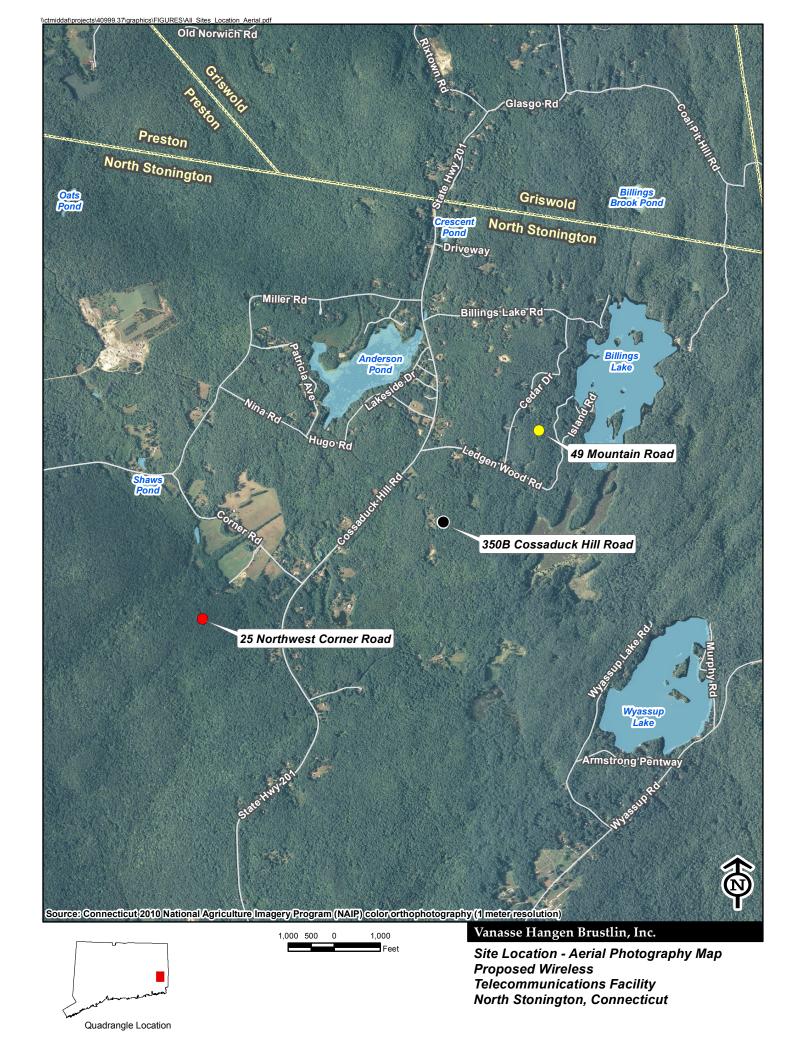
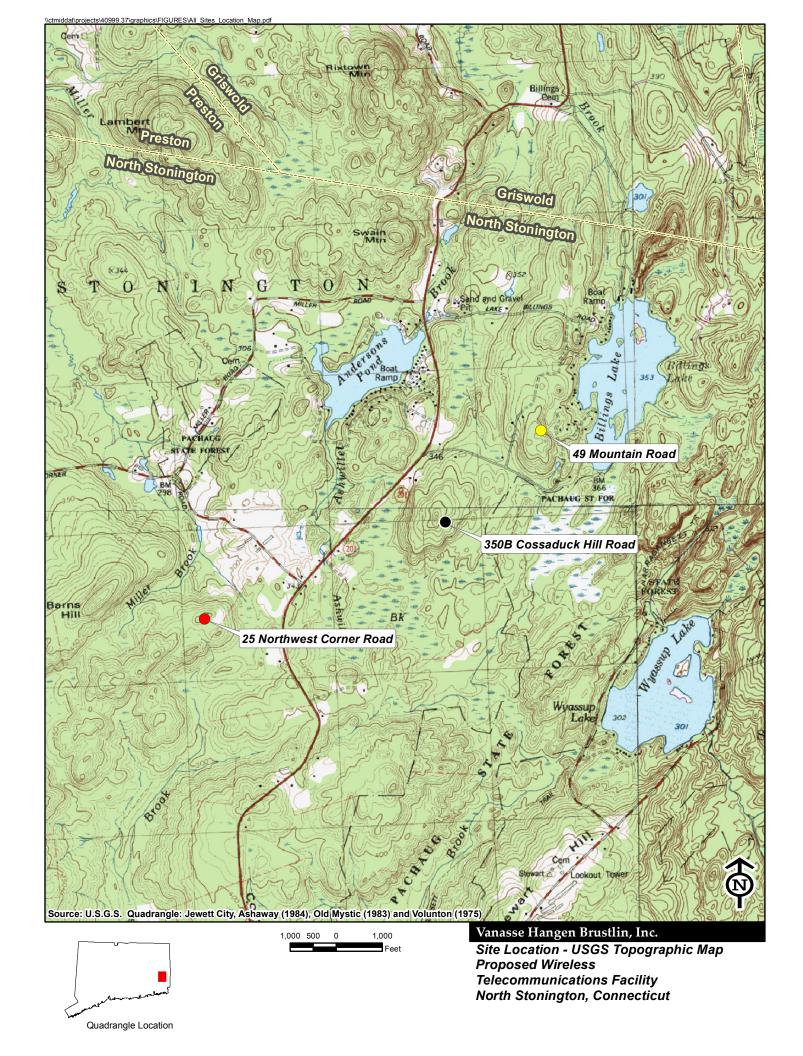
ATTACHMENT 6





