section 16-50/(b)

Pursuant to CGS Section 16-50/(b), copies of this Application have been sent by certified mail, return receipt requested, to municipal, regional, State, and Federal officials. A certificate of service, along with a list of the parties served with a copy of the Application is included in Exhibit D. Pursuant to CGS 16-50/(b), notice of the Applicant's intent to submit this application was published on two occasions in the Hartford Courant, on October 22, 2008 and October 24, 2008. Copies of the published legal notices and publisher's affidavit of service are attached hereto as Exhibit E. In addition, SBA published a second legal notice, on two occasions, in the Hartford Courant on March 10, 2009 and March 12, 2009.² The publisher's affidavit of service will be forwarded upon receipt. Further, in compliance with CGS 16-50/(b), notices were sent to each person appearing of record as owner of a property which abuts the Site. Certification of such notice, a sample notice letter, and the list of property owners to whom the notice was mailed are included in Exhibit F.

² As can be seen from the legal notice published on October 22, 2008 and October 24, 2008, T-Mobile was originally a co-applicant in this application. T-Mobile is no longer a co-applicant. However, as described herein, T-Mobile has a lease with SBA and has a need to locate on the proposed Facility at 127 feet AGL.

III. Statements of Need and Benefits

A. Statement of Need

As the Council is aware, the United States Congress, through adoption of the Telecommunications Act of 1996, recognized the important public need for high quality telecommunication services throughout the United States. The purpose of the Telecommunication Act's overhaul of the Communications Act of 1934 was to "provide for a competitive, deregulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies to all Americans." H.R. Conf. Rep. No. 104-458, 206, 104th Cong., Sess. 1 (1996). With respect to wireless communications services, the Telecommunications Act of 1996 expressly preserved State and/or local land use authority over wireless facilities, placed several requirements and legal limitations on the exercise of such authority and preempted State or local regulatory oversight in the area of emissions as more fully set forth in 47 U.S.C. § 332(c)(7). In essence, Congress struck a balance between legitimate areas of State and/or local regulatory control over wireless infrastructure and the public's interest in its timely deployment to meet the public need for wireless services.

The Facility proposed in this Application is an integral component of Verizon and T-Mobile's wireless network in this area of the State of Connecticut. Currently, a gap in coverage exists in both Verizon and T-Mobile's network in the Bloomfield area and the surrounding areas. The proposed Facility, in conjunction with other existing and future facilities in Bloomfield and surrounding towns, is needed by Verizon and T-Mobile to provide its wireless services to people living in and traveling through this area of the State. In addition, Sprint Nextel Corporation ("Sprint") has expressed its need for a facility in this area of Bloomfield.

T-Mobile's specific need for the proposed Facility is detailed in the propagation plots which identify T-Mobile's specific need for this Facility in the Bloomfield area attached hereto as Exhibit G. Based on the location of the proposed Facility and the lack of coverage in this area, SBA cannot readily predict a point in time at which the Facility might reach maximum capacity.

B. Statement of Benefits

In recent years, wireless carriers in Connecticut have seen the public's demand for traditional cellular telephone services evolve to include expectations that service will be available wherever they travel and that they will be able to access internet service as well as send and receive voice, text, image and video through their wireless devices. As the availability of wireless service has become widespread and as the technological services provided have become more sophisticated, people have begun to employ their wireless devices as their primary form of communication for both personal and business needs.

Wireless devices have become integral to the telecommunications needs of the public and their benefits can no longer be considered a luxury. Indeed, in an effort to ensure the benefits of wireless technologies to all Americans, Congress enacted the Wireless Communications and Public Safety Act of 1999 (the "911 Act"). The purpose of this legislation was to promote public safety through the deployment of a seamless, nationwide emergency communications infrastructure that includes wireless communications services. In enacting the 911 Act, Congress found that networks that would provide for the rapid, efficient deployment of emergency services would enable faster delivery of emergency care with reduced fatalities and severity of injuries. With each year since passage of the 911 Act, additional anecdotal evidence supports the

public safety value of improved wireless communications in aiding lost, ill or injured individuals such as motorists, hikers and boaters.

