STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051
Phone: (860) 827-2935 Fax: (860) 827-2950
E-Mail: siting.council@ct.gov
Internet: ct.gov/csc

Daniel F. Caruso
Chairman

May 13, 2008

Julie Kohler, Esq.
Carrie Larson, Esq.
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604

RE: **DOCKET NO. 351** - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 93 Lake Street, Manchester, Connecticut.

Dear Attorney. Kohler:

By its Decision and Order dated May 8, 2008, the Connecticut Siting Council (Council) granted a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance and operation of a telecommunications facility located at 93 Lake Street, Manchester, Connecticut.

Enclosed are the Council's Certificate, Findings of Fact, Opinion, and Decision and Order.

Very truly yours,

S. Derek Phelps
Executive Director

SDP/DM/cm

Enclosures (4)

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL
Ten Franklin Square, New Britain, CT 06051
Phone: (860) 827-2935 Fax: (860) 827-2950
E-Mail: siting.council@ct.gov
Internet: ct.gov/csc

Daniel F. Caruso
Chairman

CERTIFICATE

OF

ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED

DOCKET NO. 351

Pursuant to General Statutes § 16-50k, as amended, the Connecticut Siting Council hereby issues a Certificate of Environmental Compatibility and Public Need to Optasite Towers LLC for the construction, maintenance and operation of a telecommunications facility located at 93 Lake Street, Manchester, Connecticut. This Certificate is issued in accordance with and subject to the terms and conditions set forth in the Decision and Order of the Council on May 8, 2008.

By order of the Council,

Daniel F. Caruso, Chairman

May 8, 2008

CSC
CONNECTICUT SITING COUNCIL
Affirmative Action / Equal Opportunity Employer

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051
Phone: (860) 827-2935 Fax: (860) 827-2950
E-Mail: siting.council@ct.gov
Internet: ct.gov/csc

Daniel F. Caruso
Chairman

May 13, 2008

TO: Parties and Intervenors

FROM: S. Derek Phelps, Executive Director

RE: **DOCKET NO. 351** - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 93 Lake Street, Manchester, Connecticut.

By its Decision and Order dated May 8, 2008, the Connecticut Siting Council (Council) granted a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 93 Lake Street, Manchester, Connecticut.

Enclosed are the Council's Findings of Fact, Opinion, and Decision and Order.

SDP/DM/ cm

Enclosures (3)

c: State Documents Librarian

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051
Phone: (860) 827-2935 Fax: (860) 827-2950
E-Mail: siting.council@ct.gov
Internet: ct.gov/csc

Daniel F. Caruso
Chairman

May 13, 2008

TO: Classified/Legal Supervisor
351080512
The Hartford Courant
285 Broad St.
Hartford, CT 06115

Classified/Legal Supervisor
351080512
Journal Inquirer
P.O. Box 510
Manchester, CT 06045-0510

FROM: Carriann Mulcahy, Secretary II

RE: **DOCKET NO. 351** - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 93 Lake Street, Manchester, Connecticut.

Please publish the attached notice as soon as possible, but not on Saturday, Sunday, or a holiday.

Please send an affidavit of publication and invoice to my attention.

Thank you.

CM

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051
Phone: (860) 827-2935 Fax: (860) 827-2950
E-Mail: siting.council@ct.gov
Internet: ct.gov/csc

Daniel F. Caruso
Chairman

NOTICE

Pursuant to General Statutes § 16-50p (d), the Connecticut Siting Council (Council) announces that, on May 8, 2008, the Council issued Findings of Fact, an Opinion, and a Decision and Order approving an application from Optasite Towers LLC and Omnipoint Communications, Inc. for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 93 Lake Street, Manchester, Connecticut This application record is available for public inspection in the Council's office, Ten Franklin Square, New Britain, Connecticut

DOCKET NO. 351 - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 93 Lake Street, Manchester, Connecticut.	}	Connecticut Siting Council

May 8, 2008

Findings of Fact

Introduction

1. Pursuant to Chapter 277a, Sections 16-50g et seq. of the Connecticut General Statutes (CGS), as amended, and Section 16-50j-1 et. seq. of the Regulations of Connecticut State Agencies (RCSA), Optasite Towers LLC (Optasite) and Omnipoint Communications, Inc. (T-Mobile) applied to the Connecticut Siting Council (Council) on November 2, 2007 for the construction, operation, and maintenance of a telecommunications facility that would include a steel monopole tower 110 feet tall. The facility would be located at 93 Lake Street in the Town of Manchester, Connecticut. (Optasite 1, p. 1)

2. Optasite is a Delaware limited liability company with offices at One Research Drive, Suite 200C, Westborough, Massachusetts. It would construct and maintain the proposed facility. (Optasite 1, p. 3)

3. T-Mobile is a Delaware corporation with a Connecticut office at 35 Griffin Road South, Bloomfield, Connecticut. The company and its affiliated entities are licensed by the Federal Communications Commission (FCC) to construct and operate a personal wireless services system in Connecticut. T-Mobile does not conduct any other business in the State of Connecticut other than the provision of wireless services under FCC rules and regulations. (Optasite 1, p. 3)

4. The parties in this proceeding are the applicants, Optasite and T-Mobile. Laurie Morrone, an abutting landowner, was made a party at the public hearing. (Transcript, January 29, 2008, 3:10 p.m. [Tr. 1], pp. 5-6)

5. The proposed Facility would provide service in the Town of Manchester, particularly along Route 6, Route 44 and adjacent areas. (Optasite 1, p. 1)

6. Pursuant to CGS § 16-50m, the Council, after giving due notice thereof, held a public hearing on January 29, 2008, beginning at 3:10 p.m. and continuing at 7:00 p.m. at Lincoln Center, 494 Main Street in Manchester, Connecticut. (Tr. 1, p. 2 ff.)

7. The Council re-opened the hearing on this application on April 4, 2008, beginning at 1:35 p.m., to consider additional testimony and evidence regarding coverage in the vicinity of the proposed tower and whether the use of existing sites might meet the coverage needs of the applicant. (Tr. 3, p. 1)

8. The Council and its staff conducted an inspection of the proposed site on January 29, 2008, beginning at 2:00 p.m. On the day of the field inspection, the applicants flew a balloon from approximately 8:00 a.m. to 5:00 p.m. to simulate the height of the proposed tower. The weather conditions were overcast with little to no winds. (Tr. 1, p. 33)

9. Pursuant to CGS § 16-50*l*(b), notice of the applicants' intent to submit this application was published on October 27 and October 30, 2007 in the Hartford Courant and on October 26 and October 29, 2007 in the Journal Inquirer. (Optasite 1, p. 4; Hartford Courant Affidavit of Publication dated October 31, 2007 and Manchester Journal Inquirer Affidavit of Publication dated November 15, 2007)

10. In accordance with CGS § 16-50*l*(b), Optasite sent notices of its intent to file an application with the Council to each person appearing of record as owner of property abutting the property on which the site is located. (Optasite 1, p. 4, Exhibit F)

11. Optasite received return receipts from all but five abutting property owners. Optasite sent a second certified mailing to these abutters on or about December 17, 2007. Optasite received one additional return receipt from its second mailing. (Optasite 2, Response 1)

