



MCM

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STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE:

APPLICATION OF MESSAGE CENTER
MANAGEMENT, INC. AND NEW
CINGULAR WIRELESS PCS, LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR
THE CONSTRUCTION, MAINTENANCE
AND OPERATION OF A
TELECOMMUNICATIONS FACILITY ON
MUNICIPAL PROPERTY AT
GREENWOODS ROAD EAST/U.S. ROUTE
44 IN THE TOWN OF NORFOLK

DOCKET NO. _____

Date: September 7, 2006

APPLICATION FOR CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED

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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, Message Center Management, Inc. (“MCM”) and New Cingular Wireless PCS, LLC (“Cingular”) (together the “Applicants”) hereby submit 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 Norfolk. The proposed Facility is a necessary component in Cingular and other carriers’ network plans to provide personal wireless communications services in the State of Connecticut and Litchfield County. The proposed Facility will provide service in the Towns of Norfolk and Colebrook along Greenwood Road East/U.S. Highway 44 and adjacent areas in these communities.

B. Executive Summary

The proposed Facility will consist of a monopole tower, antennas, associated equipment and other site improvements integral to a wireless communications facility. The site as proposed is located on a portion of an approximately 149-acre parcel of land owned by the Town of Norfolk and located north of Greenwoods Road East/U.S. Highway 44 (the “Town Parcel”). The Town Parcel contains a municipal transfer station, is used by the Town DPW for materials storage and is largely undeveloped. MCM and Cingular both identified this site for the construction and operation of a facility due to its location in relation to other tower sites, significant size and in part its municipal ownership and use as a transfer station.

The Facility as proposed occupies a 60’ x 100’ leased area located in the central northern portion of the Town Parcel (the “Site”). MCM proposes to install a 180’ self-supporting monopole with panel antennas extending to 183’ in height. Cingular and other carriers will install their equipment at grade within a 60’ by 100’ equipment compound enclosed by an 8’ high chain link security fence and gate. Vehicle access and utilities to the Site will extend from Greenwoods Road East/U.S. Highway 44 along an existing access drive that extends into the central northern portion of the Town Parcel with a short spur leading to the compound from the existing drive. A new overhead utility line would be installed along the existing access drive from Greenwoods Road East/U.S. Highway 44 and then run for a portion underground to the Facility.

The monopole and compound area are designed to accommodate use by all of the wireless carriers active in Litchfield County and any future municipal communications needs. Cingular has committed to locating at the Site as part of its long range plans for coverage in this area of the State. Additionally, as part of its pre-application consultation with other carriers, MCM has identified Verizon’s interest in the Site and it is expected Verizon will intervene in the Docket once filed with the Council.

This application includes reports with survey-based plans and other information detailing the Facility proposed at the Site and potential environmental impacts associated therewith. See Attachment 5. The Applicants respectfully submit 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 Attachment 12.

C. The Applicants

The Applicant MCM is a Connecticut corporation with offices at 40 Woodland Street, Hartford, Connecticut 06105. MCM owns and operates numerous facilities in the State of Connecticut and has appeared before the Council in prior Dockets. MCM is the tenant under a lease with the Town of Norfolk and will construct and maintain the proposed Facility. Cingular is a Delaware limited liability company with a Connecticut office at 500 Enterprise Drive, Rocky Hill, Connecticut 06067. Cingular and its affiliated entities are licensed by the Federal Communications Commission (“FCC”) to construct and operate a personal wireless services system in Connecticut, which has been interpreted as a “cellular system” within the meaning of CGS Section 16-50i(a)(6). Cingular does not conduct any other business in the State of Connecticut other than the provision of cellular and personal communications services (“PCS”) under FCC rules and regulations.

Correspondence and/or communications regarding this Application shall be addressed to the attorneys for the Applicants:

Cuddy & Feder, LLP
90 Maple Avenue
White Plains, New York 10601

Attention: Christopher B. Fisher, Esq.

A copy of all correspondence shall also be sent to:

Ms. Virginia King
Message Center Management, Inc.
40 Woodland Street
Hartford, Connecticut 06105

D. Application Fee

Pursuant to RCSA Section 16-50v-1a(b), a check made payable to the Siting Council in the amount of \$1,000 accompanies this Application. The estimated total construction cost is under \$250,000. As such, the applicable application fee is \$1,000 in accordance with RCSA Section 16-50v-1a(b).

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

Neither MCM nor Cingular are 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 16-50l(c).

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

Pursuant to CGS Section 16-50l(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 Attachment 9. Pursuant to CGS 16-50l(b), notice of the Applicants' intent to submit this application was published on two occasions in The Register Citizen, the official newspaper for the Town of Norfolk. Notice was also published in the Hartford Courant based on information provided by the Town of Colebrook. Copies of the published legal notices are included in Attachment 10. The publishers' affidavits of service will be forwarded upon receipt. Further, in

compliance with CGS 16-50(b), notices were sent to each person appearing on 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 Attachment 11.

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 by MCM is an integral component of Cingular and other carriers' wireless networks in this area of the State of Connecticut. Currently, a gap in coverage exists in Cingular's network in the Norfolk/Colebrook area, specifically along Greenwoods Road East/U.S. Highway 44 and adjacent portions of Litchfield County. MCM has also determined that other carriers experience this same gap in coverage due to the lack of existing wireless infrastructure in this area of Litchfield County. The proposed Facility, in conjunction

with other existing and future facilities in Litchfield County, is needed by Cingular and other carriers to provide wireless services to people living in and traveling through this area of the State.

Cingular's specific need for the proposed Facility is detailed in the Pre-Filed Testimony of Mr. John Blevins set forth in Attachment 2. Attachment 3 of this Application also includes a Statement of Cellular/PCS Need with propagation plots that further identify Cingular's specific need for this Facility in the Norfolk/Colebrook area. Based on the location of the proposed Facility and the lack of adequate coverage in this area, Cingular can not readily predict a point in time at which the Facility might reach maximum capacity.

B. Statement of Benefits

Cingular is a leading provider of advanced wireless voice and data services throughout the United States with over 50 million subscribers. Cingular and its corporate predecessors constructed one of the first wireless networks in Connecticut and is actively involved today in the deployment of next generation wireless services. Over the past two decades, Cingular has seen the public's demand for traditional cellular telephone services in a highly mobile environment migrate to a demand for anytime-anywhere wireless connectivity with the ability to send and receive voice, text, image and video. People today are using their wireless devices more and more as their primary form of communication for both personal and business needs. Modern devices allow for calls to be made, the internet to be reached and other services to be provided irrespective of whether a user is mobile or stationary provided network service is available.

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, such as Cingular, 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. Cingular has deployed and continues to deploy network technologies to implement the FCC's E911 mandates. The proposed Facility in eastern Norfolk will become an integral component of Cingular'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 area through the proposed Facility.

C. Technological Alternatives

The FCC licenses granted to Cingular and 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 areas of inadequate coverage to be addressed in this application include significant portions of U.S. Highway 44 and Stillman Hill Road. 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 particular area of the State. Significant terrain variations and tree cover in Norfolk and the surrounding area, as well as other practical considerations limit the use of such technologies. As such, they have not been considered an alternative to the proposed Facility. The Applicants

submit 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

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 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. Tower developers also work from known wireless facility sites and problem coverage areas to identify site search areas. Selection of the property on which the Facility has been proposed was the result of a site search process explained in the Pre-Filed Testimony of Mr. Hans Fiedler and Mr. John Blevins in Attachments 1 and 2 and the Site Search Summary contained in Attachment 4.

In this particular instance, there are no existing towers or other tall structures within approximately two miles of the proposed site and no wireless facilities exist in this area of Norfolk as noted on the Existing Tower listing and Existing Facilities Map included in Attachment 4 of the Application. Interestingly, in 2005, MCM and Cingular both identified and investigated potential properties in the area and in so doing identified the 149-acre Town Parcel as a potential site. Of note, Sprint PCS, Inc. also identified the Town Parcel as early as 2001 as a potential site for construction of a Facility, but did not pursue an application for approval of the site. MCM subsequently initiated its conversations with the Town and leased the Town Parcel as part of its overall site search investigation.

B. Tower Sharing

To promote the sharing of wireless facilities in the Norfolk/Colebrook area, MCM proposes a Facility that can accommodate up to five antenna platforms and equipment for those wireless carriers active in the Litchfield County Marketplace (i.e. Cingular, Verizon, Sprint/Nextel, T-Mobile, Alltel). Cingular has committed to use the Facility, if approved, and has targeted the site for construction not earlier than 2008. As part of its discussions with carriers, MCM has also identified Verizon as another carrier with an immediate need and current interest in the proposed Facility. It is MCM's expectation that the Facility would be constructed in 2007 for Verizon and phased for Cingular to construct at a later date. Details of the tower and site design are included in Attachment 5.

V. Facility Design

MCM proposes a 6,000 square foot compound on an approximately 149 acre Town Parcel located off Greenwoods Road East/U.S. Highway 44. The proposed tower is a 180' high self-supporting monopole. Cingular would install up to twelve panel antennas on a low profile platform at the top of the tower and an equipment shelter, approximately 11'6" x 20' in size, within the 60' by 100' equipment compound. The compound would be enclosed by a security fence, 8' in height. The monopole and equipment compound are designed to accommodate the facilities of Cingular, Verizon and the other wireless carriers actively providing services in Litchfield County.

Vehicular access to the facility would extend from Greenwoods Road East/U.S. Highway 44 over an existing driveway for a distance of approximately 1200 feet then along a new approximately 60' gravel spur to the equipment compound. This portion of the Town Parcel is not currently served by utilities and a new overhead distribution line would extend along the existing driveway to a cleared area used by the Town Department of Public Works where utilities would

then extend underground to the Facility compound. Attachment 5 contains the specifications for the proposed Facility including a site plan, a compound plan, tower elevation, access map and other relevant information contained in a Site Evaluation Report and Facilities and Equipment Specifications. Some of the relevant information included in Attachment 5 for the Site reveals that:

- No wetlands are found within 200' of the tower Site;
- The property is and will continue to be used as the municipal transfer station and other uses the Town deems necessary and appropriate for the Town Parcel;
- No significant grading or clearing for the proposed access drive or compound area would be required for the construction of the proposed Facility;

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. Attachment 6 contains a viewshed map that depicts the potential impact of the proposed Facility from surrounding views for the Site. In general, year round and seasonal visibility are limited with the majority of any visibility located on the Town Parcel and along a portion of U.S. Highway 44 near its intersection with Tim O'Conner Road.

Weather permitting, MCM 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 to further assist in identifying the qualitative visual aspects of the Facility.

B. SHPO and DEP State Agency Comments

MCM submitted requests for review and comment to the Connecticut State Historic Preservation Officer ("SHPO") and Department of Environmental Protection ("DEP") representatives responsible for the Natural Diversity Data Base and endangered species review. SHPO has determined that the proposed Facility will have no adverse effect on historic, architectural or archaeological resources listed or eligible for listing on the National Register of Historic Places. DEP identified certain species of moth and horsefly that are endangered or threatened and known to utilize bogs in the area. Thereafter, MCM hired an entomologist who surveyed the area and determined that the tower Site does not support bog habitat. In working with DEP, it was confirmed that the project would not impact any endangered or threatened species or the raven, a species of State concern. Copies of DEP's and SHPO's correspondence are included in Attachment 7 as well as correspondence with an entomologist regarding a field study of the proposed site.

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, Cingular 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 Cingular's operations at the proposed Site would be approximately 4.8% of the applicable MPE standards.

D. NEPA Review

MCM has had the Site evaluated in accordance with the FCC's regulations implementing the National Environmental Policy Act of 1969 ("NEPA"). 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 subject Site. The proposed Site is not located in or adjacent to any areas identified as a federal wildlife preserve. Further, according to the site survey and field investigations, no federally regulated wetlands or watercourses will be impacted by the proposed Facility. Federal Emergency Management Agency ("FEMA") Flood Insurance Rate Maps of the proposed Site indicated that it is located in Flood Zone X, defined by FEMA as outside of the 500 year floodplain.

As part of MCM's NEPA review, a request was made by the Connecticut Tribal Historic Preservation Office ("THPO") for a Phase I Archeological Reconnaissance Survey of the Site. MCM hired an archaeologist that did actual fieldwork at the site and found no cultural or archaeological resources; a fact confirmed in correspondence by THPO, a copy of which is included in Attachment 7. As such, and based on the information contained in other reports included in this Application, the Site is both 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).

E. Other Environmental Factors

The proposed Facility would be unmanned, requiring monthly, one-hour maintenance visits by each carrier. Cingular's equipment at the Facility would be monitored 24 hours a day, 7 days a week from a remote location. The proposed Facility 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 MCM's proposed Facility will have no significant impact on air, water, or noise quality.

VII. Consistency with the Town of Norfolk's 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 are also detailed in this section. Of note, the Site is owned by the Town of Norfolk that found that it is an appropriate location for a wireless facility such as the one proposed and as such entered into a lease with MCM, a copy of which is being bulk filed with this Application.

A. Norfolk's Town Plan

The Town of Norfolk's Town Plan (the "Town Plan"), a copy of which is included in the bulk filing, was adopted in 2000 and revised in October of 2002. The Towers, Antennas & Communication Facilities section of the Town Plan addresses wireless communications facilities. (See Bulk Filing, Section 1, page 24). It states that Town owned sites are the most preferred locations for tower and antenna placement. As such, this particular Facility is the most preferred location as prioritized by the Town Plan and as such, consistent with the Town's other recommendations as set forth therein.

B. Norfolk's Zoning Regulations and Zoning Classification

According to the Town's zoning map, the Site is classified in the Town of Norfolk's CI Commercial-Industrial zoning district. Section 180-27(A)(2) of the Town's Zoning Regulations lists "public utility company facilities" as a permitted use. (See Bulk Filing, Section 2). Section 180-36.1 of the Town of Norfolk Zoning Regulations also regulates "communication antennas,

towers and wireless communication facilities” and sets up a site selection priority list and permitted/special use permit regulatory approval process for facilities under Planning & Zoning Commission jurisdiction. Consistency of the proposed Facility with these standards and dimensional requirements are illustrated in the table below.

Standards and Dimensional Requirements

Section 180-36.1(G)(1)	Special Permit Lot Area & Setback Requirements	Proposed Facility
	<p>Minimum Lot Area: 2 acres</p> <p>Setbacks > Height of tower plus 20%</p>	<p>Existing Lot Area: 149.4 acres</p> <p>Height of the tower + 20% is 216 feet.</p> <p>Setback to all property lines except to property of Yvonne D. Travaglin >216'</p> <p>Setback to property of Yvonne D. Travaglin (side setback) approximately 200 feet (beyond fall zone of the tower)</p>
Section 180-36.1(G)(7)	Fence height	Proposed Facility
	8'	8'
Section 180-36.1(G)(11)	Equipment Shelters	Proposed Facility
	<p>Max height: 12'</p> <p>Max size: 750 sq. ft.</p>	<p>Height: 12'</p> <p>Size: 230 sq. ft.</p>
Section 180-36.1(G)(11)	Lighting	Proposed Facility
	None permitted except where required by the Federal Communications Commission or the Federal Aviation Administration	None proposed
Section 180 - 36.1(G)(7)	Maximum Height	Proposed Facility
	Minimum height required to provide adequate coverage.	The proposed Facility is (180') to provide adequate coverage for five wireless carriers including Cingular.

C. Planned and Existing Land Uses

The proposed Facility will be located in the north central portion of the 149-acre Town Parcel. The Town Parcel contains minimal development limited only to the municipal transfer station and a cleared area used by the Town's Department of Public Works. Some residential development and recreational use is found in the surrounding area. Consultation with municipal officials and observations did not indicate any known or planned changes in surrounding land uses.

D. Norfolk's Inland Wetlands and Watercourses Regulations

The Town of Norfolk's 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 "[A]ny operation ...involving removal or deposition of material or any obstruction, construction, alteration or pollution" of such wetland and in areas adjacent to a wetland or watercourse. See Bulk Filing, Section 3, pg 7. It also includes any "earth moving, filling, construction or clear cutting of trees within 100 feet" of a wetlands or watercourse.

According to the site survey and field investigations conducted at the Site, an inland wetland is delineated on the Town Parcel to the west of the existing access drive. See Attachment 5. The limit of the inland wetland is, however, over 300' to the south of the proposed Facility compound. 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. As such, construction will have no impacts on wetlands or watercourses.

VIII. Consultations with Local, State and Federal Officials

A. Local Consultations

MCM's proposal to lease a portion of the Town Parcel for the construction of a 180' monopole was considered and approved by the Town's Board of Selectmen at its meeting on February 7, 2006 and after a Special Town Meeting held on September 27, 2005. See minutes included in Attachment 8.

As part of MCM's NEPA review, the Norfolk Historical Society commented in correspondence dated April 5, 2006, a copy of which is included in Attachment 8, that the Town Parcel was known as the "Town Farm" and housed indigent people for nearly 50 years. At that time, the Society requested that any remnants of stonewalls or foundations along with any ancient trees be left undisturbed. It was subsequently determined by MCM's consultants that no such stonewalls, foundations or other archeological resources exist in the project area. See Section VI.D above.

On May 31, 2006, a technical report was provided to the First Selectmen of both the Towns of Norfolk and Colebrook, a copy of which has been bulk filed with this Application.¹ See correspondence included in Attachment 8. Representatives of Message Center Management personally contacted the First Selectmen of both communities to explain the proposal further. In conversations with MCM and in subsequent correspondence, the Colebrook First Selectman, indicated that the technical report was reviewed by the Town and the project received favorably. See Attachment 8. In correspondence dated June 22, 2006, included in Attachment 8, the Town of Norfolk First Selectman noted receipt of the technical report by the Board of Selectmen and commented the Board's position that "the area known as the 'Town Farm' is a logical place to erect a cell tower."

¹ The proposed Facility is located approximately 2400' from the border of the Town of Colebrook.

B. Consultations with State Officials

As noted in Section VI.B of this Application, MCM consulted with and requested review of the proposed Facility from DEP and SHPO. Attachment 7 contains DEP and SHPO's correspondence for the proposed Site.

C. Consultation with Federal Agencies

MCM has received a determination from the Federal Aviation Administration ("FAA") for the proposed Site, which is included in Attachment 5. The results indicate that the proposed Facility would not require FAA lighting and that the structure would not be a potential air navigation obstruction or hazard. Cingular's FCC license permits it to modify its 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, MCM conducted a NEPA review and determined 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.

IX. Estimated Cost and Schedule

A. Overall Estimated Cost

The total estimated cost of construction for the proposed Facility is \$219,500. This estimate includes:

- (1) Tower and foundation costs (including installation) of approximately \$165,000;
- (2) Site development costs of approximately \$24,000; and

(3) Utility installation costs of approximately \$30,500.

B. Overall Scheduling

Site preparation, construction of the monopole and compound area would commence following Council approval of MCM's Development and Management ("D&M") Plan and is expected to be completed within eight weeks. Thereafter, each carrier will install their antennas and equipment at the Site over an approximately four week period.

X. Conclusion

This Application and the accompanying materials and documentation clearly demonstrate that a public need exists in the Towns of Norfolk and Colebrook for improved wireless services. The foregoing information and attachments also demonstrate that the proposed Facility will not have any substantial adverse environmental effects. The Applicants respectfully submit that the public need for the proposed facility outweighs any potential environmental effects resulting from the construction of the proposed Facility at the Town Parcel. As such, the Applicants respectfully request that the Council grant a Certificate of Environmental Compatibility and Public Need to MCM for a proposed wireless telecommunication facility in the Town of Norfolk.

Respectfully Submitted,

By: 

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White Plains, New York 10601
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Attorneys for the Applicants

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Reserved for

Exhibit 1

PRE-FILED TESTIMONY OF HANS FIEDLER

1.Q. Mr. Fiedler, please summarize your professional background in telecommunications.

A. I am the National Sales Manager for the Site Acquisition and Site Licensing Divisions of Message Center Management, Inc. ("MCM") and live and work in the State of Connecticut. I graduated with a B.S. degree from Keene State College in New Hampshire and have held various positions in the paging industry from 1991 to 1997. In 1997 I joined MCM and my responsibilities within the Site Acquisition Division include overseeing and supervising all aspects of site selection and tower leasing by MCM including planning, real estate acquisition, permitting, application preparation and implementation. Additionally, the Site Licensing Division of MCM leases several hundred sites to wireless carriers and other communications companies nationally. As such, I work with the major wireless carriers on a daily basis.

2.Q. What is the purpose of your testimony?

A. My testimony provides background information relating to MCM's application for a Certificate of Environmental Compatibility and Public Need for a new tower site in the Norfolk Connecticut area. Specifically, I will address MCM's site search philosophy and methodology; the manner in which that methodology was employed in the selection of the site proposed in this application; and MCM's activities prior to initiation of this Application.

3.Q. As a tower developer, how does MCM conduct a site search?

A. In MCM's experience, carriers in Connecticut are fully committed to using existing structures wherever possible for development of their facilities. As a tower

developer, MCM subscribes to State policy and sound business practice, and does not become involved in a search for a new tower site in an area where a suitable existing structure can meet the carriers' needs. However, if no suitable structures exist in an area of known coverage deficiency, MCM will generally speak with carrier representatives and review the area to consider conducting its own site search for possible tower sites. If MCM elects to move forward with a tower site search, we visit the area and conduct our own "fieldwork" to determine: (1) zoning designations; (2) existing land use; 3) the existence of large parcels of land and (4) otherwise identify areas where tower siting may be feasible in accordance with State statutes and Siting Council policy.

4.Q. Please describe MCM's search for the proposed Norfolk wireless facility.

A. Along US Highway 44 near the municipal border of the Towns of Colebrook and Norfolk, there is an area of inadequate coverage for the carriers between existing tower sites in these Towns. Moreover, there are no existing structures of significant height in this area of the State. As such, site selection in the target area is largely dictated by existing land uses. While several large properties are located in the area, they are predominately recreational or residential properties. In contrast, the 149-acre Town of Norfolk owned parcel on which the local transfer station is located offers a large wooded site that is zoned commercial with very limited surrounding residential development. As such, based on its review, MCM concluded that the proposed site is superior to any other available properties in the area given its isolation and in part its municipal ownership, support and authorization. MCM's site search is set forth in greater detail in Tab 4 of this Application.