As an outgrowth of the 911 Act, the FCC mandated wireless carriers to provide enhanced 911 services ("E911") as part of their communications networks. These services ultimately allow 911 public safety dispatchers to identify a wireless caller's geographical location within several hundred feet. Verizon and T-Mobile have deployed and continues to deploy network technologies to implement the FCC's E911 mandates. The proposed Facility in Bloomfield will become an integral component of both Verizon and T-Mobile's E911 network in this area of the state. These factors will apply equally to other wireless carriers as they expand their service in the Bloomfield area through the proposed Facility.

C. Technological Alternatives

The FCC licenses granted to other wireless carriers authorize them to provide cellular and PCS services in this area of the State through deployment of a network of wireless transmitting sites. The proposed Facility is a necessary component of Verizon and T-Mobile's wireless networks. The proposed Facility will also allow other wireless carriers to provide services in this area.

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. Significant terrain variations and tree cover in Bloomfield 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 Applicant submits 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.

IV. Site Selection and Tower Sharing

A. Site Selection

SBA conducted the site search for this Facility in this area of Bloomfield. A search area is an area where a coverage and/or capacity problem exists within a carrier's network and where a new wireless facility is needed to provide service to the public. In general, wireless carriers and developers attempt to identify any existing towers or other structures of adequate height in a site search area and the surrounding environs which might accommodate the height and structural requirements for a wireless facility. There are no existing towers or other tall structures within approximately four miles of the proposed site sufficient for the operations of Verizon or T-Mobile and no wireless facilities exist in this area of Bloomfield.

Initially, both individual carriers and SBA seek to identify any existing towers or other structures of adequate height in a site search area and the surrounding environs that may accommodate a wireless facility. SBA identified 19 (nineteen) towers, either existing or proposed, within approximately 4 miles of the site search area. All are shown in the table of "Surrounding Site Information" included in Exhibit H as well as plotted on a topographical map also included in Exhibit H.

Once it was determined that a new tower facility was required, SBA's goal was to find properties upon which a tower could be constructed and provide service to the public while at the same time minimizing any potential environmental impact to the extent practicable and feasible. The site selection narrative and map of rejected sites, attached hereto as Exhibit I, provides a complete explanation of SBA's methodology and actual

search for potential sites in Bloomfield and depicts the locations reviewed during SBA's search and the reasons for elimination from consideration of all but the proposed Site.

B. Tower Sharing

To promote the sharing of wireless facilities in the Bloomfield area, SBA has proposed a Facility that can accommodate up to four antenna platforms and equipment for the wireless carriers in the Connecticut marketplace and the Bloomfield public safety functions. Both Verizon and T-Mobile have expressed their need for a facility in this area of Bloomfield. In addition, Sprint has expressed its interest in the proposed facility. Details of the design are included in Exhibit B. SBA has committed to provide, free of charge, space on the proposed monopole for the Bloomfield public safety communications antennas.

V. Facility Design

SBA has leased a 50 foot by 90 foot parcel within the approximately 29.54 acre Property. The proposed Facility would require the construction of a 130 foot high self-supporting monopole. T-Mobile would install antennas at 127 feet AGL and occupy an equipment pad, approximately 10 foot by 12 foot in size, within the 50 foot by 90 foot equipment compound. Verizon would install its antennas and equipment at 117 feet AGL and utilize an equipment shelter within the compound. The compound would be enclosed by a security fence, eight (8) feet in height. The monopole and equipment compound are designed to accommodate the facilities of all wireless carriers active in the Connecticut marketplace and Bloomfield emergency services, if requested.

