



Vanasse Hangen Brustlin, Inc.

54 Tuttle Place
Middletown, Connecticut 06457
860 632-1500
FAX 860 632-7879

Memorandum

To: Ms. Hollis M. Redding
SBA Towers II LLC
One Research Drive, Suite 200 C
Westborough, MA 01581

Date: January 7, 2010

Project No.: 40999.27

From: Dean Gustafson
Senior Environmental Scientist
Michael Libertine
Director of Environmental Services

Re: Water Company Land Evaluation
Barkhamsted – Site No. CT11709
44 Gavitt Road (State Route 219)
Barkhamsted, Connecticut

Vanasse Hangen Brustlin, Inc. has reviewed publicly available information in order to provide an opinion regarding the identification of Class I, II or III lands on Metropolitan District Commission of Hartford County (MDC) property located nearby the proposed telecommunications facility at 44 Gavitt Road (State Route 219) in Barkhamsted, Connecticut. This evaluation includes a preliminary assessment of possible developable land to support a proposed alternate telecommunications facility location based on a review of publically available data; no site inspection was performed as part of this assessment.

Class I, II & III Water Company Lands

Class I water company land is at a minimum all land owned by any water company within 250 feet of a reservoir or 100 feet of a tributary running into that reservoir. In addition, Class I land includes land owned by any water company located outside these distance boundaries, which meets certain additional physical features, including: steep slopes, over an identified direct recharge area, and certain shallow soils. (See statutory definition, S. 25-37c CGS.)

Class II land includes all land owned by any water company which is either: on a public drinking supply watershed which is not included in Class I land; or off a public drinking supply watershed and is within 150 feet from a distribution reservoir or a stream which directly enters into a distribution reservoir. (See statutory definition, S. 25-37c CGS.)

Class III land includes all land owned by any water company which is unimproved land off public drinking supply watersheds and beyond 150 feet from a distribution reservoir or a stream which directly enters into a distribution reservoir.

Watershed land means land from which water drains into a public drinking water supply. (See statutory definition, S. 25-32(f) CGS.)

All water companies (both private and public) must obtain approval from the Connecticut Department of Public Health (DPH) to sell, lease, change the use, or abandon an active reservoir and its watershed land. To date, the standards have made it very difficult for water companies to sell active watershed lands for development purposes.

The sale, lease or assignment of Class I water company land is expressly forbidden, except to another water company, a state agency or a municipality if the purchasing entity agrees to maintain the land as Class I water company land. (S. 25-32(b) CGS.)

DPH shall not allow a water company to change the use of Class I land from open space to another use unless the applicant demonstrates that such change will not have a significant adverse impact upon the present and future purity and adequacy of the public drinking water supply and is consistent with any water supply plan filed by the water company and approved by DPH. (S. 25-32(b) CGS.)

The DPH shall not grant a permit for sale, lease, assignment or change in Class II land unless a variety of conditions are met, including a demonstrating that the proposed sale, lease, assignment or change in use will not have a significant adverse impact upon the purity and adequacy of the public drinking water supply. (S. 25-32(c) and 25-32(e) CGS.)