12. Optasite sent a third mailing to the four abutters from whom receipts were received. It did not receive receipts from these four abutters. (Tr. 1, p. 34)

13. Pursuant to CGS § 16-50*l* (b), Optasite provided notice to all federal, state, regional, and local officials and agencies listed therein. (Optasite 1, p. 4, Exhibit D)

14. Optasite posted a four-foot by six-foot sign near the point at which the proposed tower's access road would meet Lake Street. The sign informed passersby of Optasite's pending application and how to contact the Council. It was installed on January 10, 2008. (Tr. 1, pp. 33-34)

State Agency Comments

15. Pursuant to CGS § 16-50*l*, the Council solicited comments on Optasite's application from the following state departments and agencies: Department of Environmental Protection, Department of Public Health, Council on Environmental Quality, Department of Public Utility Control, Office of Policy and Management, Department of Economic and Community Development, and the Department of Transportation. The Council's letters requesting comments were sent on January 2, 2008 and February 4, 2008. (CSC Hearing Package dated January 2, 2008; Letter to State Department Heads dated April 7, 2008)

16. The Connecticut Department of Transportation (ConnDOT) responded to the Council's solicitation with no comments. (ConnDOT letter dated January 22, 2008)

17. With the exception of ConnDOT, no comments were received from any state agencies. (Record)

Municipal Consultation

18. On June 28, 2007, Optasite submitted a letter and a technical report to the Town of Manchester regarding the proposed facility. (Optasite 1, p. 19; Exhibit M)

19. On July 19, 2007, representatives of Optasite met with Manchester officials Mark Pelegrini, Director of Economic Development, Jack McCoy, Chief Information Officer, and Robert Dusza, Project and Technical Support Manager, to discuss its proposed facility. (Optasite 1, p. 19)

20. The Town of Manchester has indicated an interest in locating emergency service equipment on this proposed facility. (Optasite 3, Prefiled Testimony of Keith Coppins)

21. Manchester's interest in placing antennas on the proposed tower was confirmed by Jack McCoy, Manchester's Chief Information Officer, at the public hearing. (Tr. 1, pp. 14-15)

22. Optasite would provide space, for no charge, on the proposed tower to the Town of Manchester for its public safety communications antennas. (Optasite 1, p. 9)

Public Need for Service

23. The United States Congress, through adoption of the Telecommunications Act of 1996 (Act), recognized the important public need for high quality telecommunication services throughout the United States. The purpose of this Act, which was a comprehensive 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." (Optasite 1, pp. 4-5)

24. The Act prohibits local and state bodies from discriminating among providers of functionally equivalent services. (Council Administrative Notice, Telecommunications Act of 1996)

25. The Act prohibits any state or local agency from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions to the extent that such towers and equipment comply with FCC's regulations concerning such emissions. This Act also blocks the Council from prohibiting or acting with the effect of prohibiting the provision of personal wireless service. (Council Administrative Notice, Telecommunications Act of 1996)

26. 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. (Optasite 1, p. 6)

27. The proposed facility would be an integral component of T-Mobile's E911 network. (Optasite 1, p. 7)

Site Selection

28. On January 18, 2007, Optasite submitted an application to the Council for a proposed facility at 1027 Middle Turnpike East in Manchester. This application was designated as Docket 328. In response to concerns about this site raised by Manchester residents and elected officials, Optasite continued to investigate other possible locations for a facility in this area of Manchester. (Optasite 1, Exhibit I)

29. Subsequent to the filing of Docket 351, Optasite notified the Council in a letter dated December 5, 2007 that it was formally withdrawing Docket 328. (Tr. 1, pp. 79 ff.)

30. During its initial search for a facility location, Optasite considered several other properties in addition to the 1027 Middle Turnpike East property. These properties and assessments of their suitability are listed in the table below:

Location Considered	Suitability
Town of Manchester property, 1052 Middle Turnpike East	Reservoir related property; land use restrictions preclude towers
Town of Manchester property, 550 Lydall Street	Reservoir related property; land use restrictions preclude towers
Town of Manchester property, 199 New Bolton Road	Reservoir related property; land use restrictions preclude towers
Town of Manchester property, 226 Lake Street	Reservoir related property; land use restrictions preclude towers
Rieg Realty property, 784 Middle Turnpike East	Located next to subdivision; little to no natural screening
990 Middle Turnpike East	Part of residential subdivision; little natural screening
Capstone Builders property, 175 New Bolton Road	Property owner had other development plans

(Optasite 1, Exhibit I)

31. As a result of its continued search during the time Docket 328 was pending, Optasite entered into a lease for property off Lake Street owned by Alan Rossetto, which is the host property for the facility proposed in this certificate application. (Optasite 1, Exhibit I)

32. The Lake Street site would enable T-Mobile to extend its coverage farther up Lake Street towards Box Mountain at a lower height than would be possible at the Middle Turnpike East site proposed in the previous Docket 328. (Tr. 1, p. 41)

33. Optasite identified 17 communications towers within approximately four miles of the proposed Lake Street site. However, none of these towers were deemed suitable for achieving T-Mobile's coverage objectives, primarily because they would provide redundant coverage or because they could not cover the target area. These towers are listed in the following table.

Tower Location	Ht. and Type of Tower	Tower Owner	Distance and Direction to Site
130 Vernon Road, Bolton	280' guyed lattice *(T-Mobile on tower @ 134')*	Mountaintop Enterprises	2.29 mi. to east
200 Boston Turnpike, Bolton	63' self-supporting lattice	United Cable TV Corp	1.03 mi. to east
230 Box Mountain, Bolton	200' self-supporting lattice	Marcus Communications	1.56 mi. to northeast
49 South Street, Bolton	120' monopole	AT&T	2.73 mi. to east
12 Carpenter Road, Bolton	140' monopole *(T-Mobile on tower @ 127')*	MCF Communications	1.11 mi. to southeast
190 Olcott Street, Manchester	155' utility structure	CL&P	4.01 mi. to west
239 Middle Turnpike East, Manchester	190' monopole *(T-Mobile on tower @ 163')*	Town of Manchester	1.56 mi. to west
266 Center Street, Manchester	128' monopole	Crown Media	2.79 mi. to west
53 Slater Street, Manchester	155' monopole *(T-Mobile on tower @ 133')*	Sprint	2.88 mi. to northwest
60 Adams Street, Manchester	140' monopole	William B. Thornton	3.73 mi. to west
Olcott Street, Manchester	200' self-supporting lattice	CL&P/NU	4.11 mi. to west
60 Industrial Park Road, Vernon	175' monopole *(T-Mobile on tower @ 173')*	Millenicom & G&K Beauregard	3.51 mi. to northeast
53 Diane Drive, Vernon	45' self-supporting lattice	Ali & Hajar Shakidai	1.8 mi. to northeast
Love Lane, Manchester	202' guyed lattice	Freedom Comm. Of Connecticut, Inc.	3.96 mi. to west
640 Hilliard Street, Manchester	150' monopole	Optasite	3.56 mi. to west
269 Box Mountain Road, Bolton	180' self-supporting lattice	William Stanek	2.18 mi. to northeast
296 Box Mountain Road, Bolton	150' self-supporting lattice	Eleanne Denton Rhodes	1.63 mi. to northeast

