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REPORT OF THE PROCEEDINGS OF A PUBLIC HEARING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
PLAN COMMISSION

COMMISSION

RE: T-MOBILE WIRELESS ANTENNA TOWER; PC# 15-003

REPORT OF PROCEEDINGS had before the Village of Arlington Heights Plan Commission Meeting taken at the Arlington Heights Village Hall, 33 South Arlington Heights Road, 3rd Floor Board Room, Arlington Heights, Illinois on the 22nd day of July, 2015, at the hour of 7:30 p.m.

MEMBERS PRESENT:

JOE LORENZINI, Chairman
LYNN JENSEN
TERRY ENNES
BRUCE GREEN
GEORGE DROST
JOHN SIGALOS
JAY CHERWIN

ALSO PRESENT:

LATIKA BHIDE, Development Planner

CHAIRMAN LORENZINI: I'd like to call this meeting of the Plan Commission to order. Would you all please rise and recite the pledge of allegiance with us?

(Pledge of allegiance.)

CHAIRMAN LORENZINI: Thank you. Okay, roll call please, Latika.

MS. BHIDE: Commissioner Dawson.

(No response.)

MS. BHIDE: Commissioner Warskow.

(No response.)

MS. BHIDE: Commissioner Cherwin.

COMMISSIONER CHERWIN: Here.

MS. BHIDE: Commissioner Drost.

COMMISSIONER DROST: Here.

MS. BHIDE: Commissioner Ennes.

COMMISSIONER ENNES: Here.

MS. BHIDE: Commissioner Green.

COMMISSIONER GREEN: Here.

MS. BHIDE: Commissioner Jensen.

COMMISSIONER JENSEN: Here.

MS. BHIDE: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MS. BHIDE: Chairman Lorenzini.

CHAIRMAN LORENZINI: Here. Okay, first item on the agenda is approval of the meeting minutes from our last meeting.

COMMISSIONER GREEN: I'll make a motion for approval.

COMMISSIONER DROST: Second.

CHAIRMAN LORENZINI: Okay, all in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Very good, thank you. Okay, next item on the agenda is public hearing PC# 15-003 for T-Mobile at 1000 South Arlington Heights Road. Have all the proper notices been given, Latika?

MS. BHIDE: They have.

CHAIRMAN LORENZINI: Thank you. Is the Petitioner here? Would you please stand up and anybody else who's going to testify come forward and we'll swear you all in? Please raise your right hand.

(Witnesses sworn.)

CHAIRMAN LORENZINI: Thank you. Okay, whosoever is going to speak first regarding this presentation, again welcome back,

please state your name and address and spell your name for the court reporter please.

MR. STAPLETON: Thank you, Mr. Chairman. My name is Bob Stapleton, S-t-a-p-l-e-t-o-n. I live at 1900 West Acre Road, Joliet, Illinois 60435. I am the CEO of National Wireless Ventures and I am here on behalf of the Applicant, APC Towers, who has been contracted by T-Mobile for the purposes of building out the Chicago network on this new phase of wireless communication.

CHAIRMAN LORENZINI: Okay, thank you. Have you read all the conditions in the Staff report, and do you agree with them?

MR. STAPLETON: Yes, I have. Do I have the Staff report here? Okay, all right, just making sure. Yes, my understanding of the Staff report, yes.

CHAIRMAN LORENZINI: Okay, thank you. Would you give us a brief presentation of the project again? You stated very well the importance of cellular communication and its need for the towers in the area. So, could you just briefly explain what you're doing this time?

MR. STAPLETON: Sure thing. There were some questions that were brought up at the last time regarding, you know, have we talked to the hospital and things like that. In doing, in our due diligence and everything, we were at Northwest Community Hospital, and we are immediately to the west of the hospital with a full, what we call a macro site. But we have been at the hospital with equipment for probably two and a half, possibly three years with equipment. Because of the density of the service, this is why we need the additional site. Of course your ordinance likes to have, us to have the ability to co-locate, so the elimination of multiple towers. So, the reason for the 100-foot is so that we can have additional carriers on site.

Since the last meeting, of course there was a lot of concern about the conditions of the property and I don't know if you have seen pictures of what has been done there at the property, but we've supplied Staff. After discussions with the property owner, their staff and everything else there, I think the property, we reduced the tally of the last, or we reduced the car count at the property down to the neighborhood of 20 vehicles and one boat, excuse me. We've basically told our landlord that he has to continue to meet the obligations of the ordinance regarding his operation of the property.

We have also agreed, based on IDOT, on the vegetation, and then we've provided a landscape plan for the site in addition to vegetation along both Central and Arlington Heights Road. The vegetation is going to be minimal in height, you know, depending upon what IDOT finally agrees to because of, like anything else, we are at an intersection and IDOT has some very stringent rules regarding visibility, both north and south and east and west on that site.

There has been discussion concerning how many

carriers on the tower, discussion about stealth tower, those kinds of things. You know, we've discussed with Staff from our understanding regarding the fact that if we go with the stealth tower we do need additional height because, basically to have the multiple levels of the antennas within the tower. So, we are asking for the 100-foot monopole which, is 25 feet above ordinance so we can have at least two carriers at that particular site.

