

VILLAGE OF DOWNERS GROVE
Human Service Commission
Minutes
March 5, 2008

Commission Members Present: Members: Lynn Bedalov, Theresa Carlquist, Scott Jacaway, Diane Johnson, Catherine Rivera, Lisa Stach, Kathryn Engel-Accettura (ex-officio)

Members Absent Chair: Jeff Rogers, Members: Dave Dahm

Staff Liaison: Andrew J. Matejcak, Director of Counseling and Social Services

I. Roll Call: The meeting was called to order at 6:45pm. A quorum was obtained.

II. Approval of Minutes: December minutes were approved as presented.

III. Public Comment: No public comments were made.

IV. Discussion:

Staff collected survey items submitted by commission members since the February meeting. The March meeting consisted of commission members discussing their questions in detail, responding to the clarifying questions and comments from other members. The questions were broken down into general categories for further refinement during the April 2, 2008 meeting which will be submitted for inclusion in the upcoming Citizen Survey. Additional survey items may also be maintained as the Human Service Commission is expected recommend to Council a community wide survey to assess the needs and awareness of social services being provided in the community. Commission members also discussed better ways that the Village may communicate with their residents including: drawing better attention to the messages on the bottom of the water bills or adding inserts to the water bills and better representation of community services on Channel 6. Staff was asked to check into the availability of such opportunities and will report back in the April meeting. Members also suggested the creation of a volunteer database for Downers Grove residents to help within a community. Unlike the givingdupage.org website, which lists social services agencies needing volunteering assistance, the creation of a website specific to Downers Grove would connect volunteers to assist with individual residents or with neighborhoods.

V. New Business:

A request was made for a permanent change in the meeting time of the Commission with discussion to take place on the April 2nd meeting.

VI. Adjournment: The meeting closed at 8:20pm

Submitted by: Andrew J. Matejcak, Staff Liaison

**REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE
DOWNERS GROVE PUBLIC LIBRARY
March 26, 2008**

MINUTES

ROLL CALL

President Daniels called the meeting to order in the Library Meeting Room at 7:34 p.m. Trustees present: DiCola, Greene, Humphreys, Read, Vlcek, Daniels. Trustees absent: none. Also present: Library Director Bowen, Assistant Director Carlson. Visitors: none.

APPROVAL OF MINUTES

The Board reviewed the minutes of the regular meeting of February 27, 2008. It was moved by Vlcek and seconded by Read **THAT THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 27, 2008 BE APPROVED AS WRITTEN.** Ayes: DiCola, Greene, Read, Vlcek, Daniels. Abstentions: Humphreys. Nays: none. Motion carried.

PAYMENT OF INVOICES

The Board reviewed the list of invoices submitted for payment. It was moved by Humphreys and seconded by DiCola **TO APPROVE PAYMENT OF OPERATING INVOICES FOR MARCH 12 AND MARCH 26, 2008 TOTALING \$87,897.47 AND ACKNOWLEDGE PAYROLLS FOR FEBRUARY 2008 TOTALING \$157,078.60 AND JOURNAL ENTRY FOR PARKING PERMITS TOTALING \$2,000.00.** Ayes: DiCola, Greene, Humphreys, Read, Vlcek, Daniels. Abstentions: none. Nays: none. Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT ON AGENDA ITEMS

None.

OLD BUSINESS

--Continue discussion on changing trends in library service

In light of the Board's discussion of changing trends in library service at the last few meetings, Bowen shared the results of the library's recent study of the kinds of patron assistance that staff is providing and how it has changed over the years. A large part of librarians' work continues to be traditional reference work; that is, helping patrons find answers to questions, find information on a particular subject, or locate particular library materials, and teaching patrons how to use the various library resources. The tools librarians use may have changed, but the essential service is the same. More information is found in online databases or internet sites, rather than in print resources, and the instruction may be in how to search a database, rather than how to find the information in a reference book.

But times are changing, as the graphs included in the Board packet indicate. About 14% of staff interactions with patrons are related to how to use computers; for example, how to log on to SAM (the library's computer management system), how to add money to a SAM account to pay for printing, how to get an email account and how to use that account, how to use the scanner, and how to save a word processing document to a flash drive.

As discussed in previous meetings, the number of reference questions asked has leveled off, so these new computer-related questions are not in addition to traditional reference questions. They are beginning to replace traditional reference questions and becoming a significant part of the job of public service desk staff. Library administration is looking closely at the implications this change will mean for hiring and training library personnel.

NEW BUSINESS

--Discussion on simplifying patron internet access through the library's wireless network

A few years ago the library implemented a wireless network to allow patrons to access the library's internet access with their personal laptops. At that time the library instituted a log-on procedure that required a patron to see a pop-up screen that summarized the library rules and required that the patron check a box agreeing to comply, before he or she could get into the network. Then the firewall would force the patron to the home page of the library web site to begin their session. While a few hotels and other locations still direct users to a specific homepage to begin a session, the trend in public internet access is to make the process as easy as possible for the user. A surprising number of patrons do not know very much about how their personal laptops work and have a lot of trouble with the pop-ups.

Staff would like to follow the example of the most user-friendly sites and allow patrons to access the wireless network directly, without the need for agreeing to rules or to open at the library's web site. When these extra requirements are eliminated, the wireless cards in most laptops are smart enough to find the internet access and connect to it, in spite of the limitations of the user.

Making these changes does not require any modification of the library's policy. However, since it is a relatively big change in procedure, Bowen wanted the Board to be aware that the library is seriously contemplating doing this, and give the Board an opportunity to ask questions or make comments before the changes are made.

--Discussion of a proposal for a library license for Tutor.com

This was another topic that does not require a Board action, but Tutor.com is a different kind of service than the library has offered previously. Bowen ask the Board's opinion as representatives of the community on whether this would be an appropriate use of library resources.