(Optasite 1, p. 8; Exhibit H; Optasite 2, A7; Tr. 1, pp. 63-65)

34. Locating its antennas on the tower at 200 Boston Turnpike would not enable T-Mobile to achieve its coverage objectives in its target area because signals from this location would be blocked to the west by terrain. (Tr. 1, pp. 63-64; Optasite 9, A4)

35. Antennas at 200 Boston Turnpike would provide coverage redundant to the site in Bolton (12 Carpenter Road) that was approved in the Council's Docket 323. (Optasite 9, A5)

36. In order to fill coverage gaps on either side of Box Mountain, T-Mobile proposes to construct sites on both sides of Box Mountain. The proposed site at Lake Street is one of the planned sites. T-Mobile is negotiating with the Town of Vernon for the use of another site. These two sites would allow T-Mobile to utilize the existing terrain to contain signals to localized footprints. The prospective site in Vernon would not be able to cover the area that would be covered from the proposed Lake Street site but would cover a separate gap that T-Mobile experiences. (Optasite 9, A6)

37. Existing towers at 269 and 296 Box Mountain Drive are located at sufficiently high elevations that antennas on these towers would create interference problems for T-Mobile's network. (Optasite 9, A7)

38. Repeaters, microcell transmitters, distributed antenna systems and other types of transmitting technologies are not a practicable or feasible means to provide service within the coverage gap T-Mobile is seeking to cover due to significant terrain variations and tree cover in the area, as well as other practical considerations. (Optasite 1, pp. 7-8)

Site Description

39. Optasite's proposed facility is located at 93 Lake Street in Manchester in the west central portion of a 23.4 acre parcel used as a residence, with an associated garage and a pool, and owned by Alan Rossetto. (See Figure 1) (Optasite 1, p. 2)

40. The Rossetto property is located in an RR residential zone. (Optasite 1, p. 2)

41. Wireless communications towers are allowed in RR zones as a special exception. (Optasite 1, bulk filed Manchester Zoning Regulations)

42. At the proposed location, Optasite would lease a 70-foot by 70-foot parcel in order to erect a 110-foot, self-supporting monopole tower within a 70-foot by 70-foot compound that would be enclosed by an eight-foot high chain link fence. (Optasite 1, p. 2; Exhibit B, Compound Plan)

43. The proposed tower would be located at 41° 47' 20.7" north latitude and 72° 28' 55.5" west longitude. Its ground elevation would be 467 feet above mean sea level. (Optasite 1, Exhibit N and Exhibit B, Sheet A02)

44. The tower would be designed to accommodate up to four antenna platforms and equipment and Manchester public safety functions. (Optasite 1, p. 9)

45. The tower would be designed in accordance with the specifications of the Electronic Industries Association Standard ANSI/EIA/TIA-222-G, "Structural Standards for Steel Antenna Towers and Antenna Support Structures," in accordance with the International Building Code. (Optasite 2, A3)

46. T-Mobile would initially install six antennas on a platform at a centerline height of 107 feet. T-Mobile would eventually install up to nine antennas, three per sector on the tower. (Optasite 1, p. 9; Tr. 1, pp. 55-56)

47. T-Mobile would utilize an equipment shelter, approximately 10 feet by 12 feet, to house its ground equipment. (Optasite 1, p. 9)

48. T-Mobile would use battery back-up power. (Optasite 2, A9)

49. Approximately 681 cubic yards of cut would be required to develop this site. No fill would be required. (Optasite 2, A5)

50. Vehicular access to the proposed facility would extend from Lake Street approximately 1,133 feet over a new gravel drive. This drive would have to cross a separate parcel, also owned by Alan Rossetto, to reach the parcel on which the facility would be located. Optasite does have a lease with Mr. Rossetto that provides it with the right to traverse the other property. (See Figure 3) (Optasite 1, p. 10; Exhibit B)

51. The existing driveway to the Rossetto property could not be used for access because it is not wide enough to accommodate Optasite's needs, it crosses the Algonquin gas line, and Mr. Rossetto does not have the legal right to grant another party access to the shared right-of-way. (Tr. 1, pp. 39-40; Tr. 2, pp. 31-32)

52. Utility service for the proposed facility would be extended underground from an existing utility pole on Lake Street and would run adjacent to the gravel access drive. (Optasite 1, p. 10; Exhibit Sheet A02)

53. Should the presence of ledge be discovered during the geotechnical investigation, Optasite would prefer chipping over blasting. (Optasite 2, A6)

54. The proposed tower's setback radius would be contained within the Rossetto property. (Optasite 1, Exhibit B)

55. There are 21 residences located within 1,000 feet of the proposed tower. (Optasite 1, Exhibit B)

56. The closest residence is located 431 feet to the west of the proposed tower. It is owned by Raymond Gagnon and Jill Lavoie. (Optasite 1, Exhibit B; Optasite 2, A4)

57. The Rossetto residence is located approximately 440 feet to the east of the proposed facility. (Optasite 1, Exhibit B, Drawing A01)

58. Land use in the vicinity of the proposed site is generally medium density residential. (Optasite 1, Exhibit J, p. 1)

59. Optasite's estimated cost of construction for this facility, which does not include T-Mobile's antennas and support equipment, is:

Tower and foundation	$ 74,000
Site development	74,000
Utility installation	31,000
Total costs	$179,000

(Optasite 1, p. 20)

Environmental Considerations

60. The proposed facility would have no effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places. (Optasite 4, Appendix E – Letter from Deputy State Historic Preservation Officer, dated January 3, 2008)

61. There are no state- or federally-listed species or significant natural communities known to be located in the immediate vicinity of the proposed facility. (Optasite 4, p. 5)

62. There are two small ponds in the northeast corner of the Rossetto property that are over 1,000 feet from the location of the proposed tower. (Tr. 1, p. 25)

63. Soil erosion control measures and other best management practices would be established and maintained throughout the construction of the proposed facility. (Optasite 1, p. 18)

64. The existing vegetation in the vicinity of the proposed facility consists primarily of mature, mixed deciduous hardwood species with an average estimated height of 65 feet. (Optasite 1, p. 12)

65. Ten trees with a diameter of six inches or more at breast height would be removed during the development of the proposed facility. (Optasite 1, Exhibit B)

66. The Federal Aviation Administration determined that the proposed facility would not be a hazard to air navigation and would not require marking or lighting. (Optasite 1, Exhibit N)

67. The maximum power density from the radio frequency emissions of T-Mobile's proposed antennas was calculated to be 4.57% of the standard for Maximum Permissible Exposure, as adopted by the FCC, at the base of the proposed tower. This calculation was based on a methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997) that assumes all antennas would be pointed at the base of the tower and all channels would be operating simultaneously. (Optasite 1, p. 14)

Visibility

68. The proposed tower would be visible year round from approximately 34 acres. Most of this acreage is located on the host property or its immediate vicinity. (Optasite 1, Exhibit J, p. 4)

