ATTACHMENT 13



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

January 16, 2015

VIA OVERNIGHT MAIL

First Selectman James B. Cosgrove Selectman's Office Branford Town Hall 1019 Main Street Branford, CT 06405

Re:

TowerCo & AT&T

Proposed Wireless Telecommunications Tower Facility

45 Rose Hill Road, Branford, Connecticut

Dear First Selectman Cosgrove:

We are writing to you on behalf of TowerCo with respect to its proposal to construct a wireless communications tower facility at 45 Rose Hill Road, Branford, Connecticut for use by AT&T and other wireless carriers. The purpose of our letter is to commence a formal consultation process with you and other Town of Branford officials prior to any application being filed with the State of Connecticut Siting Council. Enclosed you will find a detailed Technical Report for the proposed facility which includes information on its public need, alternatives evaluated and the environmental effects of the project as identified at this time.

Need for the Tower

Wireless services have proven essential to the public's health, safety and welfare. Forecasts of mobile data demands and other statistics including that 70% of all 911 calls in the U.S. are made from a wireless phone highlight the need for and benefits associated with wireless services. As noted in the enclosed Technical Report, AT&T wireless signal strengths are not sufficient for 4G LTE services in homes, vehicles and significant portions of Branford and adjacent East Haven. This particular tower facility would provide high speed 4G LTE services to thousands of residents in the area which also includes several miles of primary and secondary roads.

The Tower Project

TowerCo is proposing the new tower facility at 45 Rose Hill Road to meet the need for new wireless infrastructure to reliably serve the public. TowerCo would own, maintain and operate the tower facility subject to any approval the Connecticut Siting Council may issue for the project. The project as currently proposed would consist of a 134' monopole structure within a fenced compound on a 2 acre parcel that is developed as a part of a dumpster rental, recycling and refuse collection company's services.

The property abuts lands that are part of Beacon Hill Preserve and is in an area of Branford with a mix of commercial, residential and other land uses. The tower and fenced compound are designed to support the antennas and equipment of AT&T and other FCC licensed wireless



carriers. The facility will be unmanned with no sanitary or water facilities and will generate an average of one vehicle trip per month by each carrier at the site, consisting of a service technician in a light duty van or truck.

State Siting Council Considerations - Balance Of Need With Environmental Impact

Connecticut State policy generally recognizes the need for new communications facilities to serve the public and has designated the Connecticut Siting Council as the state agency with responsibility for reviewing and approving specific tower proposals. The Siting Council will be called on to evaluate this proposal once an application is filed with the agency. The Siting Council's focus is on balancing the need for a tower on a case by case basis with any significant adverse environmental impacts. Jurisdiction over any proposed cellular telecommunications facility rests exclusively with the Siting Council and would be in lieu of local zoning, wetlands and other types of municipal land use review and approvals.

Town Input & Procedural Next Steps

The enclosed Technical Report is being provided to the Town of Branford and adjacent municipality of East Haven in accordance with Section 16-50*l* of the Connecticut General Statutes. The statute requires consultation with a municipality in which a tower facility is proposed prior to submission of an application with the Siting Council. The purpose of the local consultation is to give the municipality in which the facility has been proposed an opportunity to provide the prospective applicant with any recommendations or preferences it may have prior to the filing of a formal application with the Siting Council.

Upon review of Section 16-50*l* of the Connecticut General Statutes, you will also note that municipalities have the option of conducting a noticed public information session on any proposed cellular tower facility. State law requires any such information session to be held by the Town during the first 60 days of the 90 day period afforded to the municipalities for consultation with a prospective Siting Council applicant. As such, should Branford or East Haven elect to conduct a public information meeting regarding this project, it should occur before March 20, 2015. For such public information sessions, our typical practice is for introductions to be made by a municipal official, have the project team make a presentation (usually a power point) and then respond to public questions moderated by a local official or agency.

We thank you for your consideration of the enclosed and will follow this correspondence with a call to your office to schedule a meeting with you and begin to get feedback on the project and any potential alternatives or municipal preferences. We look forward to meeting with you.