Illinois public libraries have been offered the opportunity to participate in a joint purchase of a license to Tutor.com. The proposal for this service was sent to the Board by email along with a link to the website at www.tutor.com for an overview of the service. Basically Tutor.com gives elementary and high school students online access to trained tutors. This can be used from within the library or from home. The mechanics are similar to providing access to a reference database. However, the service is very different, and Bowen wanted to make sure that the Board was comfortable with it. Tutor.com would use library funds to provide individual tutoring to local students. The program does require that students have library cards to access the program, so the library would only be providing this service to cardholders.

Staff are still in the process of evaluating the program and are soliciting comments from other libraries in the area that already offer Tutor.com. Bowen asked if the Board would be in favor of the concept of providing this type of service to Downers Grove residents. The Board's discussion of the concept dealt with the following concerns: security and safety of students, training and qualifications of tutors, policy regarding support of a commercial venture, the perspective of Downers Grove schools, if the schools would promote the service, future cost increases, if the schools would share the cost after a year, what the library is doing that is similar to this service, the library as the single best portal for this type of service. President Daniels suggested that a little more information was needed before the Board would feel comfortable with the service.

REPORT FROM THE ADMINISTRATION

Revenue and expenditure reports for February were included in the Board packet. Bowen reported that both revenue and expenditures are pretty much on target. Revenue for February 2008 was up a little over February 2007, but revenue for January was down a little, so the library is about even for the first two months of the fiscal year. Total expenditures were up a little, mainly because there was an extra pay period in February 2008. With the library's two-week pay periods, there are two months each year that have three, rather than two paychecks. The first extra pay period in 2007 was not until August.

The library has had some interesting discipline problems lately. Bowen has kept the Board apprised of the more serious problems by email. There has been an increase in problems with groups of teens in the library. Repeat offenders have been told that they will receive no more warnings and will be kicked out the first time they misbehave. The police have been called to come to the library to talk with a couple groups. The police have been very cooperative, and our monitors are doing a great job.

Trustee Vlcek had asked in the past if it would be possible to distribute some or all of the Board packet electronically. With the new office copier, staff can scan documents to .pdf files, which make it very easy to create an electronic Board packet. Bowen sent an electronic packet for this meeting, and asked for the Board's comments. The Board seemed to like the idea, but requested that the packet documents be sent as one file. Samples of book marks, etc. will be provided at the Board meeting.

Bowen reported that he is running for the ALA Council, and he agreed to email the Board a list of candidates for whom he recommends they vote, including him.

The annual LACONI Trustee dinner will be held in May, and Bowen asked that the Trustees let him know if they are interested in attending.

The Board sub-committee on carpet replacement met on Monday, March 3, and selected carpets they wanted to see larger samples of. The committee will meet again to look at the requested samples, as well as additional new samples following this Board meeting.

The new electronic combination locks for staff workrooms are to be installed this week.

Carlson has been talking with landscapers regarding expanding the Garden Walk and refreshing the entire library landscape. It has been difficult to find landscapers who will pay their laborers the prevailing wage required by law for a municipal project.

TRUSTEES REQUEST FOR INFORMATION AND ANNOUNCEMENTS

Trustees Humphreys and Greene asked that the repainting of the green wall in the Junior Room be on the next list of painting projects. Carlson said that it is on the list, and the library will work with the art consultant, Monica Hork, to reposition the bicycle sculpture.

Trustee Humphreys thanked everyone for their thoughts and prayers during this surgery. He is doing very well, and was almost fully recovered in a very short time.

OPPORTUNITY FOR PUBLIC COMMENT

None.

ADJOURNMENT

The meeting was adjourned at 9:00 p.m.

APPROVED

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING MARCH 3, 2008, 7:00 P.M.

Chairman Jirik called the March 3, 2008 meeting of the Plan Commission to order at 7:00 p.m. and asked for a roll call:

PRESENT: Chairman Jirik, Mr. Beggs, Mr. Cozzo, Mr. Matejczyk, Mr. Quirk, Mrs. Rabatah, Mr. Waechtler

ABSENT: Mrs. Hamernik, Mr. Webster

STAFF PRESENT: Mr. Jeff O'Brien, Senior Planner; Damir Latinovic, Planner; Stan Popovich, Planner; Mike Millette, Assistant Director of Public Works

VISITORS: Kelly Bufton, 1513 Gilbert Ave., Downers Grove; Susan Brown, 1508 Gilbert Ave., Downers Grove; Maurice Mathey, 1516 Gilbert Ave., Downers Grove; Janice Sommer, 4824 Florence Ave., Downers Grove; Theresa Kulat, 5417 Challen Pl., Downers Grove; Stacey Sanicki, 4624 Sterling Rd., Downers Grove; Mark Layne, T-Mobile, 777 Army Trail Rd., Addison, IL; Leslie Worcheck, 3 Jacqueline Dr., Downers Grove; Barbara Fleming, 815 S. Taylor, Oak Park; Tom Sisul, 5120 Main St., Downers Grove; Dave Brown, 1508 Gilbert Ave., Downers Grove; Edward Nemetz, 327 Gierz, Downers Grove; Rita Blaney, 4770 Florence Ave., Downers Grove; Bob Stadtler, 315 Gierz, Downers Grove; Tom Taylor, 321 Gierz, Downers Grove; Kevin Mize, T-Mobile, 777 Army Trail Rd., Addison, IL; Tim Mahalic, T-Mobile, 777 Army Trail Rd., Addison, IL; Marge Earl, 4720 Florence Ave., Downers Grove; Marguerite Re, 5117 Lee Ave., Downers Grove; Scott Mousel, 4832 Fairview Avenue, Downers Grove.

Chairman Jirik led the audience in the reciting of the Pledge of Allegiance.

Minutes of February 11, 2008 - The February 11, 2008 Plan Commission minutes were approved on motion by Mr. Matejczyk, seconded by Mr. Cozzo. Motion carried by voice vote of 7-0.

Chairman Jirik explained the protocol for the hearings.

Chairman Jirik swore in those individuals who would be speaking on File No. PC-02-08.