69. The proposed tower would be seasonally visible from an additional 39 acres. Most of this acreage is located within one-quarter mile of the tower location. (Optasite 1, Exhibit J, p. 4)

70. Approximately 12 residences would have partial year round views of the proposed tower. (Optasite 1, Exhibit J, p. 4)

71. Approximately eight additional residences would have seasonal views of the proposed tower. (Optasite 1, Exhibit J, p. 4)

72. No views of the tower would be anticipated from the Shenipsit Trail, which passes within 1.1 miles east of the proposed site. (Optasite 1, p. 13; Exhibit J, p. 4, Viewshed Map)

73. The visibility of the proposed tower from different vantage points in the surrounding vicinity is summarized in the following table. (See Figure 7)

Location	**Visible** **Site**	**Approx. Portion of (110') Tower Visible (ft.)**	**Approx. Distance and Direction to Tower** **Site**
1 – Residence at 93 Lake Street (host property	Yes	80'	450 feet; NW
2 – Intersection of Garth Road and Chilstone Lane	Yes	10'	2200 feet; NE

(Optasite 1, Exhibit J)

Existing and Proposed Wireless Coverage

74. T-Mobile is licensed to operate at the following frequencies in Manchester:

Upper 2/3 A Band
TX: 1935.00 MHz to 1945.00 MHz
RX: 1855 MHz to 1865.00 MHz

AWS 1
TX: 2140 MHz to 2145 MHz
RX: 1740 MHz to 1745 MHz

AWS 2
TX: 21210 MHz to 2120 MHz
RX: 1710 MHz to 1720 MHz

(Optasite 2, A10)

75. T-Mobile's minimum design receive signal level threshold is -84 dBm, which is the lower limit at which T-Mobile can provide in-vehicle coverage to its network users. For reliable in-building coverage, T-Mobile requires a receive signal level strength of -76 dBm. (Optasite 2, A11)

76. T-Mobile's existing signal strength in the area that would be served from the proposed site ranges from -84 dBm to -105 dBm. (See Figure 4) (Optasite 2, A12)

77. T-Mobile has a coverage gap along Routes 6 and 44(Middle Turnpike East) in the area of the proposed site of approximately 1.44 miles. (Optasite 2, A 14)

78. The distance on Routes 6 and 44 that T-Mobile could cover from this site would be 2.04 miles. (Optasite 2, A15)

79. The total area T-Mobile would cover from the proposed site is 2.0 square miles. (Optasite 2, A13)

80. The area covered from this site would be limited by the terrain in the immediate vicinity. (Tr. 3, pp. 8-10)

81. From the proposed location, T-Mobile would hand off signals with the sites identified below:

Site ID	**Site Location**	**Type of Facility**	**T-Mobile Antenna Ht.**	**Distance and Direction to Site**
CT11177B	47 Main Street, Vernon	118' water tank	116 feet above ground level (AGL)	2.3 miles to north
CT11140J	60 Industrial Park Rd, Vernon	175' monopole	173 feet AGL	3.5 miles to northeast
CT11180C	130 Vernon Road, Bolton	280' self-supporting lattice tower	134 feet AGL	2.3 miles to east
CT11384D	5 Glen Road, Manchester	70' smokestack	70 feet AGL	1.9 miles to southeast
CT11501E	122 Route 6, Andover	150' monopole	137 feet AGL	4.9 miles to southeast
CT11365D	239 Middle Tpk East, Manchester	180' monopole	163 feet AGL	1.6 miles to west
CT11187D	494 Main Street, Manchester	57' rooftop	45 feet AGL	2.2 miles to west
CT11320A	63 Elm Street, Manchester	198' smokestack	196 feet AGL	2.9 miles to west
CT11377C	55 Slater Street, Manchester	155' monopole	133 feet AGL	2.8 miles to northwest
CTHA076D	14-16 Carpenter Road, Bolton	140' monopole	127 feet AGL	1.1 miles to southeast

(Optasite 2, A16)

82. The extent and signal strength of overlap in coverage from the proposed site and the surrounding hand-off sites varies from site to site. The table below summarizes what these overlaps are.

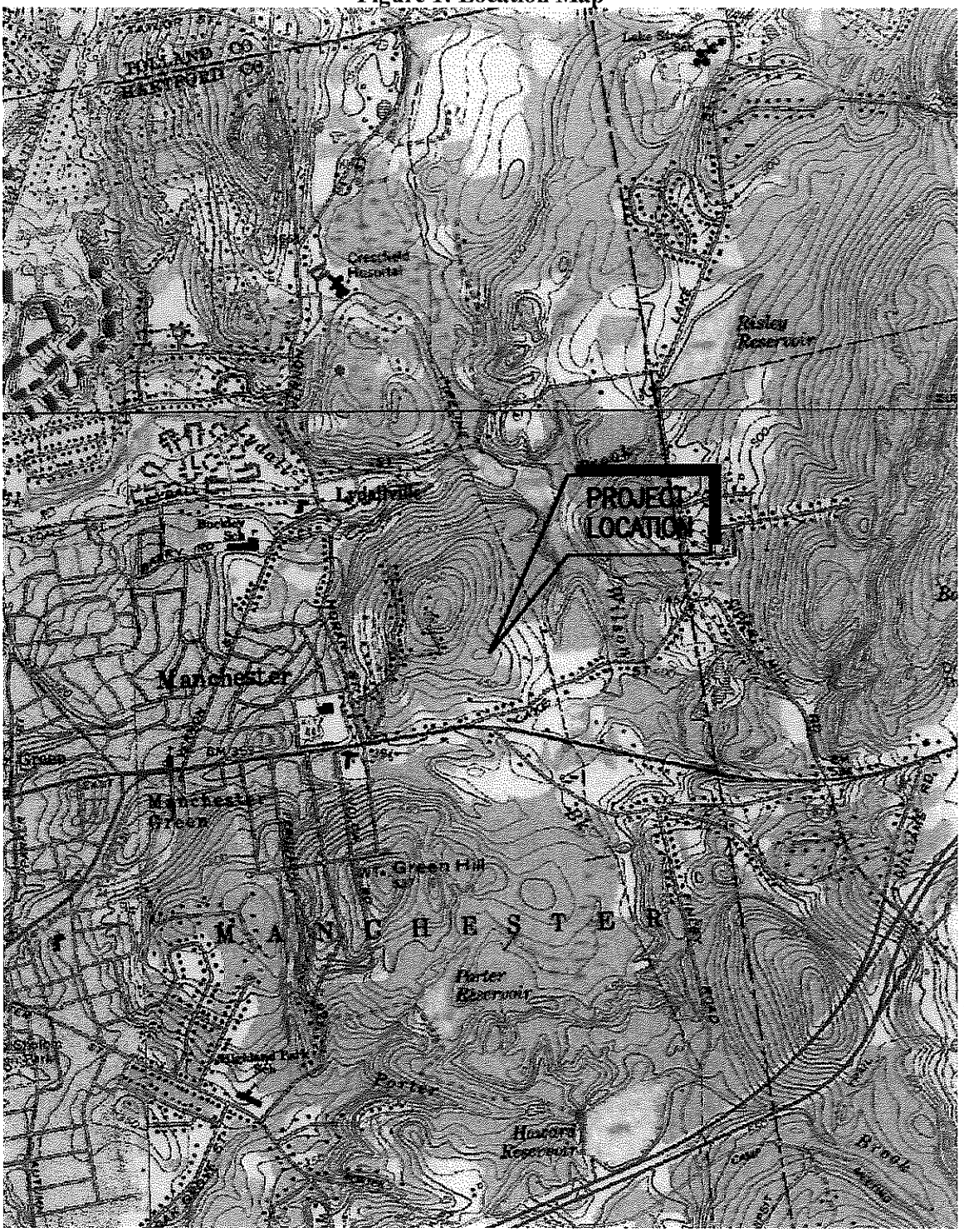
Site ID	Site Location	Overlap with Proposed Site
CT11177B	47 Main Street, Vernon	No handover at -84 dBm design threshold; potential handover would be at fringe signal strengths.
CT11140J	60 Industrial Park Rd, Vernon	No handover at -84 dBm design threshold; potential handover would be at on-street levels (fringe).
CT11180C	130 Vernon Road, Bolton	No handover at -84 dBm design threshold; potential handover would be at on street levels (fringe). Proposed site would hand off to CTHA076D on Carpenter Road before handing off to this site.
CT11384D	5 Glen Road, Manchester	No appreciable overlap at -84 dBm desigh threshold; potential handover would be at on street levels (fringe) just south of Middle Turnpike.
CT11501E	122 Route 6, Andover	No handover at -84 dBm design threshold; potential handover would be at on-street levels (fringe).
CT11365D	239 Middle Tpk East, Manchester	Approximately .75 miles coverage overlap at -84 dBm design threshold.
CT11187D	494 Main Street, Manchester	No handovers at -84 dBm design threshold levels; proposed site would hand off calls to CT11365D (239 Middle Tpk) before handing calls to this site.
CT11320A	63 Elm Street, Manchester	No handover at -84 dBm design threshold; potential handover would be at fringe signal strengths.
CT11377C	55 Slater Street, Manchester	No handover at -84 dBm design threshold; potential handover would be at fringe signal strengths.
CTHA076D	14-16 Carpenter Road, Bolton	Approximately 0.25 miles of coverage overlap at -84 dBm design threshold signal strength.