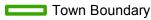
Natural Diversity Data Base Areas

NORTH STONINGTON, CT

December 2010



State and Federal Listed Species & Significant Natural Communities



NOTE: This map shows general locations of State and Federal Listed Species and Significant Natural Communities. Information on listed species is collected and compiled by the Natural Diversity Data Base (NDDB) from a number of data sources. Exact locations of species have been buffered to produce the general locations. Exact locations of species and communities occur somewhere in the shaded areas, not necessarily in the center.

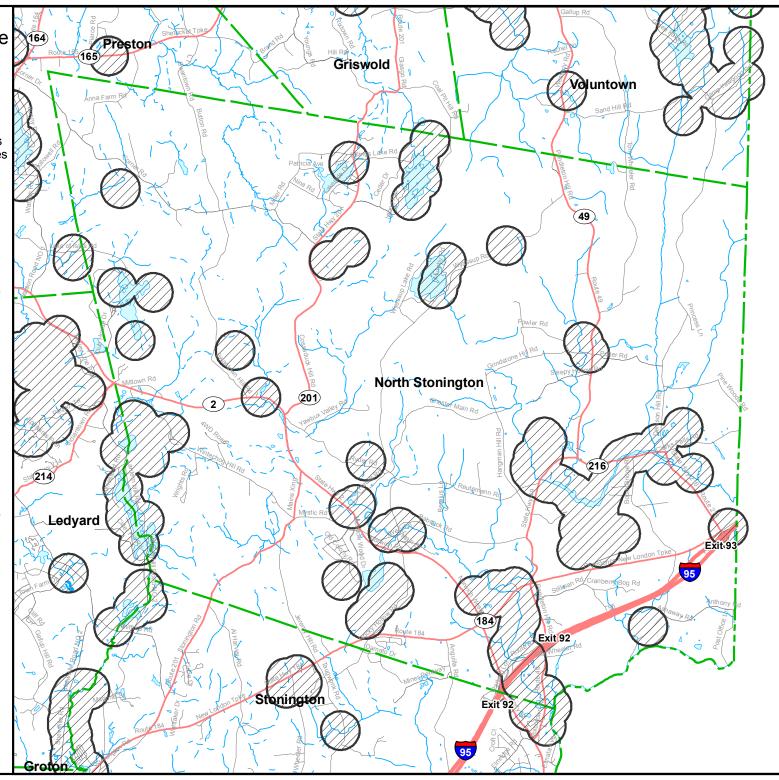
This map is intended for use as a preliminary screening tool for conducting a Natural Diversity Data Base Review Request. To use the map, locate the project boundaries and any additional affected areas. If the project is within a shaded area; or overlapping a lake, pond or wetland that has shading; or upstream or downstream (by less than 1/2 mile) from a shaded area, the project may have a potential conflict with a listed species. For more information, complete a Request for Natural Diversity Data Base State Listed Species Review form (DEP-APP-007), and submit it to the NDDB along with the required maps and information. More detailed instructions are provided with the request form on the DEP website.

To view street labels, use the PDF Layers tab on the left. Expand the Layers and use the "eye" icons to change visibility.