Vehicular access to the Facility would extend from Burr Road over an existing gravel driveway and an additional 50 feet of a newly-installed gravel driveway extension. Construction will result in the removal of no trees of 6" in diameter or greater. See Exhibit

B, tree inventory letter. Underground utility connections would extend from existing service on Burr Road to the compound. Of note, trenching for the underground utilities will not alter any existing grades, will not require any fill and therefore will not impact the approximately 100 feet of the utility run in the 100 year floodplain. Exhibit B contains the specifications for the proposed Facility at the Site including a site plan, a compound plan, tower elevation, access map and other relevant information. Exhibit J contains visual resources evaluation including a computer-based, predictive viewshed model and photosimulations. Exhibit K contains a wetlands delineation report. Exhibit L contains an excerpt of SBA's NEPA compliance documentation. Some of the relevant information included in these exhibits for the Site reveals that:

- The property is classified in the R-30 residential zoning district;
- While there are wetlands areas on the Property including the Tumbledown Brook, the wetlands are over 130 feet away from the proposed Facility and no wetlands will be impacted by the construction and maintenance of the proposed Facility;
- While a portion of the existing access driveway and utility trenching are located within the 100 year floodplain, the proposed Facility will have no impact on the 100 year floodplain;
- 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;
- Minimal clearing would be required for development of the proposed access drive and compound area and construction would not require the removal of any trees;
- The proposed Facility would be 460 feet away from the nearest residence, located at 428 Simsbury Road;

- The proposed Facility is expected to have no effect on historic or architectural resources; and
- The proposed Facility will have no impact on water flow, water quality, or air quality and will not emit any noise.

VI. Environmental Compatibility

Pursuant to CGS Section 16-50p, the Council is required to find and to determine as part of the Application process any probable environmental impact of the facility on the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forest and parks, air and water purity and fish and wildlife. As demonstrated in this Application and the accompanying Attachments and documentation, the proposed Facility will have no significant adverse environmental impacts.

A. Visual Assessment

The visual impact of the proposed Facility would vary from different locations around the tower depending upon factors such as vegetation, topography, distance from the towers, and the location of structures around the towers. Exhibit J contains a computer-based, predictive viewshed model which depicts the potential impact of the proposed Facility from surrounding views for the Site as well as a Visual Resource Evaluation.

SBA retained Vanasse Hangen Brustlin (“VHB”) to prepare the Visual Resource Evaluation. On June 9, 2008, VHB conducted a crane test at 130 feet AGL at the proposed Site in order to evaluate the potential viewshed associated with the proposed Facility. VHB sought to determine the visibility impact of the Facility, accounting for local, state and federal historic, hiking and recreational sites within the study area, as well as within a two-mile radius of the proposed Site (“Study Area”).

The Visual Resources Evaluation demonstrates that the Facility will be as inconspicuous as possible. The topography and the mature vegetation at the proposed Site will significantly limit the visual impact of the proposed Facility.

The existing vegetation in the area of the proposed Site is mature, mixed deciduous hardwood species with an average estimated height of 65 feet. Based on the viewshed analysis contained in Exhibit J, areas from which the proposed Site will be at least partially visible comprise only 37 acres, which is less than one percent of the entire Study Area. The visibility of the tower at the proposed Site will be minimized due largely to the topography and mature vegetation found within the Study Area. The Facility at the proposed Site will be visible above the tree canopy from portions of Route 185, Burr Road and High Hill Road. Overall, nine residences will have partial year round views of the Facility and eight additional residences will have partial, seasonal views of the Facility.

The Property itself provides a vegetative buffer around the Site and will serve to greatly reduce any potential visual impact of the proposed Facility, including the equipment compound.

These Visual Resources demonstrate that, even from most of the areas where the Facility will be visible, the tower is unobtrusive. Accordingly, the proposed Facility will not result in an unacceptable adverse visual impact.