(Optasite 9, A2)

83. The minimum height at which T-Mobile could achieve its coverage objective from this proposed site is 107 feet AGL for the antennas' centerline. (See Figures 5 and 6) (Optasite 2, A17)

84. At heights below 107 feet, a gap in T-Mobile's coverage would develop on Middle Turnpike East (Routes 6 and 44) to the east of the proposed site. (Tr. 1, p. 44; Optasite 9, A3)

Figure 1: Location Map

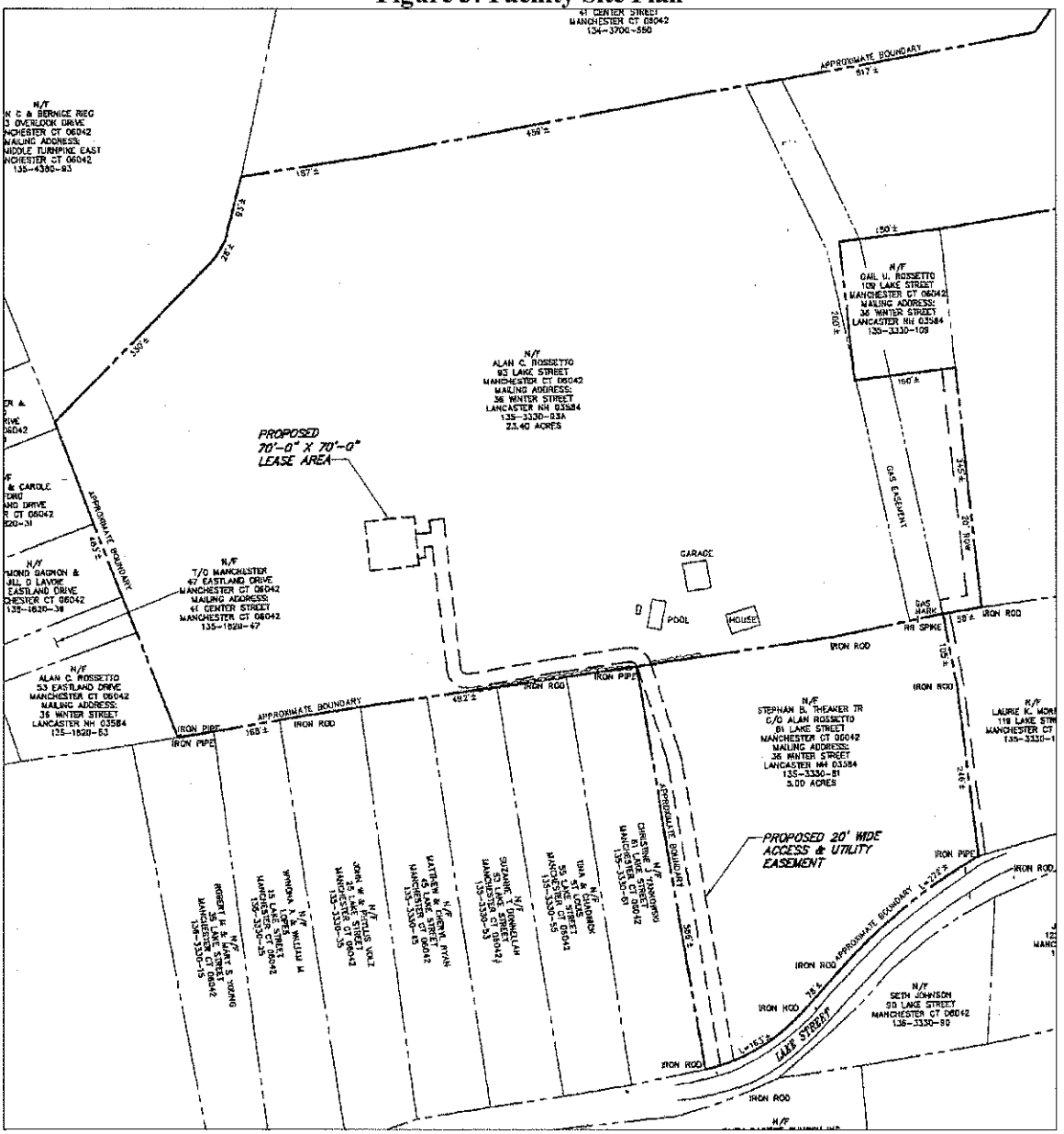


(Optasite 1, Exhibit B)