FILE NO. PC-02-08 – A petition seeking 1) Annexation and Rezoning from R-1, Single Family Residential to R-3, Single Family Residential; 2) Special Use Approval for a Telecommunications Tower. The property is located in Gilbert Park, commonly known as 1500 Gilbert Avenue, Downers Grove, IL (PIN 09-07-113-010); Mark Layne, Agent for T-Mobile Central LLC, Petitioner; Downers Grove Park District, Owner

Damir Latinovic, Village Planner, explained the petitioner is requesting annexation and rezoning of the last remaining parcel of Gilbert Park still in unincorporated DuPage County from R-1 Single Family Residence District to R-3 Single Family District to match the zoning of the rest of the park. The petitioner is also seeking approval of a Special Use to construct a 110-foot tall

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telecommunications tower with an 18-foot tall equipment shelter. The 42,000 sq. foot lot is contiguous to the Village and is surrounded by Maple Grove Forest Preserve just west of the parcel. The Burlington Northern Santa Fe Railroad abuts the subject parcel to the north. Industrial uses exist to the north of the tracks along Warren Avenue and Single Family uses surround Gilbert Park. Current access to the park is off Gilbert Avenue, and the parcel contains a basketball field, playground, a one-story park shelter with restroom facilities and a baseball field.

Mr. Latinovic pointed out on the overhead map a service area gap identified by T-Mobile. T-Mobile would like to install a telecommunications tower to provide better service to its customers in that area. T-Mobile is proposing to replace the northwest light pole in the park with a 110 foot tall cell tower with field lights reinstalled at the same height on the new tower. The new tower would allow for two new carriers. An 18-foot high by 21.5 foot by 12.5-foot equipment shelter will be built south of the tower to house equipment for the tower operation.

According to the Future Land Use Plan, the subject parcel is designated as Open Space. Staff believes the proposed telecommunications tower and equipment shelter do not change the land use or characteristics of the area and are consistent with the intent of the Future Land Use Map. The proposed telecommunications tower is a permitted Special Use in the R-3, Single Family zoning district. The tower and shelter meet or exceed the Village's bulk requirements. The Federal Communications Commission and the Federal Aviation Administration also regulate the location of telecommunications towers. Petitioner's independent engineering reports reflect that the radio frequencies emissions on the site will be about 1.5% percent of the maximum where Federal regulations permit a 5% percent emissions maximum. The tower will be unattended, but T-Mobile staff will be visiting the site two to three times per week.

Because the ball field sits in the flood plain, to meet the Stormwater Ordinance, the proposed shelter will have to be raised three feet above flood plain level, and the conduits will have to be raised one foot above flood level. Since the staff report was prepared, staff has received several phone calls and emails from neighboring residents opposing the tower. Staff has provided copies of the resident submittals to the Commission on the dias. The petitioner held an open meeting on February 4, 2008 to discuss the proposed towers for Gilbert Park and Hummer Park. At that time, questions focused only on the tower for Hummer Park and not Gilbert Park. Staff also received a letter from the DuPage County Forest Preserve District expressing concern about possible effects of the proposed tower on migratory birds. However, due to lack of research and scientific data, the Forest Preserve District of DuPage County does not oppose the tower installation at this time. The Forest Preserve will monitor the situation and take action if necessary.

Staff believes the annexation and rezoning of the parcel to R-3, Single-Family Residential is consistent with the Village's Future Land Use Map and meets all standards for approval of amendments to the Zoning Map. The proposed location is the least obtrusive alternative with minimal impact to the neighborhood. The tower will assist Village residents in having adequate wireless service and will contribute to the general welfare of the neighborhood. Staff recommended approval of the request by the Plan Commission subject to the conditions in its report.

Mr. Matejczyk commented on receiving the information from the residents on short notice. He inquired about the Park District's agreement with T-Mobile, wherein staff stated the petitioner could elaborate on the matter. Per another question, staff explained the Village has no record of the

site being annexed to the Village and as such the annexation and rezoning is required prior to the Special Use consideration.

Chairman Jirik inquired about the steps the petitioner would follow if this matter were pursued in the County's jurisdiction. Staff explained the DuPage county staff advised the petitioner to follow contact the Village of Downers Grove about annexation and following the Village's rules as the county also does not have records on the property ever being incorporated.

Mr. Mark Layne, 777 Army Trail Rd., Addison, Illinois, on behalf of T-Mobile, discussed his professional background and introduced his design/construction team. His request is for a Special Use for the replacement of an existing light pole at Gilbert Park with a multi-purpose light/telecommunications structure. He noted that all standards for approval within the packet were addressed in writing, they were met and staff recommended approval. He stated he originally identified the parcel as part of the County because the Forest Preserve, which abuts the parcel, is unincorporated, and he thought it was a part of the Forest Preserve parcel. After speaking with the County, the County was unable to identify the parcel in their records as unincorporated and therefore, he went to the Village, who could not identify it in their records as well. After speaking with staff and the Park District and seeing that the parcel was part of the Gilbert Park, it made sense to bring the proposal to the Village.

Mr. Layne proceeded to discuss how personal communication service has grown and how he researches sites for the communication towers.

Mr. Kevin Mize, T-Mobile, 777 Army Trail Rd., Addison, the design engineer for the proposal, discussed how locations and gaps in wire service for sites are determined. Maps of the existing and proposed site were depicted.

Mr. Layne pointed out his first priority is to look for existing antenna towers or tall structures. After none were identified in the search area, it was determined the light poles at Gilbert Park would work. The Park District and T-Mobile entered into a lease agreement for the site. However, because the site sits in a depressed floodplain area, the new tower pole would replace the old lights and be 110 feet. The Park District was interested in having a co-locatable structure; i.e., T-Mobile would be leasing the space on the ground for the shelter and the space on the tower for the antennas, which provides the Park District with an additional revenue source for another carrier to add its antenna. The tower will have a galvanized metal finish, and at the base of the tower will be a brick shelter to accommodate the radio cabinets, designed to match Park District structures on site.

Regarding the informal open house meeting on February 4, 2008 at the Village's Public Works facility, no one attended for the Gilbert Park site. As to the health effects of the signals, Mr. Layne stated that radio signals surround everyone everyday. To address radio emissions concerns, T-Mobile commissioned an engineering study, which certifies that the emissions output from the site will fall well below FCC requirements. More information was available to the public. As to the locations of the sites, Mr. Layne pointed out the FCC notes that site development is driven by customer demand measured by subscribership, dropped calls, customer complaints and user technology. He discussed the statistics for use of wireless users versus land-line users, which is dropping. Addressing the appearance of the tower, Mr. Layne explained they were very common and pointed out the various sites throughout the metropolitan Chicago area.

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As to the impact of a tower on property value, Mr. Layne, who also is a real estate appraiser, stated he has not been able to prove long-term negative effects on a property value. A report by David Kunkel was referenced as it relates to towers and property values. He discussed the overall positive benefits of the proposal, and he asked for support.

Mr. Matejczyk asked how many providers were licensed within the Village, wherein Mr. Mize stated there were five to six PCS providers and two cellular providers. There was the possibility of a network. Mr. Matejczyk voiced concern about other providers seeking the same overlay coverage in the same neighborhood, having multi-antennas in the area, and this tower setting a precedent. Mr. Mize discussed some of the reciprocal sites that he has worked out with other providers. Mr. Mize explained as the volume increases, more sites have been built, but due to better technology occurring, it had somewhat decreased the need for sites. He could not confirm that other providers' coverage holes would exist. Mr. Matejczyk asked if the petitioner approached Commonwealth Edison about using a power pole to the north in an industrial area as well as Heinz Lumber, wherein Mr. Layne stated that voltages lower than 138KV are not considered by ComEd for co-locations. As to Heinz Lumber, he did review the matter, but the Village's zoning setbacks restricted using this property.

Per Mr. Matejczyk's question, Mr. Mize stated that internal antennas can be used on the tower, but in that case the capacity for the service on the site is lower and is a trade-off.

Mr. Waechtler noted seven proposed T-Mobile towers to be constructed in the Village based on the map, wherein Mr. Layne stated a few locations had already been created since the drafting of the map. Mr. Mize discussed the general rule for the distance between towers sites where an 80-foot tall site is a preferred option with other similar towers being located three-fourths of a mile apart. When asked if alternative technology existed to install a tower, Mr. Mize stated T-Mobile was trying to provide coverage in the best cost-effective manner. However, he provided some samples of other technology, noting it would require more locations or not being feasible to construct.

Mr. Matejczyk asked Mr. Layne to explain some wording in the narrative letter about how T-Mobile "reserved its rights", wherein Mr. Layne stated he drafted his agreement based on what was written by a T-Mobile attorney. Mr. Mize then explained the difference between using the 80-foot antenna versus the 110 antennae; i.e., different propagation capability as well as allowing another carrier to be added. Mr. Layne clarified the 110 feet was the maximum allowed by Village code but the 80 foot height would also be effective. He clarified the Park District was interested in the 110 foot height which would allow for co-location of equipment with another wireless provider.

Per Mr. Layne, since 1999 T-Mobile has been operating sites in the Village. As to complaints about the tower, both Mr. Layne and Mr. Mize were not aware of any complaints. Chairman Jirik asked for an explanation on the energy study and how the FCC regulates radio frequency emissions. Details were explained to Chairman Jirik and Mr. Waechtler. As to the size of the shelter being proposed for the site, Mr. Layne stated the building (12.5' x 21.5') was just for T-Mobile equipment and would be filled to the maximum. Service to the equipment within the building would be minimal -- about once a month or once a quarter -- to clean filters or fix a radio. Mr. Layne clarified the agreement with the Park District specifically states there is to be no interference with park activity.

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Mr. Matejczyk again confirmed with the petitioner that he did consider the Heinz Lumber in the industrial area and did consider going joint with ComEd, which was not available to the petitioner.

When asked, if another carrier was to co-locate and would another shelter have to be constructed, Mr. Tim Mahalic with T-Mobile, 777 Army Trail Rd., Addison, Illinois, stated it depended upon the technology that carrier was using. Mr. Layne added that an addition to the shelter could be constructed should another carrier come in. The diameter of the pole was not confirmed, but the pole base would be a 36" inch at the base and taper upwards.

Chairman Jirik opened up the meeting to public comment and discussed guidelines to follow. The Chairman asked that the public be limited in its presentations, noting that it was not the jurisdiction of the Village to judge the health concerns of the petition.

Ms. Theresa Kulat, 5417 Challen Pl., Downers Grove, asked if the Commission received her letter, the biography of Dr. Carlo, the study conducted in Germany, and the summary by Mollie Wood, which was confirmed by the board. She asked that the information be forwarded as part of the packet to the Village Council. She also noted the Plan Commission had the duty to rule on whether or not the petition is a permitted Special Use, and that one of the standards reflects that the Special Use "will not be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity." As to the petitioner's comment about increasing demands for cell phones, she noted there was an increasing demand for cigarettes in the 1960's and now the demand has decreased because of the health risks. The same followed for asbestos and lead-based toys. She stated the statement for demand was not an excuse for allowing people to be injured by them. She stated alternatives do exist; i.e., land-based phone lines and fiber optics.

Ms. Barbara Flemming, 815 S. Taylor, Oak Park, works as a child educator and is researching electrical currents in playgrounds and their effects on children. She offered to provide the information to those interested. Lastly, she asked that the Commissioners be informed of what they were doing especially on public property with children. Chairman Jirik indicated her information would be included in the Village Council packet.

Ms. Stacy Sanicki, 4624 Sterling Rd., Downers Grove, stated her two children play at the park, and her one son has a condition in which his body reacts to all electro-magnetic intensity, which causes adverse reactions. She participated in a summit with Dr. Carlo who agreed that cell phone towers are regulated devices, and the FCC is different from the FDA and the EPA, which should be taken into account.

Mr. Maurice Mathey, 1516 Gilbert, Downers Grove, pointed out his house on the overhead map and discussed how the park has changed over the years including its mismanagement. He stated parks are for people to forget about technology, to relax and to not see a cell tower. He stated this matter was about money and about raising money by the Park District. He discussed that by rezoning this parcel, it changes the nature of the park. Regarding the Gilbert Park meeting, he received no notice. He reminded the Commissioners that the Village stands for its parks.

As an aside, Chairman Jirik and Mr. O'Brien, Senior Planner, clarified the Park District was a separate entity and was subject to Village regulations and zoning like every other private property.

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Ms. Leslie Worcheck, 3 Jacqueline Dr., Downers Grove, moved to her home due to the trees and peaceful atmosphere. She stated the park was small and every part of the park was utilized constantly. She did not support the proposed building, the height of the tower, and the fact that no confirmation could be made if there would be an addition added to the proposed shelter. She asked if additional tower lights would be located on the tower and be lit all night long. She asked if the shelter/tower could be relocated to the west of the parking lot since it would lessen the visibility of the shelter. She voiced concern about servicing the equipment a few times a week.

Per staff, the proposed building shelter would be allowable by right as long as it met Village setbacks. However, the Plan Commission could consider special limitations to the proposal.

Mr. Kelly Bufton, 1513 Gilbert Avenue, Downers Grove, is a real estate lawyer and shares the same concerns of fellow neighbors. He reminded the Commissioners that Section 28.1307.(1) of the Village's Code, which deals with the location of towers in residential districts, "is to be discouraged." In addition, no tower shall be permitted in a residential area unless one of the following is established: 1) there are no sites within non-residential districts which will accomplish the same coverage. To the point, he notes no evidence exists that the condition has been met. Also, "because of unique circumstances, the proposed tower will have no significant adverse impact on existing or reasonably anticipated residential uses or property values in the area of proposed tower." He noted the neighbors bought their homes near the park due to the park-like atmosphere. The tower will reduce the value of the home, and the number of people interested in his home should he want to sell it. He stated the petitioner has not met either criteria. Section 28.1307.(i), relating to Heights, allows for a 110 foot tower, if there are two users. Mr. Bufton stated that currently there was no second user. He questioned the height of the tower for one user only since no second user was presented. He believed the tower could not be higher than 90 feet as presented.

Ms. Marguerite Re, 5117 Lee Ave., Downers Grove, has been a resident since 1965, and she did not receive any notice about the matter but instead saw the rezoning sign. She had concerns with using public lands for private use. She believed other locations on the north side of the tracks could be used. She preferred a variance on setbacks in an industrial use rather than locating in this park and meeting the setback requirements. She believed children should still have a place to run and enjoy the open space.

Mr. Tom Sisul, 5120 Main Street, Downers Grove, on behalf of resident Mr. Johnson, wanted to ensure that the Commissioners received Mr. Johnson's letter, even though it dealt with Hummer Park. He believed the Commissioners were deciding on the proper use of open space and explained that the discussion asks how far does the Commission go in determining the use of open space. Mr. Sisul stated there were ways to address this issue in industrial areas with possible refinements. Mr. Sisul asked that his comments and Mr. Johnson's letter be entered into this petition and the next petition for Hummer Park. He clarified that his point for open space was that the use was a commercial use for an open space and would the Commission abide by the use by a private enterprise. He believed the residents of the Village wanted the land set aside as open space.

Mr. Scott Mousel, 4832 Fairview Ave., Downers Grove, understood that co-location would allow the tower three tenants and understood that T-Mobile would not have to return to the Commission to add second tenants. He believed the picture was deceptive. Mr. Latinovic, Village Planner, clarified the tower's proposed height allows two tenants by-right.

APPROVED

Mr. Dave Brown, 1508 Gilbert, Downers Grove, supported the park, but voiced concern that because no one attended the petitioner's informational meeting, which was incorrectly noticed, it was construed as no one is caring. He stated otherwise, and he did not want the Village Council to think that no one cared. He stated the notice to residents within 250 feet was not enough. He said the "villain" in this matter was the Park District, and he inquired as to why the Park District did not petition the Village for the variance, wherein Mr. O'Brien, Senior Planner, stated the Park District presented this petition to the Village, and it is the only petition the Village can discuss at this time. The Chairman also explained the Plan Commission does not review the Park District's actions since it is a different governmental agency.

Mr. Waechter pointed out that notification on this particular matter, because it was unique, should be considered beyond the 250 feet since more people and an entire neighborhood were being impacted. He asked staff to think about that for the future. However, the Chairman cautioned that staff must be consistent and equitable.

(The commission took a short break at 9:30 p.m. and then reconvened at 9:38 p.m.)

PC 07-08 Announcement

Upon reconvening the meeting, Chairman Jirik announced there was an error contained in the notice for PC 07-08 (5416-5418 Belmont Road). He stated this petition would not be discussed at this meeting. Mr. O'Brien stated new notices would be issued 15 days prior to the public hearing and that staff anticipated this matter would be discussed at the April 7, 2008 meeting.

PC 02-08 Continuation

Mr. Kelly Bufton, 1513 Gilbert Ave., Downers Grove, asked for clarification from staff about the two co-locations that were allowed when the Village's ordinance did not state how many co-locations could be on one pole no matter the height.

Mr. Maurice Mathey, 1516 Gilbert Ave., Downers Grove, talked about good government and the fact that good government needs a heart and a good understanding of what a park is. He believed the Commission had to ask itself what it stands for and to consider the small decisions even though trivial in nature. He discussed the importance of the parks, the children and the families that visit them and that the decision is not "just business". The Chairman again reviewed the purview of this Commission. Given that point, Mr. Mathey stated the tower will change the character of the park.

Ms. Marge Earl, 4720 Florence Ave., Downers Grove, stated T-Mobile has conveyed that property values will not be greatly impacted, which she disagreed. She also believed the Village disagreed, given the fact that the Village has invested much expense in burying the utilities and poles for the Acadia on the Green project.

Ms. Susan Brown, 1508 Gilbert, Downers Grove, sees an infringement on open space and asked the Commissioners to consider that two or three users will be on the antenna, and a larger shelter will be built. She discussed the beauty of the sunsets that occur at the park and she asked that the Commission preserve that.

Hearing no further comments, Chairman Jirik closed the public participation portion of the meeting and asked the petitioner for closing statement.

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Petitioner, Mr. Layne stated there would be no additional lights on the tower other than the baseball lights already on the pole. The antennae array, if there was more than one user, Mr. Kevin Mize explained there could be two or three platforms depending upon the needs of the carrier.

Mr. Mahalic confirmed the pole would carry T-Mobile and one only one other carrier. Mr. Layne stated the Park District would know whether it had a co-locator at this time or not. As to limiting the footprint of the shed, Mr. Mahalic stated it would house T-Mobile's equipment only with no extra room at this time. Mr. Layne confirmed T-Mobile was not required to provide space for another co-locator. He further summarized that T-Mobile was only leasing space from the Park District for their own needs, and any future applicants would have to contact the Park District directly.

Regarding consideration of using the west parking lot, Mr. Layne stated half of the parking lot and the access drive was on Forest Preserve property. He explained the topography of the land and some of the difficulties if the shed was placed close to the parking lot. When asked if moving the shed and relocating the tower near the trees was considered, Mr. Layne stated that if the tower was moved to the trees, it would be a violation of the Village's setback lines, and the "monopine" trees looked like Sequoia trees. Chairman Jirik also confirmed with Mr. Mize, who stated that an 80-foot tower would work, from a design standpoint. Lastly, as to the maintenance schedule, Mr. Mize confirmed the average site would be visited about once a month and once every three months. Mr. Waechtler also pointed out if another carrier was added, additional visits could occur at the site.

In general, Mr. Layne discussed that T-Mobile was meeting the Village's standards because it showed that it researched the search ring, and there were no structures of height. Additionally, due to complying with the Code, it would have been problematic in constructing something new given the size and setback requirements for a parcel. Mr. Layne addressed a question about the location of the shed as proposed and how it relates to sledding activities. He explained when the location was proposed to the Park District, T-Mobile did discuss the issue with the Park District Board, and the Board thought the location was acceptable. However, the shed could be shifted left or right.

In closing, Mr. Layne summarized such agreements were a win-win for everyone involved given the fact that it was a public body and provides a source of non-tax based revenue. He agreed that the residents' concerns were valuable, and he and his team were sensitive to those concerns. He asked the Commission to support the proposal.

Mrs. Rabatah asked staff about clarification of the Village Code specifically as it relates to a 90-foot maximum height, wherein Mr. O'Brien explained if the petitioner does not have two users, they are required to give the Village a notarized affidavit stating that the pole can accommodate two users, which was provided by the petitioner. Staff also reminded the Commissioners that if they did not feel the 110 feet was appropriate, the proposal could be modified. Staff also pointed out that the shelter may be expanded, which should be taken into consideration.

Other concerns raised included Mr. Matejczyk's concern of how the proposal would degrade the park. He was not fully convinced every option was considered, given the industrial area to the north of the tracks. He believed the Village was setting a bad precedent by placing it in a park. Mr. Cozzo concurred and stated that testimony was given that residential areas should be discouraged for towers especially if alternative sites exist. He believed more site research was necessary.

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Mr. Waechtler also agreed other alternative sites should be considered. He believed Mr. Matejczyk's comment about setting a precedent was a valid point, given the next petition was for Hummer Park. He believed Mr. Sisul's comment on determining open land and open space was on point. More carriers on the site were a significant concern. Mr. Beggs recalled when the Park District agreed to place a water tower in McCollum Park over a golf course and at Maple and Belmont Avenue. He explained in both instances there was a strong public purpose for those towers, but he did not see that public purpose in the proposal at hand. He believed if the proposal was to move forward, the Commission needed to place requirements on the size of the building. Mr. Beggs also agreed with Mr. Sisul's statement about open space. More options needed to be explored since there was no evidence of it.

Since the Future Land Use Map recognizes the land as open space, Mrs. Rabatah was in agreement with the 36" inch diameter pole being an infringement. She supported Mr. Matejczyk's comments that more options needed to be investigated. Should the proposal move forward, she supported limitations being placed on the size of the building and the height of the pole.

In reviewing the standards, Chairman Jirik, explained there were some standards that caused him to look favorably upon the proposal while other standards did not. He stated the petitioner's design was to the maximum, which becomes obtrusive for the particular use. He supported what other Commissioners were stating. Referring specifically to Standard A, Mr. Cozzo questioned whether the Special Use at the particular location was "necessary", and he was not truly convinced it was necessary for the proposed location.

Chairman Jirik briefly explained to the public that any motion made was just a recommendation to the Village Council.

WITH RESPECT TO FILE NO. PC-02-08, MR. WAECHTLER MADE A MOTION THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL THAT THIS PETITION, INCLUDING THE REZONING, ANNEXATION AND SPECIAL USE BASED ON STANDARDS 28.1902 A, B, AND D BE DENIED BECAUSE THE COMMISSION BELIEVES THERE IS NO EVIDENCE THAT THE USE IS NECESSARY AT THE PROPOSED LOCATION.

SECONDED BY MR. MATEJCZYK.

Chairman Jirik clarified that one standard does not take precedent over the other and believed much meaningful dialogue existed.

ROLL CALL:

AYE: MR. WAECHTLER, MR. MATEJCZYK, MR. BEGGS, MR. COZZO, MR. QUIRK, MRS. RABATAH, CHAIRMAN JIRIK

NAY: NONE

THE MOTION CARRIED. VOTE: 7-0

Staff noted this matter would be scheduled for a workshop on or about April 15, 2008.

FILE NO. PC-03-08 – A petition seeking Special Use Approval for a Telecommunications Tower. The property is located in Hummer Park, commonly known as 4833 Fairview Avenue, Downers Grove, IL (PIN 09-09-102-001, -002, 09-09-13-001); Mark Layne, Agent for T-Mobile Central LLC, Petitioner; Downers Grove Park District, Owner

Chairman Jirik swore in those individuals who would be speaking on File No. PC-03-08.

Mr. Stan Popovich, Village Planner, discussed the petition is for a Special Use for a 75-foot telecommunications tower (designed as a flagpole) within Hummer Park within the R-4 Single Family Residential zoning district which is a permitted Special Use in the district. The tower will be north of the existing shelter, and the equipment location will be east of the existing one-story shelter. The pole will be centered on a brick walkway that will tie into the existing brick walkways. Landscaping will be provided around the new flagpole and brick walkway. Staff has requested the tall plants be reduced in size for safety concerns. Two (2) T-Mobile antennas, which will not be visible to the naked eye, will be located within the flagpole. The equipment will be within the existing fenced service area and include another fence to separate it from the service area. Two other tower locations (a Tivioli tower and Village tower) were researched, but T-Mobile determined the locations were not feasible.

Per staff, the proposal does comply with the Village's Zoning Ordinance for residentially-zoned properties. A monopole 75 feet in height, which is the proposed height, has to be 1,500 feet from another monopole. The nearest monopole is approximately 3,100 feet away. The maximum height for a monopole is 90 feet, and the petitioner is proposing 75 feet. The setback to the west property line is 175 feet, 530 feet to the north, 300 feet to the east, and 440 feet to the south.

Staff believes the proposal meets the guidelines for the Village's Future Land Use Plan for designated Open Space and believes the single telecommunication tower will not affect the land use characteristics of the park. T-Mobile will be entering into an access agreement with the Park District to provide service to the equipment and tower location. The Fire Department has no concerns regarding the proposal.

The petitioner held an open house on February 4 to discuss the petition with six interested residents. The attendees were interested in the design of the pole and its layout, the financial terms of the lease agreement between the Downers Grove Park District and T-Mobile, the scope of construction and safety. The petitioner provided answers to the residents and will speak of the open house during the Plan Commission meeting. Staff has received multiple phone calls and emails from concerned residents and has met with a few residents. Information received in the past few days has been placed on the dais for review. Some other concerns addressed at the meeting included the design of the flagpole, landscaping, fencing, safety and the impact of the tower on the park.

Staff believes the standards for a Special Use have been met, and the location of a telecommunications tower is desirable to provide coverage to Village residents. No existing telecommunication towers exist within the target coverage area, and the petition meets the setback requirements. Staff also believes the tower will provide additional wireless communication capacity to T-Mobile users. The radio frequency emissions for this project are compliant with applicable Federal Communications Commission Rules and Regulations. The proposed tower

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complies with the Zoning Ordinance regulations and is a permitted Special Use in residential districts. Staff recommended that the Plan Commission forward a positive recommendation to the Village Council with the conditions listed in his report.

No questions of staff followed.

Mr. Mark Layne with T-Mobile, 777 Army Trail, Addison, Illinois, noted staff was distributing supplemental material to the Plan Commissioners. He noted all of the standards were addressed and the proposal did receive a positive staff recommendation.

Mr. Kevin Mize, T-Mobile, 777 Army Trail, Addison, Illinois, stated a service gap was identified, and T-Mobile would like to fill that void. The Hummer Park location was selected because the greatest amount of coverage could be obtained from that site. Two other locations were considered but were decided against because too much service overlap occurred. Details of the service ring followed. The proposed tower was for 75 feet in height with six antennas -- one array of three on top of three antennas. The antennas would be located within the flag pole and not visible to the naked eye.

Mr. Layne explained the details of the search ring process and the locations he researched, such as the Pepperidge Farm plant site, the existing commercial buildings around Fairview Avenue and the railroad tracks, the tower on the Tivoli headquarters property, and the Village tower, none of which was feasible for one reason or another. Due to the location of Hummer Park and other issues, a stealth proposal was determined; i.e., to use the flagpole. While the permitted height for a single use pole is 90 feet, Mr. Layne explained that due to the high topography of the existing land, the 75 feet height worked fine. It was noted the equipment was located in a service yard to the east side of an existing building.

Mr. Layne stated six residents attended the February 4, 2008 informational meeting. He addressed concerns of safety noting the equipment will be located in a wooden fenced service yard. Regarding damage to the park, Mr. Layne stated T-Mobile could not damage the park per Code and per the agreement with the Park District. Benefits to the community were similarly communicated as to the above petition. Mr. Layne explained some of the challenges he faced when installing antennas inside a flagpole-type tower installation. He believed the proposal was a cooperative effort between two entities and he asked for the Commission's support.

Mr. Matejczyk inquired about other carriers, their coverage and not seeing their towers. He further inquired whether Mr. Mize looked at co-locating for this area, wherein Mr. Mize indicated that Mr. Layne conveyed he did look in the area, and no other options were available. Mr. Mize stated that stealth tower poles were more difficult on which to co-locate. Mr. Quirk asked if Mr. Layne considered a site just east of Pepperidge Farm, wherein Mr. Layne said he did but the site did not meet the setback requirements. Regarding the investigation of some smaller industrial-type properties, Mr. Layne said he was "dissuaded" from the area because it had the potential to become redeveloped. Mr. Layne stated he did not speak to White Fence Farm.

Asked if antennas or towers could be placed on railroad property, Mr. Layne stated that attaching onto railroad property was very difficult, if at all impossible. Asked if the buildings along Fairview Avenue (north of the train station) could be considered, Mr. Layne stated the buildings were not tall enough and to install an antenna on the roof of a building was very costly. Mr. Mize stated

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buildings have to be at least six to seven stories in height. Regarding a question about variation requirements, the Village allows in the B-district to modify not more 10% the maximum height separation or setback for an antenna or tower and its 20% maximum variation for height separation or setback in an industrial manufacturing zoning.

Chairman Jirik opened the meeting to public participation.

Mr. Edward Nemetz, 327 Gierz, Downers Grove, stated he lives less than 125 feet from the proposed installation. He and his family object to a private enterprise using a public park. He voiced concern about the radiation emitted from the tower to the surrounding area and its effect on the residents' health, especially young children. He voiced concern about the quality of life, the unintended consequences and stated the Commission should not approve the proposal.

Mr. Tom Sisul, 5120 Main Street, Downers Grove, restated his earlier comments from the above petitioner; i.e., Mr. Johnson's letter. Again, he reiterated the issue was the Commission's consideration of what was the proper use of open space. He also called into question whether the Village wanted to make a change in basic planning principles to accommodate a private enterprise in a public park. He reminded the Commissioners the land is depicted as Open Space on the Village's Future Land Use Map.