5.Q. Has MCM consulted with municipal officials in Norfolk and Colebrook with regard to its plans?

A. Yes. As described above, the proposed facility is located on a municipally owned parcel. MCM approached the Town of Norfolk in the Summer of 2005 to gauge its interest in construction of a tower facility on the Town Parcel. First Selectman Susan M. Dyer informed MCM that the Town had executed a lease with Sprint in 2001 for a wireless communications facility on the Town Parcel. Sprint never moved forward with the project and the lease has since expired. First Selectman Dyer also indicated at that time that Cingular had recently approached the Town regarding construction of a tower facility on the Town Parcel in furtherance of its own independent search for sites in the area.

At that time, MCM discussed with Cingular its needs in the area and based on discussions by all parties including the Town, MCM took the lead on the project and Cingular agreed that it would be the “anchor” tenant for MCM. Various meetings regarding the project, including a Special Town Meeting, were held in the Fall of 2005. At a February 7, 2006 Board of Selectman meeting, the lease of the Town Parcel to MCM was approved and the lease subsequently executed on February 17, 2006. MCM and Cingular then coordinated in the preparation of a Technical Report which was filed with the Towns of Norfolk and Colebrook in May of 2006. Given the significant and substantial review of the project by the Town of Norfolk as part of the leasing process, no further public meetings were held in the Town during the technical consultations phase, but I was in contact with First Selectman Dyer to advise her of our progress in putting together this Application.

Before, during and after the 60-day consultation process, I communicated with the First Selectman of Colebrook, Mr. Jerry Rathbun, and the Town regarding our proposed facility. From our meetings it was suggested that I attend a Selectman's meeting to discuss the project and be available to answer any questions. We also identified twenty nearby property owners in the Town of Colebrook that might be interested in the project and mailed them notice of the Selectman's meeting and invited them to attend the Selectman's April 10, 2006 meeting. At the night of the meeting no residents that had been sent letters attended and no objections or oppositions were raised.

6.Q. Has MCM received any comments from municipal officials in Norfolk and Colebrook with regard to its plans?

A. Yes. In my personal discussions with various Town officials in both Norfolk and Colebrook there is support for the prospect of a cellular tower facility at what is commonly referred to as the "Town Farm". That is further evidenced by the lease entered into by the Town of Norfolk and written and oral comments we received as part of our technical consultation from both Towns. With respect to the plan itself, the Town of Norfolk Department of Public Works ("Town DPW") indicated during our initial discussions its preference for above ground utilities along the access driveway until reaching the cleared area of the property utilized by the Town DPW for deposit of various debris and then for underground utilities to be extended to the tower compound. This preference relates to the Town DPW's ability to have: (1) future flexibility as Town needs for the site evolve and may involve the need to relocate the line, expand the driveway etc.; and (2) as a safety matter in the area of the tower site and actively used area of the site, minimize any potential for Town DPW vehicles and construction

equipment inadvertently hitting an above ground line while loading or unloading debris.

While MCM is cognizant of the Council's general preference for undergrounding of all utilities serving a tower site, there would appear to be no visual or environmental impact associated with the Town DPW's preference which happens to be less expensive to implement for MCM.

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Reserved for
Exhibit 2

PRE-FILED TESTIMONY OF JOHN BLEVINS

Question 1: Please summarize your professional background in telecommunications.

Answer: I am a Senior Radio Frequency Engineer and have been employed by Cingular Wireless and its predecessors including SNET for over thirty years. My current responsibilities include the identification of signal coverage gaps in the Cingular Wireless' telecommunications network in Massachusetts and Connecticut and assessing whether proposed facilities will adequately fill those signal coverage gaps. I am also responsible for frequency planning, E911 implementation, and other radio frequency engineering requirements for Cingular. I have been employed in this role for over ten years. Prior to my current responsibilities and in the period from 1988 to 1994, I was responsible for radio frequency deployment of SNET's paging network in the State of Connecticut. From 1986 to 1988, I worked in the cellular engineering department responsible for the original deployment of SNET Cellular's network in the State of Connecticut. In the days before cellular technology, I was employed by SNET working as a technician and a microwave engineer from 1974 to 1986. Prior to that, I served in the United States Army as a microwave technician.

Question 2: What does your testimony address?

Answer: The main purpose of my testimony is to provide information relating to Cingular's existing network in this area of the State and explain the need for the tower facility at the Norfolk Town Parcel situated along Greenwoods Road East/Route 44. This includes information on the general design of the fixed wireless network, the technical constraints in selecting proposed facilities, and other radiofrequency engineering ("RF") issues such as coverage.

Question 3: Please describe Cingular's wireless network in Connecticut.

Answer: The buildout of the Cingular wireless network in Connecticut dates back to the inception of cellular telephone services in the mid 1980s. At that time, SNET, as the landline "B" carrier, was granted licenses by the Federal Communications Commission ("FCC") for the development of a cellular network (850 Mhz) across most

of the State of Connecticut. Over time, cellular system operators such as Cingular have had to continually engineer their networks to expand coverage and respond to an ever-increasing subscriber base. The system's growth requires adding sites at closer spacing by increasing frequency re-use across the network, while mitigating RF interference among sites. In 2004, Cingular and AT&T Wireless, a PCS (1900 Mhz) carrier in the State of Connecticut, merged. The combined company retained the Cingular name and is currently integrating the two networks in Connecticut and throughout the country.

Question 4: In what ways does the nature of wireless technology limit Cingular's ability to select cell site locations?

Answer: Cell site selection is heavily impacted by terrain variation as well as local land use policies within intended service areas. The presence of widely varying, hilly terrain and heavy residential land use in the State of Connecticut poses challenges to the wireless engineer whose ultimate goal is to construct a seamless network of interconnecting and adequately overlapping cell sites. Cell site locations must be chosen such that sufficient signal strength overlap is achieved to ensure call hand-off between cells. Proper spacing between cells is critical for maintaining sufficient signal strength overlap and eliminating unnecessary duplicative coverage between cells. The wireless industry has also experienced a revolution in handset technology whereby the availability of inexpensive, small, and lower powered handsets with longer battery life has fueled consumer demand for ubiquitous service. The infrastructure required to support this demand drives the need for additional facilities.

Question 5: What is the significance of antenna height in wireless network design?

Answer: The laws of physics dictate radio signal losses associated with RF propagation between a fixed wireless network antenna site, and both fixed and mobile users of the fixed wireless network antenna site. Higher relative fixed network antenna heights, as compared with surrounding terrain, generally provide a greater coverage distance and a stronger signal amplitude at most distances from the fixed wireless network antenna site. Higher relative fixed network antenna heights are the result of higher antenna support structure attachment height, and higher relative ground elevation

of the fixed wireless network antenna site. A two-way communication system cannot simply increase the power transmitted by the fixed network antenna to make up for lower fixed network antenna height, like a one-way broadcaster, since it is limited in the reverse path by the low power user handset's ability to "talk-back" to the fixed network antenna. Having said this, there is also a practical maximum fixed network antenna height, above which there will be a sharp increase in the negative effects of RF interference across the network, thus limiting frequency re-use and capacity across the network.

Question 6: Please explain the interrelationship between the proposed site and Cingular's current system.

Answer: The interrelationship between the proposed site and Cingular's current system is depicted in the propagation plots included in the Statement of RF Need included in the Application. As shown, therein, this proposed site is needed primarily to provide new coverage to an area of the State where users of Cingular's network are unable to originate or maintain wireless services.

Question 7: Please describe the engineering aspects of the proposed site in Norfolk

Answer: As described in the Statement of RF Need included in the Application, the proposed site will provide coverage along Greenwoods Road East/Route 44 in the vicinity of a significant portion of the surrounding area of Norfolk and a small part of Colebrook. The topography surrounding the proposed site is interspersed with hills mature tree cover. The effect on RF propagation is that signals carry well over the low areas but are obstructed by the hills. The proposed site is situated well enough to carry users to the existing neighboring sites to the north and west and to the south and east. The proposed site is needed for coverage continuation, versus a capacity enhancement.

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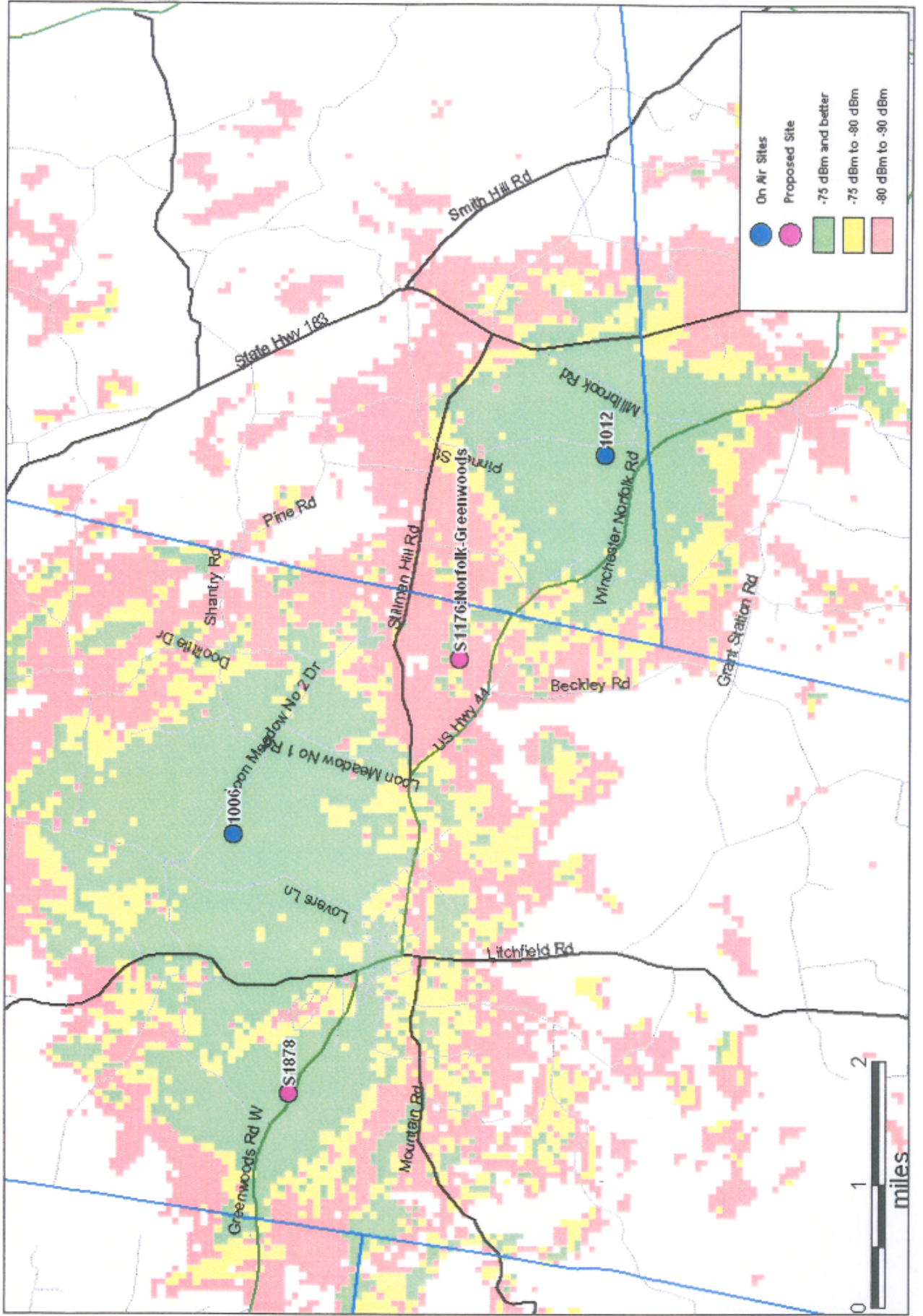
Reserved for
Exhibit 3

Statement of RF Need with Coverage Plots

Cingular requires a new wireless site between its existing sites in the Town of Colebrook and Norfolk to provide reliable wireless services along U.S. Route 44 and the surrounding area. Attached are propagation plots prepared by Cingular that depict (1) coverage from existing surrounding sites; (2) predicted coverage from the proposed site with antennas mounted at 180' above grade level ("AGL"); and (3) composite coverage from the proposed site and existing sites. These propagation plots clearly demonstrate the need for a new wireless site in the area and the effectiveness of the proposed site in meeting the public need for Cingular's services in the Town and the surrounding area. Through its discussions with other wireless carriers, including Verizon, MCM is also aware that other carriers need the proposed site for their specific services.

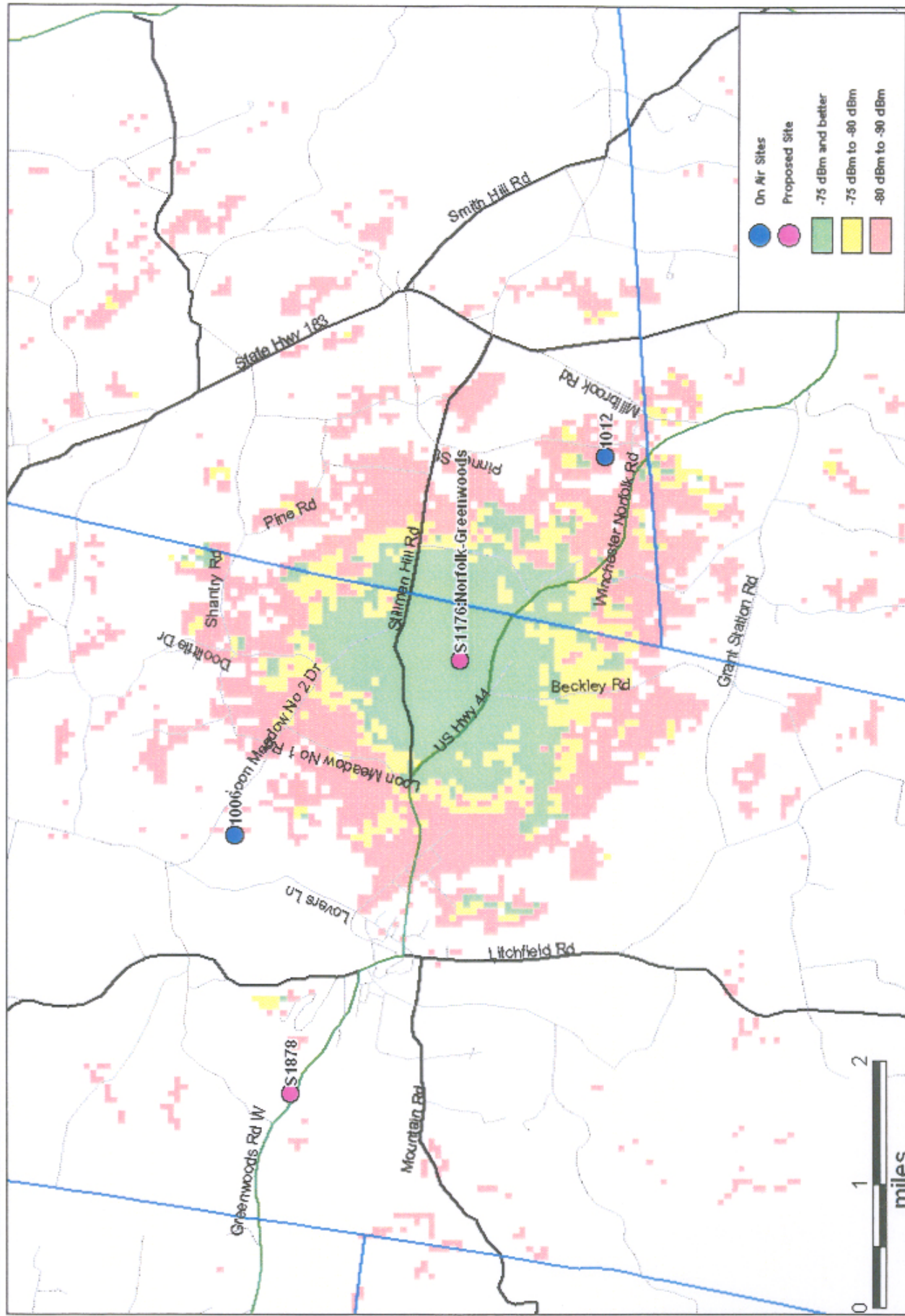


Cingular Wireless Existing Cells with Other Proposed S1878 - 850 Coverage Norfolk, CT.



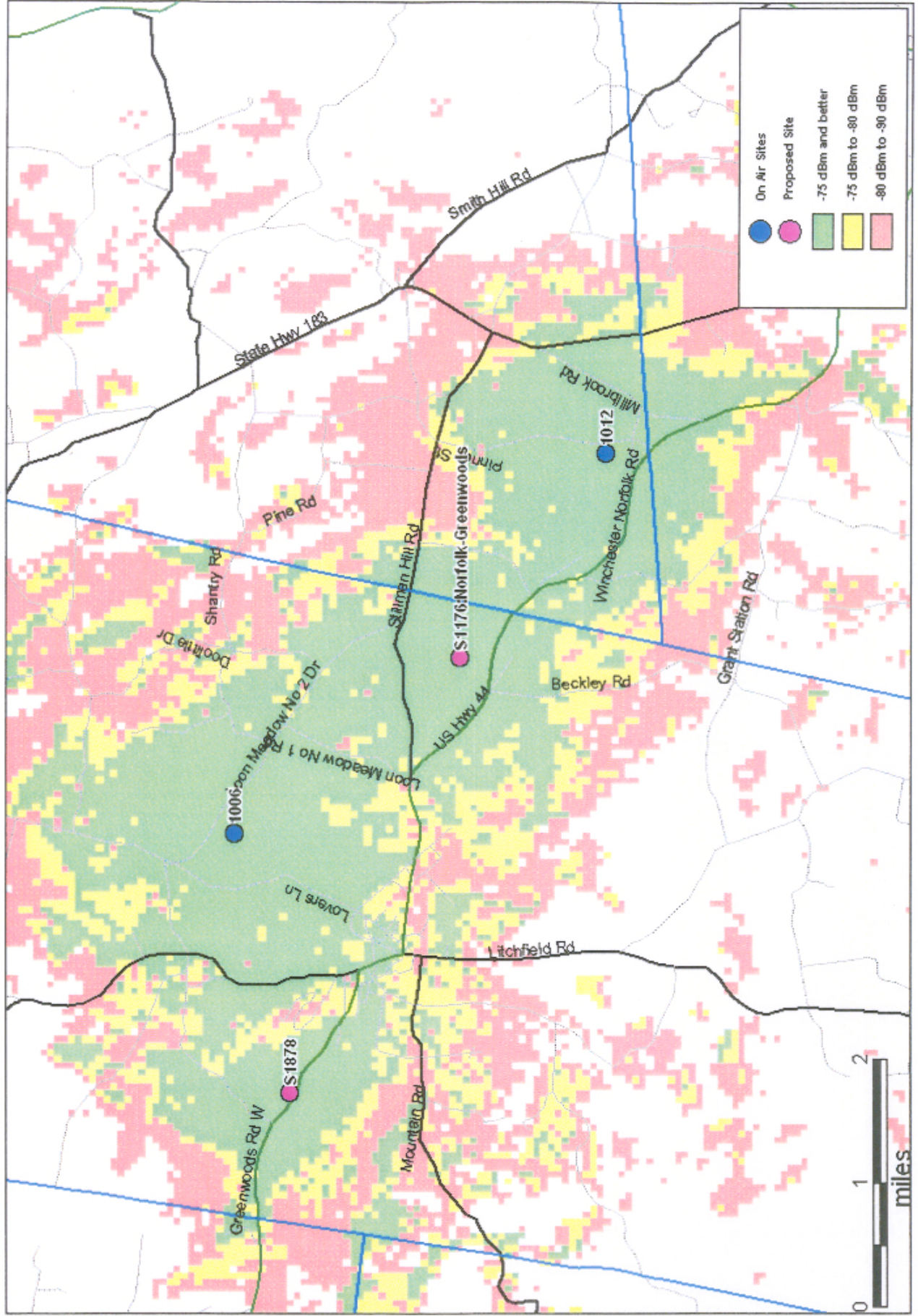


Cingular Wireless
Proposed Cell S1176 @ 180ft. - Actual Coverage
Norfolk, CT.