CHAIRMAN LORENZINI: Okay, thank you. Latika, Staff report please.

MS. BHIDE: Thank you.

CHAIRMAN LORENZINI: You can have a seat if you'd like.

MS. BHIDE: Good evening. The Petitioner is here this evening, they are seeking a special use permit for a wireless tower. Along with the special use, they are also seeking a variation from Chapter 23, Section 203, which restricts the height of a ground antenna to 75 feet. It should be noted that variances from Chapter 23 are within the purview of the Building Code Review Board and this issue has been addressed by the Building Code Review Board. So, the only item within the purview of the Plan Commission tonight is the request for the special use permit.

CHAIRMAN LORENZINI: For 75 feet.

MS. BHIDE: Correct. As you can see, the proposed site is located at the southwest corner of Central Road and Arlington Heights Road. It is an approximately half acre site, and T-Mobile is interested, or APC Towers is interested in leasing a 30-foot by 30-foot area at the southwest corner of this property. The antenna they are proposing is a 100-foot tall monopole. The closest residential property is approximately 200 feet from the property in question and the closest residential structure is approximately 249 feet.

The lease area will occupy and thus eliminate four parking spaces at the southwest corner. The Petitioner had originally proposed a 12-foot wide access easement to provide access to the lease area, which would have resulted in additional loss of four spaces. But they have since changed the plans and now are providing a 12-foot wide temporary construction easement so that it doesn't encroach on the parking spaces. You can see that southwest corner zoomed in in detail, and I have a picture of the elevation of the pole. As you can see, it's a 100-foot tall monopole that they are showing.

So, to summarize, after the first hearing, the proposed changes that the Petitioner is making to their application is that they have provided us coverage plats that demonstrate that there is a coverage hole in their service, and they have provided new plats that illustrate the coverage with the addition of the new site. The 12-foot wide access easement to provide access to the lease area has been revised and it is now a 12-foot wide temporary construction

easement and it doesn't encroach into the four parking spaces. So, only four spaces on the site will be eliminated.

They are proposing three-foot tall landscaping along Central Road and Arlington Heights Road, and they will be adding three landscape islands on the site with four-inch caliper trees within those islands.

So, as you can see, this is the existing coverage for T-Mobile, the coverage plat. This is the proposed coverage with the site at 75-foot. So, at the Plat & Subcommittee meeting and the last Plan Commission hearing, there were some questions asked about other locations that were possible for this antenna. These are the coverage plats they have provided to show that there is a coverage hole in their service. There are no other tall buildings in this area where they can locate their towers.

So, just to summarize, the SDC did originally recommend denial as they would prefer a less visible location of the antenna or possibly on a tall building. However, as the proposed tower is a utility, the Petitioner has demonstrated a gap in service which can be filled with a 75-foot tall antenna. They will be providing landscaping and site improvements and a legal review of the FCC regulations. FCC is recommending approval of this project as outlined in the report.

These were shown to the Commission but I do have some simulations that look at the before and after with the tower. This is looking west and then looking north at the site, and then two shots looking south.

CHAIRMAN LORENZINI: Could you go over this a little slower, Latika? Point out the new pole please.

MS. BHIDE: Sorry. So, the new pole on the view looking north is kind of the middle of the picture here. Same thing with the new view looking south at the site. Then this is another view looking at the site where again there are a number of utility poles here, but we can see the pole in the middle there.

CHAIRMAN LORENZINI: Now, is that simulation with a 75-foot or 100-foot pole?

MS. BHIDE: That is with the 100-foot one, yes. So, at the last Plan Commission hearing, the Commission did raise a few concerns. One was setting a precedent by approving the antenna without designating appropriate locations within the Village. The Zoning Ordinance does spell out what the permissible locations are for cell towers and they are permitted as a special use in Districts B-1 through B-5, or PL, M-1, M-2, I and O-T, so basically the town residential districts. Per the Zoning Ordinance, you know, special uses require special consideration as to their proper location in relation to adjacent uses. Therefore, they need to be evaluated on a case-by-case

basis, and the Village cannot designate which parcels would, therefore, be suitable without analyzing all issues.

There was a question raised regarding the restriction in the Village Code regarding the 75-foot for a tower. This is Chapter 23 in the Municipal Code, which sets this restriction. It is a local amendment to the International Building Code, it is not in the unamended IBC. As far as I could research, this restriction has been in place for several years, but I was unable to narrow down the reason why it was limited to 75-foot.

There were concerns with the number of vehicles on the site. As the Petitioner indicated, they have worked with the property owner to remove vehicles from the site. They provided counts taken on July 14th, which included 21 vehicles including employee vehicles. Then the last concern the Plan Commission raised or one of the concerns raised was the lack of an overall landscape plan. The Petitioner has provided a landscape plan, which shows landscaping along Central and Arlington Heights Road, and they are adding islands to the site.

Just to briefly summarize the legal review of the FCC regulations, the FCC has a shot clock that applies to both new antennas and co-locations. For a new antenna, which this one is, the Village has 150 days from the time a complete application is submitted to when the final decision must be rendered. This application, the complete application was submitted on March 24th, and so the Village must issue a final decision by August 22nd, 2015.