Very truly yours,

Christopher B. Fisher

Enclosure

ce: Chair, Ellsworth McGuigan, Town of Branford, Planning & Zoning Commission

Chair Daniel Shapiro, Town of Branford, Inland Wetlands Commission

Chair Karyl Lee Hall, Town of Branford, Conservation/Environmental Commission

Mayor of the Town of East Haven Joseph Maturo Jr.,

Chair Peter Cianelli, Town of East Haven, Planning & Zoning Commission

Chair Richard Poulton, Town of East Haven, Inland Wetland Commission

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April 17, 2015

VIA OVERNIGHT MAIL

First Selectman James B. Cosgrove Selectman's Office Branford Town Hall 1019 Main Street Branford, CT 06405

Re:

TowerCo & AT&T

Proposed Wireless Telecommunications Tower Facility

45 Rose Hill Road, Branford, Connecticut

Dear First Selectman Cosgrove:

Over the past three months, we've appreciated the opportunity to consult with you and other municipal officials regarding TowerCo and AT&T's wireless communications tower facility proposed for the Waste Tech Refuse site, 45 Rose Hill Road, Branford, Connecticut. As part of concluding the municipal consultation process we are writing to provide you with follow up information promised by TowerCo and AT&T at the public information session. We are also confirming TowerCo's incorporation of Branford Police Department public safety communications equipment into the tower project plans identifying the current status of the project with respect to the Siting Council and a state application.

Publicly Requested Analysis of Additional Alternative Tower Sites

At various meetings and the March 30, 2014 public information session, TowerCo and AT&T were asked to evaluate various alternatives. Over the course of the past two weeks, the companies and their project professionals have undertaken a review of all of the suggestions which included 6 different properties and/or geographic areas in Branford and East Haven. Enclosed please find a document entitled "Municipal Consultation – Public Suggestions for Alternative Sites" which includes TowerCo and AT&T's findings, along with various maps, plots, aerials and other information.

Of the six publicly suggested sites, one site was qualified by AT&T as a potential alternative for service purposes, an adjacent parcel with an address of 1 Beacon Hill Road, Branford. The remaining parcels or locations were either too close to existing AT&T sites (such as the tower at Eli's Restaurant), too far from areas where improved 4G LTE service is required, restricted by state law from use as tower sites, or identified as a site involving greater environmental effects than the current proposal, an opinion also reached for the 1 Beacon Hill Road location. The document further explains the reasons why the specific location for the tower within the Waste Tech Refuse site was identified and selected by TowerCo and the property owners. Of the 17 properties and geographic areas evaluated, the Waste Tech Refuse site location remains the location best able to meet technical service requirements, be legally available for tower siting, and otherwise minimize environmental effects to the extent practicable.



Town of Branford Public Safety Communications Network Improvements

In our consultations, the Town of Branford Police Department requested space on the tower for its own communications antennas and equipment used in its public safety communications network. We understand from TowerCo's follow up with the Police Department that there are areas in this part of Branford and East Haven that could use improvements in the public safety network given the terrain and signal shadowing. TowerCo is pleased to reserve the Town space on the tower and advise that it has coordinated with the Police Department to include its antenna and equipment specifications into the project plans.

Siting Council Application

Because no specific alternative site was identified that would support the applicants' coverage objectives and also better meet state environmental standards as compared with the proposed site, TowerCo and AT&T have advised us that they intend to proceed with filing an application for the Waste Tech Refuse site location. In the next few weeks, abutting property owners and the public can expect notices to be mailed and published which will indentify an intent to file a formal application with the State Siting Council sometime in May, 2015. Once an application is filed, it is customary for the Siting Council to correspond with your office and seek any specific feedback including any municipal site preferences or other site design recommendations related to the tower site. This correspondence would be sent to you by the agency well in advance of any public hearing that would be held by the Siting Council in Branford. To the extent the Town of Branford has any specific recommendations in addition to the incorporation of Police Department antennas, we'd welcome that information in advance of the more formal application filing at the Siting Council.

On behalf of TowerCo and AT&T, thank you once again for meeting with us and facilitating the public information session. Please feel free to call on me or Kelly Bettuchi at any time as part of the State Siting Council review process.

Very truly yours,

Christopher B. Fisher

Enclosure

cc: State Representative Lonnie Reed

Chair, Ellsworth McGuigan, Town of Branford, Planning & Zoning Commission

Chair Daniel Shapiro, Town of Branford, Inland Wetlands Commission

Chair Karyl Lee Hall, Town of Branford, Conservation/Environmental Commission

Mayor of the Town of East Haven Joseph Maturo Jr.

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Michael O'Connor, TowerCo Kelly Wade Bettuchi, AT&T