Ms. Rita Blaney, 4770 Florence, Downers Grove, discussed her and her family are always in the park as well as many students from a nearby school. She believed installing the tower would desecrate the park, and she suggested that the Village revise its variance to install towers in industrial areas. She emphasized to keep the parks as the Village's ancestors had planned them -- as jewels.

Ms. Marge Earl, 4720 Florence Avenue, Downers Grove, asked residents to raise their hands who opposed the tower. She stated the park was small, and the flagpole/tower would be very large with a very large flag on it, which would be lit at night. She suggested the petitioner consider a location at the Fairview Train station. She stated that under Section A of the Code, the Village wants to condense such towers to have fewer of them. The proposed tower will be a single-use tower, which decreases the expandability of the tower and decreases the use of the tower. She did not support the proposal.

Mr. Scott Mousel, 4832 Fairview, Downers Grove, lives across the street from the site. He asked about the Village's Code and questioned whether sites in Westmont have been considered. As to adverse health affects, he pointed out the metal pole will become an attractive lightening rod for the neighborhood since it will be above the trees. He did not believe it was a proper place for such a tower.

Ms. Janice Sommer, 4824 Florence, Downers Grove, recalled when Hummer Park was a private picnic grove. She voiced concern about the park being slowly whittled away until no park will exist; i.e., that precedent will take place, and all parks and open space will be affected. She asked the Commission to consider its residents and users of the park and to not allow the proposal to move forward.

Mr. Bob Stadtler, 315 Gierz, Downers Grove, stated while he respects the Park District's choice of revenue generating, he did not necessarily agree with the paradox. He voiced concerns about the

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long-term affects of health, the tower becoming a lightening rod and if the tower emits sound and whether the existing flag would be removable. Should the technology change, he asked who would be responsible for paying for the tower's removal. Mr. Stadler stated certain municipalities refuse cell towers completely. He respects the petitioner seeking better coverage for his customers; however, he encouraged the Village to press the petitioner to seek alternative locations, especially if considerations were made on variances.

Mr. Tom Taylor, 321 Gierz, Downers Grove, noted the information he printed off the Internet, specifically regarding a stealth cell tower. He discussed an article, which explains that stealth towers are being erected and disguised as different objects without much protest. He discussed the brisk business of disguising cell towers. He objects to the proposal being disguised as a flagpole when it is not.

Hearing no further public comment, Chairman Jirik closed public participation.

Mr. Popovich stated if the tower is abandoned, the owner is required to remove it; i.e., the Park District.

In response to some of the questions/concerns raised, Mr. Layne stated the size of the flag is proportional to the tower and standards exist for the determination of the flag's size. As to the tower being single use versus co-location facility, the tower was created as such to be sensitive to the aesthetic nature of the park. To have more carriers, it would have to be made taller. Regarding disguised structures, he noted that towers were being constructed with jurisdictions well aware of what they are doing. Stealth cell towers were also being constructed because people did not like looking at them, and companies were trying to minimize their visual impact. Mr. Layne stated the tower was designed as a flagpole and was lit as such.

Discussion followed on two different photographs; i.e., the tapered pole versus the non-tapered pole and the one that will be used.

Mr. Mize agreed there would be the possibility of lightening striking the pole, but the top 30 feet would be constructed of fiberglass. The pole will also be grounded. He stated it was probably better for lightening to hit the tower versus a home in the area.

Mr. Layne closed by summarizing a story and stated that everyone wants reliable cell phone service but when the service is not, customers get upset. He noted consumers cannot demand that wireless providers provide reliable service all the time but then stand in the way of getting that service delivered.

Questions/comments from the Commissioners followed. Specifically, whether the flag could be lowered or raised, which it could. Regarding this proposal compared to the previous proposal, Mr. Matejczyk believes the aesthetics for this tower were improved. He believes the tower would be a positive rather than a negative for lightening strikes. From his reading on radiation, he has not found credible evidence finding it as a problem. He still had issues with using a public park for commercial use. He hoped another option existed.

Chairman Jirik believed what was motivating the interest towards the parks was the lack of ability or stringency of constructing towers in the business or industrial areas. As a result, towers were

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being placed in natural environments. Therefore, he believed the ordinance needed reviewing since it was forcing the petitioner's request to certain areas, which was the dilemma.

Per Mr. Waechtler's question to staff, Mr. O'Brien stated when a tower is being proposed in a manufacturing district, it is a permitted use. If a variation is needed, it will go before the Zoning Board of Appeals. Continuing, Mr. Waechtler stated in addition to wireless towers being needed, he stated parks were also needed. He believed it was an invasion to park space, and the site was not appropriate for a cell tower.

WITH RESPECT TO FILE NO. PC-03-08, MR. BEGGS MADE A MOTION THAT THE PLAN COMMISSION FORWARD TO THE VILLAGE COUNCIL A RECOMMENDATION OF DENIAL.

THE MOTION WAS SECONDED BY MR. WAECHTLER. ROLL CALL:

AYE: MR. BEGGS, MR. WAECHTLER, MR. COZZO, MR. MATEJCZYK, MR. QUIRK, MRS. RABATAH, CHAIRMAN JIRIK

NAY: NONE

MOTION CARRIED. VOTE: 7-0

Based on the two previous cases, Chairman Jirik wanted to convey to the Village Council that there might be value in reviewing the Zoning Ordinance's site restrictions on telecommunication towers. There might be value in creating revisions or enhancements to the code that might foster citing towers more simply, safely and protectively in locations and zoning classifications that are more conducive to their use.

Staff noted the next meeting is scheduled for March 10, 2008. The Chairman thanked the Commissioners for their input tonight.

MR. COZZO MOVED TO ADJOURN THE MEETING. MR. WAECHTLER SECONDED THE MOTION. THE MEETING WAS ADJOURNED AT 11:55 P.M.

/s/ Celeste K. Weilandt
Celeste K. Weilandt
(As transcribed by MP-3 audio)