There are limitations to the authority of the Village as far as new antennas and co-locations. These include that:

1. The regulation does not unreasonably discriminate among the different providers;
2. The regulation does not prohibit or have the effect of prohibiting the provision of personal wireless services;
3. The municipality cannot regulate placement, construction and modification of personal wireless facilities on the basis of the environmental effects of radio frequencies; and
4. A municipality cannot deny a zoning application solely on the basis that one or more carriers have served a given geographic market.

Additionally, the decision of the Village to deny the request must be in writing and supported by substantial evidence. So, the Plan Commission, if they decide to deny this request, must explain that decision in detail.

To talk a little bit about the parking on the site, the code-required parking on the site is three parking spaces for every service bay, and one for each employee. So, for this site, you would need 16 parking spaces. Based on the revised parking plan that

they have provided after the addition of all the landscape islands, they will have 25 parking spaces on the site, so that will be a surplus of nine parking spaces. They did provide parking counts as you can see. Earlier in the year, there were up to 41 vehicles on the site. But they have provided parking counts on July 14, which show 21 vehicles parked on the site.

Before I talk about conditions and recommendations, I just would want to talk about the landscaping. A three-foot high screen is required along Central Avenue and Arlington Heights Road to buffer the parking from the street frontage. They have provided a landscape plan that shows that screening. As the Petitioner indicated, some of that landscaping is located within the IDOT right of way, which would require IDOT approval. The Petitioner can install all the required landscaping on the property, it would require the removal of one or two maybe parking spaces, but we had attached a Staff concept showing how it can be accommodated.

Secondly, all ends of all parking rows must include a parking landscaped island, which contains a four-inch caliper shade tree. Right now there are no parking islands on the site, so it's considered a nonconforming site. The Petitioner has provided, like I said, the overall landscape plan, and they are proposing to add three islands with trees. The plan is still deficient two islands but it should be noted that the landscape islands will add green space to the site and they will help delineate the parking --

That being said, the Staff Development Committee does recommend approval of a special use for a 75-foot tall monopole, approval subject to the following conditions:

1. The landscape screening shall be installed completely on private property subject to Village approval.
2. The number of platforms or carriers allowed on the antenna will be limited to two. The installation of additional platforms will require a Special Use Permit amendment.
3. Prior to Board consideration, the Petitioner will provide a letter from the Northwest Central Dispatch indicating that the proposed frequencies are compatible with the Village and other public and private telecommunication frequencies.
4. Prior to receiving a permit, they will submit any required state or federal approvals and comply with all federal, state, and Village codes, regulations and policies.

CHAIRMAN LORENZINI: Thank you, Latika. Is there a motion to include this in the public record?

COMMISSIONER DROST: I'll make that motion.

COMMISSIONER JENSEN: I'll second it.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Thank you. Latika, just to kind of summarize, so last meeting, the Planning Department was not recommending the project. Now you are because of the changes?

MS. BHIDE: Yes.

CHAIRMAN LORENZINI: But since the ordinance says 75 feet and the Design Commission said 75 feet, if we were to approve it, it's only for 75 feet. The Board of Trustees would have to approve the 100-foot.

MS. BHIDE: That's correct.

CHAIRMAN LORENZINI: Okay. All right, having said that, why don't we start? Lynn, would you like to start?

COMMISSIONER JENSEN: Sure. Well, first of all, I want to commend the Petitioner and Staff and so forth for using the continuance to reframe this issue as they have, because I see the role that we have here is to advise the Board and make recommendations concerning the sound development of not only residential and non-residential property but also infrastructure. I must say I was kind of concerned last time that we were spending so much time on what I considered a constraint on the development of sound infrastructure that I thought we were not going in the right direction. So, I'm very glad that we took the time and we continued it and so forth.

We can't comment on the, from what I understand, I just want to get clarification again, Mr. Chair, you asked this but I'll ask it a little more bluntly. So, we can approve or disapprove the special use, and the legal finding from the Village Counsel is that if we decide to disapprove this, we have to have very, very good reasons documented in writing and really we do not have too much latitude with it.

MS. BHIDE: That's correct. You'd have to, in writing, state the reasons for denial.

COMMISSIONER JENSEN: As I also understand, we really don't have much in terms of our own deliberations to say about the 75 feet?

MS. BHIDE: That's correct. So, the variation is from Chapter 23, which is not the purview of the Plan Commission. That is the purview of the Building Code Review Board, which has reviewed that variation request and made a recommendation for denial. So, we cannot have two conflicting recommendations from the Village going to the Village Board. So, the Plan Commission can deliberate on the special use request, the Building Code Review Board has already deliberated on the height, and both recommendations will be forwarded to the Village Board.

COMMISSIONER JENSEN: I have been very supportive of this project from the beginning even with the original request. So, I don't really have too much to add to this. I would have a question. I

assume I can at least append a comment when we get through voting that might go to the issue of the 75-foot because I found the handling of it very unsatisfactory when I read the minutes of the other commission quite frankly. But I don't have any further questions.

CHAIRMAN LORENZINI: Thank you, Lynn. Terry?

COMMISSIONER ENNES: Is this the landscape plan that we have?

