

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE MEETING OF THE
PLAN COMMISSION
FEBRUARY 28, 2008 APPROVED**

1. CALL TO ORDER AND ROLL CALL

A Meeting of the Plan Commission of the Village of Lake Barrington was held on Thursday, February 28, 2008, at the Village Municipal Center, 23860 Old Barrington Road, and was called to order by Village Administrator Chris Martin at approximately 7:00 p.m. Village Administrator Chris Martin was appointed Recording Secretary. In addition, Court Reporter Carla P. Letelli, CSR of Lake-Cook Reporting was in attendance to provide transcripts of said meeting on behalf of the Village of Lake Barrington, which will be attached hereto and incorporated by reference into these minutes. There were approximately 2 people in the audience. On roll call, the following were:

Present:	Commissioners: Delisle, Menconi, Puleo, Wood Chair Daulton-Lange
Absent:	Commissioners: Danta, MacKenzie
Also Present:	Village Administrator Chris Martin, Village Attorney Jim Bateman

2. APPROVAL OF THE MINUTES:

A motion was made by Commissioner Delisle and seconded by Commissioner Puleo to approve the minutes of December 13, 2007 regular meeting, as amended. The voice vote was unanimous and the motion carried.

3. CONSIDERATION OF SPECIAL USE PERMIT – CRICKET COMMUNICATIONS, CELL TOWER MODIFICATIONS, 28059 COMMERCIAL AVENUE

Mr. Martin stated that Cricket Communications is requesting a special use permit pursuant to Sections 8-4-6 and 8-10-8 of the Lake Barrington Village Code, to permit the installation and operation of three new antennae at approximately 138 feet on the existing 150 cell tower located at 28059 Commercial Avenue. The petitioner is also requesting that a related cabinet be installed adjacent to the other equipment on the site.

Commissioner Questions and Public Comment

Chair Daulton-Lange requested public comment, there was none. Chair Daulton-Lange requested Commissioner comment and discussion which is provided within the attached transcripts. At the conclusion of Commission discussion Chair Daulton-Lange requested a motion as follows:

A motion was made by Commissioner Wood and seconded by Commissioner Puleo to recommend approval of a special use permit for Denali Spectrum Operations, Llc, D/B/A Cricket Communications:

I. MOTION TO RECOMMEND TO THE BOARD OF TRUSTEES :

The approval of the request of the Petitioners, Denali Spectrum Operations, LLC, d/b/a Cricket Communications (“Cricket Communications”), First Midwest Trust Company as Trustee Under Trust No. 1065, Anthony C. Pintozzi and Maureen C. Pintozzi, and American Tower Corporation, for a special use permit to allow the installation and maintenance by Cricket Communications of a new antenna array with three (3) new antennae at approximately 138 feet above grade on the existing 150-foot unmanned, self-supporting steel lattice tower on the Subject Property, which tower is approximately 150 feet in height (not including the lightning rod), and the installation and maintenance by

Cricket Communications of related ground-based equipment on an equipment platform to support these antennae pursuant to the provisions of Sections 8-3-7, 8-4-6 and 8-10-8 of the Lake Barrington Village Code and the Village of Lake Barrington Zoning Regulations, which are part thereof

- II. THIS RECOMMENDATION OF APPROVAL IS SUBJECT TO THE FOLLOWING CONDITIONS:
- A. The new 3-antenna array proposed to be attached to the existing 150-foot unmanned, self-supporting steel lattice tower on the Subject Property, and new related ground-based facilities on the Subject Property shall be installed and maintained by Cricket Communications in substantial compliance with the plans labeled Denali Spectrum Operations, LLC, d/b/a Cricket Communications, Site Name: ATC#303882 Lake Barrington IL2, last revised August 22, 2007, prepared by ClearLinx Design, Inc. (hereinafter, “the Plans and Specifications”).
 - B. The expansion or substantial addition to the building(s), structure(s), facilities and equipment other than those shown on Plans and Specifications is prohibited, except by specific amendment to the proposed special use permit as hereafter approved by ordinance by the Corporate Authorities of the Village.
 - C. Final engineering plans and specifications for the 3-antenna array proposed to be installed and maintained by Cricket Communications at approximately 138 feet above grade on the existing 150-foot unmanned, self-supporting steel lattice tower on the Subject Property and the new related ground-based facilities proposed to be installed and maintained by Cricket Communications on the Subject Property shall be submitted by the Petitioners to the Village Engineer and Building Commissioner, or their designees, for their respective approval prior to the issuance of any permits to the Petitioners.
 - D. The exterior lighting for the facilities, if any, shall be designed and installed to minimize interference with residences and vehicular traffic in the vicinity and all exterior lighting, if any, shall be approved in advance by the Village Administrator.
 - E. If one or more drainage pipes or field tiles are encountered in any work by the Petitioners, their respective employees, contractors, or agents on the Subject Property, the Petitioners shall replace and/or reconstruct any such pipe or tile in accordance with specifications approved in advance by the Village Engineer.
 - F. There shall be no use of any outside public address systems on the Subject Property.
 - G. The signage on the Subject Property shall comply with the Village of Lake Barrington Zoning Regulations, As Amended, provided, however, the following signs or other promotion devices are also prohibited in any event on the Subject Property: flags (other than the display of a single American flag on the existing lattice tower), tethered airborne signs, beacon lights, portable signs, posterboards, billboards, marquees, flashing signs, roof signs, moving signs, streamers, banners, pennants, valances, inflatables or balloons of any kind.
 - H. The total height of the lattice tower shall not exceed one hundred fifty feet (150’), not including its lightning rod, and the height of the existing antenna

arrays as authorized by Village of Lake Barrington Ordinance No. 2001-O-24 and the proposed attached 3-antenna array to be installed and maintained by Cricket Communications at approximately 138 feet above grade on the existing 150-foot unmanned, self-supporting steel lattice tower on the Subject Property shall also not exceed that same one hundred fifty foot (150') level. Nothing related to the Village's approval of the proposed special use permit shall imply or be construed as approving or granting any other variation or waiver from any of the provisions of the Village of Lake Barrington Zoning Regulations, As Amended, or any other ordinance of this Village.