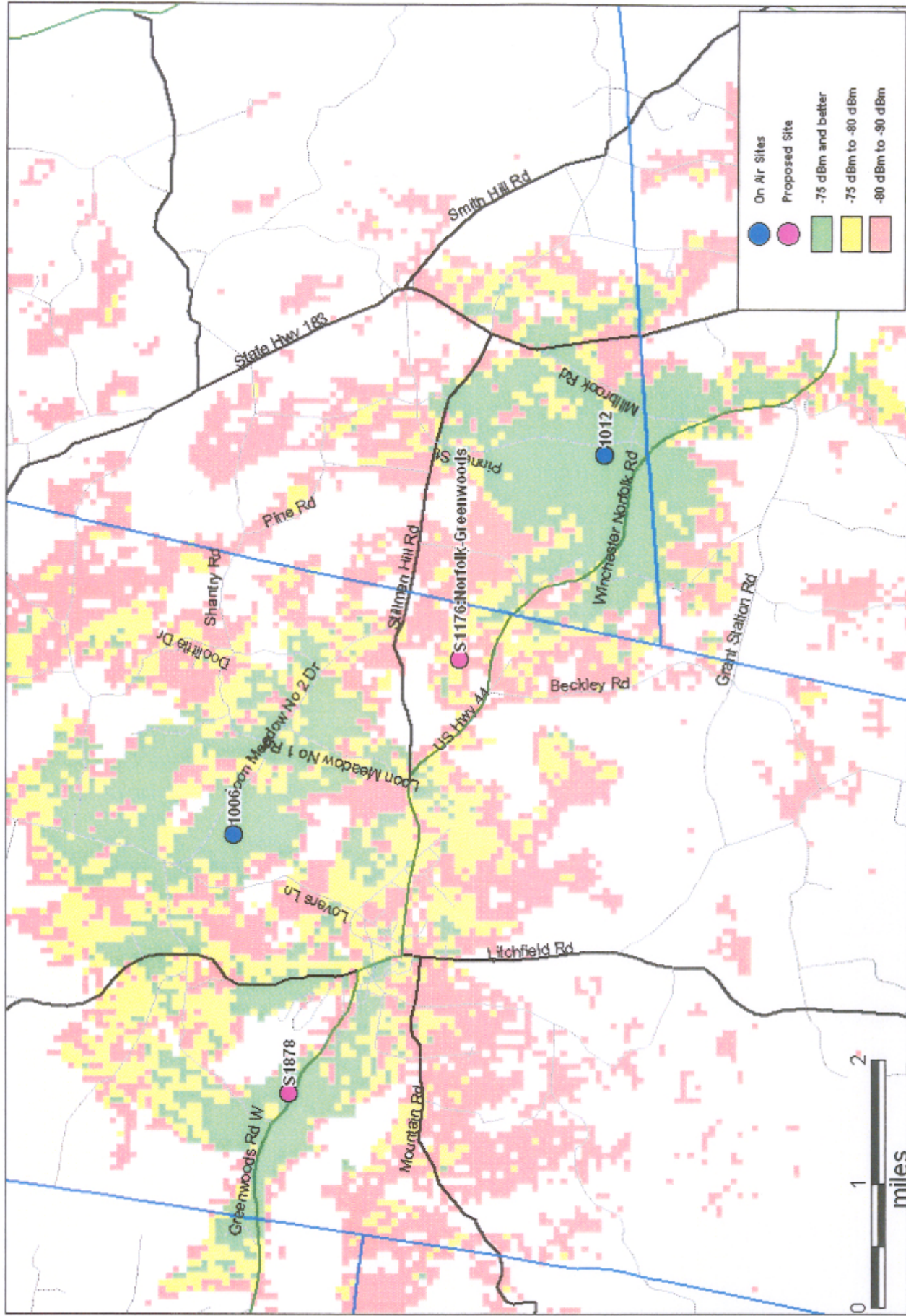


Cingular Wireless
Existing Cells, Proposed S1176 @ 180ft. & Other Proposed S1878 - 850 Coverage
Norfolk, CT.



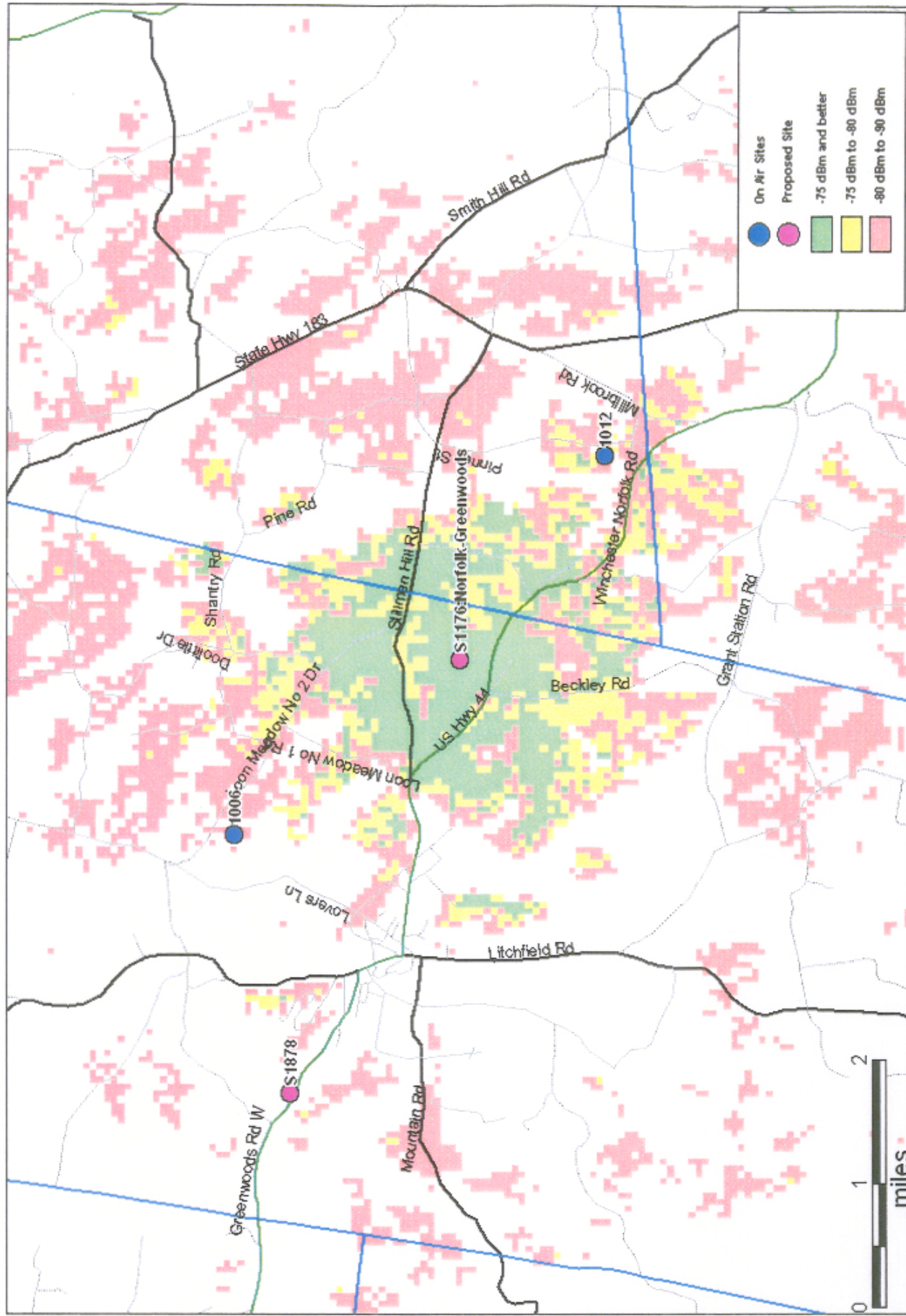


Cingular Wireless Existing Cells with Other Proposed S1878 - 1900 Coverage Norfolk, CT.



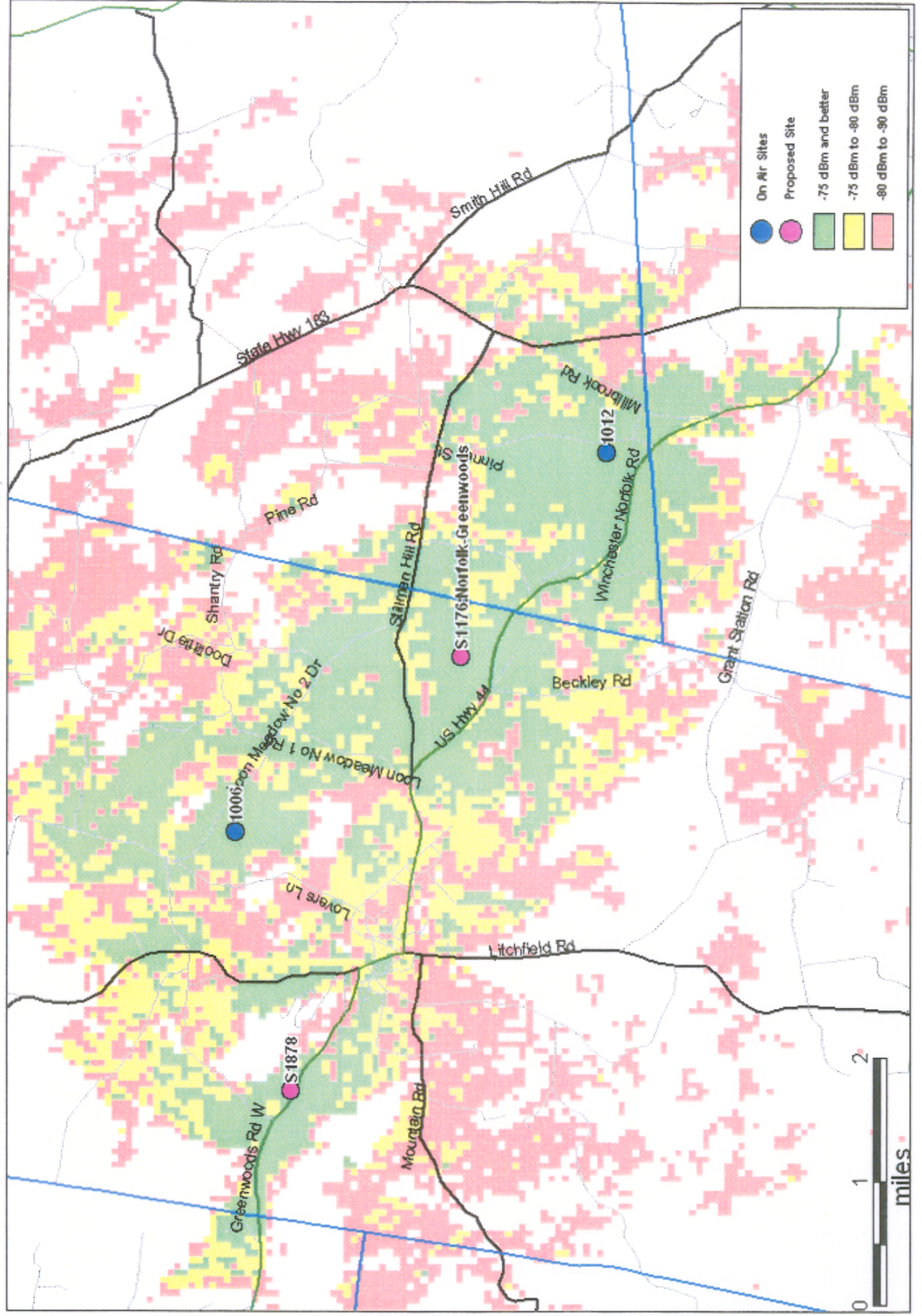


Cingular Wireless
Proposed Cell S1176 @ 180ft. - 1900 Coverage
Norfolk, CT.





Cingular Wireless
Existing Cells. Proposed S1176 @ 180ft. & Other Proposed S1878 - 1900 Coverage
Norfolk, CT.



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Reserved for

Exhibit 4

Site Search Summary

As part of any application to the State Siting Council, the applicant is required to describe “the narrowing process by which other possible sites were considered and eliminated.” This Section sets forth the general site search process conducted by MCM, identification of the target site search area and the specific alternative locations considered for development of the proposed Facility.

As a tower infrastructure provider, MCM bases its decision to develop tower sites on its knowledge and understanding of existing weaknesses in the systems of the several wireless carriers operating in any given area and/or through consultation with individual carriers. A target site search area is then identified central to the area in which coverage and/or capacity deficiencies have been identified. The site search area generally encompasses the geographical areas where the installation of a wireless site would, based on carrier radio frequency engineering and system design standards, be likely to address the identified problems in wireless services. MCM’s goal is to locate a site or sites in the site search area that will provide for an orderly integration into the existing wireless networks of multiple carriers.

MCM is sensitive to State and local desires to minimize the construction of new towers. As such, MCM does not pursue site searches in areas with existing structures known to be acceptable to the wireless industry or where alternatives sites are already identified on the State Siting Council’s database and inventory of existing telecommunications facilities. Thus, once MCM makes the decision to pursue siting in a specific site search area, it is generally accepted that a new tower structure will be required to meet the coverage and/or capacity needs of the wireless carrier industry.

In conducting its site searches, MCM determines whether industrial or commercial areas or areas which have appropriate environmental and land use characteristics are present and gives those locations priority. Potential locations are then studied by radio frequency engineers to determine whether the tower site locations will meet the technical requirements for the area. The list of potential locations is further refined based on the willingness of property owners to make their property available for construction of a tower site. MCM’s own analysis of potential environmental effects and benefits may further narrow the alternatives in a given site search area. The weight afforded to relevant factors by MCM may vary depending on the nature of the area and the availability of potential sites.

In the Norfolk site search area, there are no existing towers, transmission line structures or other suitable structures for use as wireless sites. Any existing towers are too far away to provide coverage to the areas of Route 44 where service is deficient. As MCM identified and investigated properties in the target area, it focused on parcels larger than the average in acreage. A search of Town records also revealed the 149 acre Town of Norfolk owned property on which the transfer station is located. These same records

indicated that much of the other land within the coverage deficient area was privately owned by hunting clubs and interspersed with a few single family homes.

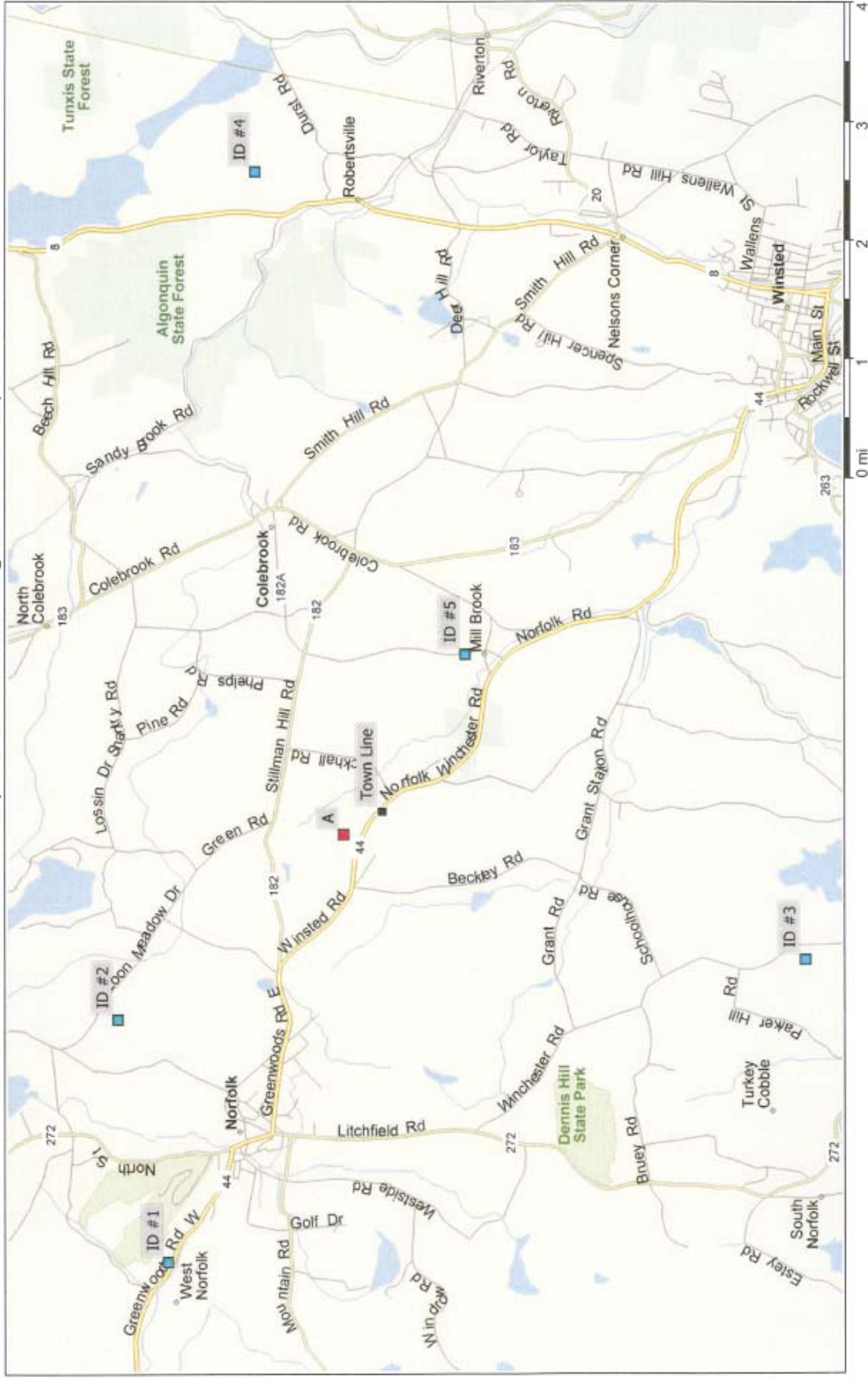
Given the nature of the parcels in the area and the potential benefit to the municipality from a site on its transfer station property, MCM approached the Town in the Summer of 2005 to gauge its interest in construction of a tower facility on the Town Parcel. At that time, MCM was informed by First Selectman Susan M. Dyer that the Town had executed a lease with Sprint in 2001 for a wireless communications facility on the Town Parcel which expired. MCM was also informed that Cingular had recently approached the Town regarding construction of a tower facility on the Town Parcel in furtherance of its own independent search for sites in the area.

After consultation with Cingular, the parties agreed that MCM should pursue a lease with the Town and Cingular would be the "anchor" tenant for the project. Various meetings regarding the project, including a Special Town Meeting, were held in the Fall of 2005. At a February 7, 2006 Board of Selectman meeting, the lease of the Town Parcel to MCM was approved and the lease subsequently executed on February 17, 2006. MCM and Cingular have coordinated since that time in the preparation of this Application.

Existing Towers

Tower Identifier	Council Number	Tower Name / Owner	Tenants	Location	Town	Latitude	Longitude	Facility Type	Facility Height
A		MCM / Proposed Site		Greenwoods Road East	Norfolk	41-59-00	73-09-13	Monopole	180
1	D287	Sprint	Sprint / Cingular	10 Ashpohtag Road	Norfolk	42-00-9.71	73-13-17.01	Monopole	150
2	P87.1	SNET	Cingular / T-Mobile / Sprint	435 Loon Meadow Road	Norfolk	42-00-32	73-10-51	Guide Tower	160
3	D118.2	DPS	DPS / LCD / AT&T	746 Winchester Road	Norfolk	41-55-26	73-10-16	Self Support Tower	180
4	D296	GridCom	Nextel / Cingular	382 Colebrook River Road	Colebrook	41-59-30.6	73-02-24.1	Monopole	150
5		Sprint	Sprint / Cingular / Alltel	161 Pinney Street	Colebrook	41-57-57	73-7-13	Monopole	150

Norfolk CT - Proposed Site - Existing Facilities Map



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Reserved for
Exhibit 5

PROPOSED SITE

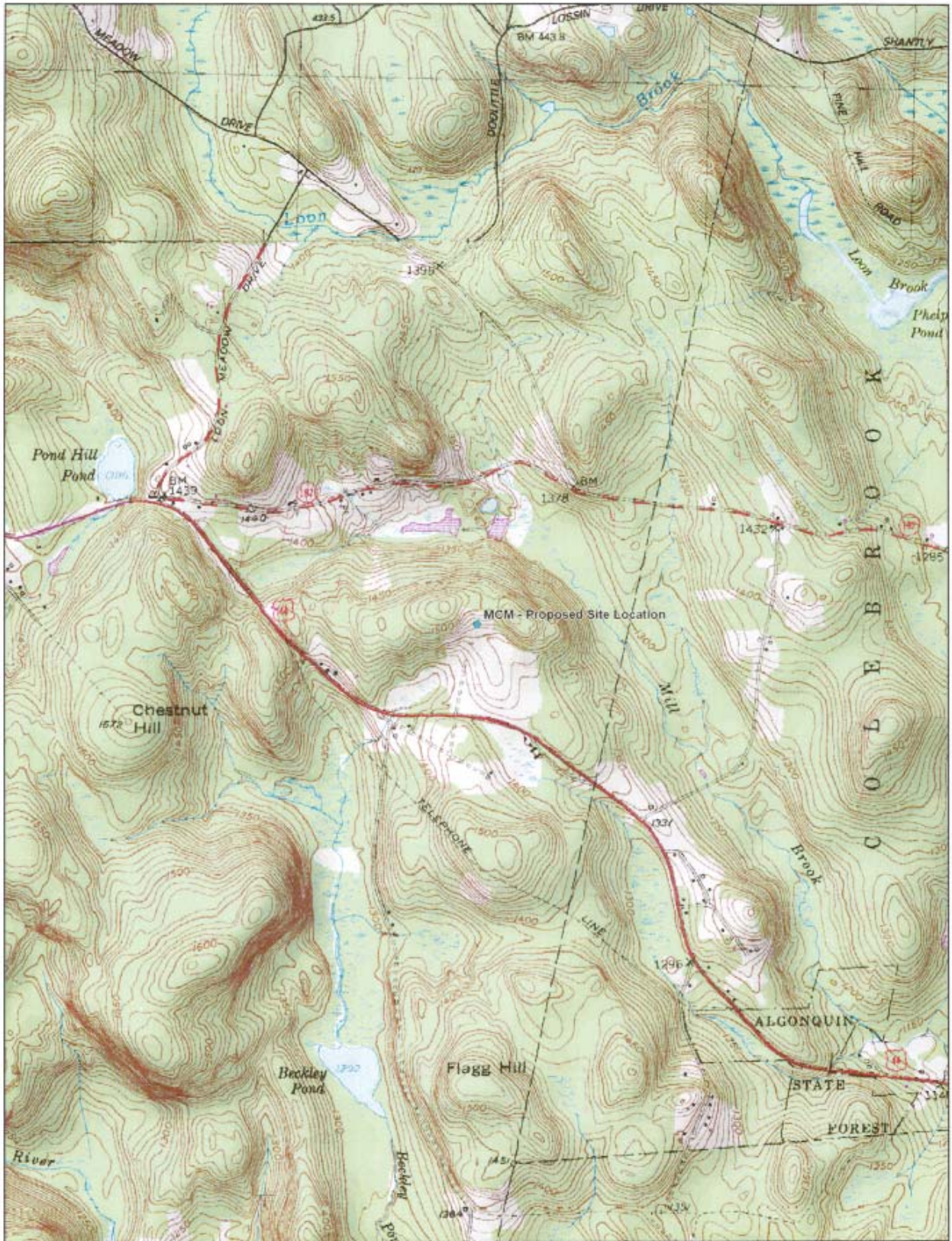
Greenwoods Road East (U.S. Route 44)
Norfolk, Connecticut

Land of
Town of Norfolk

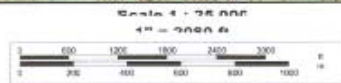
Identified by Town of Norfolk as Parcel No. 4-10/004-0
149 Acres