MS. BHIDE: That's the concept that was proposed by Staff.

COMMISSIONER ENNES: So, we don't have any detailed description of the type of, normally we get detail on the type of shrubbery.

MS. BHIDE: It is on the site plan that shows the use on the three-foot along Arlington and Central Road, and then crabapple trees to be installed within the islands. But the one that you have was drawn by Staff just to see how landscaping can be accommodated on site.

COMMISSIONER ENNES: So, Petitioner hasn't presented a plan?

MS. BHIDE: They have presented a plan just not this one.

COMMISSIONER ENNES: Okay. That's all I have.

CHAIRMAN LORENZINI: Okay. Thanks, Terry. Bruce?

COMMISSIONER GREEN: Where are the two islands that were missing?

MS. BHIDE: So, if you look at the west most row of parking, there is no island at that south end of the west most row.

COMMISSIONER GREEN: Up against the yard that goes around the tower?

MS. BHIDE: Yes, at the very top there. Then on the southernmost row, there is no island on the west most side because it butts up to the lease area.

COMMISSIONER GREEN: Okay, over here. In the future, I would just make a request for a little bit larger plan.

Okay. Another question is, and Latika, maybe you can answer this. When we say that the Petitioner has been working with the owner to remove these cars, how are we going to make sure that these 42 vehicles don't come back? How do we do that?

MS. BHIDE: That's going to have to be a code enforcement issue.

COMMISSIONER GREEN: Okay, and we have very lax code enforcement people, whoever they are, in the Village because we see a lot of variations like this that just creep right back in and they go on their merry way in the same department.

MS. BHIDE: I think they are submitting a plan that

provides for 25 vehicles. If there were more, it would have to be taken up, as anywhere else in the Village, via code enforcement.

COMMISSIONER GREEN: Is there, if they have more vehicles, can they be fined? What is the punishment? What is the inducement to get them to get rid of the extra cars if there's only 25 spots?

MS. BHIDE: Right. You know, I think they're given some time to correct the situation first before they are fined. But I think --

COMMISSIONER GREEN: But is there a fine involved with this eventually?

MS. BHIDE: I believe there is, but I am not a 100 percent sure on that.

COMMISSIONER GREEN: I'm just, for my own education. Okay, I have no other questions.

CHAIRMAN LORENZINI: Thank you, Bruce. George?

COMMISSIONER DROST: Yes. Bruce, it's like getting ready for a marriage, you know. Before you actually got married you're losing a lot of weight and you're looking the best you can.

COMMISSIONER GREEN: What are you saying to me, George?

COMMISSIONER DROST: So, it could let go. So, I think the Petitioner is trying to look as good as he can or she can before they go to the Trustees.

On those vehicles though, it's like, I saw boats there. Are boats vehicles?

MS. BHIDE: They are vehicles, yes.

COMMISSIONER DROST: Okay, I mean are they trailered and they come with the car count? Because you know, there are some clever lawyers, well, there's only 42 cars but 20 boats.

MS. BHIDE: I think they would, I mean they would all count as vehicles.

COMMISSIONER DROST: So, if they happen to be trailered, then that's a vehicle.

MS. BHIDE: Yes, they would still be vehicles.

COMMISSIONER DROST: That's where it gets to be a little bit of a hodgepodge arrangement.

On the monopole, in the recommendations, it says in number two, the number of platform, does that mean carriers?

MS. BHIDE: That's correct.

COMMISSIONER DROST: So, the 'carries' was a new word for them?

MS. BHIDE: Sorry, I think I misspelled the word there.

COMMISSIONER DROST: It was carriers.

MS. BHIDE: It's antenna/carriers.

COMMISSIONER DROST: Carriers, okay. The carrier is

going to be exclusively T-Mobile? Is that --

MR. STAPLETON: T-Mobile will be, do I need to --

COMMISSIONER DROST: Yes, why don't you, because you're going to be recorded.

MR. STAPLETON: Sure thing, I'm sorry. Okay, T-Mobile is the initial carrier that is part of this application. The tower would then be in accordance with your ordinance from the standpoint of being built for a second carrier to come on board. We're going to design the foundation, you know, four or three, but we're going to, you know, right now we're planning for two carriers.

COMMISSIONER DROST: So, it would be designed for three to four carriers?

MR. STAPLETON: From a foundation standpoint so that the, just as Staff or Latika said, if somebody wants to come in beyond the two carriers, they're going to have to come before you and request an additional special use for the additional carriers.

COMMISSIONER DROST: Yes. Is your business, you're basically the monopole owner and you are being asked by T-Mobile here to get the approval from the Village?

MR. STAPLETON: That is correct. T-Mobile will become our tenant, we become the landlord. As such, T-Mobile becomes a subtenant to our landlord, so we are responsible for the operation of that compound. In accordance with our agreement, our lease agreement with the property owner, he has to stay in compliance with the ordinance.

COMMISSIONER DROST: Yes, but I'm just kind of getting into the franchise level with T-Mobile and then, you know, there's other carriers, there's still other carriers.

MR. STAPLETON: Correct. Right, right.

COMMISSIONER DROST: Verizon for instance.

MR. STAPLETON: Verizon is here tonight on another issue. AT&T is there.