As the Visual Resources confirm, the location of the proposed Facility at the proposed Site will not have a significant visual impact on the surrounding area. In addition, the Visual Resources confirm that the location of the proposed Facility at the proposed Site will not have a significant visual impact on any hiking or recreational sites, scenic highways or historic sites. Of note, the Facility is located in the vicinity of the

Southwest District School, which is listed on the National Register of Historic Places as well as Auer Farm, which appears to be eligible for listing on the National Register. However, SHPO has determined that the proposed Facility will have no adverse effect on these resources. In addition, the proposed Facility will not be visible from the nearby Metacomet Trail. Distant views of the proposed Facility may be achieved from upper story windows of the Heublin tower, which is part of Talcott Mountain State Park.

Weather permitting, SBA will raise a balloon with a diameter of at least three (3) feet at the proposed Site on the day of the Council's first hearing session on this Application, or at a time otherwise specified by the Council.

B. Solicitation of State Agency Comments

SBA has submitted a request for review and comment for the proposed Site to the SHPO and the Department of Environmental Protection ("DEP"). SHPO has determined that, while there are existing historic resources in the vicinity, that the proposed Facility will have no adverse effect on those resources. SHPO originally responded stating that while the proposed Facility would have no adverse effect if certain conditions were met, including utilizing Core-Ten steel and requiring all carriers to flush mount their antennas. This is also noted in SBA's NEPA documentation, as can be seen in Exhibit L. In response, SBA proposed an alternate mitigation plan in order to permit all carriers to utilize full antenna platforms at the proposed Facility. SBA has received preliminary approval of this alternative mitigation plan from SHPO. Final approval will be forwarded upon receipt along with updated NEPA documentation. SBA has also consulted with the DEP. A copy of the correspondence from SHPO and DEP is attached hereto as Exhibit M.

C. Power Density Analysis

In August 1996, the FCC adopted a standard for exposure to Radio Frequency ("RF") emissions from telecommunications facilities like those proposed in this Application. To ensure compliance with applicable standards, T-Mobile has performed maximum power density calculations for the proposed Facility assuming that the antennas were pointed at the base of the tower and all channels were operating simultaneously. The resulting power density for T-Mobile's operations at the proposed site would be approximately 3.098% of the applicable MPE standards. Copies of the Power Density Calculations and Memorandum attached hereto as Exhibit N.

D. Other Environmental Factors

The proposed Facility would be unmanned, requiring monthly maintenance visits by each carrier that will last approximately one hour. Verizon and T-Mobile's equipment at the Facility will be monitored 24 hours a day, 7 days a week from a remote location. The proposed Facility at the Site would not require a water supply or wastewater utilities. No outdoor storage or solid waste receptacles will be needed. Further, the proposed Facility will not create or emit any smoke, gas, dust or other air contaminants, noise, odors or vibrations. The construction and operation of the proposed Facility will have no significant impact on the air, water, or noise quality at the Site.

SBA has completed an evaluation of the Site in accordance with the FCC's regulations implementing the National Environmental Policy Act of 1969 ("NEPA"). A copy of the NEPA report is attached hereto as Exhibit L. Based upon this review, the Site was not identified as a wilderness area. No National Parks, National Forests, National Parkways or Scenic Rivers, State Forest, State Designated Scenic Rivers or State Gamelands are located in the vicinity of the Site. The Site is not located in or adjacent to

any areas identified as a federal wildlife preserve. Further, as discussed, no federally regulated wetlands or watercourses will be impacted by the proposed Facility since the wetlands on the Property are over 130 feet away from the proposed Facility. In addition, while the NEPA documentation indicates that a portion of the proposed access driveway and utility routing is located in the 100 year floodplain as defined by the Federal Emergency Management Agency ("FEMA"), the driveway is existing and, based upon the fact that the utility trenching will not change existing grades or require any fill, these activities will no impact the floodplain. As such, and based on the information contained in other reports included in this Application, the Site is expected to be categorically excluded from any requirement for further environmental review by the FCC in accordance with NEPA and no permit is required by that agency prior to construction of the proposed Facility. See 47 C.F.R. §§ 1.1306(b) and 1.1307(a).