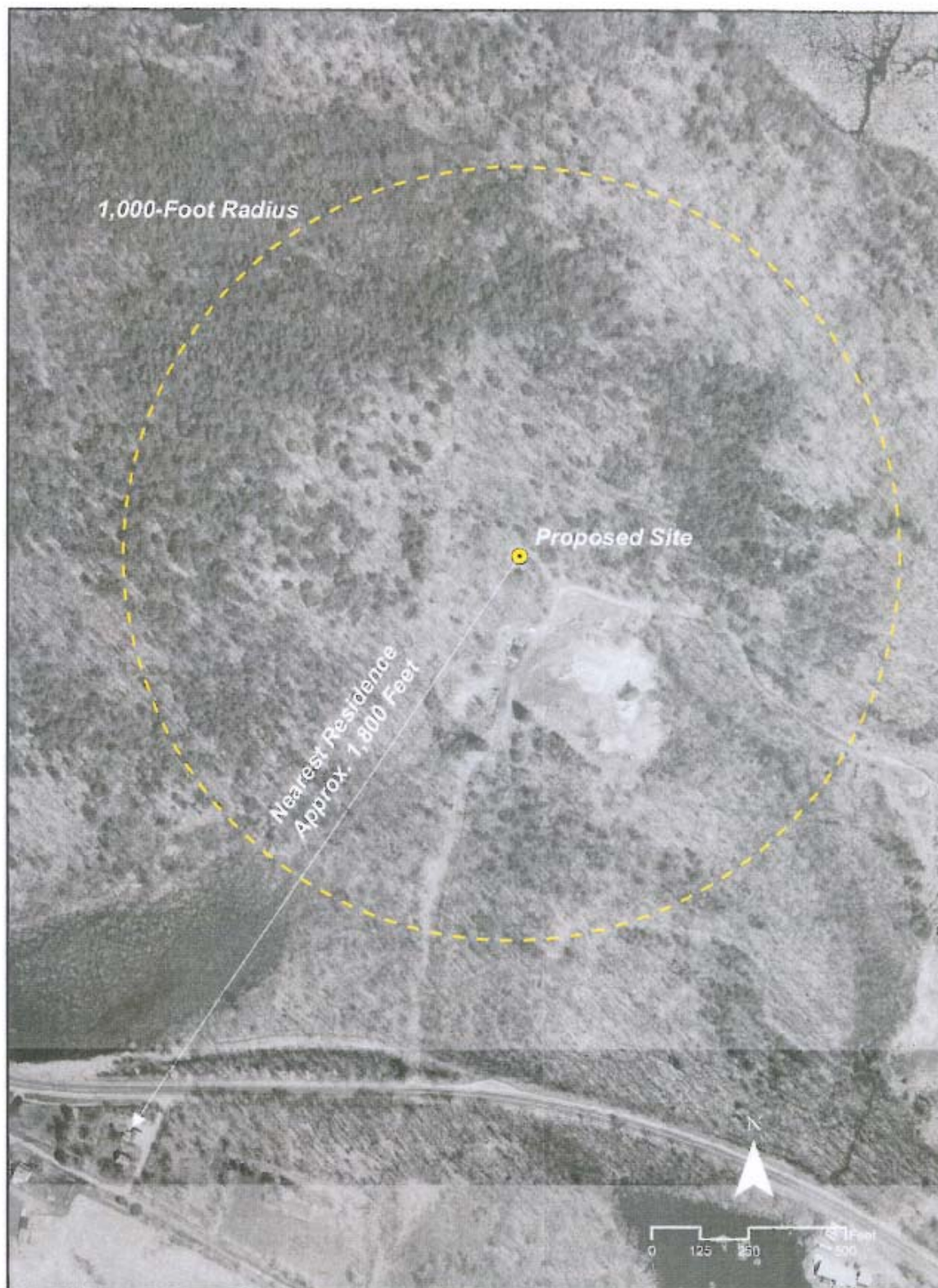
GENERAL FACILITY DESCRIPTION

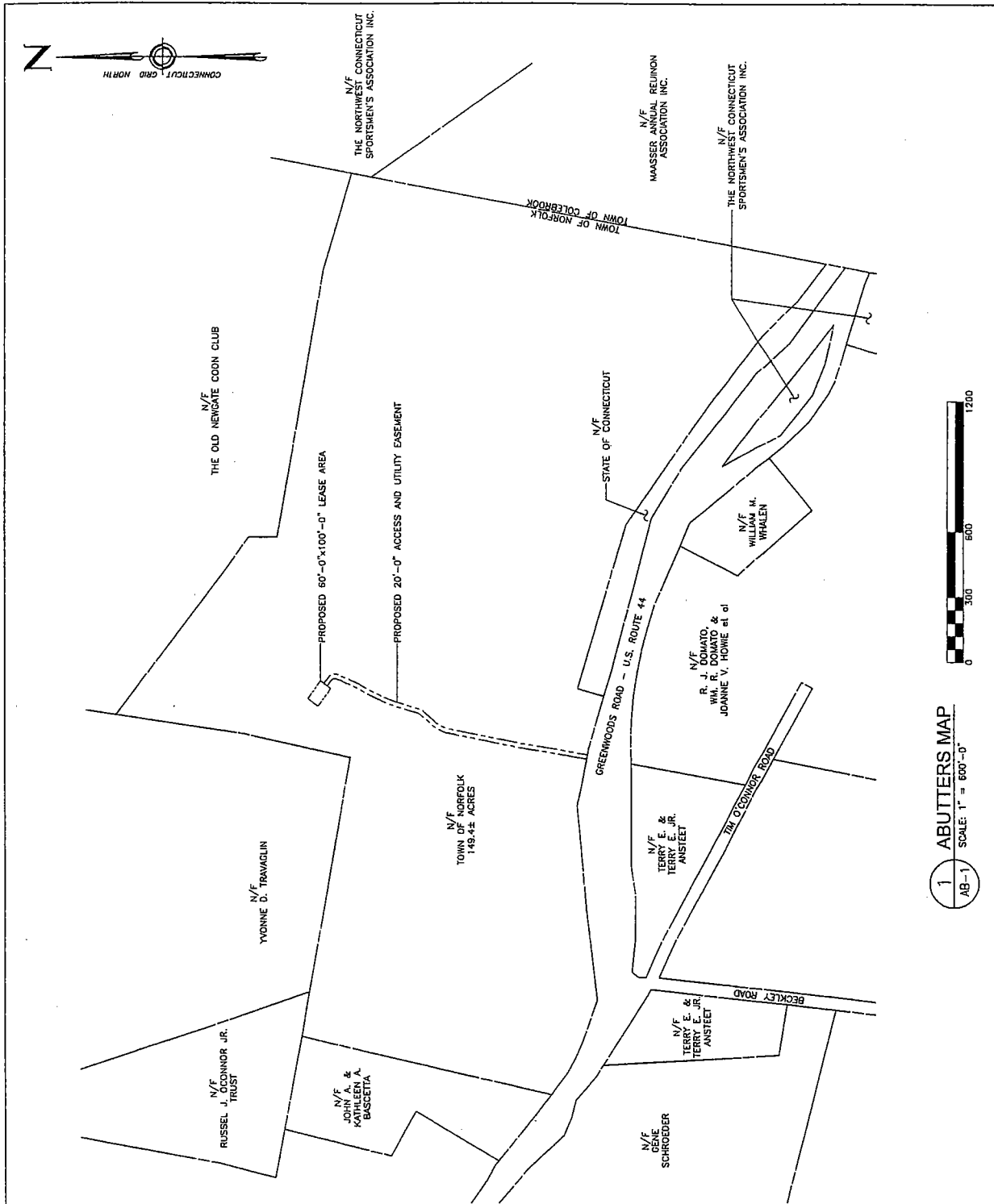
The proposed Norfolk facility is a 60' x 100' leased area located in the central northern portion of an approximately 149 acre parcel on Greenwoods Road East (State Route 44) in Norfolk (the "Site"). The facility would consist of a 180-foot self-supporting monopole tower in a 60' x 100' gravel compound designed to accommodate the related Cingular 11' 6" x 20' equipment building and the equipment of other wireless carriers. The tower would be capable of accommodating panel and other antennas on five low profile platforms. The tower and equipment building would be enclosed by an 8-foot high chain-link security fence and gate. Vehicle access and utilities to the Site would extend from Greenwoods Road East (U.S. Route 44) along an existing access drive that extends into the central northern portion of the Town Parcel.



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www.delorme.com







PROJECT NO. 36924833 Designed by: Drawn by: PJS Checked by: Approved by:	URS CORPORATION AES 500 ENTERPRISE DRIVE ROCKY HILL, CONNECTICUT 1-(860)-529-8882	MESSAGE CENTER MANAGEMENT 40 WOODLAND STREET HARTFORD, CONNECTICUT 06105 NORFOLK GREENWOODS ROAD EAST NORFOLK, CONNECTICUT 06058 SITE ADDRESS:	<table border="1"> <tr> <td>REV.</td> <td>DATE:</td> <td>DESCRIPTION</td> </tr> <tr> <td>△</td> <td>05/16/06</td> <td>REVISED</td> </tr> <tr> <td>△</td> <td>05/12/06</td> <td>REVISED</td> </tr> </table> Scale: AS NOTED Date: 04-25-06 Job No. MCM 003 File No.	REV.	DATE:	DESCRIPTION	△	05/16/06	REVISED	△	05/12/06	REVISED	Dwg. No. AB-1 Dwg. 1 of 1
REV.	DATE:	DESCRIPTION											
△	05/16/06	REVISED											
△	05/12/06	REVISED											



N/F
THE OLD NEWGATE COON CLUB

PROPOSED TOWER
LATITUDE: 41° 58' 59.48"
LONGITUDE: 73° 09' 13.71"
RAD 85
GROUND ELEVATION = 1463
NGVD 29

FALL ZONE

1
SC-2

PROPOSED 12'-0" GRAVEL ACCESS DRIVE

N/F
TOWN OF NORFOLK

PROPOSED ACCESS & UTILITY EASEMENT

N/F
STATE OF CONNECTICUT

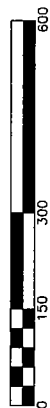
GREENWOODS ROAD - U.S. ROUTE 44

N/F
YVONNE D. TRAVAGLIN

LOCATION OF
PROPERTY LINE
(TYP.)

LIMIT OF INLAND
WETLANDS

N/F
TOWN OF NORFOLK



1
SC-1
SITE ACCESS MAP
SCALE: 1" = 300'-0"



PROJECT NO.
36924833

Designed by:

Drawn by: PJS

Checked by:

Approved by:

URS CORPORATION AES

500 ENTERPRISE DRIVE
ROCKY HILL, CONNECTICUT
1-(860)-529-8882

MESSAGE CENTER MANAGEMENT

40 WOODLAND STREET
HARTFORD, CONNECTICUT 06105

NORFOLK

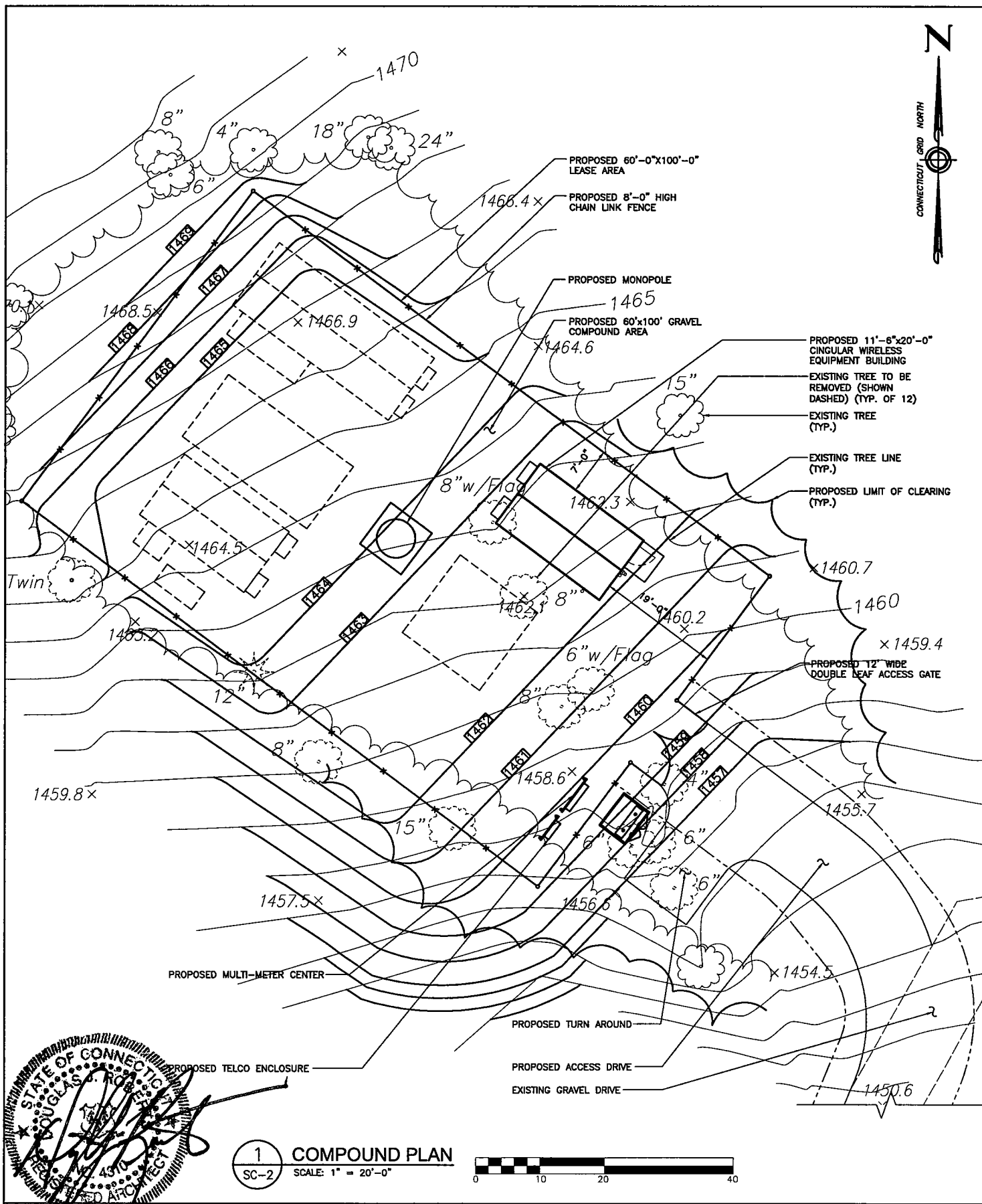
SITE ADDRESS:
GREENWOODS ROAD EAST
NORFOLK, CONNECTICUT 06058

2	06/30/06	REVISED
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Scale:	AS NOTED	Date: 04-25-06
Job No.	MCM 003	File No.

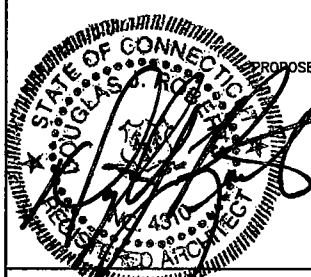
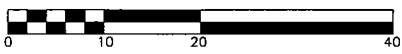
Dwg. No.

SC-1

Dwg. 1 of 3



1 COMPOUND PLAN
SC-2 SCALE: 1" = 20'-0"



PROJECT NO. 36924833
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NORFOLK
GREENWOODS ROAD EAST
NORFOLK, CONNECTICUT 06058

SITE ADDRESS:

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△	06/30/06	REVISED
△	05/12/06	REVISED
Scale:	AS NOTED	Date: 04-25-06
Job No. MCM 003	File No.	

Dwg. No.
SC-2
Dwg. 1 of 3

SITE EVALUATION REPORT

I. LOCATION

- A. COORDINATES: 41° 58' 59.48" N, 73° 09' 13.71" W
- B. GROUND ELEVATION: 1463' Above Mean Sea Level (AMSL)
- C. BASE MAPS: Comprised of Norfolk and Winsted US Quadrangle Maps
- D. SITE ADDRESS: Greenwoods Road East (U.S. Route 44), Norfolk, CT

II. DESCRIPTION

- A. SITE SIZE: 60' x 100' lease area; 60' x 100' compound
LESSOR'S PARCEL: 149 acres
- B. TOWER TYPE/HEIGHT: Monopole/180' AGL
- C. SITE TOPOGRAPHY AND SURFACE: The site is within a level area to the rear of the Town Parcel.
- D. SURROUNDING TERRAIN, VEGETATION, WETLANDS, OR WATER: The Town Parcel is largely undeveloped save for the eastern portion which is utilized as a transfer station and a cleared area near the proposed site that is used by the Town Department of Public Works. The general area around the proposed Site is characterized by steep hills and ridgelines. Tree cover consists mainly of deciduous hardwood species and stands of mature evergreens. A small wetland area is located adjacent to the existing access driveway and will not be impacted as a result of the project.
- E. LAND USE WITHIN ¼ MILE OF SITE: Land use within ¼ mile of the site is limited to the transfer station, low density residential properties and large tracts of undeveloped, forested land some of which include hunting clubs.

III. FACILITIES

- A. POWER COMPANY: Connecticut Light and Power

- B. POWER PROXIMITY TO SITE: Power is available from Greenwoods Road (U.S. Route 44). Utilities would be extended above ground along the existing access drive involving approximately six utility poles. Once the utilities reach the cleared area of the Town Parcel they will run underground to the Facility.
- C. TELEPHONE COMPANY: AT&T
- D. PHONE SERVICE PROXIMITY: Same as power
- E. VEHICLE ACCESS TO SITE: Vehicular access to the Site would utilize an existing gravel access drive approximately 1200' in length in addition to a new small spur/extension (approximately 60') leading to the compound. The existing access drive and small extension will be improved with gravel to the extent needed for construction and permanent access to the Facility.
- F. OBSTRUCTION: None
- G. CLEARING AND FILL REQUIRED: Some clearing and grading would be required for development of the access drive and the site compound. Detailed plans would be provided to the Connecticut Siting Council in a Development and Management Plan after Council approval of the proposed Facility. Estimated volumes of cuts and fill are 25 cf and 40 cf respectively.

IV. LEGAL

- A. PURCHASE [] LEASE [X]
- B. OWNER: Town of Norfolk
- C. ADDRESS: Greenwoods Road East (U.S. Route 44), Norfolk, CT 06811
- D. DEED ON FILE AT: Town of Norfolk
Vol. 19, pages 524, 525

FACILITIES AND EQUIPMENT SPECIFICATION
(NEW TOWER & EQUIPMENT)

I. TOWER SPECIFICATIONS:

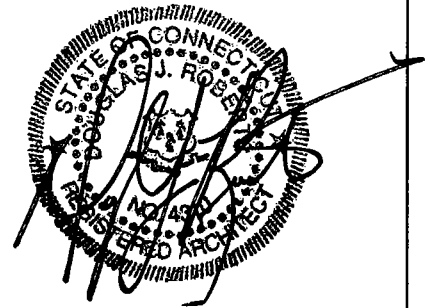
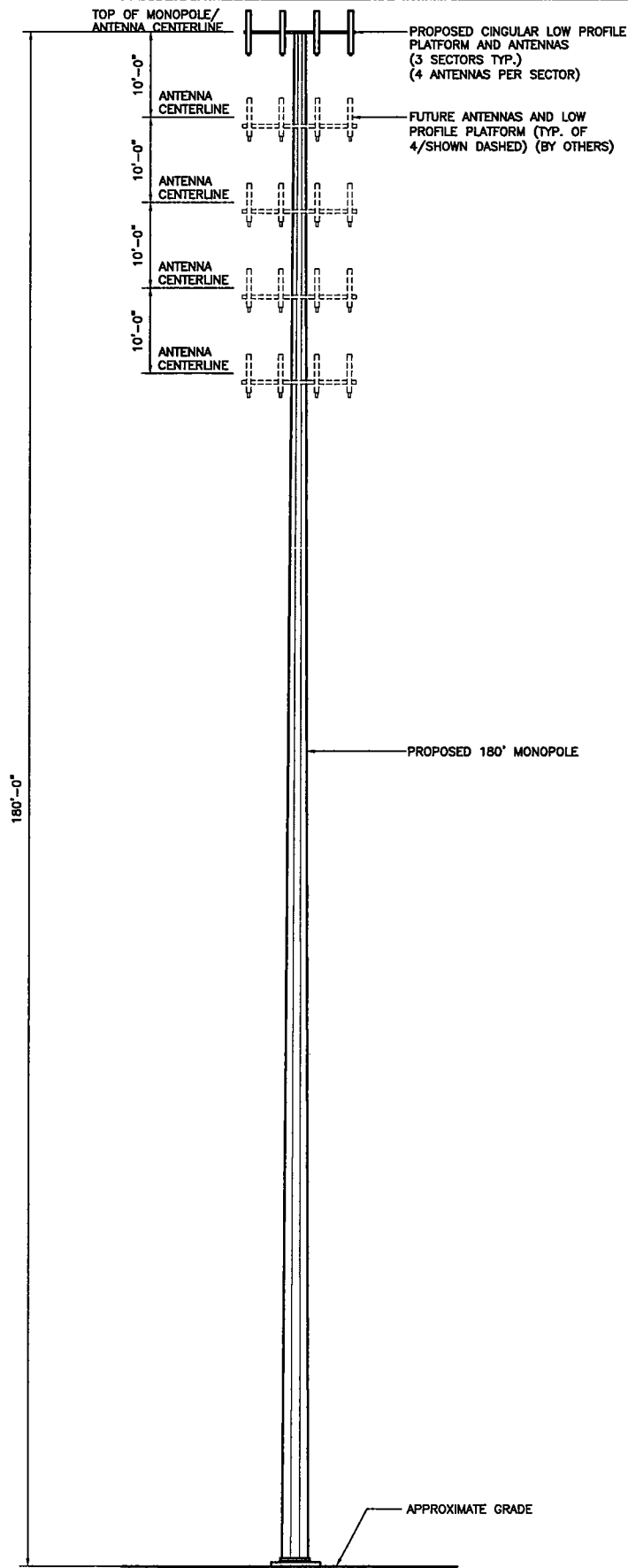
- A. MANUFACTURER: TBD – Post approval
- B. TYPE: Monopole
- C. HEIGHT: 180'
- D. DIMENSIONS: Approx. 4 ½' diameter at base
 Approx. 1 ½' diameter at top
- E. FAA LIGHTING/MARKING: None, FAA Determination attached

II. TOWER LOADING:

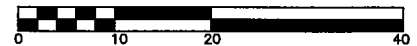
- A. Cingular – up to 12 panel antennas
 - 1. MODEL: Powerwave 7770 or equivalent
 - 2. DIMENSIONS: Approximately 4.25' in length
 - 3. POSITION ON TOWER: Antenna centerline of 180' AGL on low profile platform
 - 4. TRANSMISSION LINES: up to 12 internal to the monopole
- B. Future Carriers - TBD

III. ENGINEERING ANALYSIS AND CERTIFICATION:

In accordance with Electronic Industries Association Standard EIA/TIA-222-F "Structural Standards for Steel Antenna Towers and Antenna Support Structures" the tower would be designed to withstand wind and ice pressures as required for Litchfield County. The foundation design would be based on soil conditions at the Site.