QUESTIONS: DEP, Bureau of Natural Resources, Wildlife Division Phone (860) 424-3011 www.ct.gov/dep/nddbrequest







ATTACHMENT 7



445 Hamilton Avenue, 14th Floor White Plains, New York 10601 Tel 914.761.1300 Fax 914.761.5072 www.cuddyieueccom

October 8, 2010

VIA FEDERAL EXPRESS

Hon. Nicholas H. Mullane, II
First Selectman, Town of North Stonington
Old Town Hall
40 Main Street
North Stonington, CT 06359
Phone: 860-535-2877

Phone: 800-333-28/

Re: SBA & AT&T

Proposed Wireless Telecommunications Tower Facility

49 Mountain Avenue

North Stonington, Connecticut

Dear First Selectman Mullane:

We are writing to you on behalf of our clients SBA Towers III ("SBA") and New Cingular Wireless PCS, LLC ("AT&T") with respect to the above captioned matter involving a proposed wireless telecommunications tower facility to be located at 49 Mountain Avenue in the Town of North Stonington. As you may know, jurisdiction over such facilities rests exclusively with the State of Connecticut Siting Council pursuant to Section 16-50i and x of the Connecticut General Statutes.

Section 16-50*l*(e) of the Connecticut General Statutes does nevertheless require that AT&T consult with a municipality prior to such an application being filed with the Siting Council. The purpose of such local consultation is to give the municipality in which a facility has been proposed an opportunity to provide the applicant with any recommendations or preferences it may have prior to the applicant's filing of an application. As set forth in the statute, any such recommendations must be issued by the municipality within sixty days of its receipt of technical information concerning the proposed facility from the applicant.

The purpose of this letter is to formally notify you of the proposed Facility and commence the sixty day consultation period that is required prior to AT&T's filing of any application with the Siting Council. Enclosed is a "Technical Report" for your review and consideration which includes information about the need for the proposed tower facility, a summary of the site selection process and the environmental effects of a tower that has been proposed. The enclosed Technical Report also includes information provided by AT&T regarding its lack of service in this area of the State and how the proposed facility would integrate into its network. We trust that this information will prove helpful to you and others in North Stonington in formulating any recommendations you may have about the proposal.

We would appreciate the opportunity to meet with you to review the Technical Report and will follow this letter with a call to schedule such a meeting to discuss the proposed facility at your



convenience. Additionally, should North Stonington elect to conduct a public meeting about the proposal during the consultation period, we would ask that you let us know at your earliest convenience so that we may have representatives available to discuss the project.

Thank you for your consideration of this letter and its enclosures. We look forward to speaking with you.

Very truly yours,

Daniel M. Laub

Enclosure

.cc w/ enclosure:

Juliet Leeming, ZEO / Planner, Town of North Stonington Hollis Redding, SBA Michelle Briggs, AT&T David Vivian, SAI Communications Christopher B. Fisher, Esq.



North Stonington, Connecticut

Daniel M Laub Cuddy & Fedar 445 Hamilton Avenue 14th Floor White Plains NY 10601

December 28, 2010

Attorney Laub:

I am writing as a follow up to the public meeting held in North Stonington regarding the proposed cell tower in the Billings Lake area.

I spoke to Eric Berg of 23/25 Northwest Corner Road and he will consider a tower on his property (860-887-4915 Map included)

I also want to inform you that a cell tower (with capacity) exists just over the Town line in Griswold, owned by Courtland Kinnie, 2139 Glasco Road Griswold CT (860-376-9464. map included)

I request that when you review your options for a new tower, you investigate those sites.

I look forward to working with you; if you need additional information or assistance feel free to contact me.

Nicholas H Mullane II

I all of Mulan

First Selectman



Topography

Parcel Lines To 10/1/2009

Legend

Topography

20'-98'

100'-198'

200'-248'

250'-298'

300'-348'

350'-398'

400'-448'

450'-498'

-- 500'-548'

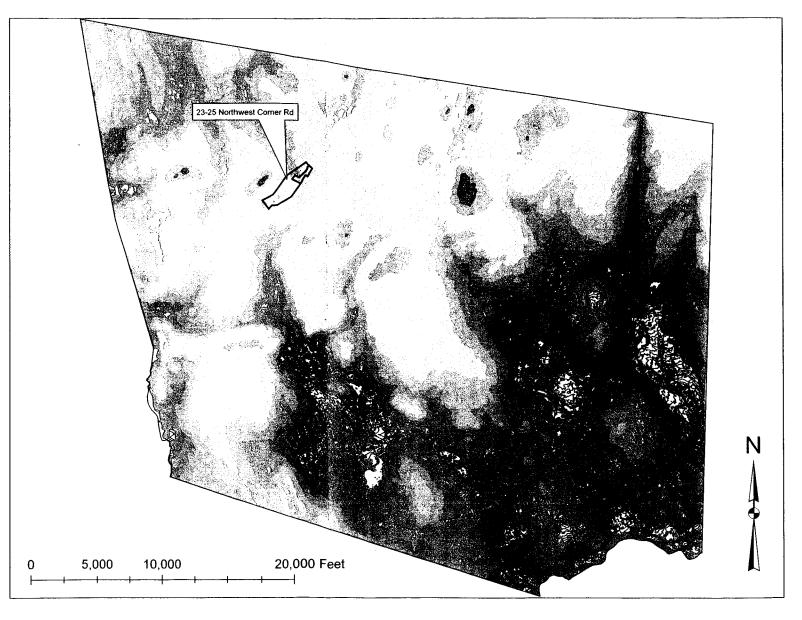
--- 550'-598'