Figure 2: Aerial Photograph of Site Vicinity

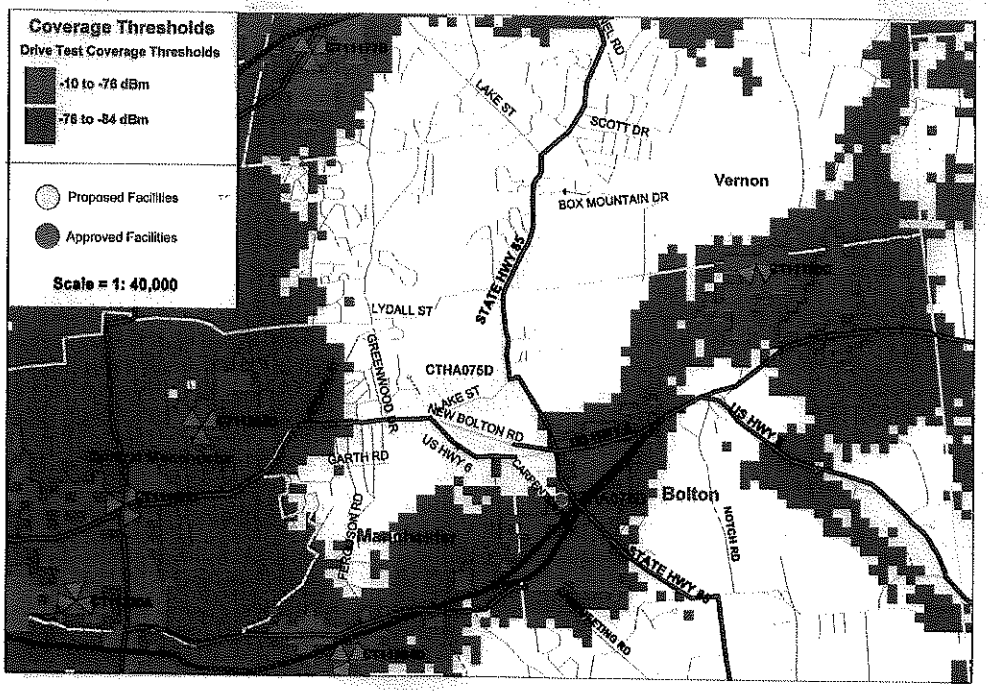
(Optasite 1, Exhibit B)

Figure 3: Facility Site Plan



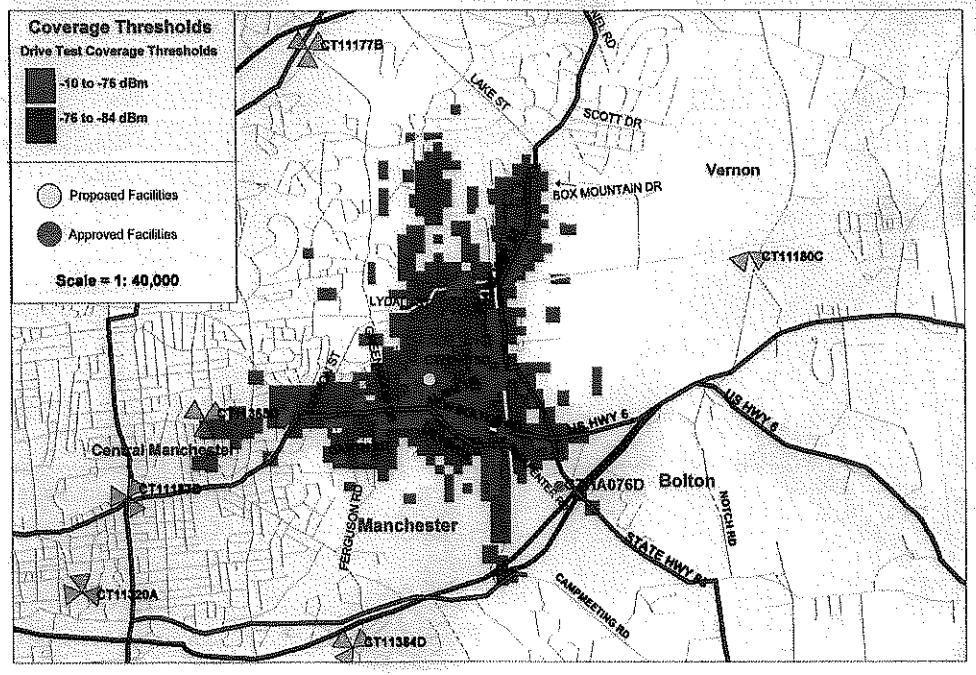
(Optasite 1, Exhibit B)

Figure 4: T-Mobile's Existing Coverage



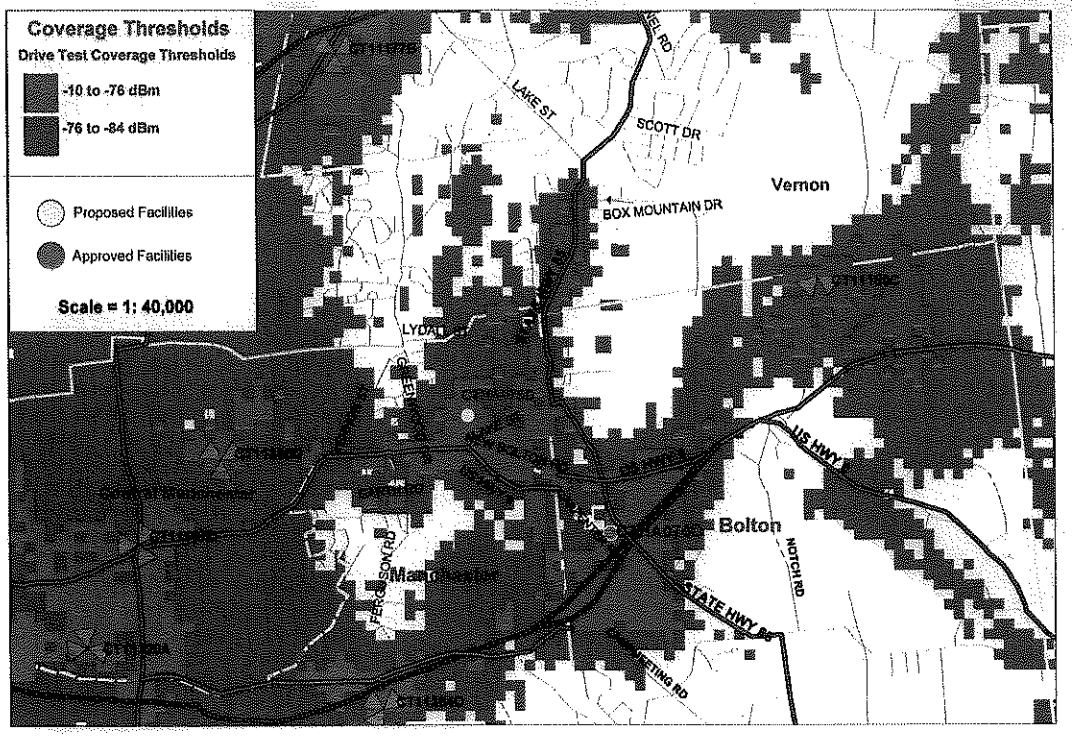
(Optasite 1, Exhibit G)

Figure 5: Coverage from Proposed Site at 107'