1 TOWER ELEVATION
SC-3 SCALE: 1" = 20'-0"



PROJECT NO.
36924833

Designed by:

Drawn by: PJS

Checked by:

Approved by:

URS CORPORATION AES

500 ENTERPRISE DRIVE
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MESSAGE CENTER MANAGEMENT
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NORFOLK
SITE ADDRESS: GREENWOODS ROAD EAST
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Scale: AS NOTED Date: 04-25-06

Job No. MCM 003 File No.

Dwg. No.

SC-3

Dwg. 1 of 3



Federal Aviation Administration
Air Traffic Airspace Branch, ASW-520
2601 Meacham Blvd.
Fort Worth, TX 76137-0520

Aeronautical Study No.
2006-ANE-522-OE

Issued Date: 05/16/2006

Maria A. Scotti
Message Center Management
40 Woodland Street
Hartford, CT 06405

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Antenna Tower
Location: Norfolk, CT
Latitude: 41-58-59.48 N NAD 83
Longitude: 73-9-13.71 W
Heights: 180 feet above ground level (AGL)
1643 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory Circular 70/7460-1 AC 70/7460-1K.

This determination expires on 11/16/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above.

Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (404)305-5580. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2006-ANE-522-OE.

Signature Control No: 463338-462446

(DNE)

Michael Blaich
Technician

Attachment(s)
Frequency Data

Frequency Data for ASN 2006-ANE-522-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W

FAA 2-C SURVEY CERTIFICATION

Applicant: Message Center Management

Site Name: Town of Norfolk

Site Address: Greenwood Road East - U.S. Route 44
Norfolk, Connecticut

Source of Coordinates: ☒ GPS survey ☐ Ground survey

Vertical Datum: NGVD 1929 (AMSL) ☐ GPS survey ☒ Ground survey

Structure Type: ☒ New Tower ☐ Existing Tower ☐ Roof Top
☐ Water Tank ☐ Smoke Stack ☐ Other _____

Latitude: 41° 58' 59.48"

Longitude: 73° 09' 13.71"

Ground Elevation: 1,463 AMSL Elevation (in feet)

**Proposed Tower
Structure Height:** 180 (in feet) AGL

Top of Building: _____ (in feet) AGL

Top of Penthouse: _____ (in feet) AGL

Antenna RAD Center: _____ (in feet) AGL (Not Installed)

Certification: I Certify that the latitude of 41° 58' 59.48" and the longitude of 73° 09' 13.71" are accurate to within +/- 50 feet horizontally, and that the site elevation of 1,463' AMSL is accurate to within +/- 20 feet vertically. With a proposed structure height of 180' AGL, the overall height is 1,643' AMSL. The horizontal datum (coordinated) are in terms of the North American Datum of 1983 (NAD 83) and are expressed in degrees, minutes and seconds, to the nearest hundredth of a second. The vertical datum (heights) are in terms of the National Geodetic Vertical Datum of 1929 and are determined to the nearest foot.

Company: URS Corporation AES

**Surveyor
Signature/Seal:**


Michael G. Wilmes L.S. 14206

Date: April 25, 2006

36924830



ENVIRONMENTAL ASSESSMENT STATEMENT

I. PHYSICAL IMPACT

A. WATER FLOW AND QUALITY

No water flow and/or water quality changes are anticipated as a result of the construction or operation of the Facility. The equipment used will discharge no pollutants to wetland and watercourse areas or to area groundwater. Best management practices will be used during construction to control storm water and erosion.

B. AIR QUALITY

Under ordinary operating conditions, the equipment that would be used at this proposed Site would emit no air pollutants of any kind. In the event of prolonged power outages, a portable diesel generator may be deployed at the Site.

C. LAND

Minimal clearing and grading would be required for the required extension of the access drive and development of the Site compound. The remaining land of the Town of Norfolk would remain unchanged by the construction and operation of the Facility.

D. NOISE

The equipment to be in operation at the proposed site after construction would emit no noise other than the installed heating, air conditioning and ventilation systems. Any permanent generator that might be installed by future carriers would be employed during prolonged power outages and cycle for a brief period once a week. Some noise is anticipated during construction, which is expected to take approximately four to six weeks.

E. POWER DENSITY

The worst-case power density for this Site in accordance with FCC OET Bulletin No. 65 (1997) for a point of interest at ground level beside the proposed tower follows. This worst-case calculation assumes all channels working simultaneously at full power with the antennas facing directly downward.

	Centerline Height above Ground (feet)	Frequency (MHz)	Number of Channels per Sector	Power Per Channel (Watts ERP)	Power Density (mW/cm ²)	Standard Regulatory Limits (mW/cm ²)	Percent of Regulatory Limit
Cingular	180	880-894	6	296	0.0197	0.5867	3.36
Cingular	180	1930-1935 1965-1970	3	427	0.0142	1.0000	1.42
Total							4.8%

F. VISIBILITY

The potential visibility of the proposed Facility was assessed within an approximate two-mile study area. As shown in the attached Visual Resource Evaluation, a few scattered areas of visibility would be experienced, with the majority of any visibility being located within the 149 acre Town Parcel and along a portion of Route 44 near its intersection with Tim O'Conner Road.

II. SCENIC, NATURAL, HISTORIC & RECREATIONAL VALUES

The Town Parcel is known as the "Town Farm". We note that the parcel is listed as "open space" in DEP's base mapping. However, and as noted above, the Town Parcel is currently used, in part, as the Town's transfer station. As such, the Town's Selectmen have indicated as part of the lease process that there would be no significant adverse effect on any scenic or historic resources associated with construction of the Facility.

Information was also provided by the Town of Norfolk Historical Society indicating that the Town Parcel, while not listed as historic on Federal or State Registers, has some significance locally because of its prior use by indigent residents of the Town of Norfolk as farmland. A request has been made by the Historical Society that any stone walls, foundations or "ancient trees" be left undisturbed. MCM believes that this request can be implemented as part of MCM's construction of the Facility which is practically limited to a 60' by 100' area of the 149 acre Town Parcel and where no artifacts were identified as part of a recent evaluation.

MCM has also undertaken a review of the project pursuant to the FCC's requirements which implement the National Environmental Policy Act. As part of that review, MCM's representatives have contacted the Connecticut Department of Environmental Protection and the Connecticut Commission on Culture and Tourism. Based on information provided to and by the DEP, no impacts to any endangered, threatened or species of special State concern have been identified. While certain endangered and threatened species of moth and

horsefly are known to utilize bogs in the area, this particular project will not impact any such habitat. In correspondence dated July 31, 2006, a copy of which is included in Attachment 7, the State Historic Preservation Officer has determined that the proposed Facility will have no adverse effect on historic, architectural or archaeological resources listed or eligible for listing on the National Register of Historic Places.

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Reserved for
Exhibit b

Proposed Wireless Telecommunications Facility

Greenwoods Road East
Norfolk, Connecticut

Prepared for Message Center Management
 40 Woodland Street
 Hartford, CT 06105

Prepared by **VHB**/Vanasse Hangen Brustlin, Inc.
 54 Tuttle Place
 Middletown, CT 06457

April 2006

Visual Resource Evaluation

Message Center Management seeks approval from the Connecticut Siting Council for a Certificate of Environmental Compatibility and Public Need to construct a telecommunications Facility to be located on municipally-owned property within the Town of Norfolk, Connecticut. This "Visual Resource Evaluation" was conducted to approximate the visibility of the proposed Facility within a two-mile radius of the Site (Study Area).

Project Introduction

The proposed Facility includes the construction of a 180-foot tall monopole and associated ground equipment to be located within a fenced enclosure at the base of the tower. Low profile antenna platforms featuring three sectors with four antenna panels per sector are proposed to be affixed to the monopole. Based on information provided Message Center Management, the proposed project area is located at approximately 1,463 feet Above Mean Sea Level (AMSL). Access to the proposed Facility will follow an existing dirt drive located on the property.

Site Description and Setting

The proposed Facility is situated on municipally-owned property located north of Greenwood Road East (Route 44) within the Town of the Norfolk, Connecticut (host property). The host property consists of approximately 149 acres of land and is identified in the Town of Norfolk land records with Parcel Identification Number 4-10/004-0 (see Photolog Documentation map contained in Attachment A). The host property is currently utilized as the Town of Norfolk transfer station. Operations at the transfer station are generally limited to the eastern portion of the host property. Other portions of the host property are mostly wooded and undeveloped. Photographs of the host property and proposed site location are included in Attachment C of this report. Land use within the general vicinity of the host property is mainly comprised of low-density residential parcels and large tracts of undeveloped, forested land. Segments of Route 44, a two-lane, east to west arterial roadway, traverses portions of the Study Area. In total, the Study Area contains roughly 36 linear miles of paved roadways.

The topography in the Study Area is generally characterized by steep hills and ridgelines that range in elevation from approximately 1,200 feet above mean sea level (AMSL) to approximately 1,700 feet AMSL. The tree cover within the Study Area consists mainly of mixed deciduous hardwood species interspersed with stands of mature evergreen tree types. The tree canopy occupies approximately 6,995 acres of the 8,042-acre study area (87%). During the in-field activities associated with this analysis, an infrared laser range finder was used to accurately determine the average tree canopy height throughout the Study Area.

Numerous trees were selected for measurement and the average tree canopy established, in this case 65 feet. In total, the Study Area features approximately 59 acres of surface water.

METHODOLOGY

To estimate the visibility associated with the proposed Facility, VHB has incorporated a two-fold approach utilizing both a predictive computer model and in-field analysis. The predictive model is employed to assess potential visibility throughout the entire Study Area, including private property and/or otherwise inaccessible areas for field verification. A "balloon float", or in this case a crane test and Study Area drive-through reconnaissance are also conducted to obtain locational and height representations, back check the initial computer model results and provide documentation from publicly accessible areas. Results of both activities are analyzed and incorporated into the final viewshed map. A description of the methodologies used in the analysis is provided below.

Visibility Analysis

Using ESRI's ArcView® Spatial Analyst, a computer modeling tool, the areas from where the proposed Facility is expected to be visible are calculated. This is based on information entered into the computer model, including Facility height, its ground elevation, the surrounding topography, existing vegetation and any significant structures/objects that may act to obstruct potential views. Data incorporated in the model includes 7.5 minute digital elevation models (DEMs) and a digital forest layer for the Study Area. The DEMs were produced by the United States Geological Survey (USGS) in 1982 at a 30 meter resolution. The forest layer was derived through on-screen digitizing in ArcView® GIS from 2004 digital orthophotos with a 0.5 foot pixel resolution.

Once the data are entered, a series of constraints are applied to the computer model to achieve an estimate of where the Facility will be visible. Initially, only topography was used as a visual constraint; the tree canopy is omitted to evaluate all areas of potential visibility without any vegetative screening. Although this is an overly conservative prediction, the initial omission of these layers provides a reference for comparison once the tree canopy is established and also assists in the evaluation of potential seasonal visibility of the proposed Facility. A conservative tree canopy height of 50 feet is then used to prepare a preliminary viewshed map for use during the Study Area reconnaissance. The average height of the tree canopy is determined in the field using a hand-held infra-red laser range finder. The average tree canopy height is incorporated into the final viewshed map; in this case, 65 feet was identified as the average tree canopy height. The forested areas within the Study Area were then overlaid on the DEM with a height of 65 feet added and the visibility calculated. The forested areas are then extracted from the areas of visibility, with the assumption that a person standing among the trees will not be able to view the Facility beyond a distance of

approximately 500 feet. Depending on the density of the vegetation in these areas, it is assumed that some locations within this range will provide visibility of at least portions of the Facility based on where one is standing.

Also included on the map is a data layer, obtained from the Connecticut State Department of Environmental Protection (CTDEP), which depicts various land and water resources such as state parks and forests, recreational facilities, dedicated open space and CTDEP boat launches among other categories. This layer is useful in identifying potential visual impacts to any sensitive receptors that may be located within the Study Area. Lastly, based on a review of available data published by the Connecticut Department of Transportation and discussions with town staff in Norfolk, it was determined that there are no state or locally designated scenic roadways contained within the Study Area. Route 272, a state designated scenic roadway, is located approximately 0.5 mile west of the Study Area.

A preliminary viewshed map (using topography and a conservative tree canopy height of 50 feet) is generated for use during the in-field activity in order to confirm that no significant land use changes have occurred since the 2004 aerial photographs used in this analysis were produced and to verify the results of the model in comparison to the crane test. Information obtained during the reconnaissance is then incorporated into the final visibility map.

Crane Test and Study Area Reconnaissance

On April 12, 2006 Vanasse Hangen Brustlin Inc., (VHB) observed a crane test at the proposed Facility in order to evaluate the potential viewshed within the Study Area. The crane test consisted of erecting a crane arm at the proposed Site location to a height of 180 feet. Once the crane arm was extended to a height of 180 feet, VHB personnel drove the public road system in the study area to inventory those areas where the crane was visible. During the crane test, weather conditions were sunny. The temperature was approximately 65 degrees.

Photographic Documentation

During the crane test, VHB staff conducted a drive-by reconnaissance along the roads located within the Study Area with an emphasis on nearby residential areas and other potential sensitive receptors in order to evaluate and refine the results of the preliminary viewshed map and to verify where the crane was, and was not, visible above and/or through the tree canopy. The crane arm was photographed from a number of different vantage points to document the actual view towards the proposed Facility. The locations and orientations of the photos are described below:

1. View from Route 44 at Tim O'Conner Road, looking northeast.
2. View from Becklee Road at Tim O'Conner Road, looking northeast.
3. View from host property, looking northwest.

Photographs of the crane arm from the view points listed above were taken with a Nikon Digital Camera COOLPIX 5700, which has a lens focal length equivalent to a 35 mm camera with a 38 to 115 mm zoom. "The lens that most closely approximates the view of the unaided human eye is known as the normal focal-length lens. For the 35 mm camera format, which gives a 24x36 mm image, the normal focal length is about 50 mm." The optical zoom lens for the Nikon COOLPIX was set at a range of 50 mm to 70 mm for the purposes of this Visual Resource Evaluation.

The locations of the photographic points are recorded in the field using a hand held GPS receiver and are subsequently plotted on the maps contained in the attachments to this document.

Photographic Simulation

Photographic Simulations were generated for the three locations identified above. The Photographic Simulations represent a scaled depiction of the proposed monopole from these locations. The height of the Facility is determined based on the location of the crane arm in the photographs and a proportional monopole image is simulated into the photographs. The simulations are contained in Attachment B.

CONCLUSIONS

Based on this analysis, areas from where the proposed 180-foot monopole would be visible above the tree canopy comprise approximately 62 acres, or less than one percent of the 8,042-acre Study Area. Approximately 18 acres of the total visibility depicted on the map occurs on open areas within the limits of the host property. Other areas from where the proposed Facility is expected to be visible are mainly located to the southwest of the proposed Facility along Route 44, Tim O'Conner Road and Becklee Road where there is minimal tree cover to act as a visual buffer. Several additional areas of visibility located to the north of the proposed Facility on private property are also depicted on the attached viewshed map. VHB estimates that approximately 5 residences within the Study Area will have year round views of the proposed monopole. Three of these properties are located in the Route 44/Tim O'Conner Road/ Becklee Road area southwest of the proposed Facility while the remaining two properties are located along Route 182. The steep topography and abundance of established forested areas (containing both deciduous and coniferous tree species) found within the Study Area combine to minimize views of the proposed monopole. The viewshed map also depicts several additional areas where seasonal (i.e. during "leaf off" conditions) views through the trees are anticipated. These areas comprise approximately 50 additional

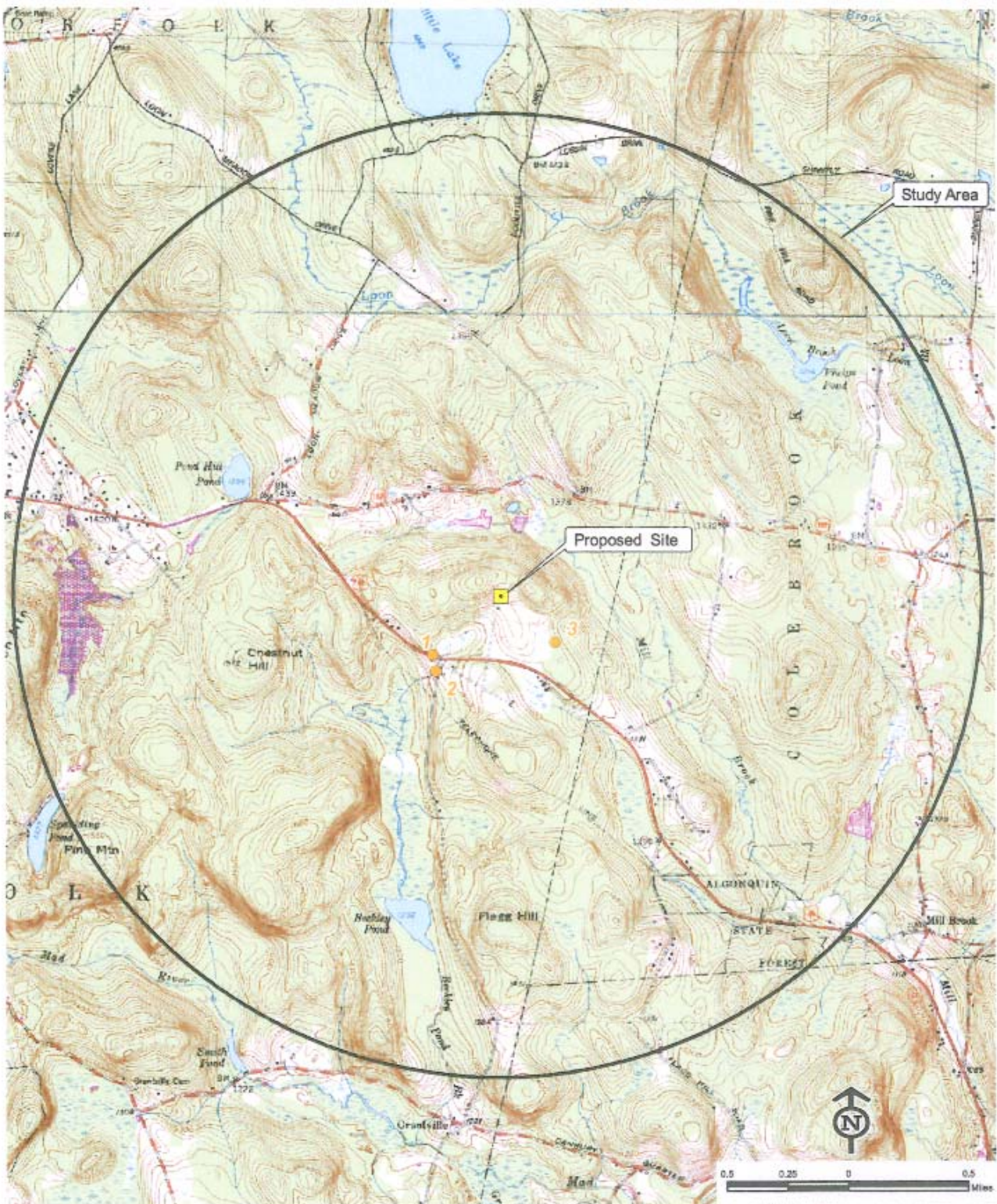
¹ Warren, Bruce. *Photography*, West Publishing Company, Bagan, MN, c. 1993, (page 70).

acres and are mostly limited to the host property and portions of Route 44, Tim O'Conner Road and Becklee Road within the general vicinity of the proposed Facility.

Attachment A

Photolog Documentation Map, Balloon Float Photographs and Photographic Simulations

Town of
Norfolk
Connecticut



Photographic Documentation and Simulation View 1

Town of
Norfolk
Connecticut



Greenwoods Road East
Norfolk, Connecticut

Monopole with 5 carriers

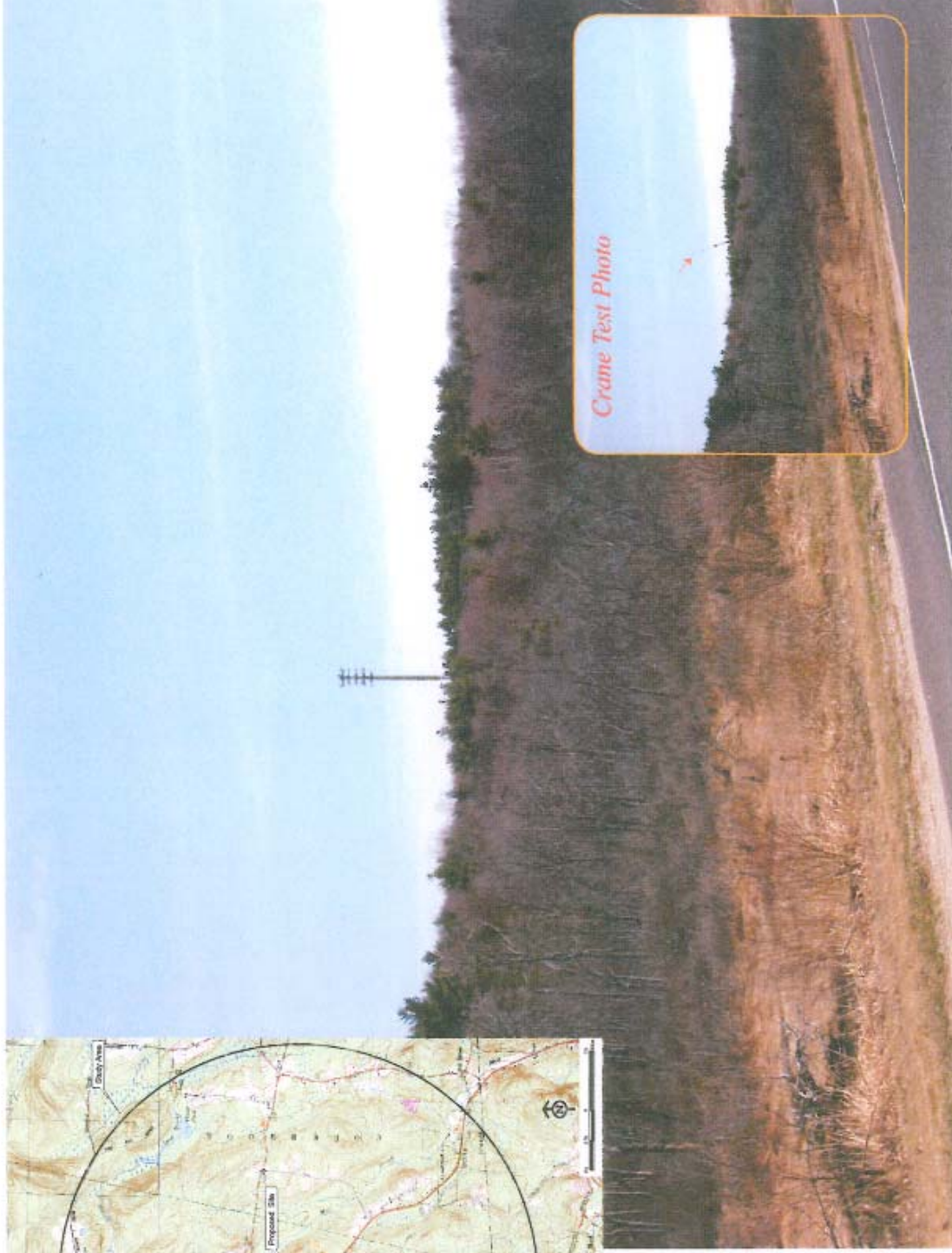


PHOTO TAKEN FROM ROUTE 44 AT TIM O'CONNER ROAD, LOOKING NORTHEAST
DISTANCE FROM THE PHOTOGRAPH LOCATION TO THE PROPOSED SITE IS 0.37 MILE +/-

Photographic Documentation and Simulation View 2

Town of
Norfolk
Connecticut



Greenwoods Road East
Norfolk, Connecticut

Monopole with 5 carriers



PHOTO TAKEN FROM BECKLEE ROAD AT TIM O'CONNER ROAD, LOOKING NORTHEAST
DISTANCE FROM THE PHOTOGRAPH LOCATION TO THE PROPOSED SITE IS 0.39 MILE +/-

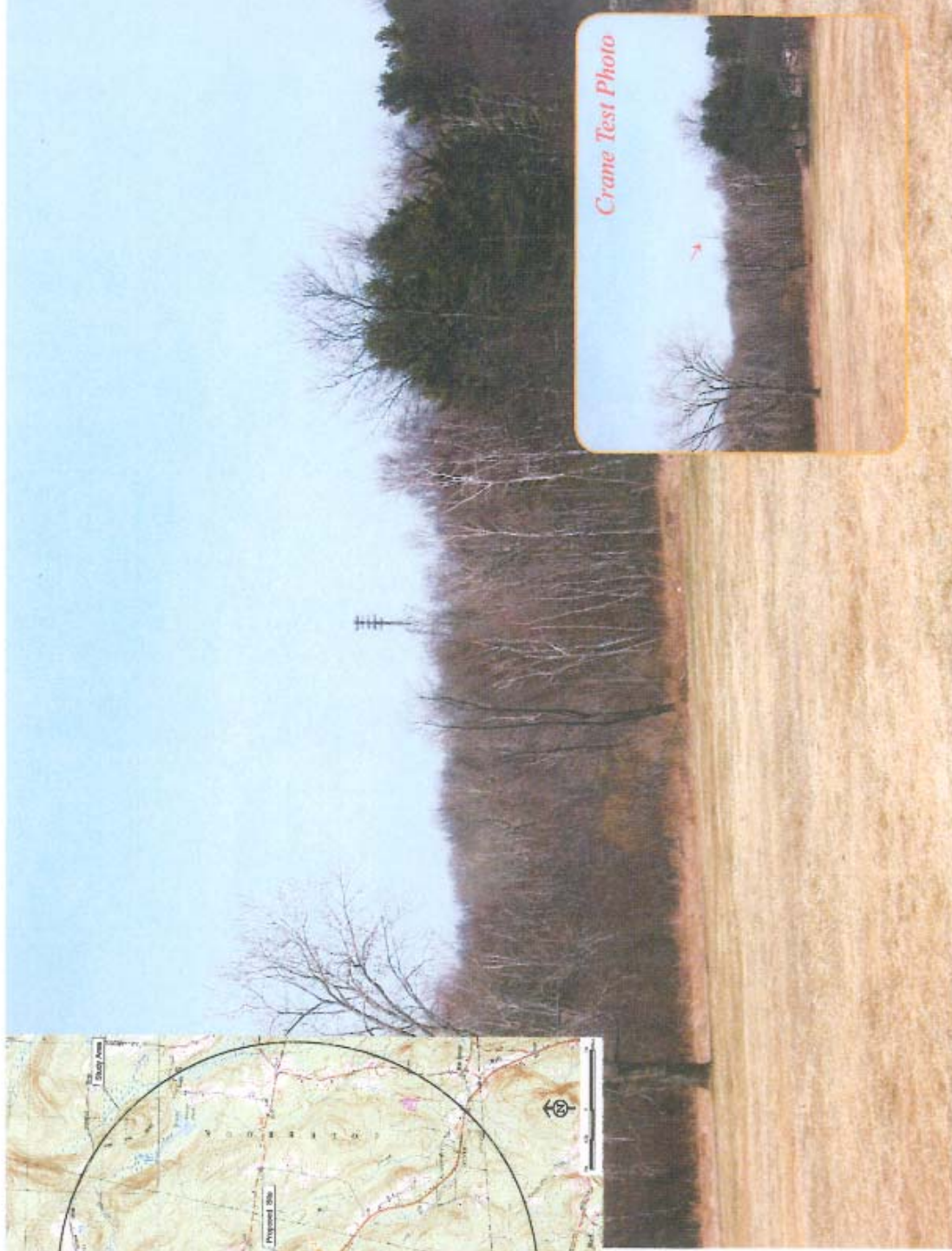
Photographic Documentation and Simulation View 3

Town of
Norfolk
Connecticut



Greenwoods Road East
Norfolk, Connecticut

Monopole with 5 carriers



Crane Test Photo

PHOTO TAKEN FROM HOST PROPERTY, LOOKING NORTHWEST
DISTANCE FROM THE PHOTOGRAPH LOCATION TO THE PROPOSED SITE IS 0.40 MILE +/-

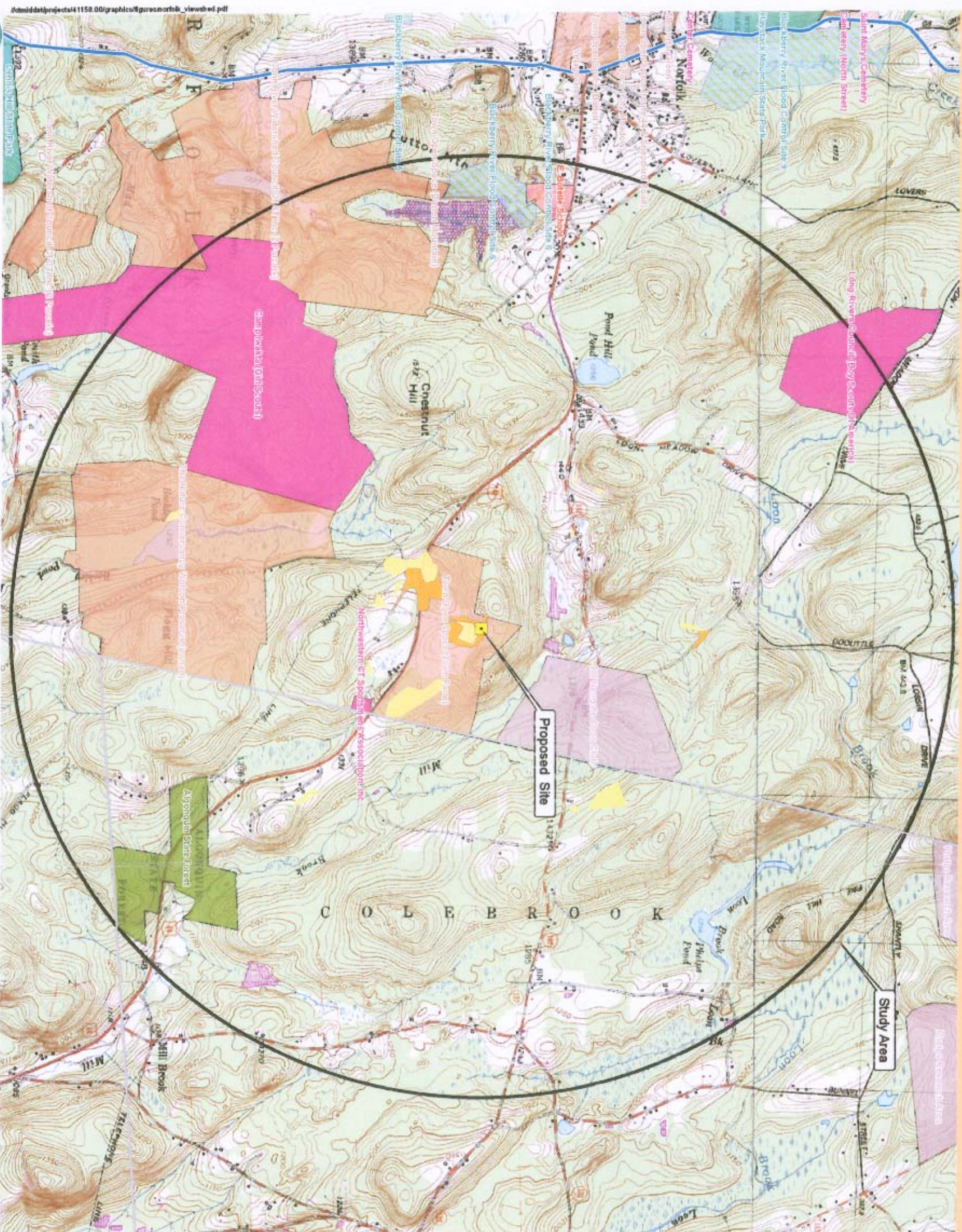
Attachment B

Viewshed Map

Viewshed Map

Topography and Forest Cover as Constraints

Town of
Norfolk
Connecticut



Proposed Telecommunications Facility Greenwoods Road East Norfolk, Connecticut

NOTE:

- Viewshed analysis conducted using ESRI's Spatial Analyst.
- Proposed Facility height is 100 feet.
- Existing tree canopy height estimated at 65 feet.

DATA SOURCES:

- 7.5 minute digital elevation model (DEM) with 30 meter resolution produced by the USGS, 1982
- Forest areas derived from 2004 digital orthophotos with 0.6 meter pixel resolution; digitized by VHB, 2006
- Base map comprised of Norfolk, Tolland Center and Winsted USGS Quadrangle Maps
- Coordinates of proposed Facility: Lat. 41 58 59.48 Long. 73 09 13.71
- Protected properties data layer provided CTDEP, 2003
- Scenic Roads layer derived from available State and Local listings.

Map Compiled April, 2006

Legend

- | | |
|--|---|
| <ul style="list-style-type: none"> Proposed Tower Location (includes area of visibility approximately 500 feet around facility) Year-Round Visibility (Approximately 62 acres) Seasonal Visibility (Approximately 50 acres) | <ul style="list-style-type: none"> Protected Properties (CT DEP) State Forest State Park DEP Owned Waterbody State Park Scenic Reserve Historic Preserve Natural Area Preserve Fish Hatchery Flood Control Other State Park Trail Water Access Wildlife Area Wildlife Sanctuary |
| <ul style="list-style-type: none"> Protected Properties (Municipal) Cemetery Preservation Conservation Existing Preserved Open Space Recreation General Recreation School Uncategorized | |
| <ul style="list-style-type: none"> DEF Boal Launches Scenic Road (State and Local) Town Line Protected Properties (Federal) | |

0.5 0.25 0 0.5 Miles



Attachment C

Photolog-Host Property and Proposed Project Area

Photographic Documentation - Proposed Compound Area

Town of
Norfolk
Connecticut



Greenwoods Road East
Norfolk, Connecticut

LOOKING NORTH FROM PROPOSED COMPOUND AREA

cingular

universe / *Hungen Brastlin, Inc.*

Photographic Documentation - Proposed Compound Area

Town of
Norfolk
Connecticut



Greenwoods Road East
Norfolk, Connecticut

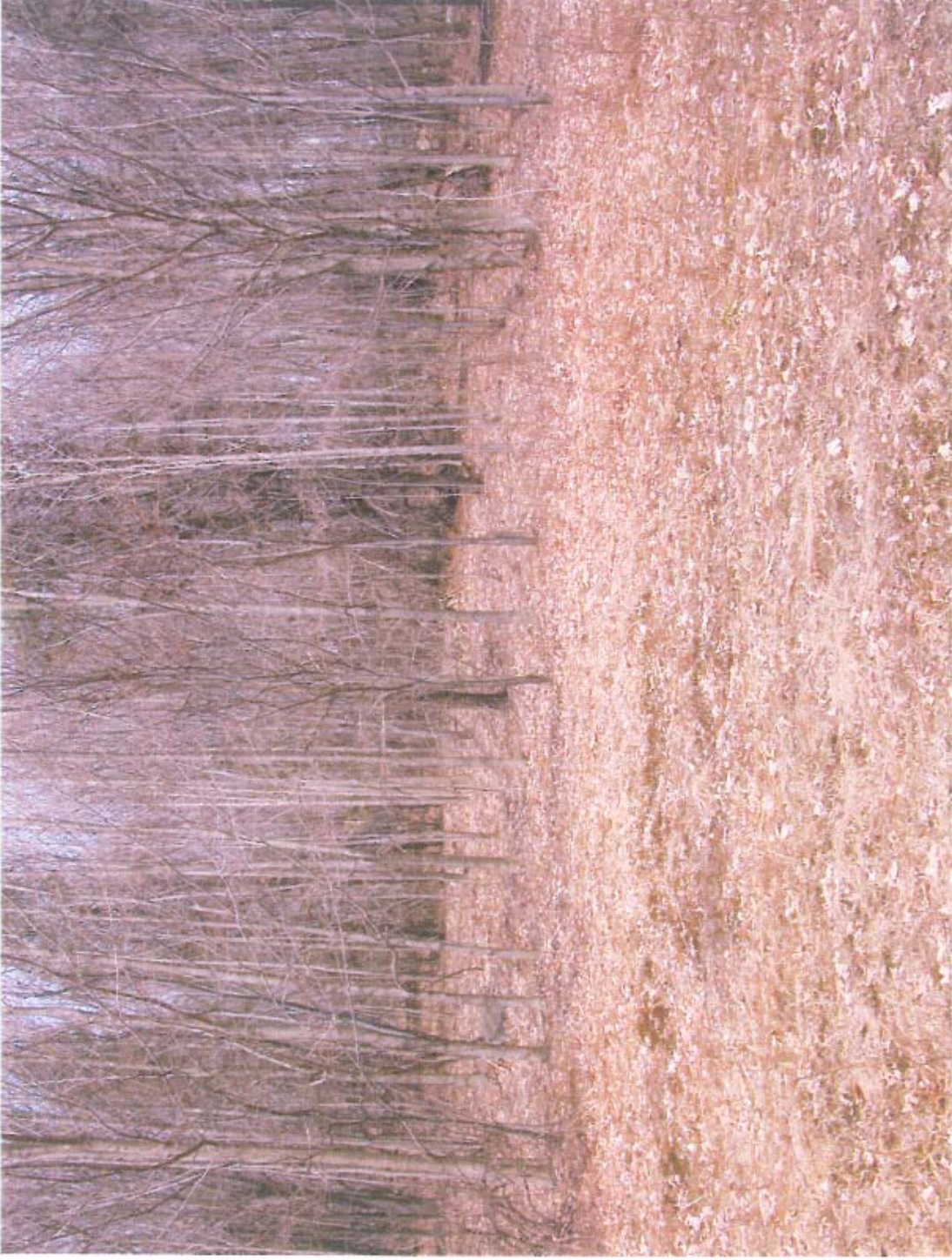
LOOKING SOUTH FROM PROPOSED COMPOUND AREA

cingular

Vonasse Hengen Brustin, Inc.

Photographic Documentation - Proposed Compound Area

Town of
Norfolk
Connecticut



LOOKING EAST FROM PROPOSED COMPOUND AREA

Greenwoods Road East
Norfolk, Connecticut

✕ cingular

Verizon Wireless
Verizon Wireless

Photographic Documentation - Proposed Compound Area

Town of
Norfolk
Connecticut



Greenwoods Road East
Norfolk, Connecticut

LOOKING WEST FROM PROPOSED COMPOUND AREA

Photographic Documentation - Proposed Compound Area

Town of
Norfolk
Connecticut

Greenwoods Road East
Norfolk, Connecticut



HOST PROPERTY ADJACENT TO PROPOSED COMPOUND AREA AND ACCESS DRIVE

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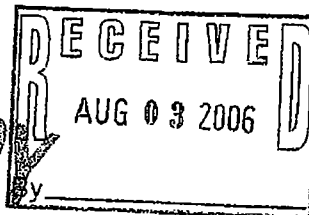
Reserved for
Exhibit 7



Connecticut Commission on Culture & Tourism



COPY



July 31, 2006

Historic Preservation
& Museum Division

59 South Prospect Street
Hartford, Connecticut
06106

(v) 860.566.3005
(f) 860.566.5078

Mr. Frederick J. Mastele
ATC Associates Inc.
290 Roberts Street, Suite 204
East Hartford, CT 06108

Subject: Telecommunications Facilities
Greenwoods Road East (Route 44)
Norfolk, CT
ATC #61.23903.0003

Dear Mr. Mastele:

The State Historic Preservation Office has reviewed the above-named project. This office expects that the proposed undertaking will have no effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places.

This office appreciates the opportunity to have reviewed and commented upon the proposed undertaking.

This comment is provided in accordance with the National Historic Preservation Act and the Connecticut Environmental Policy Act.

For further information please contact Dr. David A. Poirier, Staff Archaeologist.

Sincerely,

J. Paul Loether
Division Director and Deputy
State Historic Preservation Officer



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



 COPY

June 15, 2006

Mr. Jonathan D. Sorrow
ATC Associates, Inc.
290 Roberts Street, Suite 204
East Hartford, CT 06108

Re: proposed telecommunication facility, Greenwood Road East, Norfolk

Dear Mr. Sorrow:

I received on 6/12/06 your cover letter and letter referenced as "Site of cellular phone tower proposed by Message Center Management in Norfolk, CT" prepared by Dr. William L. Krinsky.

It is Dr. Krinsky's opinion that the habitats critical to the two endangered species; bog tiger moth (*Grammia speciosa*) and a horse fly (*Hybomitra longiglossa*), one threatened species; a horse fly (*Hybomitra frosti*) and four species of special concern; a horse fly (*Hybomitra typhus*), a horse fly (*Hybomitra lurida*), Pitcher Plant Moth (*Exrya rolandiana*), a ground beetle (*Bembidion quadratum*) do not exist at the site. The Wildlife Division concurs with this assessment.

The special concern Common raven (*Corvus corvus*) does not occur at this project site and will not be impacted.

If the Wildlife Division can assist you further, please feel free to contact me (860-642-7239). Thank you for the opportunity to comment.

Sincerely,

Julie Victoria
Wildlife Biologist
Franklin Swamp Wildlife Management Area
391 Route 32
N. Franklin, CT 06254

cc: D. McKay - 14467

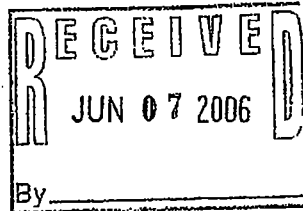
Yale University

Division of Entomology
Peabody Museum of Natural History
P.O. Box 208118
New Haven, Connecticut 06520-8118

Telephone: 203 432-5001
Fax: 203 432-9816

6 June 2006

Mr. Jonathan D. Sorrow
Senior Project Manager
ATC ASSOCIATES INC.
290 Roberts Street
East Hartford, CT 06108



 **COPY**

Re: Site of cellular phone tower proposed by Message Center Management in Norfolk, CT

Dear Mr. Sorrow:

This morning I visited the site in Norfolk, Connecticut on which Message Center Management has proposed the construction of a cellular phone tower. The area on which the proposed tower is to be built is within a disturbed habitat used and owned by the town of Norfolk. The plot on which construction is to take place is a clearing at the end of a gravel road north of Rte. 44. The plot is located at an elevation above 1450 feet.

The site does not encompass any of the habitats critical to the survival or reproduction of any of the insect species listed on the Department of Environmental Protection's Natural Diversity Data Base as endangered, threatened, or of special concern. These species, *i.e.* the tabanids (horse flies), noctuid and arctiid moths, and carabid (ground beetle) listed, are all directly associated with bogs, seeps, fens, and swamps, and none of these habitats are encompassed by the proposed cellular tower site.

Sincerely yours,

William L. Krinsky, M.D., Ph.D.
Associate Professor
Faculty Affiliate in Entomology

Tel. (203) 288-2360

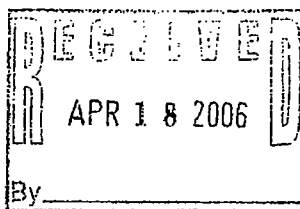


STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



April 11, 2006

Mr. Frederick J. Mastele
ATC Associates, Inc.
290 Roberts Street, Suite 204
East Hartford, CT 06108



COPY

re: proposed telecommunication facility, Greenwoods Road East, Norfolk

Dear Mr. Mastele:

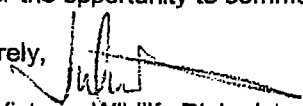
Your request was forwarded to me on 4/11/06 from Dawn McKay of the Department of Environmental Protection's (DEP) Natural Diversity Data Base. Their records indicate that two endangered species; bog tiger moth (*Grammia speciosa*) and a horse fly (*Hybomitra longiglossa*), one threatened species; a horse fly (*Hybomitra frosti*) and five species of special concern; a horse fly (*Hybomitra typhus*), a horse fly (*Hybomitra lurida*), Pitcher Plant Moth (*Exrya rolandiana*), a ground beetle (*Bembidion quadratum*) and the Common raven (*Corvus corvus*) occurs in the vicinity of this project site.

The horse fly, *Hybomitra frosti*, and *Hybomitra longiglossa* are associated with sphagnum-lined pools in open mat areas of acid bogs. The horse fly, *Hybomitra lurida*, is associated with calcareous bogs. The bog tiger moth is associated with acid bogs. The ground beetle is associated with sphagnum bogs. The horse fly, *Hybomitra typhus*, is associated with cedar swamp habitats and little is known about it in Connecticut. The Pitcher plant moth is associated with the pitcher plant (*Sarracenia purpurea*) that is generally found in acidic swamps, bogs and wet meadows over its range. Any work that will detrimentally impact the associated plants and habitat will affect this species.

If any the habitat described above are going to be impacted by this project then the DEP Wildlife Division recommends that an entomologist conduct surveys for this species. A report summarizing the results of such survey should include habitat descriptions, invertebrate species list and a statement/resume giving the entomologist's qualifications. The Wildlife Division does not maintain a list of entomologists in the state. A DEP Wildlife Division permit may be required by the entomologist to conduct survey work, you should ask if your entomologist has one. The results of this investigation can be forwarded to the Wildlife Division and, after evaluation, recommendations for additional surveys, if any, will be made.

The Wildlife Division has not made an on-site inspection of the project area nor been provided with details or a timetable of the work to be done. Consultation with the Wildlife Division should not be substituted for on-site surveys required for environmental assessments. Please be advised that should state permits be required or should state involvement occur in some other fashion, specific restrictions or conditions relating to the species discussed above may apply. In this situation, additional evaluation of the proposal by the Wildlife Division should be requested. If the Wildlife Division can assist you further, please feel free to contact me (860-642-7239). Thank you for the opportunity to comment.

Sincerely,


Julie Victoria, Wildlife Biologist
Franklin Swamp Wildlife Management Area
391 Route 32
N. Franklin, CT 06254

cc: D. McKay - 14467



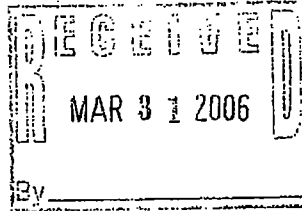
STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Bureau of Natural Resources
Division of Wildlife
79 Elm Street, 6th Floor
Hartford, CT 06106
Natural Diversity Data Base

COPY

Mr. Frederick J. Mastele
ATC Associates, Inc.
290 Roberts Street, Suite 204
East Hartford, CT 06108



March 29, 2006

re: Construction of a Telecommunication Facility at
Message Center Management on Greenwoods Road
East in Norfolk, Connecticut

Dear Mr. Mastele:

I have reviewed Natural Diversity Data Base maps and files regarding the area delineated on the map you provided for the proposed construction of a telecommunication facility at Message Center Management on Greenwoods Road East in Norfolk, Connecticut. According to our information, there are known extant populations of several state-listed species that occur in the vicinity of this project site. The species include:

Species Name	Common Name	State Status
<i>Grammia speciosa</i>	bog tiger moth	Endangered
<i>Hybomitra longiglossa</i>	a horse fly	Endangered
<i>Hybomitra frosti</i>	a horse fly	Threatened
<i>Hybomitra typhus</i>	a horse fly	Special Concern
<i>Hybomitra lurida</i>	a horse fly	Special Concern
<i>Exyra rolandiana</i>	pitcher plant moth	Special Concern
<i>Bembidion quadratum</i>	a ground beetle	Special Concern
<i>Corvus corax</i>	common raven	Special Concern

I have sent your letter to Julie Victoria (DEP-Wildlife; 860-642-7239) for further review. She will write to you directly with her comments.



Natural Diversity Data Base information includes all information regarding critical biological resources available to us at the time of the request. This information is a compilation of data collected over the years by the Natural Resources Center's Geological and Natural History Survey and cooperating units of DEP, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the Data Base should not be substitutes for on-site surveys required for environmental assessments. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated into the Data Base as it becomes available.

Please contact me if you have further questions at 424-3592. Thank you for consulting the Natural Diversity Data Base. Also be advised that this is a preliminary review and not a final determination. A more detailed review may be conducted as part of any subsequent environmental permit applications submitted to DEP for the proposed site.

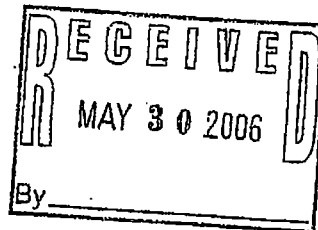
Sincerely,

Dawn M. McKay
Biologist/Environmental Analyst

Cc: Julie Victoria, NDDB #14467

  **COPY**

5-26-06



Ms. Virginia King
Message Center Management
40 Woodland Street
Hartford, CT 06105-2327

Re: Archaeological Reconnaissance Survey of the Proposed Message Center
Management Telecommunications Tower in Norfolk, Litchfield Connecticut,
Connecticut
TCNS Notification ID # 13223

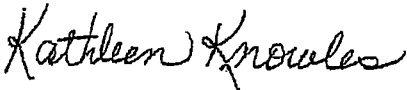
Dear Ms. King,

I have reviewed the Phase I Archaeological Reconnaissance Report entitled
"Archaeological Reconnaissance Survey Of The Proposed Message Center Management
Telecommunications Tower in Norfolk, Litchfield Connecticut, Connecticut" submitted
by Northeastern Archaeology Consultants.

The research design and testing strategy meets acceptable professional standards and
agree with the recommendations and conclusions.

Please keep me informed of any further developments with respect to this project.

Sincerely,



Kathleen Knowles,
Tribal Historic Preservation Officer
Mashantucket Pequot Tribe

**MASHANTUCKET PEQUOT MUSEUM
& RESEARCH CENTER**

110 Pequot Trail, PO Box 3180
Mashantucket, CT 06338
Phone: 860 395 6800
Fax: 860 395 6850
www.pequotmuseum.org

NITHPO

Narragansett Indian Tribal Historic Preservation Office

Narragansett Indian Longhouse

P. O. Box 700

Wyoming, Rhode Island 02898



7/14/06

Frederick J. Mastele
Environmental Scientist
ATC Associates, Inc.
290 Roberts Street
East Hartford, CT 06108

Re: Section 106 Clearance
TCNS # 13223
Greenwood Rd. East
Norfolk, CT

Greetings, Mr. Mastele:

Based upon the data presented to the NITHPO by your office, TCNS project # 13223 is hereby cleared of the Narragansett Indian Tribal Historic Preservation Office's Section 106 concerns. We would caution you that it is our experience that "poor farms may often have incomplete early records of on site burials. A machine scraping of the footprint of the tower compound and any utility easements would be well advised.

Good luck with your project and should any tribal cultural resources become evident, I would like to hear from you immediately, and contact with the CT SHPO is advised.

Sincerely,

Doug Harris
Sr. Deputy THPO

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Reserved for
Exhibit 8

MINUTES
SPECIAL TOWN MEETING
September 27, 2005

A Special Town Meeting of the Town of Norfolk was held September 27, 2005, 7:00 P.M. at Botelle School.

Susan Dyer, second by Sandy Evans, nominated Ted Veling as Moderator. Voice vote approved.

1. Motion was made by Sandy Evans, second by Frank Dooley, that the Town of Norfolk lease an area not to exceed 2 acres of the Town Farm adjacent to the Transfer Station, to Message Center Management for a telecommunications tower pending final approval of the Connecticut Siting Council. Vote by voice approved this motion unanimously, the motion was declared carried.
2. Leo Colwell, Jr, second by Sandy Evans, to approve amendments to correct language and to bring current according to the Connecticut General Statutes the Code of the Town of Norfolk, made motion. Voice vote approved, the motion was declared carried. The amendments are attached to these minutes.
3. Motion was made by Colin Tait, second by Sandy Evans, to approve the proposed Scenic Road Ordinance as follows:

TOWN OF NORFOLK
SCENIC ROAD ORDINANCE

PREAMBLE

The scenic and rural roads of the Town of Norfolk are irreplaceable resources. It is the purpose of this Ordinance to balance the need to provide for convenient and safe public transportation routes with the need to preserve these scenic and rural roads.

Therefore, be it ordained by the Town of Norfolk that, pursuant to the authority granted by Connecticut General Statutes Section 7-149a, the Town of Norfolk shall provide for the designation of certain Town roads or portions thereof within its border as Scenic Roads.

I. AUTHORITY

The Planning and Zoning Commission ("Commission") is hereby authorized to designate a public highway or any portion of any public highway ("road") in the Town of Norfolk as a Scenic Road ("Scenic Road") in accordance with the procedures of this Ordinance, except no state highway or portion thereof may be designated as a Scenic Road under this Ordinance.

The authority granted by this Ordinance is limited to public highways and rights-of-way, and shall not include authority over property or features outside of the public highway right-of-way.

**BOARD OF SELECMEN MEETING
FEBRUARY 7, 2006
TOWN HALL 7:30PM**

Meeting called to order at 7:340PM

Members present: Susan M. Dyer, Leo F. Colwell, Jr. and James J. Stotler
Others – Russell Childs and Janpiet Hubers

PUBLIC COMMENTS

Mr. Hubers presented letter to Selectmen (see attached). Sue said the Selectmen will take it under advisement.

Russell Childs – AKC meets in April and dispenses monies in May. He said Arthur Rosenblatt is writing a report for Fire Dept. and Chris Little is doing one for ambulance in relation to the need for new buildings.

Sue said the Town has applied for a STEAP grant. The Town will not be notified of results until mid March.

The EMS Building Committee will be having their first meeting Thursday, February 9, 2006, Town Hall, 7:00PM

MINUTES: Jan 6th, Jan 27th and Feb. 3rd.

MOTION by L. Colwell to accept the minutes of January 6, 2006, regular meeting and January 27, 2006 and February 3, 2006, special meetings of the Board of Selectmen. Second J. Stotler. Carried unanimously.

AYRESLEA DENNY-WW1 TREE

Report by Ayreslea – Trees on Memorial Green have been removed by Ted Hinman - \$1200.00 and Public Works will be grinding the stumps when they do other stumps for the Town.

She would like to have a fund raiser; needs to raise approximately \$1000.00 more. A spaghetti supper to be held March 25, 2006 at Botelle School.

She asked for 3 bids for the new trees and received 1 from Ginger Creek, 1 from a company in MA and 1 – no response.

MOTION by L. Colwell that the Selectmen OK A Denny to have a spaghetti dinner on March 25, 2006 and reserve the date with Botelle School. Second J. Stotler. Carried unanimously.

CONSORTIUM

Discussion held. **MOTION** by J. Stotler to pass a Resolution in Support of the Consortium Group. The resolution is attached and a permanent part of these minutes. Second L. Colwell. Carried unanimously.

MESSAGE CENTER MANAGEMENT-CELL TOWER LEASE AUTHORITY TO SIGN

Re-cap – sent lease to Atty. Kevin Nelligan to look at for the Town. He returned with comments which Message Center Management included in a new lease. Originally Message Center only wanted to pay 70% taxes on real and personal property, but since they will be paying no property tax on the land Sue requested they pay full share on real and personal property.

MOTION by J. Stotler to authorize Susan M. Dyer, First Selectman, to sign lease with Message Center Management-Cell Tower. Lease of Town owned land was approved at a Town Meeting. Second L. Colwell. Carried unanimously.

DISBAND AFFORDABLE HOUSING STUDY COMMITTEE

MOTION by J. Stotler to disband the Affordable Housing Study Committee, effective immediately. Second S. Dyer. Carried unanimously.

RE-APPOINT ASSISTANT TOWN HISTORIANS: R. BYRNE & A. HAVEMEYER
MOTION by J. Stotler to re-appoint Richard T. Byrne and Ann Havemeyer as Assistant Town Historians. Terms to expire January 2008. Second L. Colwell. Carried unanimously

BUDGET MEETING DATES

Reminder budget meeting Friday, Town Hall, 3:00PM.

SELECTMEN'S REPORT

- Truck in paint shop
- FEMA representative coming February 8, 2006 in AM.
- Union contract – just came and has been faxed to Jeff Mirman, Levy and Droney.
- Conservation – Natural Resource Committee – report and have asked Selectmen to comment on list.
- EMS Building Committee and Housing Council will have first meeting Thursday, February 9, 2006.
- Transport grant for disability and elderly – there was a meeting today. NW Transit will take the lead on this.
- There was a fatality on West Side Rd. and a vehicle on fire which heaved pavement. Dennis is looking at road.

EXECUTIVE SESSION: To Discuss Possible Elimination of Position

MOTION by L. Colwell to go into Executive Session: to discuss possible elimination of position at 8:20PM. Second J. Stotler. Carried unanimously.

MOTION by L. Colwell to come out of Executive Session at 8:50PM. Second J. Stotler. Carried unanimously.

MOTION by J. Stotler to adjourn at 8:52PM. Second L. Colwell. Carried unanimously.

Submitted

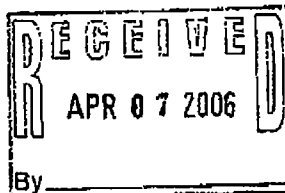
Approved



The Norfolk Historical Society

April 5, 2006

ATC Associates Inc.
Mr. Frederick J. Mastele
Suite 204
290 Roberts Street
East Hartford, CT 06108




 **COPY**

Dear Mr. Mastele:

The proposed site for the telecommunications tower is not located in Norfolk's Historic District. I would be remiss in not stating that it is a "Historic Site". The site chosen was for nearly fifty years known as the "Town Farm". The Town Farm housed the indigent peoples of Norfolk and gave them a respectful means to provide for themselves without placing an undue burden on the town.

It is unfortunate that the historic structures located on the Town Farm have been destroyed and little if any evidence remains. From the material given to me by you it is a little hard to determine the exact site you have chosen for the tower. It is believed that an area I found marked by a few survivor ribbons is the proposed location. The Norfolk Historical Society would only ask that any remnants of stonewalls or foundations along with ancient trees be left undisturbed.

Sincerely,


Richard Byrne
Vice President

CUDDY & FEDER LLP
90 MAPLE AVENUE
WHITE PLAINS, NEW YORK 10601-5196

NEIL J. ALEXANDER (also CT)
THOMAS R. BEIRNE (also DC)
STEPHANIE BORTNYK (also NJ)
JOSEPH P. CARLUCCI
LUCIA CHIOCCIO (also CT)
ROBERT DISIENA
KENNETH J. DUBROFF
ROBERT FEDER
CHRISTOPHER B. FISHER (also CT)
ANTHONY B. GIOFFRE III (also CT)
JOSHUA J. GRAUER
KENNETH F. JURIST
MICHAEL L. KATZ (also NJ)
JOSHUA E. KIMERLING (also CT)
DANIEL F. LEARY (also CT)
BARRY E. LONG

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(212) 944-2841
FACSIMILE (212) 944-2843

WESTAGE BUSINESS CENTER
300 WESTAGE BUSINESS CENTER, SUITE 380
FISHKILL, NEW YORK 12524
(845) 896-2229
FACSIMILE (845) 896-3672

NORWALK, CONNECTICUT

WILLIAM V. CUDDY
1971-2000

EON S. NICHOLS (also CT)
WILLIAM S. NULL
DAWN M. PORTNEY
ELISABETH N. RADOW
PAMELA B. RICHARDSON (also NJ)
NEIL T. RIMSKY
RUTH E. ROTH
ANDREW P. SCHRIEVER (also MA)
JENNIFER L. VAN TUYL
CHAUNCEY L. WALKER (also CA)

Of Counsel
ANDREW A. GLICKSON (also CT)
KAREN G. GRANIK
ROBERT L. OSAR (also TX)
MARYANN M. PALERMO
ROBERT C. SCHNEIDER

May 31, 2006

BY OVERNIGHT MAIL

Ms. Susan M. Dyer, First Selectman
The Town of Norfolk Town Hall
19 Maple Avenue
P.O. Box 592
Norfolk, CT 06058

Re: Proposed Wireless Communications Tower Facility
Norfolk "Town Farm"
Greenwoods Road East/State Route 44
Norfolk, Connecticut

Dear First Selectwoman Dyer:

We are writing to you on behalf of our clients, Message Center Management, Inc. and Cingular Wireless, with respect to the above referenced matter which, as you know, involves a proposed wireless communications tower facility in the Town of Norfolk. I understand that you have worked with Mr. Hans Fiedler of MCM over the course of the past year on the project given that it required a lease of Town property. As you know, the project calls for a 180' monopole tower and related wireless infrastructure to be located near the Town's transfer station on a parcel of property commonly referred to as the "Town Farm".

At this time, our office is coordinating with MCM and Cingular in the preparation of an application to the State of Connecticut Siting Council for their approval of the project. As you may know, the municipality in which a tower facility is proposed is entitled to notice of the project and, pursuant to Section 16-501 of the Connecticut General Statutes, the applicants are required to consult with the municipality prior to an application being filed with the Siting Council. The purpose of such local consultation is to give a community the opportunity to

CUDDY & FEDER LLP

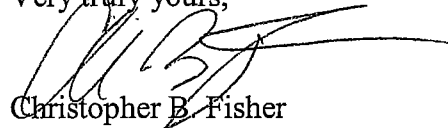
May 31, 2006

Page 2

provide the applicants with any comments or recommendations they may have about a tower facility prior to the filing of a State application. This consultation period lasts for a sixty day period pursuant to State statute. In this case, given the significant amount of time and information disseminated about the project during the leasing process with the Town, you may determine that more formal consultation of the kind anticipated by State statutes is not required.

Nevertheless, enclosed please find information concerning the proposed facility which we have organized into a "Technical Report" that details the need for the proposed tower facility, a summary of the site selection process and the environmental effects of a 180' tower that has been proposed. We trust that this information will prove helpful to you and others in the Town in formulating any further comments the Town may have about the proposal. In this regard, Mr. Fiedler would be happy to meet with you again to review the Technical Report and we will follow this letter with a call to discuss the proposed facility at your convenience. Thank you for your consideration of this letter and its enclosures.

Very truly yours,



Christopher B. Fisher

Enclosure

cc: Hans Fiedler, MCM
Virginia King, MCM
Steven Levine, Cingular

TOWN OF
OFFICE OF SELECTMEN



NORFOLK
NORFOLK - CONNECTICUT
06058

June 22, 2006

Cuddy & Feder LLP
Mr. Christopher B. Fisher, Esquire
90 Maple Avenue
White Plains, NY 10601-5196

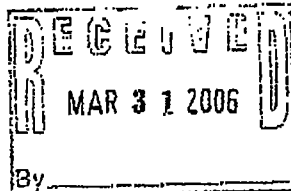
Dear Mr. Fisher,

I am in receipt of the "Technical Report" concerning the erection of a cell tower on town owned land commonly referred to as the "Town Farm". The document has been reviewed and the Board of Selectmen found no objection to the information in this report and feel that the area known as the "Town Farm" is a logical place to erect a cell tower.

Please feel free to contact this office should you have any questions.

Sincerely yours,


Susan M. Dyer
First Selectman

TOWN OF
OFFICE OF SELECTMENNORFOLK
NORFOLK - CONNECTICUT
06058

COPY

March 30, 2006

ATC Associates, Inc.
Mr. Frederick J. Mastele
290 Roberts St. Suite 204
East Hartford, CT 06108

Dear Mr. Mastele,

The Town of Norfolk at a Town Meeting, held on September 27, 2005, approved to lease to Message Center Management an area located on town owned property commonly referred to as the "Town Farm" to erect a telecommunication tower. Since the property is outside any regulated area, the town sees no significant effect with the property or its location.

Sincerely yours,

Susan M. Dyer
First Selectman
Town of Norfolk

CUDDY & FEDER LLP
90 MAPLE AVENUE
WHITE PLAINS, NEW YORK 10601-5196

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1971-2000

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Of Counsel
ANDREW A. GLICKSON (also CT)
KAREN G. GRANIK
ROBERT L. OSAR (also TX)
MARYANN M. PALERMO
ROBERT C. SCHNEIDER

May 31, 2006

BY OVERNIGHT MAIL

Mr. Jerome F. Rathbun, First Selectman
First Selectman
The Town of Colebrook
Colebrook Center
Colebrook, CT 06021

Re: Proposed Wireless Communications Tower Facility
Norfolk "Town Farm"
Greenwoods Road East/State Route 44
Norfolk, Connecticut

Dear First Selectman Rathbun:

We are writing to you on behalf of our clients, Message Center Management, Inc. and Cingular Wireless, with respect to the above referenced matter which involves a proposed wireless communications tower facility in the Town of Norfolk. Indeed, you may recall having met with Mr. Hans Fiedler of MCM recently to discuss this project which involves Norfolk Town property and was approved at a Norfolk Town Meeting in the Fall of 2005. Specifically, plans call for a 180' monopole tower and related wireless infrastructure to be located on a parcel of property owned by the Town of Norfolk commonly referred to as the "Town Farm" and which is contiguous with the Town of Colebrook boundary line.

At this time, our office is coordinating with MCM and Cingular in the preparation of an application to the State of Connecticut Siting Council for their approval of the project. As a municipality within 2500 feet of the project, Colebrook is entitled to notice of the project and, pursuant to Section 16-501 of the Connecticut General Statutes, our clients are required to consult with you prior to their application being filed with the Siting Council. The purpose of such local

CUDDY & FEDER LLP

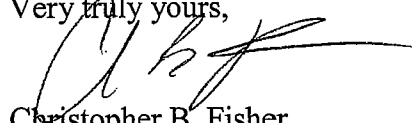
May31, 2006

Page 2

consultation is to give you an opportunity to provide the applicants with any comments or recommendations you may have about the project prior to the filing of a State application. As set forth in the statute, any such recommendations must be issued within sixty days of your receipt of this letter.

Accordingly, enclosed please find information concerning the proposed facility which we have organized into a "Technical Report" which includes information about the need for the proposed tower facility, a summary of the site selection process and the environmental effects of a 180' tower that has been proposed in the Town of Norfolk. We trust that this information will prove helpful to you and others in the Town in formulating any recommendations Colebrook may have about the proposal. Our clients would be happy to meet with you again to review the Technical Report and we will follow this letter with a call to discuss the proposed facility at your convenience. Thank you for your consideration of this letter and its enclosures.

Very truly yours,



Christopher B. Fisher

Enclosure

cc: Hans Fiedler, MCM
Virginia King, MCM
Steven Levine, Cingular

Town of Colebrook

562 COLEBROOK ROAD • PO BOX 5 • COLEBROOK CONNECTICUT 06021 • TELEPHONE 860-379-3359 • FACSIMILE 860-379-7215

Cuddy & Feder LLP
90 Maple Avenue
White Plains, New York 10601-5196

August 25, 2006

Re: Proposed Wireless Communications Tower Facility
Norfolk "Town Farm"
Greenwoods Road East/State Route 44
Norfolk, Connecticut

Dear Attorney Fisher,

The Town of Colebrook has reviewed the "Technical Report" as submitted and has no objections to this proposed project. Notices were sent to abutting property owners in Colebrook and copies of the report were provided to the Colebrook Inland Wetlands Agency and Colebrook Planning and Zoning for their comments. There were no comments or concerns expressed by these groups. Thank you for providing this report. It was most helpful.

Sincerely,

Jerome F. Rathbun
1st Selectman

cc: Hans Fiedler, MCM
file

(This page intentionally left blank.)

Reserved for
Exhibit 9

CERTIFICATION OF SERVICE

I hereby certify that on this ____ th day of _____, 2006, copies of Message Center Management, Inc. and New Cingular Wireless PCS, LLC's Application and Attachments for a Certificate of Environmental Compatibility and Public Need for the Construction, Maintenance and Operation of a Wireless Telecommunications Facility were sent by certified mail, return receipt requested, to the following:

Federal, State and Regional

The Honorable Richard Blumenthal
Attorney General
Office of the Attorney General
55 Elm Street
Hartford, CT 06106
(860) 808-5318

Department of Environmental Protection
Gina McCarthy, Commissioner
79 Elm Street
Third Floor
Hartford, CT 06106
(860) 424-3001

Department of Public Health
J. Robert Galvin, M.D., M.P.H., Commissioner
410 Capitol Avenue
P.O. Box 340308
Hartford, CT 06134-0308
(860) 509-8000

Council on Environmental Quality
Karl J. Wagener, Executive Director
79 Elm Street
Hartford, CT 06106
(860) 424-4000

Department of Public Utility Control
Donald W. Downes, Chair
10 Franklin Square
New Britain, CT 06051
(860) 827-1553

Office of Policy and Management
Robert L. Genuario, Secretary
450 Capitol Avenue
Hartford, CT 06106-1308

(860) 418-6200

Department of Economic and Community Development
James F. Abromaitis, Commissioner
505 Hudson Street
Hartford, CT 06106-71067
(860) 270-8000

Department of Transportation
Ralph J. Carpenter, Commissioner
2800 Berlin Turnpike
Newington, CT 06131-7546
(860) 594-3000

Richard Lynn, Planning Director
Litchfield Hills Council of Elected Officials
42 North Street
P.O. Box 187
Goshen, Connecticut 06756

State Senate
Thomas Herlihy, Deputy Minority Leader
8th Senatorial District
Legislative Office Building, Room 3901
Hartford, CT 06106

State Representative
George Wilber
63rd Assembly District
Legislative Office Building, Room 4024
Hartford, CT 06106-1591

Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Town of Norfolk

Town of Norfolk
Susan M. Dyer, First Selectman
The Town of Norfolk Town Hall
19 Maple Avenue

P.O. Box 592
Norfolk, CT 06058

Town of Norfolk
Anne R. Moses, Town Clerk
The Town of Norfolk Town Hall
19 Maple Avenue
P.O. Box 552
Norfolk, CT 06058

Town of Norfolk
Carl F. Gundlach, Zoning & Wetland Enforcement Officer
The Town of Norfolk Town Hall
19 Maple Avenue
P.O. Box 552
Norfolk, CT 06058

Town of Norfolk
Michael LaRosa, Building Official
The Town of Norfolk Town Hall
19 Maple Avenue
P.O. Box 552
Norfolk, CT 06058

Town of Norfolk
Planning and Zoning Commission
Richard W. Lowe, Chairman
The Town of Norfolk Town Hall
19 Maple Avenue
P.O. Box 552
Norfolk, CT 06058

Town of Norfolk
Zoning Board of Appeals
Ronald T. Zanobi, Chairman
The Town of Norfolk Town Hall
19 Maple Avenue
P.O. Box 552
Norfolk, CT 06058

Town of Norfolk
Conservation Commission
Martin G. Johnson, Chairman
The Town of Norfolk Town Hall
19 Maple Avenue
P.O. Box 552

Norfolk, CT 06058

Town of Colebrook

The Town of Colebrook
Jerome F. Rathbun, First Selectman
P.O. Box 5
Colebrook, CT 06021

The Town of Colebrook
N. Joyce Nelson, Town Clerk and Registrar of Vital Statistics
P.O. Box 5
Colebrook, CT 06021

The Town of Colebrook
Planning and Zoning Commission
Betsy Little, Chairman
P.O. Box 5
Colebrook, CT 06021

The Town of Colebrook
Zoning Board of Appeals
Fred P. Williams, Chairman
P.O. Box 5
Colebrook, CT 06021

The Town of Colebrook
Inland Wetlands Commission
Kenneth Andersen, Chairman
P.O. Box 5
Colebrook, CT 06021

The Town of Colebrook
Conservation Commission
Jonathan Thompson, Chairman
P.O. Box 5
Colebrook, CT 06021

The Town of Colebrook
Karl N. Nilsen, Land Use Administrator
P.O. Box 5
Colebrook, CT 06021

The Town of Colebrook
Donald F. Washburn, Building Official
P.O. Box 5

Colebrook, CT 06021

Dated _____

Daniel M. Laub, Associate
Cuddy & Feder LLP
90 Maple Avenue
White Plains, New York 10601
Attorneys for:
Message Center Management, Inc. and
New Cingular Wireless PCS, LLC

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Reserved for

Exhibit 10

NOTICE

Notice is hereby given, pursuant to Section 16-50/(b) of the Connecticut General Statutes and Section 16-50/-1(e) of the Regulations of Connecticut State Agencies of an Application to be submitted to the Connecticut Siting Council ("Siting Council") on or about September 7, 2006 by Message Center Management, Inc. (the "Applicant"). In the Application, the Applicant will request a certificate of environmental compatibility and public need from the Siting Council for the construction, maintenance and operation of a telecommunications facility in Norfolk, Connecticut. The location of the proposed telecommunications facility is a 6,000 square foot leased area within the approximately 149-acre Town of Norfolk owned parcel ("Town Parcel") along Greenwoods Road East/Route 44 in Norfolk. The municipal transfer station also occupies a section of the Town Parcel, also commonly referred to as the "Town Farm". The proposed site is located in the north central section of the Town Parcel, where the Applicant would construct a 180-foot self-supporting monopole and install equipment at grade within a fenced equipment compound. The location, height and other features of the proposed facility are subject to review and potential change under provisions of the Connecticut General Statutes § 16-50g et. seq.

A balloon, representative of the proposed tower heights, will be flown at the site on the day of the Siting Council public hearing on the application, which will be held in the Town of Norfolk. The balloon will be flown at such time specified by the Siting Council. Notice of the public hearing date will be provided by the Siting Council.

The proposed facility would provide personal wireless communication service in portions of the Town of Norfolk, the Town of Colebrook and surrounding areas, which do not have adequate service. The Application will explain the need, purpose and benefits of the facility and will also describe the environmental impacts of the proposed facility.

Interested parties and residents of the Towns of Norfolk and Colebrook are invited to review the Application during normal business hours at any of the following offices:

Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Town Clerk, Town of Norfolk
Anne R. Moses, Town Clerk
19 Maple Avenue
P.O. Box 552
Norfolk, CT 06058

Town Clerk, Town of Colebrook
N. Joyce Nelson, Town Clerk
P.O. Box 5
Colebrook, CT 06021

or the offices of the undersigned. All inquiries should be addressed to the Connecticut Siting Council or to the undersigned.

Christopher B. Fisher, Esq.
Cuddy & Feder LLP
90 Maple Avenue
White Plains, New York 10601
(914) 761-1300
Attorneys for the Applicant

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Reserved for

Exhibit 11

September ____, 2006

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Re: Proposed Wireless Communications Facility
Message Center Management, Inc. and New Cingular Wireless PCS, LLC
Application for Approval by the Connecticut Siting Council
Norfolk, Connecticut

Dear _____:

We are writing to you on behalf of our clients, Message Center Management, Inc. ("MCM") and New Cingular Wireless PCS, LLC ("Cingular"), with respect to the above referenced matter, which involves the submission of an application to the Connecticut Siting Council for approval of a proposed wireless communications tower facility. We are writing to you in accordance with State law requiring applicants to send notice of their intent to submit an application to record owners of property that abut a parcel on which the proposed facility may be located. It is anticipated that this application will be on file with the State on or after September 7, 2006.

The location of the proposed telecommunications facility is a 60' x 100' (6,000 square foot) leased area within an approximately 149-acre parcel owned by the Town of Norfolk ("Town Parcel") along Greenwoods Road East/Route 44 in Norfolk. The municipal transfer station also occupies a portion of this Town Parcel, which is also known as the "Town Farm". The proposed site is located in the north central section of the Town Parcel where the Applicant would construct a 180-foot self-supporting monopole and install associated unmanned equipment shelters inside a 60' by 100' fenced equipment compound.

Vehicle access to the proposed facility would extend from Greenwoods Road East/Route 44 along an existing driveway that serves the property, then along a new 12-foot wide gravel drive to the equipment compound entrance. Aboveground utility connections would extend from an existing utility pole on Greenwoods Road East/Route 44, parallel to the driveway and gravel access drive, to the equipment compound.

The location, height and other features of the proposed facility, are subject to review and potential change by the Connecticut Siting Council under the provisions of Connecticut General Statutes §16-50g et seq.

If you have any questions concerning this application, please do not hesitate to contact the Connecticut Siting Council in New Britain (860-827-2935) or the undersigned.

Very Truly Yours,

Christopher B. Fisher

Owners of Property Adjacent to the Norfolk Town Parcel

Owner: Town of Norfolk

Owner Address: The Town of Norfolk Town Hall, 19 Maple Avenue, P.O. Box 592
Norfolk, CT 06058

Tax Parcel:

Zoning District: CI (Commercial Industrial)

The following information was collected from the Tax Assessor's records and land records of Norfolk, Connecticut and Colebrook, Connecticut.

Property Owner/Mailing Address

Old Newgate Coon Club
133 Colebrook Road
Norfolk, CT 06058

Yvonne D. Travaglin
132 Colebrook Road
Norfolk, CT 06058

Russell and Elaine O'Connor
114 Colebrook Road
P.O. Box 105
Norfolk, CT 06058

John and Kathleen Bascetta
473 Greenwoods Road East
P.O. Box 644
Norfolk, CT. 06058

Gene Schroeder
Paul Honwarth
P.O. Box 1061
Torrington, CT 06790

448 Greenwoods Road East
Norfolk, CT 06058

Terry E. and Terry E. (Jr.) Ansteet
Greenwoods Road East
P.O. Box 321
Norfolk, CT 06058

R.J. Domato et. al.

261 Peekskill Hollow
Putnam Valley, NY 10579

William M. Whalen
602 Greenwoods Road East
Norfolk, CT 06058

State of Connecticut
Department of Transportation
2800 Berlin Tpke
P.O. Box 317546
Newington, CT 06131

Northwest Connecticut
Sportsmen's Association
P.O. Box 618
Winsted, CT 06098

Maasser Annual Reunion
Association Inc.
40 Cooper Street
Torrington, CT 06790

59 Tim O'Connor Road
Norfolk, CT 06058

Highway Route 44
Lady Bird Strip
Norfolk, CT 06058

Greenwoods Road East
Norfolk, CT 06058 and
Map 7, Lot 2, Colebrook, CT

Map 7, Lot 3
Colebrook, CT

CERTIFICATION OF SERVICE

I hereby certify that on this 6th day of September 2006, a copy of the foregoing letter was mailed by certified mail, return receipt requested to each of the abutting properties owners on the attached list for the proposed telecommunications facility at the Norfolk Town Parcel (also known as the "Town Farm") located on Greenwoods Road East/U.S. Route 44 in Norfolk.

September 6, 2006
Date



Daniel M. Laub, Associate
Cuddy & Feder LLP
90 Maple Avenue
White Plains, New York 10601
Attorneys for:
Message Center Management, Inc. and
New Cingular Wireless PCS, LLC

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Reserved for
Exhibit 12

Application Guideline	Location in Application
(A) An Executive Summary on the first page of the application with the address, proposed height, and type of tower being proposed. A map showing the location of the proposed site should accompany the description;	I.B. Executive Summary, page 2 Attachment 5: Description and Design of Proposed Facility and Site
(B) A brief description of the proposed facility, including the proposed locations and heights of each of the various proposed sites of the facility, including all candidates referred to in the application;	I.B. Executive Summary, page 2 V: Facility Design, pages 9-10
(C) A statement of the purpose for which the application is made;	I.A Purpose and Authority, page 1
(D) A statement describing the statutory authority for such application;	I.A. Purpose and Authority, page 1
(E) The exact legal name of each person seeking the authorization or relief and the address or principle place of business of each such person. If any applicant is a corporation, trust, or other organized group, it shall also give the state under the laws of which it was created or organized;	I.C. The Applicants, pages 3-4
(F) The name, title, address, and telephone number of the attorney or other person to whom correspondence or communications in regard to the application are to be addressed. Notice, orders, and other papers may be served upon the person so named, and such service shall be deemed to be service upon the applicant;	I.C. The Applicants, pages 3-4
(G) A statement of the need for the proposed facility with as much specific information as is practicable to demonstrate the need including a description of the proposed system and how the proposed facility would eliminate or alleviate any existing deficiency or limitation;	III.A. Statement of Need, pages 5-6 Attachment 2: Pre-Filed Testimony of John Blevins Attachment 3: Statement of Need with Plots
(H) A statement of the benefits expected from the proposed facility with as much specific information as is practicable;	III.B. Statement of Benefits, pages 6-7
(I) A description of the proposed facility at the proposed prime and alternative sites including: (1) Height of the tower and its associated antennas including a maximum "not to exceed height" for the facility, which may be higher than the height proposed by the Applicant; (2) Access roads and utility services; (3) Special design features; (4) Type, size, and number of transmitters and receivers, as well as the signal frequency and conservative worst-case and estimated operational level approximation of electro magnetic radiofrequency power density levels (facility using FCC Office of Engineering and Technology Bulletin 65, August 1997) at the base of the tower base, site compound boundary where persons are likely to be exposed to maximum power densities from the facility;	I.B. Executive Summary, pages 2-3 V: Facility Design, pages 9-10

Application Guideline	Location in Application
<p>(5) A map showing any fixed facilities with which the proposed facility would interact;</p> <p>(6) The coverage signal strength, and integration of the proposed facility with any adjacent fixed facility, to be accompanied by multi-colored propagation maps of red, green and yellow (exact colors may differ depending on computer modeling used, but a legend is required to explain each color used) showing interfaces with any adjacent service areas, including a map scale and north arrows; and</p> <p>(7) For cellular systems, a forecast of when maximum capability would be reached for the proposed facility and for facilities that would be integrated with the proposed facility.</p>	<p>Attachment 3: Statement of Need with Plots</p> <p>Attachment 5: Description and Design of Proposed Facility</p>
<p>(J) A description of the named sites, including :</p> <p>(1) The most recent U.S.G.S. topographic quadrangle map (scale 1 inch = 2000 feet) marked to show the site of the facility and any significant changes within a one mile radius of the site;</p> <p>(2) A map (scale not less than 1 inch = 200 feet) of the lot or tract on which the facility is proposed to be located showing the acreage and dimensions of such site, the name and location of adjoining public roads or the nearest public road, and the names of abutting owners and the portions of their lands abutting the site;</p> <p>(3) A site plan (scale not less than 1 inch = 40 feet) showing the proposed facility, fall zones, existing and proposed contour elevations, 100 year flood zones, waterways, and all associated equipment and structures on the site;</p> <p>(4) Where relevant, a terrain profile showing the proposed facility and access road with existing and proposed grades; and</p> <p>(5) The most recent aerial photograph (scale not less than 1 inch = 1000 feet) showing the proposed site, access roads, and all abutting properties.</p>	<p>Attachment 5: Description and Design of Proposed Facility</p>
<p>(K) A statement explaining mitigation measures for the proposed facility including:</p> <p>(1) Construction techniques designed to specifically minimize adverse effects on natural areas and sensitive areas;</p> <p>(2) Special design features made specifically to avoid or minimize adverse effects on natural areas and sensitive areas;</p> <p>(3) Establishment of vegetation proposed near residential, recreation, and scenic areas; and</p> <p>(4) Methods for preservation of vegetation for wildlife habitat and screening.</p>	<p>Attachment 5: Description and Design of Proposed Facility</p> <p>VI. Environmental Compatibility, pages 10-13</p>

Application Guideline	Location in Application
(L) A description of the existing and planned land uses of the named sites and surrounding areas;	VII.C. Planned and Existing Land Uses, page 15
(M) A description of the scenic, natural, historic, and recreational characteristics of the named sites and surrounding areas including officially designated nearby hiking trails and scenic roads;	VI. Environmental Compatibility, pages 10-13
(N) Sight line graphs to the named sites from visually impacted areas such as residential developments, recreational areas, and historic sites;	Attachment 6: Visual Resource Evaluation Report
(O) A list describing the type and height of all existing and proposed towers and facilities within a four mile radius within the site search area, or within any other area from which use of the proposed towers might be feasible from a location standpoint for purposes of the application;	IV.A. Site Selection, pages 8 Attachment 1: Pre-Filed Testimony of Hans Fiedler Attachment 4: Site Search Summary
(P) A description of efforts to share existing towers, or consolidate telecommunications antennas of public and private services onto the proposed facility including efforts to offer tower space, where feasible, at no charge for space for municipal antennas;	IV.B. Tower Sharing, page 9 V. Facility Design Attachment 1: Pre-Filed Testimony of Hans Fiedler Attachment 4: Site Search Summary
(Q) A description of the technological alternatives and a statement containing justification for the proposed facility;	III.C. Technological Alternatives, pages 7-8
(R) A description of rejected sites with a U.S.G.S. topographic quadrangle map (scale 1 inch= 2,000 feet) marked to show the location of rejected sites;	IV.A. Site Selection, page 8 Attachment 4: Site Search Summary Attachment 1: Pre-Filed Testimony of Hans Fiedler
(S) A detailed description and justification for the site(s) selected, including a description of siting criteria and the narrowing process by which other possible sites were considered and eliminated, including, but not limited to, environmental effects, cost differential, coverage lost or gained, potential interference with other facilities, and signal loss due to geographical features compared to the proposed site(s);	IV.A. Site Selection, page 8 Attachment 4: Site Search Summary Attachment 1: Pre-Filed Testimony of Hans Fiedler
(T) A statement describing hazards to human health, if any, with such supporting data and references to regulatory standards;	VI. Environmental Compatibility, pages 10-13
(U) A statement of estimated costs for site acquisition, construction, and equipment for a facility at the various	IX.A. Overall Estimated Cost, page 17-18

Application Guideline	Location in Application
proposed sites of the facility, including all candidates referred to in the application;	
(V) A schedule showing the proposed program of site acquisition, construction, completion, operation and relocation or removal of existing facilities for the named sites;	IX.B. Overall Scheduling, page 18
(W) A statement indicating that, weather permitting, the applicant will raise a balloon with a diameter of at least three feet, at the sites of the various proposed sites of the facility, including all candidates referred to in the application, on the day of the Council's first hearing session on the application or at a time otherwise specified by the Council. For the convenience of the public, this event shall be publicly noticed at least 30 days prior to the hearing on the application as scheduled by the Council; and	VI. A. Visual Assessment, pages 10-11
(X) Such information as any department or agency of the state exercising environmental controls may, by regulation, require including: 1. A listing of any federal, State, regional, district, and municipal agencies, including but not limited to the Federal Aviation Administration; Federal Communications Commission; State Historic Preservation Officer; State Department of Environmental Protection; and local conservation, inland wetland, and planning and zoning commissions with which reviews were conducted concerning the facility, including a copy of any agency position or decision with respect to the facility; and 2. The most recent conservation, inland wetland, zoning, and plan of development documents of the municipality, including a description of the zoning classification of the site and surrounding areas, and a narrative summary of the consistency of the project with the Town's regulations and plans.	VI. Environmental Compatibility, pages 10-13 Attachment 7: Correspondence from State Agencies Attachment 5: General Facility Description Bulk Filing VII. Consistency with the Town of Norfolk's Land Use Regulation, pages 13-14
(Y) Description of proposed site clearing for access road and compound including type of vegetation scheduled for removal and quantity of trees greater than six inches diameter at breast height and involvement with wetlands;	Attachment 5: General Facility Description
(Z) Such information as the applicant may consider relevant.	