600'+

Map #: 1398 Map Date: 12/23/2010

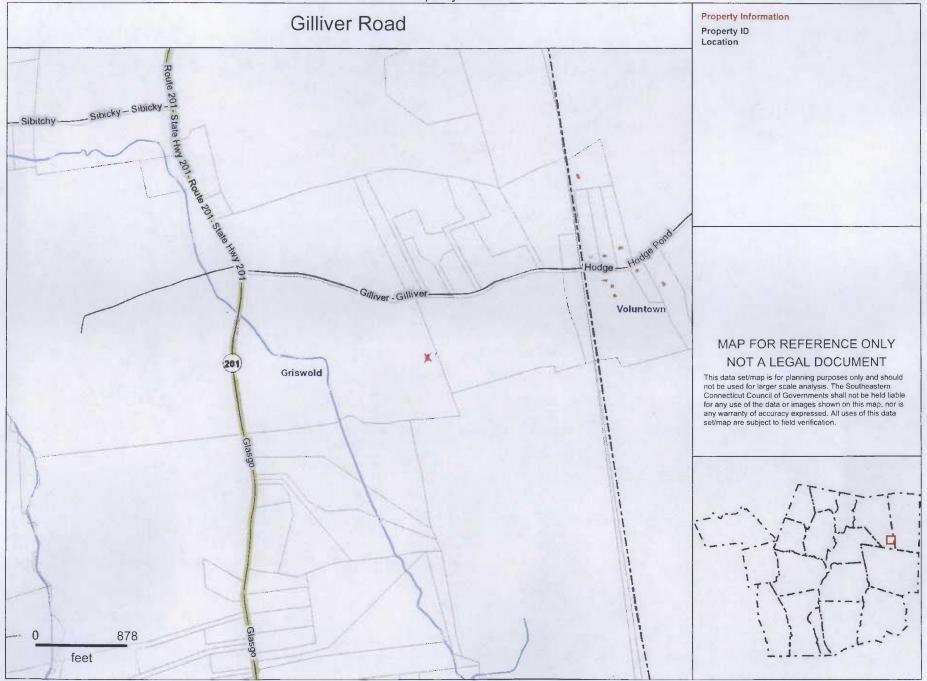
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April 29, 2011

445 Hamilton Avenue, 14th Floor White Plains, New York 10601 Tel 914.761.1300 Fax 914.761.5372 www.cuddyfeder.com

VIA FEDERAL EXPRESS

Hon. Nicholas H. Mullane, II
First Selectman, Town of North Stonington
Old Town Hall
40 Main Street
North Stonington, CT 06359
Phone: 860-535-2877

Re:

SBA & AT&T

Proposed Wireless Telecommunications Tower Facility

49 Mountain Avenue

North Stonington, Connecticut

Dear First Selectman Mullane:

We are writing to you on behalf of our clients SBA Towers III ("SBA") and New Cingular Wireless PCS, LLC ("AT&T") with respect to the above captioned matter involving a proposed wireless telecommunications tower facility ("facility") to be located at 49 Mountain Avenue in the Town of North Stonington. As you recall, a Technical Report was filed with your office this past October and a public meeting to review the proposal was held in North Stonington on November 22, 2010. At the Town's request, our clients deferred immediate filing of an application with the Connecticut Siting Council, which maintains exclusive jurisdiction over such facilities pursuant to Section 16-50i and x of the Connecticut General Statutes, to explore alternate sites.

Review of Suggested Alternatives

At the November 22, 2010 public meeting and in subsequent correspondence with your office, potential alternate sites for a facility were suggested. SBA and AT&T have over the last few months conducted a thorough investigation of these alternatives including discussions with land owners and radio frequency engineers and site visits by civil engineering and environmental consultants. Information regarding these sites and the results of this review are included below.

1. 2172 Glasgo Road, Griswold (existing 199' AGL monopole tower), 41-32-14.45 / -71-52-24.3: This tower is owned and operated by SBA and space is available for AT&T's use. However, utilization of this tower by AT&T will still not achieve the coverage objectives for the area, particularly to the south in North Stonington where reliable service would not be provided. Accordingly a new facility is still warranted even if this existing tower is used by AT&T in the future.



