

Joseph Lazar
SAC Wireless
Special Use for a communications tower

Special Information: SAC Wireless is proposing to lease approximately 9000 square feet to build a communications tower. The monopole tower would be 135 ft high. Space on the tower would be used by companies for their wireless networks. The lease site is within 900 feet of the Village of Gilberts boundaries. Gilberts has passed a resolution objecting to the proposed special use (see attachment).

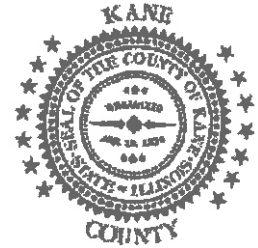
Analysis: The Kane County 2040 Land Resource Management Plan designates this area as Proposed Open Space. This category includes areas recommended for both public and private open space and green infrastructure uses. The special use's small size and proximity to the roadway would have little impact on development of open space. KDOT will not allow a second access point to the property causing the access driveway to be located around the perimeter of the property. Water Resources will require a stormwater permit for this project and may require stormwater detention.

Staff recommended Finding of Facts:

1. The proposed tower meets the height and setback requirements established for public utility towers.

Attachments: Location Map
 Township Map
 Petitioner's finding of fact sheet
 Gilberts' Resolution

Findings of Fact Sheet – Special Use



Construction of a New Wireless Telecommunication Facility 5/4/16
Special Use Request Date

- *The Kane County Zoning Board is required to make findings of fact when considering a special use.*
 - *Special Uses shall be considered at a public hearing before the Zoning Board of Appeals. In its report of findings of facts, recommendations shall be made to the County Board following the public hearing. The Zoning Board will not recommend a special use unless the following items are addressed:*
6. Explain how the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The proposed Special Use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community. In fact, the increased wireless coverage facility was selected to minimize the impact on the surrounding area.

7. Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity.

The proposed Special Use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity. This location for our proposed telecommunication facility was selected to minimize the impact on the surrounding area.

8. Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property.

The proposed Special Use will not impede the normal, orderly development and improvement of the surrounding property. As mentioned above, this site was selected to minimize the impact on the surrounding properties.

9. Will adequate utility, access roads, drainage and other necessary facilities be provided?
Please explain:

The proposed Telecommunication Facility will be accessed via a proposed aggregated access road. The necessary utilities are currently in the Right of Way and will be brought back to the site via a new utility easement. Drainage will not be an issue for this proposed use.

10. Will adequate measures be provided for ingress and egress so designed to minimize the traffic and congestion? Please explain:

As previously mentioned, this will be an unmanned wireless telecommunication facility that, once constructed, will be accessed approximately once a month by a service technician in a small pick up or van via the proposed access easement.

11. Will the special use conform to the regulations of the district in which it is located? Please explain:

The proposed Special Use will conform to all regulations of the district in which it is to be located.

VILLAGE OF GILBERTS

**A RESOLUTION OPPOSING SAC WIRELESS PETITION TO KANE COUNTY
FOR A SPECIAL USE PERMIT FOR A CELLULAR TOWER
(39W330 Big Timber Road)**

WHEREAS, SAC Wireless for Central States Tower III, LLC ("*SAC Wireless*") filed a petition with the Kane County Zoning Board of Appeals ("*SAC Petition*") requesting that the County approve a special use permit to allow it to construct a 135 foot high monopole tower for cellular antenna facilities ("*Tower*") on property located at 39W330 Big Timber Road in unincorporated Kane County and zoned in the F Farming District ("*Property*"); and

WHEREAS, the Kane County Zoning Board of Appeals (ZBA) intends to conduct a public hearing on the SAC Petition; and

WHEREAS, Kane County sent a notice of the SAC Petition to the Village of Gilberts, since the Property is immediately adjoining the Village of Gilberts' corporate boundaries and is within the Village's 1 ½ mile planning jurisdiction; and

WHEREAS, the Village of Gilberts Board of Trustees desires to adopt and present to the County, and have entered into the record of the ZBA hearing, a formal resolution of the Village Board to oppose the SAC Petition; and

WHEREAS, it is the Village's position that the Property is not an appropriate location for the installation of a Tower, and that the antenna facilities proposed to be located on the Tower would be more appropriately installed on existing facilities such as a publicly owned water tower, which would encourage co-location of antenna facilities and avoid a proliferation of cellular towers that can negatively affect the character of the surrounding area.

THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GILBERTS, KANE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. The recitals listed above are incorporated into this Resolution as if fully set forth in this Section 1.


Section 2. The Village Board opposes the SAC Petition because the Petition for the proposed Tower does not meet the special use permit standards set forth in Section 25-4-8-2 of the County Zoning Ordinance. Specifically, allowing the construction of a new 135 foot high Tower on the property, where there are existing facilities that could accommodate the installation and co-location of antenna facilities, could have a negative impact on the character of the neighboring area and property values of neighboring properties. Co-location of antenna facilities on existing facilities, wherever feasible, should be encouraged to mitigate the impact from a proliferation of cellular towers. The Village Board of Gilberts requests that the Kane County ZBA recommend that the County Board deny SAC's request, and the County Board should accept the ZBA's recommendation and deny SAC's petition for a special use permit for the Tower.

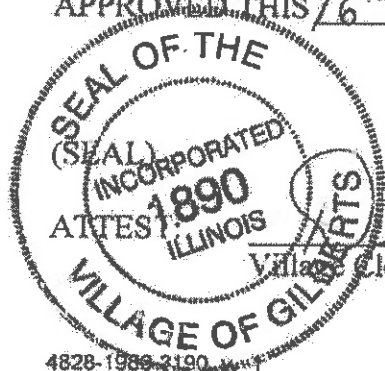
Section 3. This Resolution shall be in full force and effect from and after its passage, and approval, in the manner provided by law. The Village Administrator is directed to send a copy of this Resolution to the County for inclusion in the packet materials for the County ZBA hearing on the SAC Petition, and send a copy to the Kane County Board.

ADOPTED THIS 16th DAY OF August, 2016, pursuant to roll call vote as follows:

	Ayes	Nays	Absent	Abstain
Trustee David LeClercq	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Dan Corbett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Nancy Farrell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Trustee Louis Hacker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Elissa Kojzarek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Guy Zambetti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President Rick Zirk	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPROVED THIS 16th DAY OF August, 2016


 Village President, Rick Zirk



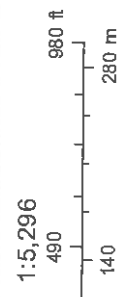

 Village Clerk, Debra Meadows

4828-1989-2190

Map Title



August 4, 2016



Source : GIS-Technologies

These layers do not represent a survey. No Accuracy is assumed for the data delineated herein, either expressed or implied by Kane County or its employees. These layers are compiled from official records, including plats, surveys, recorded deeds, and contracts, and only contains information required for local government purposes. See the recorded documents for more detailed legal information.

GIS-Technologies
Kane County Illinois



CENTRAL STATES TOWER III, LLC



TERRA CONSULTING GROUP, LTD.
808 BURGESS HIGHWAY
FARM RIDGE, IL 60120
PH: 847-488-4400
FAX: 847-488-4401

NO.	DATE	BY	REVISIONS

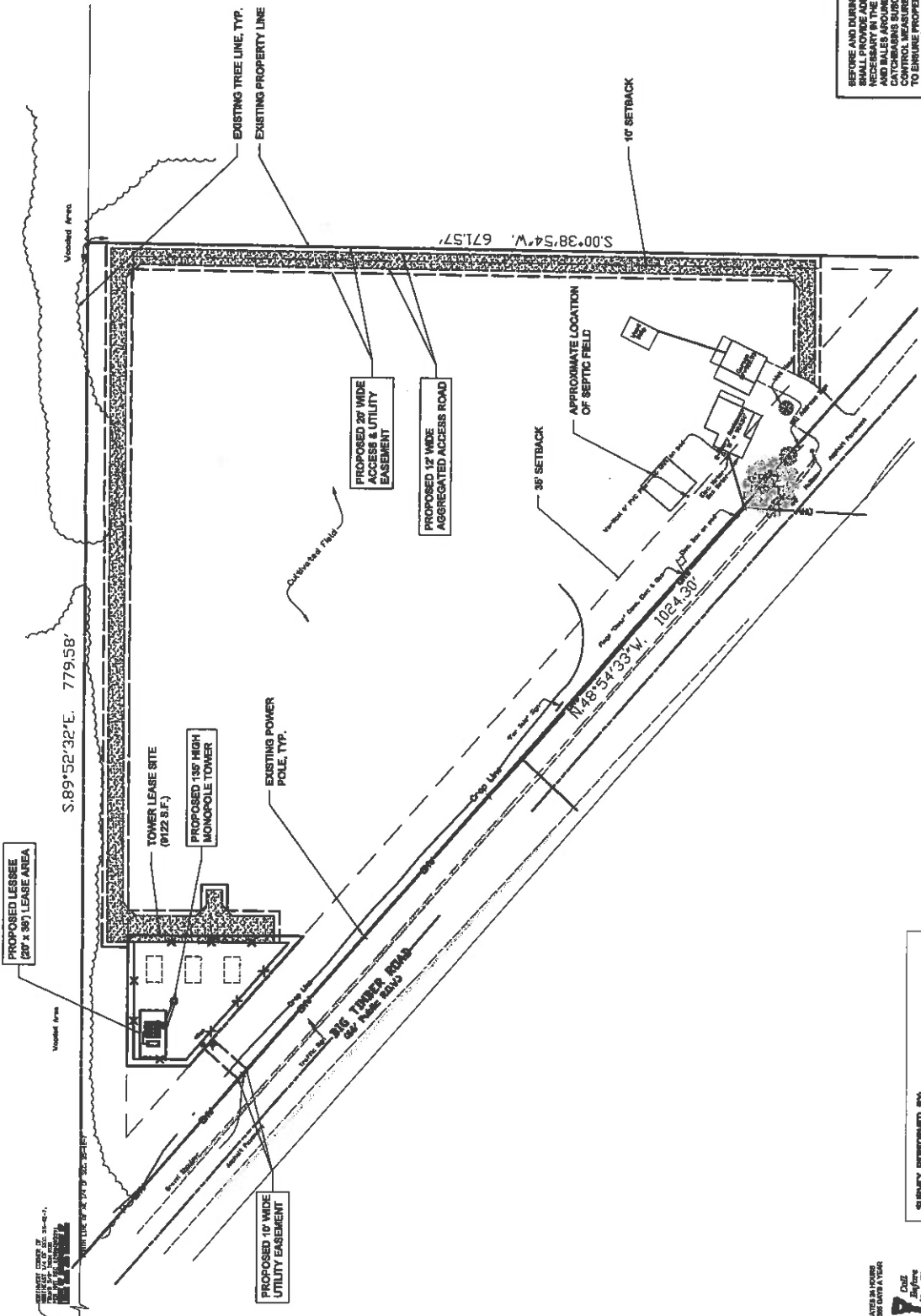
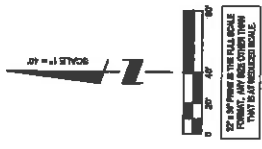
IL-00-5798

RUTLAND EAST
39W330 BIG TIMBER RD
ELGIN, IL 60124

DRAWN BY:	DATE:
CHECKED BY:	DATE:
PROJECT #:	DATE:

SHEET TITLE	LOCATION PLAN
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SHEET NUMBER	LP
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BEFORE AND DURING CONSTRUCTION, THE CONTRACTOR SHALL MAINTAIN EXISTING SURFACE CONDITIONS AS NECESSARY IN THE FORM OF EROSION CONTROL, SLOPE PROTECTION, AND BALES AROUND ANY EXISTING MANHOLES, INLETS, OR CATCHBASINS SUSCEPTIBLE TO EROSION. EROSION CONTROL MEASURES SHALL BE PERIODICALLY INSPECTED AND MAINTAINED. EROSION CONTROL SHALL BE REMOVED UPON COMPLETION OF WORK.

CONTRACTOR TO PROVIDE APPROXIMATE 100% (100% STAGING AREA) STAGING AREA. CONTRACTOR SHALL COORDINATE WITH INTERFERING AGENCIES AND ADJACENT PROPERTY OWNERS. STAGING AREA AND TEMPORARY ROAD SHALL BE RESTORED TO EXISTING CONDITIONS AS NECESSARY UPON COMPLETION OF THE PROJECT.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.

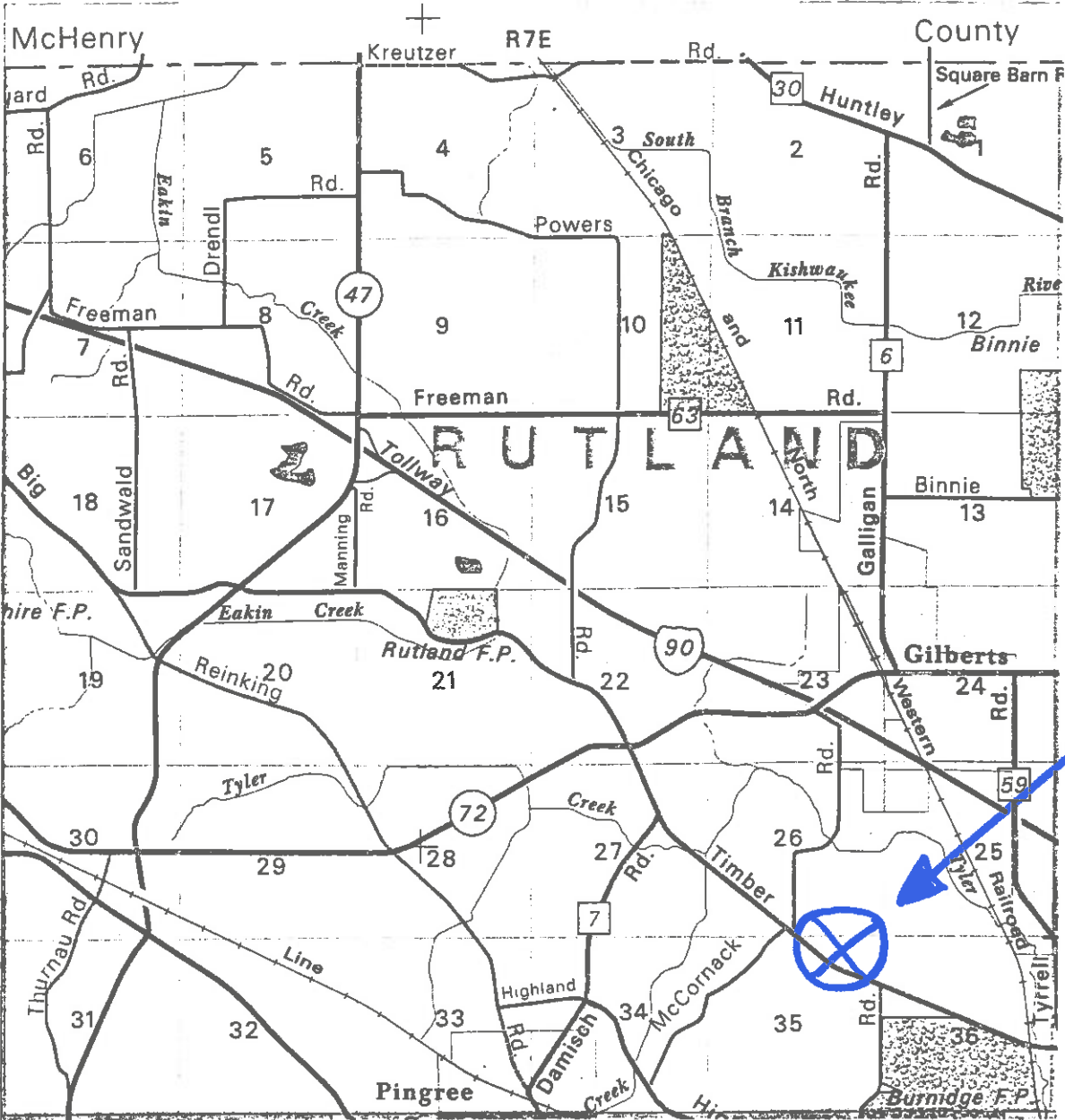
CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING PAVEMENT. TO CORRECT DAMAGE TO EXISTING PAVEMENT PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE REPLACED TO EXISTING OR BETTER CONDITION AT NO ADDITIONAL COST.

SURVEY PERFORMED BY:
Advanced Surveying & Mapping
Telephone (830) 878-0200
Fax (830) 454-3774
E-MAIL advansd@advct.com



RUTLAND twp.
T.42N. - R.7E

map 2



1" = MILE

Applicant: Bill Arnerich

Contact: Bill

Address: 465 Pine St
Grass Valley , CA 95945

Project: Rutland East / IL-00-5798

Address: 39W330 Big Timber Road, Elgin

IDNR Project Number: 1605656

Date: 12/16/2015

Description: Central States Tower III, LLC proposes to construct a tower facility on the northwestern portion of the Subject Property. The tower facility will include a 130-foot (135-foot overall) monopole tower within a fenced compound on a 10,000 square-foot lease area.

Natural Resource Review Results

This project was submitted for information only. It is not a consultation under Part 1075.

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

Location

The applicant is responsible for the accuracy of the location submitted for the project.



County: Kane

Township, Range, Section:
42N, 7E, 35

IL Department of Natural Resources
Contact
Impact Assessment Section
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Other

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

Security

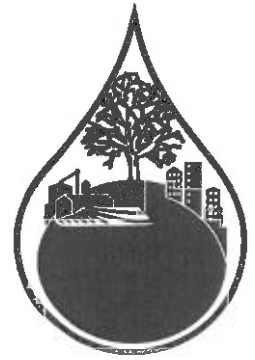
EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.

Kane – DuPage Soil & Water Conservation District



January 22, 2016

Kane County
Keith Berkhout
719 S. Batavia Ave.
Geneva, IL 60134

We have assigned number 16-005 to a Land Use Opinion Application from:

Central States Tower III, LLC
1501 E. Woodfield Rd. Ste 300E
Schaumburg, IL 60173

The site location is:

Rutland Township
Section 35, Township 42N, Range 7

The application was sent to us in compliance with Section 22.02a of the Illinois Soil and Water Conservations Districts Act.

_____ Our review and comments will be sent to you on or before _____

According to the information received, this proposed land use change will not have a substantial effect on natural resources. Therefore, no further action will be taken by the Soil and Water Conservation District Board.

A processing fee of \$65.00 has been retained.

Sincerely,

Jennifer Shroder
Office Assistant

Michael Iacopetti

From: McGraw, Keith <McGrawKeith@co.kane.il.us>
Sent: Tuesday, July 26, 2016 7:26 AM
To: Michael Iacopetti; Nika, Kurt
Cc: Benda, Lydia
Subject: RE: Access Permit Application for Review and Approval (Rutland East) - 39W330 Big Timber Road, Elgin, IL 60124

Michael,

Your site plan dated 10-5-15 revised 7-14-16 is accepted by KDOT. Since all work virtuously takes place outside the right-of-way no access permit will be required. This may serve as your acceptance to the Building Department for their access requirements. Once they have issued a permit number, please forward that to my office for our use.

If you have any questions, please don't hesitate to ask

Keith McGraw

Kane County - Division of Transportation

Permitting Section
41W011 Burlington Road
St. Charles IL 60175

t (630) 584-1171
f (630) 584-5239

From: Michael Iacopetti [mailto:Michael.Iacopetti@sacw.com]
Sent: Monday, July 25, 2016 3:37 PM
To: Nika, Kurt
Cc: McGraw, Keith; Benda, Lydia
Subject: RE: Access Permit Application for Review and Approval (Rutland East) - 39W330 Big Timber Road, Elgin, IL 60124
Importance: High

Hi Kurt,

Please see the attached revised site sketch showing the proposed access to the site location. Can you please review and approve at your earliest convenience? I'd appreciate it if you could let me know as soon as possible.

Thank you,

Michael

Michael Iacopetti | Site Development Specialist | C: (630) 674 - 8600
SAC Wireless, 540 W. Madison, 16th Floor, Chicago, IL 60661
michael.iacopetti@sacw.com | www.sacw.com



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Biewer, Brooke

From: McGraw, Keith
Sent: Friday, August 05, 2016 9:22 AM
To: Biewer, Brooke
Cc: Nika, Kurt; Benda, Lydia
Subject: SAC Wireless - 39W330 Big Timber Road - Request for Special Use
Attachments: request for special use 8-4-16.pdf

Brooke,

In regards to the attached request for Special Use, KDOT has reviewed the application and attached site plan and has the following stipulation:

- The homeowner shall dedicate a 60-foot half right of way to the County of Kane prior to any work commencing on this project.

As always if you have any questions or comments, please don't hesitate to reach out

Keith McGraw

Kane County - Division of Transportation

Permitting Section
41W011 Burlington Road
St. Charles IL 60175

t (630) 584-1171

f (630) 584-5239

Biewer, Brooke

From: Wilford, Anne
Sent: Monday, August 08, 2016 4:04 PM
To: Biewer, Brooke
Subject: Special use for a private communication tower 02-35-200-012 39W330 Big Timber Road

Brooke,

In regards to the Special use for a private communication tower 02-35-200-012 39W330 Big Timber Road, there is currently depressional storage in the South East corner of this lot. If any of this depressional storage is filled, compensatory storage will need to be provided elsewhere on the site. A stormwater permit is required this project and potentially stormwater detention.

Thanks,
Anne

Anne Wilford
Kane County - Water Resources Division
719 Batavia Avenue
Geneva, IL 60134
(630)232-3496



Village of Gilberts

Village Hall
87 Galligan Road, Gilberts, Illinois 60136
Ph. 847-428-2861 Fax: 847-428-2955
www.villageofgilberts.com

August 17, 2016

Kane County Government Center
Kane County Zoning Board of Appeals
Attn: Brooke Biewer, Kane County Zoning Department
719 S. Batavia Avenue, Bldg A 4th Floor
Geneva, Illinois 60134

Zoning Board of Appeals Members,

Please find enclosed a copy of the Village of Gilberts' Resolution 16-23, a Resolution opposing the SAC Wireless Petition to Kane County for a special use permit for the construction of a cellular tower at 39W330 Big Timber Road in unincorporated Gilberts. