

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE:
APPLICATION OF HOMELAND TOWERS, LLC
AND NEW CINGULAR WIRELESS PCS, LLC d/b/a
AT&T FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND
PUBLIC NEED FOR THE CONSTRUCTION,
MAINTENANCE, AND OPERATION OF A
TELECOMMUNICATIONS FACILITY AT 183
SOUNDVIEW LANE, TOWN OF NEW CANAAN,
CONNECTICUT
DOCKET NO. 487

PRE-FILED TESTIMONY OF HUGH WILEY

Hugh Wiley hereby submits the following Pre-Filed Testimony:

1. I am over the age of eighteen.
2. I am a party to this proceeding and submit this Pre-Filed Testimony based upon my personal knowledge.
3. My wife Judy and I live at 173 Soundview Lane, which abuts 183 Soundview Lane, the location of the proposed tower.
4. We purchased our home in 1994.
5. Our home is a two-story colonial with five bedrooms and three and one-half baths located on 4.48 acres. It was built in 1973.
6. This is a link to a photograph of the front of our home on the New Canaan Assessor's web site:

<http://appraisalonline.newcanaanct.gov/PropertyPics/00/00/44/14.JPG>

7. According to the Application, our property line is 305 feet from the proposed compound, and 347 feet from the proposed tower.

8. We will have a direct line of sight to the proposed tower from our driveway, front yard, front windows, side and rear yards, and swimming pool.
9. Attached as Exhibits 1, 2, and 3 are photographs taken in the direction of the proposed tower from our driveway, front yard, front windows, rear yard and swimming pool. Exhibit 4 is a photograph of a Homeland Towers Crane protruding above the treetops at 183 Soundview Lane on the proposed site of the cell tower.
10. Attached as Exhibits 5, 6, 7, 8 and 9 are photographs of other nearby residences on Soundview Lane.
11. My wife and I are gravely concerned that construction of the proposed tower will adversely affect the natural and rural character of our neighborhood, which is a quiet and serene four-acre subdivision with abundant plantings, trees and wildlife.
12. We believe that the construction of the proposed tower will have a significant negative visual impact.
13. We are also extremely concerned that the construction of the proposed tower will have a significant negative impact on the value of our property, making it difficult and perhaps impossible for us to sell at a reasonable price.
14. I have discussed this issue with experienced New Canaan realtors and have been advised that, although difficult to quantify, if constructed, the proposed tower will have a significant adverse effect on the value of my home.
15. I had planned to offer photographic evidence regarding the visibility of the proposed tower from the balloon fly. I have learned that the Siting Council has cancelled the balloon fly. Consequently, I will be unable to offer that evidence.
16. A cellular tower should not be constructed in a residential neighborhood such as ours especially when there are alternative locations such as the property at 1160 Smith Ridge Road, where a tower can be constructed that would not be visible from any other residence.

17. The Technical Report the Applicants provided to the Town of New Canaan, states that one of the properties investigated by Homeland Towers was 1160 Smith Ridge Road, New Canaan, CT.

The technical report states “The owner reached out to Homeland with potential interest. Upon further correspondence the owner decided not to pursue a lease with Homeland Towers.”

We have conducted a further investigation of this site as an alternate location for a tower. During several discussions with the owner, he indicated that he would now be receptive to hosting a tower on his property.

The property is owned by Garret Camporine, who does not live on the property.

The property is a 2.02 acre parcel in a residential zone.

According to the Technical report it is at an elevation of 551' +/- AMSL, which is almost fifty feet higher than 183 Soundview Lane.

It is located on Connecticut State Route 123, a major north-south arterial that is heavily traveled, approximately 1.4 miles from the cellular tower at 95 Country Club Road in New Canaan.

It is at latitude 41 degrees 11' 33.94'N, which is almost the same latitude as 183 Soundview Lane (41 degrees 11' 26.42 N).

Unlike 183 Soundview Lane, 1160 Smith Ridge Road is not located adjacent to a school or in a residential subdivision.

It is bordered to the North by a vacant 4.08 wooded parcel of land owned by the New Canaan Land Conservation Trust Inc.

It is bordered to the West by a 23.1 acre parcel of heavily wooded land owned by the Town of New Canaan, which is restricted as to development (the “Clark Property”).

The 1160 Smith Ridge Road site may be an excellent location for a cellular tower.

A tower could be located in the midst of the trees on the Northwest corner of the site, so that it would not be visible to any residences or even to travelers on Route 123, or if visible, barely so.

I understand that Mr. Camporine is interested in selling 1160 Smith Ridge Road.

Last October, he listed his property for sale at a price of \$775,000, which is \$25,000 less than the New Canaan Assessor's appraised value.

He recently listed the property again for \$875,000, as he has been receiving inquiries from prospective buyers anxious to leave New York City, however, that listing has been withdrawn.

While I understand that Mr. Camporine's preference would be to sell the property, he would be willing to discuss a lease, provided the cash flow would be sufficient to enable him to pay his mortgage and taxes.

On April 8, 2020, our counsel sent a letter to counsel for New Cingular Wireless PCS, suggesting 1160 Smith Ridge Road as an alternative location. A copy of the letter is attached as Exhibit 10.

Attached to the letter is a propagation analysis prepared for the adjacent Clark Property years ago, which was an Exhibit in Docket No. 244.

While this analysis would certainly need to be updated, the study does illustrate the excellent cellular coverage that could be obtained with a cellular tower at this location - providing handoff coverage from the other cellular towers in New Canaan and the tower in Vista, New York.

In answering interrogatory No. 30 submitted on my behalf, the Applicants stated that "AT&T's radio frequency engineers evaluated [1160 Smith Ridge Road] and determined that a tower facility at this property would not provide service to the area intended for covered by (sic.) the Proposed Facility." Although asked, the Applicants did not state whether a propagation analysis was performed for 1160 Smith Ridge Road.


Although the Applicants claim that a tower at this location would not "provide service to the area intended", on June 19, 2020, more than two months after they were alerted to the fact that Mr. Camporine was receptive to having a tower on his property, Homeland Towers made a

proposal to Mr. Camporine. A copy of Homeland's letter is attached as Exhibit 11.

Homeland acknowledges that the rental it proposed to Mr. Camporine would not be sufficient to enable Mr. Camporine to pay his mortgage and taxes, which Mr. Camporine has always insisted upon.

The financial terms of this proposal must be compared to the terms of the Homeland lease with Mr. Richey, and the terms of New Cingular Wireless PCS, LLC's lease with the New Canaan Country Club.

July 2, 2020



Hugh C. Wiley

I hereby certify that on this day the foregoing was sent electronically to the Connecticut Siting Council and the service list below.

July 2, 2020

John W. Cannavino
Cummings & Lockwood



Exhibit 1

Exhibit 2





Exhibit 3

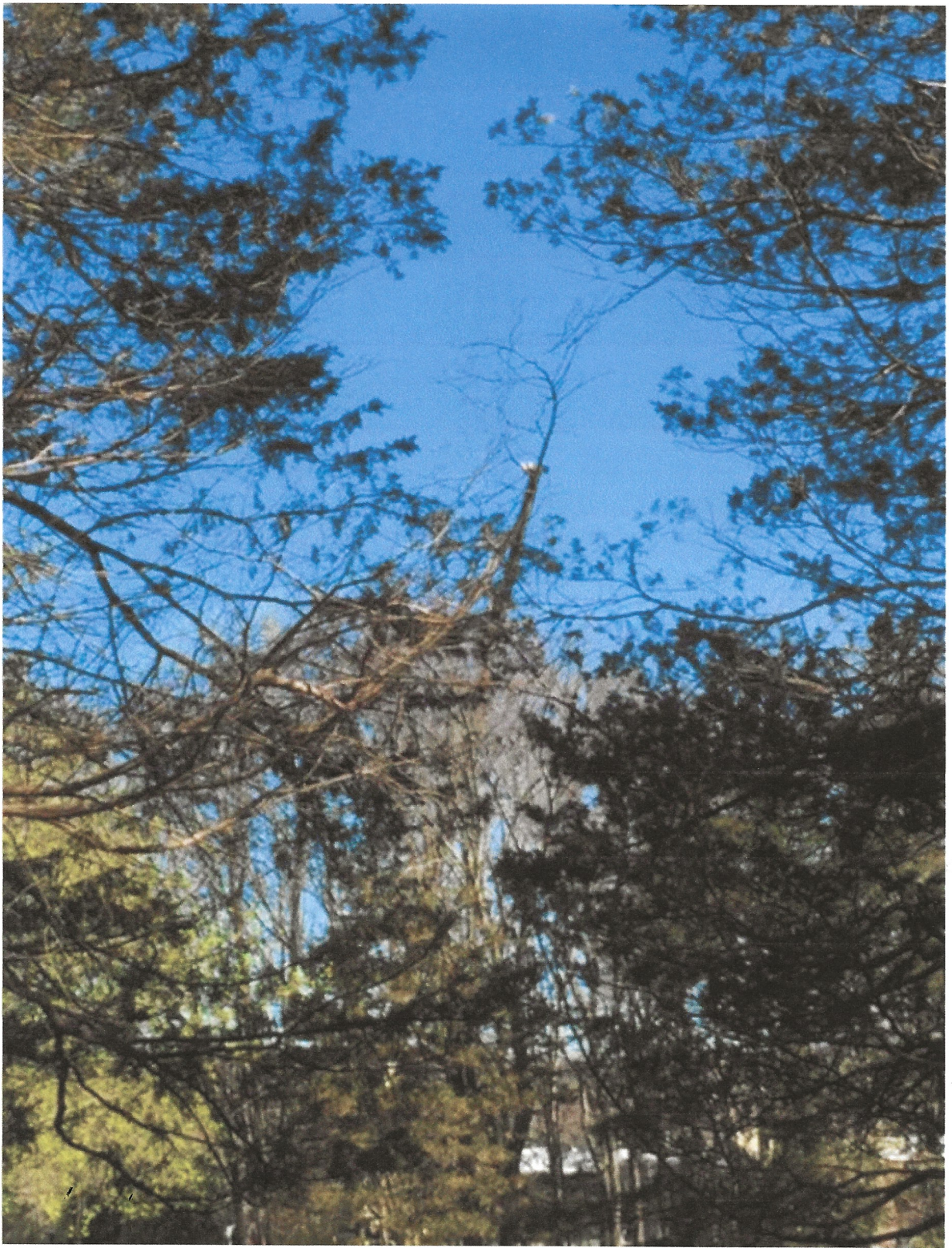


Exhibit 4



Exhibits 5 -7

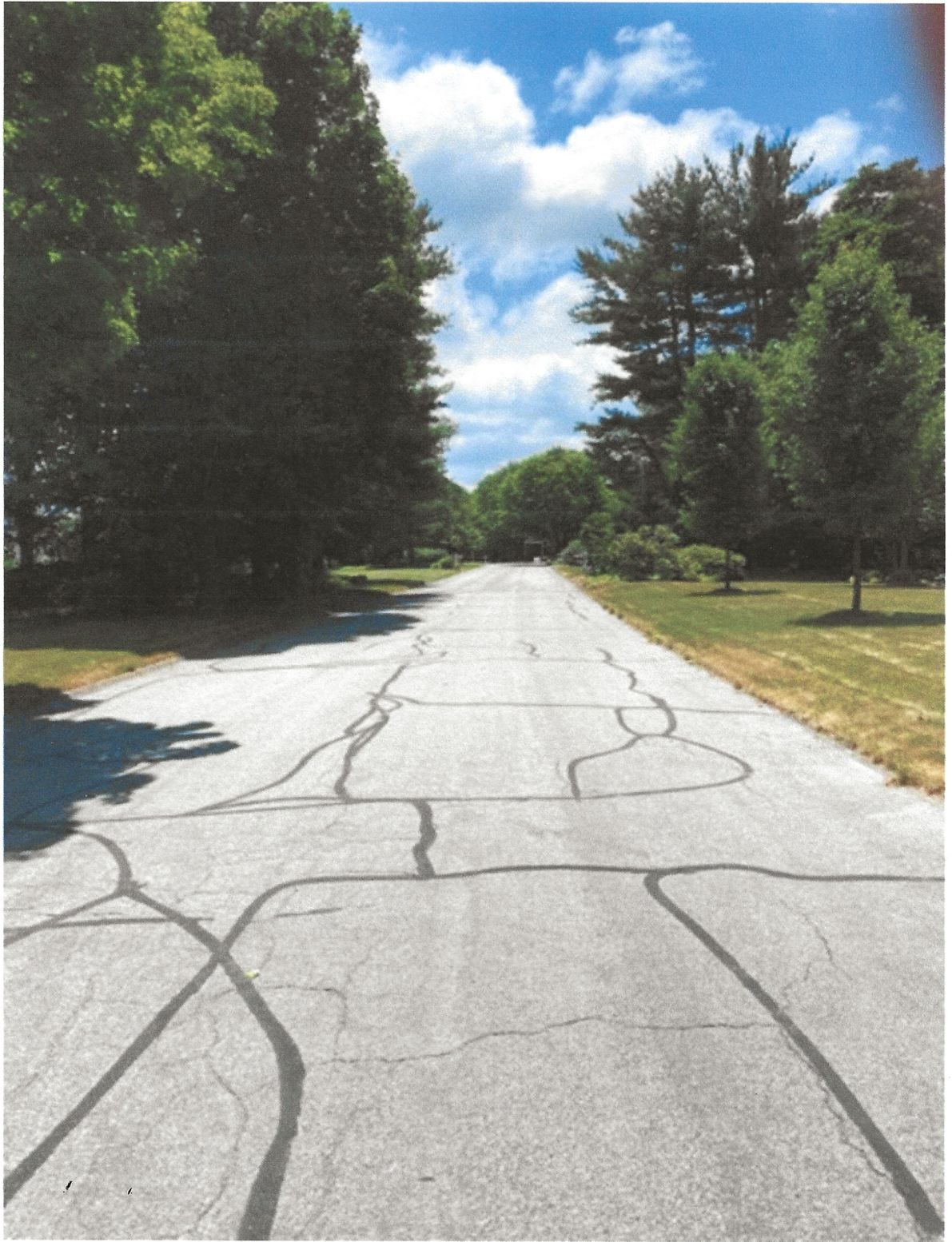


Exhibit 8



Exhibit 9

CUMMINGS & LOCKWOOD LLC

John W. Cannavino
Principal

203.351.4447 Direct
203.708.3849 Fax
jcannavino@cl-law.com
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Six Landmark Square
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Post Office Address:
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Stamford, CT 06904-0120

203.327.1700 Phone
203.351.4535 Fax

April 8, 2020

VIA EMAIL

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

RE: Connecticut Siting Council; Docket 487

Dear Attorney Chiocchio:

This firm represents several residents who live on Soundview Lane in New Canaan, Connecticut who are opposed to the Application for a certificate for the construction of a telecommunications tower facility at 183 Soundview Lane, including Hugh and Judith Wiley who own abutting property at 173 Soundview Lane. We will be filing Petitions for party status for the Wiley's and for intervenor status for two other near neighbors. We are writing to you in your capacity as counsel to New Cingular Wireless PCS, LLC (AT&T).

In reviewing the Technical Report your clients provided to the Town of New Canaan, we saw that one of the properties investigated by Homeland Towers was 1160 Smith Ridge Road, New Canaan, CT. The technical report states "The owner reached out to Homeland with potential interest. Upon further correspondence the owner decided not to pursue a lease with Homeland Towers." We have conducted a further investigation of this site as an alternate location for a tower. During several discussions with the owner, he indicated that he would now be receptive to hosting a tower on his property.

The property is owned by Garret Camporine, who does not live on the property. The property is a 2.02 acre parcel in a residential zone. According to the Technical report it is at an elevation of 551' +/- AMSL, which is almost fifty feet higher than 183 Soundview Lane. It is located on Connecticut State Route 123, a major north-south arterial that is heavily traveled, approximately 1.4 miles from the cellular tower at 95 Country Club Road in New Canaan. It is at latitude 41 degrees 11' 33.94"N, which is almost the same latitude as 183 Soundview Lane (41 degrees 11' 26.42 N). Unlike 183 Soundview Lane, 1160 Smith Ridge Road is not located adjacent to a school. It is bordered to the North by a vacant 4.08 wooded parcel of land owned by the New Canaan Land Conservation Trust

STAMFORD | GREENWICH | WEST HARTFORD | NAPLES | BONITA SPRINGS | PALM BEACH GARDENS

Exhibit 10

Lucia Chiocchio, Esq.

-2-

April 8, 2020

Inc. and to the West by a 23.1 acre parcel of heavily wooded land owned by the Town of New Canaan, which is restricted as to development (the "Clark Property").

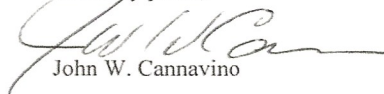
The 1160 Smith Ridge Road site would be an excellent location for a cellular tower. A tower could be located in the midst of the trees on the Northwest corner of the site, so that it would not be visible to any residences or even to travelers on Route 123, or if visible, barely so. I am enclosing a copy of a RF Propagation analysis that was prepared some years ago for a possible tower on the adjacent Clark Property. This was an Exhibit in Docket No. 244. While this would certainly need to be updated, the study does illustrate the excellent cellular coverage that could be obtained with a cellular tower at this location - providing handoff coverage from the other cellular towers in New Canaan.

Mr. Camporine is interested in selling 1160 Smith Ridge Road. Last October, he listed it for sale at a price of \$775,000, which is \$25,000 less than the New Canaan Assessor's appraised value. He recently listed the property again for \$875,000, as he has been receiving inquiries from prospective buyers anxious to leave New York City. However, he included a commission "carve out" for a sale to a utility company. While Mr. Camporine's preference would be to sell the property, he would be willing to discuss a lease, provided the cash flow would be sufficient to enable him to pay his mortgage and taxes.

I invite you and your client to contact Mr. Camporine. His email address is smithridgenewcanaan@gmail.com.

I am copying him on this letter.

Sincerely yours,



John W. Cannavino

JWC/eec

cc: Garrett Camporine, Esq. (via email)

5800559_1.docx 4/8/2020

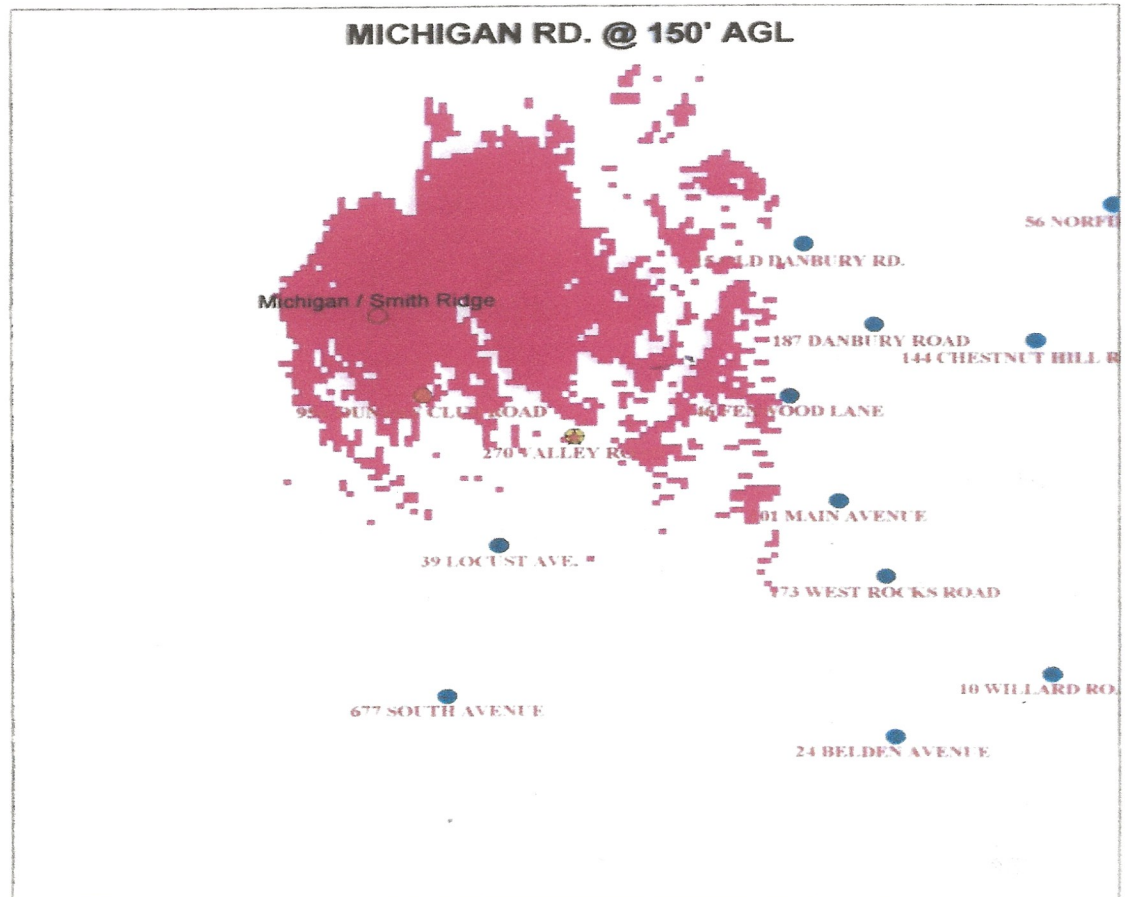


Exhibit 10



June 19, 2020

Sent Via Email (smithridgenewcanaan@gmail.com)
Mr. Garrett Camporine
1160 Smith Ridge Road
New Canaan, CT 06840

Re: Homeland Towers Cell Tower Proposal (1160 Smith Ridge Road, New Canaan, CT) CT052 New Canaan Central

Dear Mr. Camporine:

As a follow up to our recent conversation, this proposal letter is being sent to your attention to determine if you are interested in leasing a portion of your property located at 1160 Smith Ridge Road, New Canaan, CT for the purpose of a wireless facility. Homeland Towers has identified your property as a potential wireless siting solution that will create an additional revenue stream for you. In addition to enhanced cellular coverage to the area, the proposed facility would provide critical infrastructure for public safety to this area of New Canaan. It should be noted that this proposal is separate from Homeland's current application to construct a tower in the northeast section of Town on Soundview Lane. A tower located on your property will provide coverage to a different section of town.

For the past 14 years, Homeland Towers has been successful in leasing, zoning and constructing sites throughout the Northeast in an effort to provide coverage to our customers such as Verizon, AT&T, T-Mobile/Sprint. Homeland Towers maintains a proven track record of partnering with Municipalities, Private Landlords, and Organizations to maximize the value of their property. Our expertise in real estate, zoning administration, construction and site management provides a fluid process that will benefit you.

Homeland is proposing a monthly rent of 20% of the gross rents that we collect or \$2,000.00, whichever is greater along with an annual escalation of 2%. We would require approximately a 75' x 75' fenced lease area for the facility. While Homeland is unable to meet your previous request of an initial monthly rent of \$4,000 to cover your mortgage and taxes, you can see by the attached rent matrix that you have the ability to receive an increase in monthly rent as additional carriers collocate on the facility. In addition, as we discussed landlords with tower facilities on their property have the ability to sell the revenue stream on the lease in return for an upfront lump sum.

All project costs associated with our proposal, including municipal and state approvals along with construction costs are at the sole expense of Homeland Towers. Once construction is complete, we take full responsibility for managing the site and coordinating its use by telecommunications providers.

Please contact me at your earliest convenience to discuss the above proposal. I look forward to speaking with you.

Sincerely,

Raymond Vergati
Regional Manager
203-605-9646
rv@homelandtowers.us



Homeland Towers Rent Matrix – 1160 Smith Ridge Rd			
Year of Lease	Monthly Rent Amount	Yearly Rent Total	Cumulative 5 Year Total
1 (1 Carrier)	\$ 2,000.00	\$ 24,000.00	
2 (2 Carriers)	\$ 2,040.00	\$ 24,480.00	
3 (3 Carriers)	\$ 2,280.00	\$ 27,360.00	
4 (4 Carriers)	\$ 3,040.00	\$ 36,480.00	
5	\$ 3,100.80	\$ 37,209.60	\$ 149,529.60
6	\$ 3,162.82	\$ 37,953.79	
7	\$ 3,226.07	\$ 38,712.87	
8	\$ 3,290.59	\$ 39,487.13	
9	\$ 3,356.41	\$ 40,276.87	
10	\$ 3,423.53	\$ 41,082.41	\$ 347,042.66
11	\$ 3,492.00	\$ 41,904.05	
12	\$ 3,561.84	\$ 42,742.13	
13	\$ 3,633.08	\$ 43,596.98	
14	\$ 3,705.74	\$ 44,468.92	
15	\$ 3,779.86	\$ 45,358.29	\$ 565,113.03
16	\$ 3,855.46	\$ 46,265.46	
17	\$ 3,932.56	\$ 47,190.77	
18	\$ 4,011.22	\$ 48,134.59	
19	\$ 4,091.44	\$ 49,097.28	
20	\$ 4,173.27	\$ 50,079.22	\$ 805,880.35
21	\$ 4,256.73	\$ 51,080.81	
22	\$ 4,341.87	\$ 52,102.42	
23	\$ 4,428.71	\$ 53,144.47	
24	\$ 4,517.28	\$ 54,207.36	
25	\$ 4,607.63	\$ 55,291.51	\$ 1,071,706.92
26	\$ 4,699.78	\$ 56,397.34	
27	\$ 4,793.77	\$ 57,525.29	
28	\$ 4,889.65	\$ 58,675.79	
29	\$ 4,987.44	\$ 59,849.31	
30	\$ 5,087.19	\$ 61,046.29	\$ 1,365,200.93
31	\$ 5,188.93	\$ 62,267.22	
32	\$ 5,292.71	\$ 63,512.56	
33	\$ 5,398.57	\$ 64,782.81	
34	\$ 5,506.54	\$ 66,078.47	
35	\$ 5,616.67	\$ 67,400.04	\$ 1,689,242.04
36	\$ 5,729.00	\$ 68,748.04	
37	\$ 5,843.58	\$ 70,123.00	
38	\$ 5,960.46	\$ 71,525.46	
39	\$ 6,079.66	\$ 72,955.97	
40	\$ 6,201.26	\$ 74,415.09	\$ 2,047,009.61
	Total Amount	\$ 2,047,009.61	
Assumptions:			
(4) carriers on tower by year 4, Homeland Towers paying Landlord the greater of \$2,000/mo. with 2% annual escalation or 20% of gross rents collected from carriers. Carrier rents paid to Homeland is \$3,800/mo.			

Exhibit 11

Homeland Towers, LLC and
New Cingular Wireless PCS,
LLC d/b/a AT&T
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