VII. Consistency with the Bloomfield Land Use Regulations

Pursuant to the Council's Application Guide, included in this section is a narrative summary of the consistency of the project with the local municipality's zoning and wetland regulations and plan of conservation and development. A description of the zoning classification of the Site and the planned and existing uses of the proposed site locations are also detailed in this section.

A. Bloomfield Plan of Conservation and Development

The Bloomfield Plan of Conservation and Development (the "Plan"), a copy of which is included in the bulk filing, was adopted on March 23, 2000. Wireless communications facilities are not specifically addressed in the Plan. However, the Plan does classify Route 185 (Simsbury Road), a State Highway, as a minor arterial and states that roads, like Route 185, "play an important role in carrying regional through

traffic and local traffic into and out of the Town. See Bulk Filing, Plan of Conservation and Development at 71-75. Accordingly, the Applicant respectfully submits that the proposed Facility, which will provide needed wireless communications service, including E-911 service, within the Town along Route 185, is consistent with the Town's Plan.

B. Bloomfield Zoning Regulations and Zoning Classification

According to the Town's zoning map and municipal tax records, the Site is classified in the R-30 residential zoning district. Sections III and IV of the Town's Zoning Regulations set forth the Town's recommended zoning requirements for new wireless communications facilities. See Bulk Filing, Zoning Regulations, Section III and Section IV. Of note, telecommunications facility, like that proposed, are permitted in the R-30 zone. Id. at Section 4 (B)(2)(b). Consistency of the proposed Facility at the Site with these standards and dimensional requirements are illustrated in the following table:

Standards and Dimensional Requirements

Regulation Section	Requirement of Regulation	Proposal
Section III (P)	Maximum Height of Tower/Setback	Site
	Max. height of tower: cannot exceed distance to nearest property line	Proposed Height is 130 feet and nearest property line is 218 feet
Section IV (F)	Minimum Lot Area	Site
	Min. Lot Area is 30,000 square feet	Lot size is 29.54 acres

C. Planned and Existing Land Uses

The proposed Site will be located in the northwestern portion of an approximately 29.54 acre Property. The Property is currently developed with a farming/distribution facility and associated outbuildings. As discussed previously, SBA is aware of a map

filed by the Property owners purporting to subdivide the Property. SBA has inquired with the Property owner and no future development is planned as a result of the filing of that map and proposed subdivision. No further development other than the proposed Facility is planned. The surrounding area consists of residential areas and open space. Consultation with municipal officials and observations did not indicate any known or planned changes in surrounding land uses.

D. Bloomfield Inland Wetlands and Watercourses Regulations

The Bloomfield Inland Wetlands and Watercourses Regulations (“Local Wetlands Regulations”) regulate certain activities conducted in or adjacent to “wetlands” as defined therein. One such regulated activity is “any activity that will significantly alter the inland wetlands or watercourses by reason of removal or deposition of material, clear-cutting, alteration or obstruction of water flow, or will result in the pollution of the wetland or watercourse”. See Bulk Filing, Inland Wetlands and Watercourses Regulations, Section 2.1. Wetlands buffers are defined as 100 feet from the boundary of any wetland and 200 feet from the boundary of any watercourse. See Bulk Filing, Inland Wetlands and Watercourses Regulations, Section 2.1.

According to the site survey, field investigations and wetlands delineation report attached hereto as Exhibit K, the Tumbledown Brook is located on the Property as well as another small wetland area. In accordance with the Connecticut Soil Erosion Control Guidelines, as established by the Council of Soil and Water Conservation, soil erosion control measures and other best management practices will be established and maintained throughout the construction of the proposed Facility.

VIII. Consultations with Local, State and Federal Officials

A. Local Consultations

CGS Section 16-50/(e) requires an applicant to consult with the local municipality in which a proposed facility may be located and with any adjoining municipality having a boundary of 2,500 feet from the proposed facility concerning the proposed and alternate sites of the facility.

On February 6, 2006, SBA submitted a letter and a technical report to the Town of Bloomfield with respect to the proposed Facility at the Site. A copy of the correspondence with the Town of Bloomfield is attached hereto as Exhibit O. The technical report, a copy of which is being bulk filed, included specifics about the proposed Site and addressed the public need for the facility, the site selection process and the environmental effects of the proposed Facility.

SBA was initially unable to set up a meeting with any officials with the Town of Bloomfield but did discuss the proposal with Mr. Thomas Hooper, the Director of the Town's planning and zoning department, in the spring of 2006. Representatives from SBA met with Mr. Hooper, as well as representatives from Auer Farm, on October 31, 2007. Since so much time had gone by since the filing of the technical report, SBA did once again contact the Town of Bloomfield. Copies of that correspondence are included in Exhibit N. SBA discussed the proposal again with Mr. Hooper in September, 2008. To date, no comments have been received from Bloomfield as of the date of this filing nor did the Town hold any public hearings to discuss the Application.

B. Consultations with State Officials

As noted in Section VI.B of this Application, SBA has forwarded copies of the proposed Facility to both the SHPO and DEP. Copies of correspondence from SHPO and DEP are attached hereto as Exhibit M.

C. Consultation with Federal Agencies

SBA has received a preliminary determination from the Federal Aviation Administration ("FAA") for the Site, which is included in Exhibit P. The results indicate the proposed Facility would not require FAA registration, let alone FAA review as a potential air navigation obstruction or hazard. As such, no FAA lighting or marking would be required for the towers proposed in this Application. SBA will forward the final FAA determination, when received.

Wireless carriers licenses permit carriers to modify their network by building wireless facilities within its licensed area without prior approval from the FCC provided that a proposed facility does not fall within one of the "listed" categories requiring review under NEPA. The "listed" categories, included in 47 CFR §1.1307, are activities that may affect wilderness areas, wilderness preserves, endangered or threatened species, critical habitats, National Register historic districts, sites, buildings, structures or objects, Indian religious sites, flood plains and federal wetlands. As noted in Section VI.D of this Application, SBA has completed a review for the Site and has received a determination that the Site does not fall under any of the NEPA "listed" categories of 47 CFR §1.1307. Therefore, the proposed Facility does not require review by the FCC pursuant to NEPA. A copy of the NEPA report is attached hereto as Exhibit L.

IX. Estimated Cost and Schedule

A. Overall Estimated Cost

The total estimated cost of construction for the proposed Facility, not including carrier equipment costs, is \$225,000:

- (1) Tower and foundation costs (including installation) of approximately \$106,000;
- (2) Site development costs of approximately \$85,000; and
- (3) Utility installation costs of approximately \$34,000.


B. Overall Scheduling

Site preparation and engineering would commence immediately following Council approval of SBA's Development and Management ("D&M") Plan and is expected to be completed within three (3) to four (4) weeks. Installation of the monopole, antennas and associated equipment is expected to take eight (8) weeks. The duration of the total construction schedule is approximately eight (8) weeks. Facility integration and system testing is expected to require an additional two (2) weeks after the construction is completed.

X. Conclusion

This Application and the accompanying materials and documentation clearly demonstrate that a public need exists in the Bloomfield area for improved wireless services. The foregoing information and attachments also demonstrate that the proposed Facility will not have any substantial adverse environmental effects. The Applicant respectfully submits that the public need for the proposed Facility outweighs any potential environmental effects resulting from the construction of the proposed Facility at the Site. As such, the Applicant respectfully requests that the Council grant a Certificate of Environmental Compatibility and Public Need to SBA for a proposed wireless telecommunications Facility at 12 Burr Road, Bloomfield, Connecticut.

Respectfully Submitted,

By: 

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