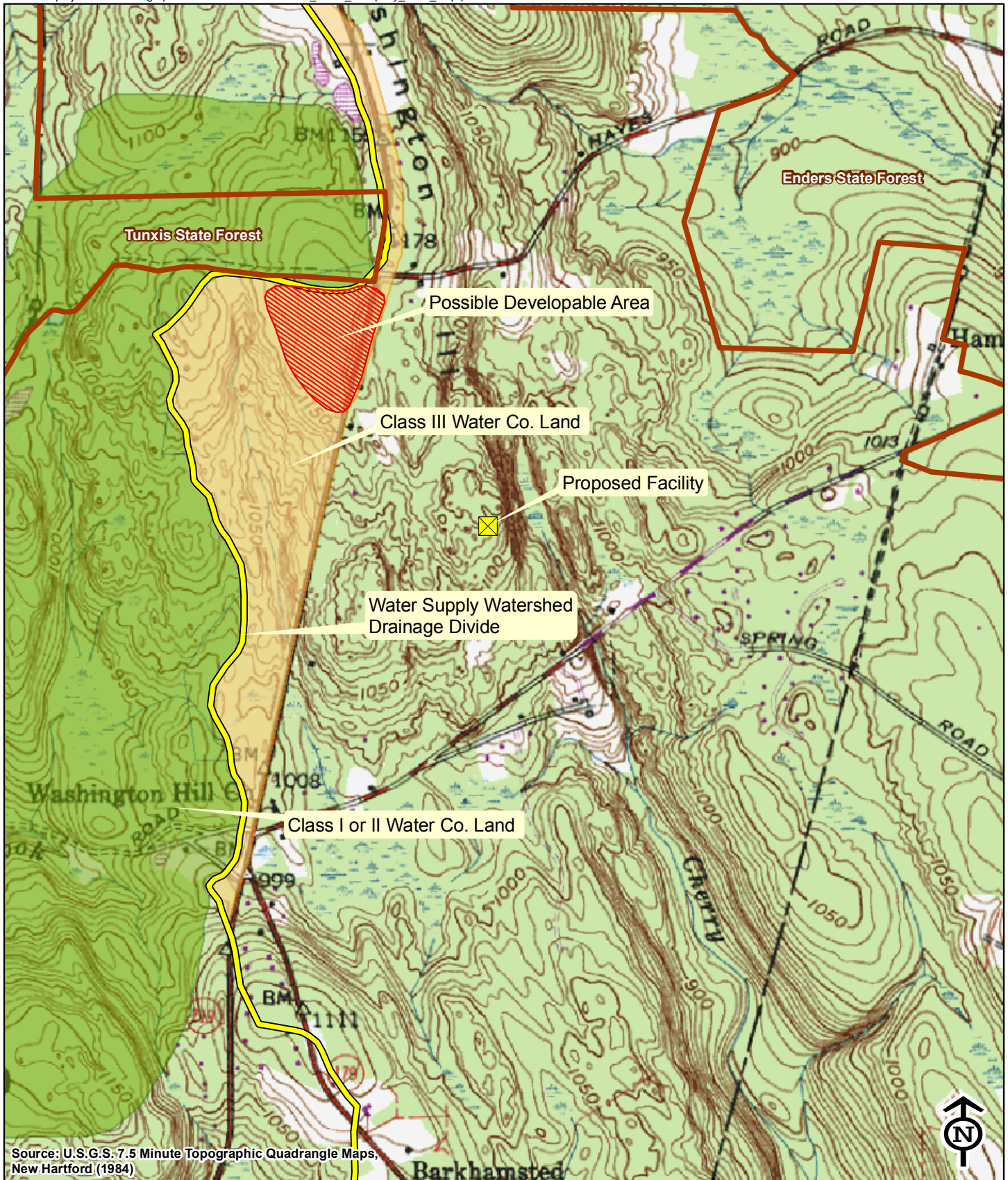
Class III Water Company land, or land located outside an actively used water supply watershed, is not protected from sale.

Preliminary Assessment of Potential Developable Area on Class III Water Company Land

The subject property is located within the Cherry Brook drainage basin, which is not located within a public water supply watershed boundary. The nearest public water supply watershed boundary is located approximately 2,500 feet to the west associated with the MDC Barkhamsted Reservoir; refer to the attached Water Company Land Map. MDC property located within the public water supply watershed boundary is considered either Class I or Class II water company land with encumbrances previously noted. MDC property located outside of the public water supply watershed boundary would likely be classified as Class III water company land. As noted on the attached figure, the MDC does own property east of the Barkhamsted Reservoir watershed boundary just west of State Route 179 (E. Hartland Road) and approximately 800 feet west of the proposed SBA Towers II LLC facility that appears to be classified as Class III water company land. As previously noted, Class III land is not afforded the same protections (or restrictions) as Class I or II land. A review of available resource mapping reveals that a perennial stream and associated wetland system appear to encumber the central portion of this Class III MDC property although areas in proximity to Route 179 particularly the northeast corner of the property near the intersection with Legeyt Road (mis-labeled on the USGS topographic map as Hayes Road). This possible developable area, highlighted on the enclosed figure, appears to provide a suitably sized area for development of an alternative telecommunications facility location since it appears to be unencumbered by wetland resources (no field confirmation is provided) and contains moderate slopes on a local topographic high point that is part of Washington Hill.

However, since this possible alternative facility would be situated on a local high point approximately 40 to 50 feet higher in elevation than the proposed SBA Facility and would be located relatively close to Route 179, it appears that increased visibility would result from such an alternative location. In particular, this alternative location would increase visibility along Legeyt Road, including to photo locations 1 and 2 from VHB's Visual Resource Evaluation Report (August 2009), as well as to several homes along Route 179.







Enclosure

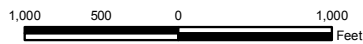


Source: U.S.G.S. 7.5 Minute Topographic Quadrangle Maps, New Hartford (1984)



Legend

-  Proposed Facility
-  Possible Developable Area
-  Water Supply Watershed Drainage Divide
-  Approximate Class I or II Water Company Land
-  Approximate Class III Water Company Land
-  State Forest



Vanasse Hangen Brustlin, Inc.

**Water Company Land Map
 Proposed SBA Towers II, LLC Facility
 44 Gavitt Road
 Barkhamsted, Connecticut**

January 5, 2010