

APPROVED
MINUTES OF THE MEETING OF THE PLAN COMMISSION
AND ZONING BOARD OF APPEALS
VILLAGE OF NILES
COOK COUNTY, ILLINOIS
March 1, 2010

The Niles Plan Commission and Zoning Board of Appeals was called to order at 7:02 P.M.

Chairman Kanelos asked everyone to stand for the Pledge of Allegiance.

Present along with Chairman Thomas Kanelos and Village Attorney Joseph Annunzio were Vice-Chairman Karen Dimond, Commissioners Thomas Surace, Angelo Troiani, Barbara Nakanishi, Robert Schulter and Morgan Dubiel. Also present was Richard Wlodarski, Assistant Director of Community Development.

Chairman Kanelos stated at this time I'd like to enter into the record we will not have minutes from the February meeting. The minutes will be distributed to all Board members and we will review and approve them at the April regularly scheduled meeting.

Chairman Kanelos announced that it has been the practice of the Board that any members desiring to review the upcoming matters on the agenda would meet with Mr. Charles Ostman, Director of Community Development, and Mr. Richard Wlodarski, Assistant Director of Community Development, on the day of the hearing at 1:30 P.M. The purpose of this meeting is to review the sites and the surrounding environment to ascertain conditions which may require special consideration at the subject hearing. Anyone wishing to accompany the members is invited to meet at the Administration Building, 1000 Civic Center Drive, Niles, Illinois, prior to 1:30 P.M. They will be given the agenda and the locations of the sites to be visited. This public announcement is made to conform with the Open Meetings Act of the State of Illinois and is deemed to be a public notice.

OLD BUSINESS

None

NEW BUSINESS

10-ZP-04 Mr. Chad Gargrave, agent
Clearwire LLC
7600 S. County Line Rd.
Burr Ridge, IL 60527

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Requesting a Special Use to section IXA(B)(5)(a) to co-locate two microwave dishes on an existing monopole tower at 6849 W. Touhy Ave., Niles, IL 60714

Richard Wlodarski, Assistant Director of Community Development stepped forward. This case is 10-ZP-04. Subject property is 6849 W. Touhy. Proper notice was posted in The Bugle Newspaper on February 18, 2010. All parties or properties within 250' have been notified. This is for some microwave dishes to be added to an existing cellular tower. There are two conditions you have in your packet that need to be added to the approval of this. I will let you take care of that in your presentation. The Development Department has no issues with this nor does any other department.

Chairman Kanelos stated are there any questions for Mr. Wlodarski.

Vice-Chairman Dimond stated the two conditions you referred to – these are regarding the height of the dish. Also one department comment was police concern was answered. What is that about?

Mr. Wlodarski stated probably about interference with police communications. You do have a report in your packet from Municipal Services Associates who is a consultant of the Village. They review all these and give their recommendations for approval.

Chairman Kanelos stated may I remind the Commissioners to speak clearly into the microphone. There are no questions from other Commissioners. There is no one in the audience therefore no questions from the public. I will now ask the representative of the petitioner to step forward. Please raise your right hand. Do you solemnly swear that the testimony you are about to give is the truth, the whole truth and nothing but the truth?

Chad Gargrave, 7600 S. County Line Rd., Burr Ridge, IL 60527 stepped forward. I do not have much to add. I'm with Black & Veatch, a site acquisition firm for Clearwire. We do all the site preparation work.

Mr. Gargrave went on to explain how they do site prep, zoning, permitting and leasing and then hire contractors to go build the site. This site is on public land district and it therefore requires a Special Use in that district. Clearwire is an affiliate of Sprint who is already at the

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site.

Microwaves are being added to this location to increase speed of internet, mobile phone or whatever. Sprint antennas can be anywhere from 6' to 8' tall. Actual antennas for the Wimax system, which is the one that Clearwire and Sprint are using at this facility, are about 4' tall. The microwaves are just above that on the same attachment rod. They range from 12" diameter to 36" diameter. The ones here are going to be 2' in diameter.

Chairman Kanelos stated first I'd like to make sure the document in our packet entitled "Proposed Clearwire Communication Facility Project Summary" on Clearwire stationery be added to the record as Exhibit 1. The drawings labeled "Clearwire Wireless Broadband" dated 6/25/2009 also be added as Exhibit 2.

Commissioner Troiani stated I know this will benefit your company but what will it benefit the Village of Niles.

Mr. Gargrave stated it will have the same benefits as other wireless antennas in the area. Wireless is pervasive in our society today. This will keep the citizens of Niles up with the latest technology available. This is a new service that people can sign up for through the Clear Wireless brand Clear. Later you will see Sprint or Comcast will be offering similar services using the same hardware. This is a new service provided only by adding these microwave dish antennas in conjunction with Sprint antennas.

Commissioner Dubiel asked Mr. Gargrave several questions to verify Clearwire's intentions. The questions pertained to the need for these microwaves in the Village of Niles; that Clearwire will comply with all FCC rules, etc. This will not interfere with any other form of communication whether public or private; that wireless broadband provides vital communication services in emergency situations that will be used by local residents and emergency personnel to protect the general public's health, safety and welfare. You will avoid any signal interference. There is an interference analysis report being completed and a second one that included the Village's antennas. They found the proposed antennas would not create any RF interference with the Village's communication antennas. Finally, these are wireless telecommunication facilities including existing ones already in place at

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this location maintained by TowerCo.

Commissioner Surace expressed concern about the tower being quite busy. Say there is a problem. Is it going to be handled by your company, Sprint or some of the other ones? We know anything that is electrical can have a problem. Who do we go to?

Mr. Gargrave stated the Village would go to their tenant. In this case it is TowerCo. They own the facility and lease the ground space from the Village. Through subleases we have with TowerCo we are required not to interfere with any of the other carriers or with Village communication. The Village would go to TowerCo; they in turn would send out contractors to do an analysis and find out which carrier may be causing a problem. They would have to correct their problem or shutdown. It is a legal obligation under the lease and the FCC.

Commissioner Surace had another question regarding safety of the unit. There are trucks from various carriers coming in and out near the tower. Is it a secure area? Do you have to report to the police department to go back there?

Mr. Gargrave stated I am not sure about the notice requirement. There is usually a 24 hour notice given for routine maintenance or calling up for some kind of emergency access. Between the tower company and the carriers, there is usually no requirement to call the tower company and let them know just because the tower companies own so many towers. Usually there is a combination lock on the gate or a key access on the gate and each carrier has that combination or key and are able to go there. If the police or public works department need to access in an emergency they are also give that access.

Commissioner Troiani asked Mr. Gargrave to answer the following questions: the height of the dishes is not to exceed 110'. Any increase of height may require going before the Village Planning Commission. Approval is based on the Comsearch approval of frequencies. You are not going to interfere with anyone else's frequency, such as police, fire department, public works.

Mr. Gargrave stated you are correct.

Chairman Kanelos stated are there any other questions from the

Commissioners. There were none. Let the record show there are no