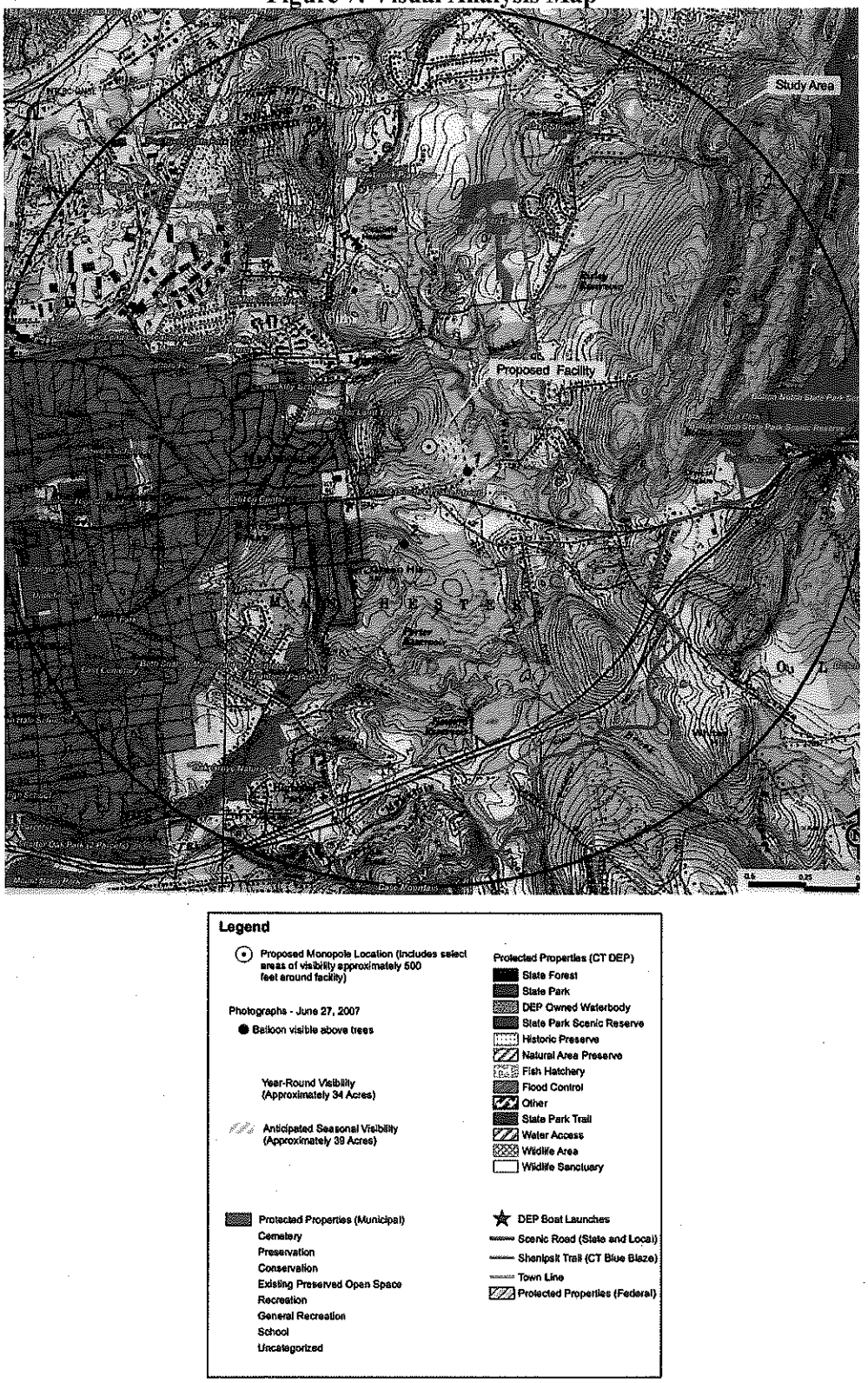
(Optasite 1, Exhibit G)

Figure 6: T-Mobile Composite Coverage with Proposed Site at 107'



(Optasite 1, Exhibit G)

Figure 7: Visual Analysis Map



(Optasite 1, Exhibit J)

DOCKET NO. 351 - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 93 Lake Street, Manchester, Connecticut.	}	Connecticut Siting Council

May 8, 2008

Opinion

On November 2, 2007, Optasite Towers LLC (Optasite) and Omnipoint Communications, Inc. (T-Mobile) applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance and operation of a wireless telecommunications facility to be located at 93 Lake Street, Manchester, Connecticut. Optasite and T-Mobile are seeking to develop a facility on a 23.4 acre parcel owned by Alan Rossetto. The Rossetto property was being used as a single-family residence at the time of application. The applicants' objective in locating a facility at this location is to provide service in the Town of Manchester, particularly along Route 6, Route 44 and adjacent areas.

Optasite proposes to construct a 110-foot steel monopole within a 70-foot by 70-foot compound in a wooded area in the west central portion of the Rossetto property. No landscaping is being proposed as the area around the facility site is well-vegetated. Vehicular access to the proposed facility would extend from Lake Street approximately 1,133 feet over a new gravel drive. Utility service for the proposed facility would be extended underground from an existing utility pole on Lake Street and would run adjacent to the gravel access drive. The tower would be designed to accommodate up to four antenna platforms and equipment and Manchester public safety functions. The Town of Manchester has indicated an interest in locating antennas on this tower.

The proposed tower would be visible year round from approximately 34 acres. Most of this acreage is located on the host property or its immediate vicinity. It would also be seasonally visible from an additional 39 acres. Most of this acreage is located within one-quarter mile of the tower location. Approximately 12 residences would have partial year round views of the proposed tower, and eight additional residences would have seasonal views of the proposed tower. The proposed tower's setback radius would be contained within the Rossetto property.

The existing vegetation in the vicinity of the proposed facility consists primarily of mature, mixed deciduous hardwood species with an average estimated height of 65 feet. Ten trees with a diameter of six inches or more at breast height would be removed during the development of the facility. The closest wetlands to the facility are two small ponds in the northeast corner of the Rossetto property that are over 1,000 feet away and would not be affected by construction of the proposed facility.

The proposed facility would have no effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places. There are no state- or federally-listed species or significant natural communities known to be located in the immediate vicinity of the proposed facility.

In the course of searching for a site to provide coverage to its target area in Manchester, T-Mobile identified 17 other telecommunications towers within a four mile radius of its proposed Lake Street facility. After thoroughly investigating the coverage possible from each of these towers, T-Mobile concluded that none of these sites could provide the same extent of coverage as the proposed site. Coverage from the other sites was constrained by terrain difficulties or would be redundant to other T-Mobile sites that are on-line. Placing its antennas on the towers on Box Mountain would create interference problems for T-Mobile's existing sites as far away as Hartford. The Council believes that the proposed tower would provide needed coverage that could not be duplicated by the shared use of an existing tower.

After reviewing the record in this proceeding, the Council finds that the proposed facility is located in an area where it would have minimal visual impact on the surrounding neighborhood and that the location proposed in this application is preferable to the location originally proposed at 1027 Middle Turnpike East in Docket 328, which was withdrawn by Optasite. The Council respects Optasite and T-Mobile for their extra efforts taken to find an acceptable site.

According to a methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997), the combined radio frequency power density levels of the antennas proposed to be installed on the tower have been calculated by Council staff to amount to 4.57% of the FCC's Maximum Permissible Exposure, as measured at the base of the tower. This percentage is well below federal and state standards established for the frequencies used by wireless companies. If federal or state standards change, the Council will require that the tower be brought into compliance with such standards. The Council will require that the power densities be recalculated in the event other carriers add antennas to the tower. The Telecommunications Act of 1996 prohibits any state or local agency from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions to the extent that such towers and equipment comply with FCC's regulations concerning such emissions.

Based on the record in this proceeding, the Council finds that the effects associated with the construction, operation, and maintenance of the telecommunications facility at proposed site, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate either alone or cumulatively with other effects when compared to need, are not in conflict with policies of the State concerning such effects, and are not sufficient reason to deny this application. Therefore, the Council will issue a Certificate for the construction, operation, and maintenance of a telecommunications facility that includes a 110-foot steel monopole at 93 Lake Street, Manchester, Connecticut.

DOCKET NO. 351 - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 93 Lake Street, Manchester, Connecticut.	}	Connecticut Siting Council

May 8, 2008

Decision and Order

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, operation, and maintenance of a telecommunications facility, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate, either alone or cumulatively with other effects, when compared to need, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application, and therefore directs that a Certificate of Environmental Compatibility and Public Need, as provided by General Statutes § 16-50k, be issued to Optasite Towers LLC, hereinafter referred to as the Certificate Holder, for a telecommunications facility at 93 Lake Street, Manchester, Connecticut.

The facility shall be constructed, operated, and maintained substantially as specified in the Council's record in this matter, and subject to the following conditions:

1. The tower shall be constructed as a monopole, no taller than necessary to provide the proposed telecommunications services, sufficient to accommodate the antennas of Omnipoint Communications, Inc. and other entities, both public and private, but such tower shall not exceed a height of 110 feet above ground level.

2. The Certificate Holder shall prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-75 through 16-50j-77 of the Regulations of Connecticut State Agencies. The D&M Plan shall be served on the Town of Manchester for comment, and all parties and intervenors as listed in the service list, and submitted to and approved by the Council prior to the commencement of facility construction and shall include:

    a) a final site plan(s) of site development to include specifications for the tower, tower foundation, antennas, equipment compound, radio equipment, access road, utility line, and landscaping; and

    b) construction plans for site clearing, grading, landscaping, water drainage, and erosion and sedimentation controls consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended.

3. The Certificate Holder shall, prior to the commencement of operation, provide the Council worst-case modeling of the electromagnetic radio frequency power density of all proposed entities' antennas at the closest point of uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin No. 65, August 1997. The Certificate Holder shall ensure a recalculated report of the electromagnetic radio frequency power density be submitted to the Council if and when circumstances in operation cause a change in power density above the levels calculated and provided pursuant to this Decision and Order.

4. Upon the establishment of any new State or federal radio frequency standards applicable to frequencies of this facility, the facility granted herein shall be brought into compliance with such standards.

5. The Certificate Holder shall permit public or private entities to share space on the proposed tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.

6. The Certificate Holder shall provide reasonable space on the tower for no compensation for any Town of Manchester public safety services (police, fire and medical services), provided such use can be accommodated and is compatible with the structural integrity of the tower.

7. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed and providing wireless services within eighteen months from the date of the mailing of the Council's Findings of Fact, Opinion, and Decision and Order (collectively called "Final Decision"), this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's Final Decision shall not be counted in calculating this deadline.

8. Any request for extension of the time period referred to in Condition 7 shall be filed with the Council not later than 60 days prior to the expiration date of this Certificate and shall be served on all parties and intervenors, as listed in the service list, and the Town of Manchester. Any proposed modifications to this Decision and Order shall likewise be so served.

9. If the facility ceases to provide wireless services for a period of one year, this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made.

10. The Certificate Holder shall remove any nonfunctioning antenna, and associated antenna mounting equipment, within 60 days of the date the antenna ceased to function.

11. In accordance with Section 16-50j-77 of the Regulations of Connecticut State Agencies, the Certificate Holder shall provide the Council with written notice two weeks prior to the commencement of site construction activities. In addition, the Certificate Holder shall provide the Council with written notice of the completion of site construction and the commencement of site operation.

Pursuant to General Statutes § 16-50p, the Council hereby directs that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed below, and notice of issuance shall be published in the Hartford Courant and the Manchester Journal-Inquirer.

By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

The parties and intervenors to this proceeding are:

APPLICANT

Optasite Towers LLC
One Research Drive, Suite 200C
Westborough, MA 01581

Omnipoint Communications, Inc.
100 Filley Street
Bloomfield, CT 06002

ITS REPRESENTATIVE

Julie Kohler, Esq.
Carrie L. Larson, Esq.
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604

PARTY

Laurie Morrone

CERTIFICATION

The undersigned members of the Connecticut Siting Council (Council) hereby certify that they have heard this case, or read the record thereof, in **DOCKET NO. 351** - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 93 Lake Street, Manchester, Connecticut, and voted as follows to approve the proposed telecommunications facility located at 93 Lake Street, Manchester, Connecticut.

Council Members	Vote Cast
Daniel F. Caruso, Chairman	Yes
Colin C. Tait, Vice Chairman	Yes
Commissioner Donald W. Downes Designee: Gerald J. Heffernan	Yes
Commissioner Gina McCarthy Designee: Brian Golembiewski	Yes
Philip T. Ashton	Abstain
Daniel P. Lynch, Jr.	Yes
James J. Murphy, Jr.	Yes
Dr. Barbara Currier Bell	Yes
Edward S. Wilensky	Yes

Dated at New Britain, Connecticut, May 8, 2008.

STATE OF CONNECTICUT)

ss. New Britain, Connecticut :

COUNTY OF HARTFORD)

I hereby certify that the foregoing is a true and correct copy of the Findings of Fact, Opinion, and Decision and Order issued by the Connecticut Siting Council, State of Connecticut.

ATTEST:

S. Derek Phelps
Executive Director
Connecticut Siting Council

I certify that a copy of the Findings of Fact, Opinion, and Decision and Order in Docket No. 351 has been forwarded by Certified First Class Return Receipt Requested mail on May 13, 2008, to all parties and intervenors of record as listed on the attached service list, dated February 4, 2008.

ATTEST:

Carriann Mulcahy
Secretary II
Connecticut Siting Council

Date: February 4, 2008

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	Optasite Towers LLC and Omnipoint Communications, Inc.	Julie Kohler, Esq. Carrie Larson, Esq. Cohen and Wolf, P.C. 1115 Broad Street Bridgeport, CT 06604 P-203-368-0211 F-203-394-9901 jkohler@cohenandwolf.com clarson@cohenandwolf.com
Party (Approved 1/29/08)	Laurie Morrone 119 Lake Street Manchester, CT 06042 860-649-0703 Laurie.morrone@arborsct.com	