- 2461 Glasgo Road, Griswold, CT 41-31-17.448 / -71-53-20.837. This property
 is approximately 1 mile to the southwest from the existing SBA tower noted
 above and a new tower at this location would have significant redundancies with
 the existing tower at 2172 Glasgo Road.
- 3. 23 NW Corner Road, 41-29-38.6 / 71-54-31.9: This site was evaluated as part of a two site solution using the existing SBA tower referenced in the paragraph above. This combination does not work as well as the proposed single-site solution and results in less than reliable service along Route 201, but it could be utilized by AT&T. A Partial Site Plan, an Environmental Constraints Map and draft Viewshed Map are included in Attachment 1. This site would require a wetlands/watercourse crossing and would be in the vicinity of wetlands and a potential vernal pool. Access would be provided over 1,875' of existing access drive and new/extended access over approximately 380'. Approximately 500' of the existing drive and any new access would need to be improved as a gravel access drive approximately 12' in width. It is estimated that approximately 15 to 25 trees (at least 6" in diameter at breast height) would have to be removed. A fenced in compound for equipment to operate the antennas would be approximately 75' x 75' in size. There are a number of rock outcroppings in the area which would require removal for construction of the site or location of underground utilities.
- 4. 350B Cossaduck Hill Road 1, 41-29-57.4 / -71-53-22.4: This site was evaluated as part of a two site solution using the existing SBA tower referenced in the paragraph above. This combination does not work as well as the proposed singlesite solution and results in less than reliable service along Route 201, but it could be utilized by AT&T. A Partial Site Plan, an Environmental Constraints Map and draft Viewshed Map are included in Attachment 2. This site is approximately 700' from an off-site wetland. No crossing is needed and no impacts to this resource would be anticipated. Access would be provided over 1,720' of existing access drive and new/extended access over approximately 510'. Approximately 110' of existing drive may require relocation however. Such relocation would likely require significant rock removal given the visible ledge in the area. Indeed, at a minimum there are a number of rock outcroppings in the area which would require removal for construction of the site or location of underground utilities. A more extensive analysis of ledge and sub-surface conditions is required to access the feasibility and methodology for excavating an access drive in this area. Currently it is estimated that approximately 7 to 12 trees (at least 6" in diameter at breast height) would have to be removed. A fenced compound at the base of the tower for the equipment used to operate the antennas would be approximately 75' x 75' in size.
- 5. **Bison Brook Farm, 42 Button Road, 41-30-41.4**/ -71-54-39.6: This site was rejected by AT&T's radio frequency engineers as not sufficiently serving the coverage area of need.



 Camp Wightman: AT&T's radio frequency engineers re-examined this location and determined that this location does not provide reliable service to the targeted coverage area.

Verizon Wireless

Please note that Cellco Partnership D/B/A "Verizon Wireless" has indicated to SBA that they have a need for, and can use, a facility at the proposed 49 Mountain Avenue location. In reviewing the alternatives listed above, Verizon Wireless has indicated its preference for the 49 Mountain Avenue location based on technical reasons.

State Forest and Parkland

In addition to the above locations, questions had been raised regarding the feasibility of siting a facility on state forest or park land in the area. Attached hereto please find a letter dated August 10, 2009 from the State of Connecticut Department of Environmental Protection (DEP) to our office indicating that it is their interpretation of the applicable statutes, and indeed DEP policy, that "state park and forest lands not be leased for the purpose of developing wireless communication facilities". This letter was provided to our office in conjunction with a Siting Council Docket in 2009 and has since been routinely included as an administrative notice item Siting Council Dockets regarding wireless telecommunications facilities.

Conclusion

As you can see from the foregoing AT&T and SBA have reviewed alternative locations for the proposed facility in response to the Town's recommendations prior to the filing of an application. At this time SBA is pursuing real estate agreements with the owners of 23 Northwest Corner Road and 350B Cossaduck Hill Road (locations 3 and 4 listed above) in order to include these as formal alternative sites in an application to the Siting Council. We anticipate filing this application in the next 1 to 2 months.

Thank you for your consideration of this letter and its Attachments. Our office will follow up with a phone call to discuss this matter further and look forward to speaking with you.

Very truly yours,

Daniel M. Laub

Attachments

cc w/ attachments:

Juliet Leeming, ZEO / Planner, Town of North Stonington

Ernest Lacasse, SBA

Michelle Briggs, AT&T

David Vivian, SAI Communications

Christopher B. Fisher, Esq.