- I. At the request of the corporate authorities of the Village of Lake Barrington, the Petitioners shall agree to provide and/or accommodate, free of charge, necessary and appropriate space on the tower for not less than two antennae serving public service uses, such as, but not limited to, fire protection or emergency services. Such necessary and appropriate space shall also include, free of charge, coaxial cable connections on the antennae and from the antennae to cabinet space within the interior of the premises occupied by the Petitioners' tower facilities on the Subject Property. No amendment to the proposed special use permit shall be required in order to authorize the installation of such public antennae facilities on the subject tower.
- J. Cricket Communications shall remove the proposed 3-antenna array and related facilities within ninety (90) days after Cricket Communications ceases to lease the Subject Property.
- K. Except as specifically modified by the proposed special use permit for Cricket Communications, Village of Lake Barrington Ordinance No. 2001-O-24, and the special use permit therein granted for the existing tower and existing antenna arrays, shall remain in full force and effect.
- L. Prior to the issuance of the required building permit by the Village, the Petitioners shall submit to the Village Administrator:
 - (1) Wind-load calculations and testing data;
 - (2) Electromagnetic radiation specifications for the proposed antennae; and
 - (3) Structural calculations sealed by a licensed structural engineer.

III. THIS MOTION IS BASED UPON THE FOLLOWING FINDINGS OF FACT WHICH ARE HEREBY ADOPTED:

- A. The owner of record of the Subject Property is reported to be First Midwest Bank, f/k/a McHenry State Bank, as Trustee Under Trust Agreement Dated October 15, 1976 and known as Trust Number 1065, 3510 W. Elm Street, McHenry, IL 60050 (hereinafter, "said Trust"), and the beneficiaries of said trust are reported to be Anthony C. Pintozzi and Maureen C. Pintozzi. Said owner and beneficiaries have joined in the Petition along with Denali Spectrum Operations, LLC, d/b/a Cricket Communications, and American Tower Corporation.
- B. The proposed special use permit pursuant to Sections 8-3-7, 8-4-6, and 8-10-8 of the Village of Lake Barrington Zoning Regulations, As Amended, to permit the maintenance of the existing 150-foot lattice tower and the existing antenna arrays as previously authorized by Village of Lake Barrington Ordinance No. 2001-O-24, and the installation and maintenance by Cricket Communications of a new 3-

antenna array at approximately 138 feet above grade on the existing 150-foot unmanned, self-supporting steel lattice tower on the Subject Property and the installation and maintenance by Cricket Communications of new related ground-based facilities on the Subject Property is consistent with the Village of Lake Barrington Comprehensive Plan, as amended.

- C. The proposed uses which would be permitted by the proposed special use permit are consistent and compatible with surrounding land uses and other uses permitted in the M-District.
- D. The proposed special use as herein granted will conserve property values, will protect, and will not adversely affect the character and stability of other properties in the vicinity and in the Village in general.
- E. The use of the Subject Property in a manner consistent with the proposed special use permit, but subject to certain specified conditions and restrictions, is a reasonable and proper use of the Subject Property which would be in the best interest of the Village and its residents and in accordance with the intent and objectives of the Village of Lake Barrington Zoning Ordinance, as amended.
- F. The proposed special use permit pursuant to Sections 8-3-7, 8-4-6, and 8-10-8 of the Village of Lake Barrington Zoning Regulations, As Amended, to permit the maintenance of the existing 150-foot lattice tower and the existing antenna arrays as previously authorized by Village of Lake Barrington Ordinance No. 2001-O-24, and the installation and maintenance by Cricket Communications of a new 3-antenna array at approximately 138 feet above grade on the existing 150-foot unmanned, self-supporting steel lattice tower on the Subject Property and the installation and maintenance by Cricket Communications of new related ground-based facilities on the Subject Property will promote the general health, safety and welfare of the Village.

Motion to recommend to the Board of Trustees:

Upon roll call, the vote was:

Yeas: Commissioners Menconi, Puleo, Wood, Chair Daulton-Lange

Nays: Delisle

Abstain: None

Absent: Commissioner Danta, MacKenzie

Chair Daulton-Lange declared the motion carried.

4. ADJOURNMENT

A motion was made by Commissioner Delilse and seconded by Commissioner Menconi to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 8:10 p.m.

THE VILLAGE OF LAKE BARRINGTON'S PLAN COMMISSION MINUTES FOR THE MEETING OF FEBRUARY 28, 2008, HAVE BEEN REVIEWED AND APPROVED BY:

Chair: _____
Village Administrator: _____

Village Attorney:
Attachment – Transcripts