COMMISSIONER DROST: Just using that as a --

MR. STAPLETON: Right, and at the same time we're looking at what's coming down the pike with the fact of FirstNet which the federal government is putting a great deal of time and money into.

COMMISSIONER DROST: Well, that's the other point I'm getting at is the other usage because there is a security element in these communication towers. When you say two carriers, you start to partner with the federal government, and the federal government has black boxes or whatever in these towers also for future use or for security purposes. So, when we say two carriers, we're saying two carriers plus.

MR. STAPLETON: No, we're saying, I think what your ordinance, what you're asking us to do for right now is two carriers.

If there is a need for, as what Staff has asked for is if there is a need to go beyond the two carriers, then that third carrier is going to have to come, you know, come back in here. I don't know where the federal government is going to go but what I'm saying about that is right now the industry has sort of condensed again. We're down to AT&T, Verizon and T-Mobile and Sprint from the standpoint of being the four principal wireless carriers.

There's other elements that are coming out there, but no real serious plans have been really put on the table with what's coming next. As I said I think in the previous hearing, based on the last spectrum auction, $7 billion has been put aside to the FirstNet project. So, that's coming somewhere along the line. I anticipate, you know, if there is a need for FirstNet to come on board, we're going to have to come back in here if they're the third carrier for that.

COMMISSIONER DROST: So, they would be a carrier, they would be classified and termed as a carrier.

MR. STAPLETON: Right, because --

COMMISSIONER DROST: There's roll outs and, you know, consolidations in your business, in the business you could be T-Mobile this year but then, and because T-Mobile was going to be bought by somebody I thought.

MR. STAPLETON: Well, T-Mobile was going to be purchased by AT&T, and the Federal Trade Commission and Justice Department basically said that wasn't going to happen because it was going to basically consolidate the industry from the standpoint of a competitive basis. So, presently, there is a great deal of talk of T-Mobile and Sprint merging and things like that. But there's a lot of, you know, in our industry there's all kinds of things. I mean we're looking at Google, we're looking at Dish, we're looking at all kinds of other people who are buying spectrum, buying airwaves.

So, those all could become, somebody in that bunch could become carrier number two, and then somebody in that bunch could be carrier number three which would in turn could make them come before here and ask for the additional special use.

COMMISSIONER DROST: When I was a child, we got the basic TV station. Now, you know, we have just a proliferation, now we're looking at Netflix coming in with their own station to compete with the existing four, I guess. But that's sort of the interesting thing. I just wanted to get that definition of carrier, the ability to switch in and switch out of the original plan. So, you know, be careful of what we, the arrangement we have.

In these agreements that you have with T-Mobile, does T-Mobile have the ability to veto any carrier?

MR. STAPLETON: No, they don't have the right to veto unless it's interfering with their spectrum. If there is an

interference situation, then of course there is a --

COMMISSIONER DROST: If they're on the same pole.

MR. STAPLETON: Yes, of course there is that. It's just like me working, you know, having a home here in town and putting up an antenna and all of a sudden I'm interfering with your, you know, fire and police radio or something like that. You know, that's something that has to be contended to deal with. But they can't, for instance on their platform where their antennas are, they can't go and just sublet space on their platform.

COMMISSIONER DROST: I just wanted to get a better understanding, you know, that what we're considering tonight is sort of final and not any other stealth, you know, aspects to it where you would approve this and all of a sudden it opens up a floodgate.

MR. STAPLETON: Because you have that ability as a special use or a conditional use in the ordinance, you can put those conditions in that final approval to make it --

COMMISSIONER DROST: I don't think we can but it's the two carriers, that we define the carriers, I'm not an expert so I'm not going to try to design something I don't know anything about or have no knowledge about. Okay, I'm done.

COMMISSIONER GREEN: If I could just jump in, I have a question on George's comment there. I think in the last meeting, you stated that you needed 75 feet for T-Mobile, and if you were to have another carrier on there you need additional height. So, my question to you is if you're limited to 75 feet, what's going to happen with carrier number two?

MR. STAPLETON: He's going to have, if we can't get that additional height, he's going to have to come in below us. Two things sort of happen in that roll out. If he comes in below us, he's just, you know, he's going to be at treetop level or if not right at, you know, right above treetop level or right at treetop level. So, therefore, his situation, which they're going to have to look at is how far out they can broadcast and receive. So, that's part of the situation.

So, as I said I think in the previous meeting, we would like to be above because we might get out of that interference. Then at the same time, we'd like to have that separation between antennas. We like to have, you know, somewhere in the area of eight to ten feet between the bottom of our antenna and the top of the next guy's antenna.

COMMISSIONER GREEN: Okay. I guess what I'm asking here is if this second carrier is not going to work, then why are we approving two carriers? Maybe you can answer that, Latika.

MS. BHIDE: Sure. I mean there are other antennas that are on the rooftops, which are at 56 feet, 58 feet, you know. So,

possibly a second antenna should work. A third one might not if it's too low.

MR. STAPLETON: Right.

COMMISSIONER GREEN: Okay. So, I guess where I'm going with this is if we are approving two and one only will work, is it pushing us into more height being added to the pole in the future?

CHAIRMAN LORENZINI: Well, Bruce, I don't know if it's --

COMMISSIONER GREEN: If we can talk about that.

CHAIRMAN LORENZINI: Well, no, but I don't know if it's ineffective and it won't work or just it won't be as effective.

COMMISSIONER JENSEN: If I could?

MR. STAPLETON: That's correct, yes. That's the big issue.

COMMISSIONER GREEN: That's fine. I just want to understand it.

COMMISSIONER JENSEN: The Petitioner is going forward to the Board still requesting a 100-foot pole.

MS. BHIDE: That's correct.

COMMISSIONER JENSEN: So, basically, we are saying we'll either approve the special use or not. As I said, I had some concerns about the 75 feet if it's inadequate. But that has to be dealt with separately, but I think he is going to take it to the Board and see if he can get them to give him the variance.

COMMISSIONER GREEN: Right. I'm just trying to understand the ploy behind it all just so I can understand it myself. Is it if it doesn't work below 75, then that's an excuse to go for more? So, that's just my comment on it, that is all, and I wanted to just understand that. That's all.

CHAIRMAN LORENZINI: Okay, let's go on to John.

COMMISSIONER SIGALOS: Yes, I guess I would like to just clarify because my question is really what Bruce Green just brought up. Your T-Mobile antenna will work on a 75-foot pole?

MR. STAPLETON: Yes, our RF.

COMMISSIONER SIGALOS: Where do you mount it? Say a 75-foot pole, will you be at the very top of this pole or you'd be, let's say at 65 feet?

MR. STAPLETON: Tippy top, tippy top. The top of the antenna.

COMMISSIONER SIGALOS: The very top?

MR. STAPLETON: The very top will be at 75 feet.

COMMISSIONER SIGALOS: Okay, so that's where your T-Mobile antennas would be.

MR. STAPLETON: Right, right.

COMMISSIONER SIGALOS: Then if you have a second

carrier on there, you would want an eight to ten feet difference. So, that means the second carrier would be maybe at 65 feet?

MR. STAPLETON: Correct.

COMMISSIONER SIGALOS: To provide coverage, it should provide adequate coverage because I, in preparing for the Verizon variance that's coming up in the next case, they're wanting their antenna at 59 feet. So, if it works for them, I'm assuming it would work for whoever else is going to go on the 75-foot pole.

MR. STAPLETON: It all, location, it's all based on what, if you want to call it clutter, is there in relationship to where the other equipment is at, its relationship to what we're trying to convey.

I mean for instance, let's just say your ordinance allowed 200-foot, okay. Based on what we have out there in the neighborhood and everything else, we don't need 200-foot because what happens at 200 feet, we're blasting over existing coverage. So, what we try to do is basically tailor the installation to meet the coverage that we're trying to obtain, and at the same time also without the necessity of us maybe two years down the line or three years down the line coming and saying, well, yes, we've got this okay coverage but we need to add something else because we're not going out the distance where we're at.

I mean what we're asking for tonight is to get the conditional use approved. We are going to petition the Board to go to 100 feet so that in turn what happens is we push our antennas up to the top at 100 feet, and then we have the ability to co-locate for the next guy below, and at the same time most likely for him to meet his coverage need.

COMMISSIONER SIGALOS: But again the simple question was 75 feet will provide the coverage you require and allow a second carrier to be down below you at 65 feet and provide a sufficient coverage?

MR. STAPLETON: It provides sufficient coverage, yes.

COMMISSIONER SIGALOS: Okay, that's all because, that's all. That's all I have, thank you.

CHAIRMAN LORENZINI: All right, John. Jay?

COMMISSIONER CHERWIN: Yes. You know, obviously I was concerned about this the first time around. I agree with Lynn, you know, to the extent that infrastructure is important and we need it. The concern we had last time was obviously if we take a pure utilitarian approach, that would be a much easier job. Unfortunately, we have to balance other things that are going on, whether it's aesthetics or planning or sort of case-by-case basis that goes along with the reason these aren't permitted but are special use. So, again my concern is still there. This will look terrible on this corner, out

of place, you know that.

I guess I'd ask Latika if, I had seen, you know, whether it's Comp Plan, I don't, the Planning Department was sending a survey about overhead poles in this area, eliminating or trying to restructure the sort of entranceway into the Village on Arlington Heights Road. Is that still the case? I mean are we looking at somehow upgrading or enhancing the aesthetics of that area?

MS. BHIDE: I don't know.

COMMISSIONER DROST: I can address that. It is on the Comprehensive Plan.

COMMISSIONER CHERWIN: There it is.

COMMISSIONER DROST: Yes, indeed that is one of the strategies, to take some of these overhead poles and put them down below.

COMMISSIONER CHERWIN: Why is that, George?

COMMISSIONER DROST: Because they're an eyesore. There's other aspects to it, too. I think it's easier to service in ground or on ground. There's less chance for all of the safety issues which you don't want. But it's primarily aesthetics, you know, you're careful to point out the fact that the monopole was shown in this cluster of overhead lines which --

COMMISSIONER CHERWIN: That would no longer be there at some point.

COMMISSIONER DROST: You know, it makes the big boy antenna not so bad because the other guy is pretty ugly, too.

COMMISSIONER CHERWIN: Yes, but all of them are in the way so that it looks like it's just one them.

COMMISSIONER DROST: Yes, right.

COMMISSIONER CHERWIN: But my concern is that the Village is trying to undertake some action to make changes in that area.

COMMISSIONER DROST: Well, it's not official, but in committee we have been talking about that as being one way to improve the aesthetics of the community. We've tried to identify certain areas within the community to look a little bit more tip-top.

COMMISSIONER CHERWIN: It would seem to me that, so that's the kind of planning that, you know, when we have to balance the utilitarian aspect of putting in infrastructure, the hard part of our job is balancing longer term decisions like that.

COMMISSIONER DROST: Right, but we're not, the committee report is not legislation nor would --

COMMISSIONER CHERWIN: I understand.

COMMISSIONER DROST: So, we have to deal with what is on the books rather than what is being proposed. But a sense of what our Plan Commission and our subcommittee is doing in essence is to try

to make the Village a little more inviting, especially in what we call sort of gateway locations.

COMMISSIONER CHERWIN: Right. So, that continues to be my concern. I've mentioned before I don't think, you know, when we talk about, I don't think there's any realistic chance of looking at a map of the Village and saying this is where we want our poles to be. That's not what I would have in mind. But it would seem to be that regardless of the outcome in this case, we need to think ahead towards, you know, this type of infrastructure and have some sort of long-term plan.

I said that last time, I'll say it again because I think maybe random decisions, or not random decisions but decisions that are not necessarily tied to any sort of plan for weighing the benefits of improved infrastructure versus the nature of the neighborhood, the aesthetic issues, I think it would serve us well to have some strategy around that rather than --

COMMISSIONER DROST: Great comment from --

COMMISSIONER CHERWIN: I will hold comments until after the public comment.

CHAIRMAN LORENZINI: Thank you, Jay. Latika, just a couple of minor questions. On the recommendations, it says the landscape screening, Mr. Stapleton, could you please stay up here?

MR. STAPLETON: Oh, sure.

CHAIRMAN LORENZINI: This would involve you, too. It says the landscaping screening shall be installed completely on private property subject to Village approval. But then you mentioned something about if IDOT allows that on their property. Where is the landscaping going, on IDOT's?

MS. BHIDE: So, the plan that the Petitioner has presented shows landscaping that is partially on IDOT right of way. The concept landscape plan that we provided to the Commission demonstrates that it can all be accommodated on private property. It may cause, you know, a parking space or two to be lost, but there is the excess.

One of the reasons we're recommending that was, you know, not having to go through or being subject to IDOT approval, but also to push the landscaping back on the property to help the facade space.

CHAIRMAN LORENZINI: Okay. Going back on the Staff Development Committee report, on page one, under the Surrounding Properties, on the North B-2, you still show the Shell station. That's really Japan Auto.

MS. BHIDE: Oh, sorry.

CHAIRMAN LORENZINI: That's all. Okay, now we're going to move on to the --

COMMISSIONER JENSEN: Mr. Chair, could I just get a clarification?

CHAIRMAN LORENZINI: Sure.

COMMISSIONER JENSEN: If I, I'd like to ask Mr. Stapleton, when you gave testimony to the other commission, you indicated with the 75-foot pole you would only get about 50 percent of the full service coverage that you would like. Is that correct?

MR. STAPLETON: That's about, you know, correct. I mean it serves the need, but at the same time doesn't serve the ultimate, you know, plan. I mean it's like anything else. It's like a radio station, you know, an AM station working day or, you know, how it perceives during the day and what an AM station is perceived at night. You know, WGN goes so far during the day, you turn the lights off, WGN goes farther out. This is the same kind of situation. At 75 feet, we're this; at 100, we're this.

So, yes, the height has a lot to do with what we're asking for and that's why, you know, we want to go back to the Board and ask for the 100 feet so we can meet, if you want to call it the desired coverage we'd like to have versus, you know, at 75 feet what we can get.

COMMISSIONER JENSEN: Okay, and I noticed on one of the exhibits we have, Latika, I guess this is actually the Petitioner, we do show, of the 18 monopoles or towers or whatever, five of those are significantly even above 100 feet. Some of them are not, not all are within Arlington Heights but some are.

MS. BHIDE: Right, yes.

COMMISSIONER JENSEN: So, were those grandfathered in? I mean how did they get to be higher than the 100 feet that the other commission as well as we are worried about?

MS. BHIDE: Some of these did get variations. The others might have predated the ordinance but some of these did get variations.

COMMISSIONER JENSEN: Okay.

COMMISSIONER GREEN: Maybe I can help you, Lynn. One of those variations was for a tower that was up with Commonwealth Edison, and very, very tall towers were present in the same location. So, they were replacing one of those. So, if they were 125 feet, you had to go back to 125 feet and carry the lines, and therefore that was the height of the tower.

COMMISSIONER JENSEN: Okay, that helps. Thank you.

CHAIRMAN LORENZINI: All right. Is there anything else before we go to the public? All right, let's go to the public portion. Anybody in the audience have any comments or questions? Anybody?

Okay, if not, we'll close that and go back to the Commissioners for final questions and deliberation. Any questions from

anybody? Any recommendations?

COMMISSIONER DROST: Yes, I'll make a motion.

**A motion to recommend to the Village Board of Trustees approval of PC #15-003, a Special Use Permit for a wireless antenna tower.**

**This approval is contingent upon compliance with the recommendation of the Plan Commission and the following recommendations detailed in the Staff Development Committee report dated July 16, 2015:**

**Recommendation**

**The Staff Development Committee has reviewed the Petitioner's request and recommends approval of a special use for a 75-foot tall monopole antenna, subject to the following conditions:**

1. **The landscape screening shall be installed completely on private property, subject to Village approval.**
2. **The number of platforms/carriers allowed on the antenna will be limited to two. The installation of additional platforms will require a Special Use Permit amendment.**
3. **Prior to Village Board consideration, provide a letter from the Northwest Central Dispatch indicating that the proposed frequencies are compatible with the Village and other public and private telecommunication frequencies.**
4. **Prior to receiving a permit, submit any required state or federal approvals.**
5. **The Petitioner shall comply with all federal, state, and Village codes, regulations and policies.**

CHAIRMAN LORENZINI: Do we have a second?
COMMISSIONER SIGALOS: Second.
CHAIRMAN LORENZINI: Okay. Roll call vote please.
MS. BHIDE: Commissioner Cherwin.
COMMISSIONER CHERWIN: Yes, with comment.
MS. BHIDE: Commissioner Drost.
COMMISSIONER DROST: Aye.
MS. BHIDE: Commissioner Ennes.
COMMISSIONER ENNES: Yes.
MS. BHIDE: Commissioner Green.
COMMISSIONER GREEN: Yes, with comment.
MS. BHIDE: Commissioner Jensen.
COMMISSIONER JENSEN: Yes, with comment.
MS. BHIDE: Commissioner Sigalos.
COMMISSIONER SIGALOS: No, with comment.

MS. BHIDE: Chairman Lorenzini.

CHAIRMAN LORENZINI: Yes. Okay, comments? Jay, do you want to start?

COMMISSIONER CHERWIN: Yes, my first comment is this is going to look awful and we'll probably regret it. I'll regret it at least. But I think we really owe it to ourselves and the citizens to take a comprehensive look on how we're going to address issues like this because I just don't think this is a good way to go about looking at these issues.

CHAIRMAN LORENZINI: John?

COMMISSIONER SIGALOS: I voted no only because it appears that your requirement for 100-foot is to get more co-locators on this tower which would be to your financial benefit. 75-foot would work, give you the coverage you need, and falls within our code. So, to say that you need the extra 25 feet for your own economic gains, I couldn't agree with that. That was my comment.

CHAIRMAN LORENZINI: Bruce, you had a comment?

COMMISSIONER GREEN: My only comment is I agree with the Review Board that says it should be 75 feet.

COMMISSIONER JENSEN: Yes, I actually agree with Jay. I think that we need to stop doing this piecemeal and we actually need to build our limitations and restrictions on something rational. When you read what happened at the other commission, the rationale was that 75 feet is the limitation, we don't know why, we know it's been there a long time, and therefore we're going to go with it.

I think the Village needs to at least take a look at norms and what other villages are doing. They need to look at standards and they need to develop a more comprehensive approach to this thing.

I don't feel totally comfortable limiting them to 75 feet because I don't know what kind of communications infrastructure this Village is going to need in five years or 10 or 15 because it evolves very rapidly. What we've done by limiting it to 75, maybe we'd have to actually approve several more towers. So, that doesn't appeal to me to have a whole forest of towers because we don't want to have one that may not look that attractive.

So, I think it behooves the Staff as well as the Board to try to see what we could do to actually get a better understanding and have a rationale that underpins the limitations on the height of these poles. So, I am agreeing with Jay although he may not like the twist that I've put on his comment.

CHAIRMAN LORENZINI: Okay, I think that wraps it up. Is there a date to go to the Board?

MS. BHIDE: I don't have a date. I need some information from them beforehand, so I'll work with them on a date.

For the public, it's updated the Friday before the meeting on the website.

CHAIRMAN LORENZINI: Okay. Well, Mr. Stapleton, I think you received a tepid approval from the board and I guess congratulations.

MR. STAPLETON: Thank you very much. I appreciate all the time you fellows have put into this issue. At the same time, as past president of the Illinois State Wireless Association and being involved in this business for a long time, I would certainly be pleased or, you know, if you have questions or your Staff has questions regarding a comprehensive plan, I would volunteer my time to your efforts because at the same time I understand the battle you folks have to deal with from the standpoint of what you want to see. At the same time, I think I can talk to you about where this industry is going and where the wire line industry is coming down to.

COMMISSIONER DROST: Yes, and that's a great idea. If you want to leave your contact info. We've got some of your info, but you know your past background is very amenable to this process, that would be very helpful.

MR. STAPLETON: Once again, thank you very much and thanks for all your time you've put in here.

CHAIRMAN LORENZINI: Thank you.

(Whereupon, the meeting on the above-mentioned petition was adjourned at 8:19 p.m.)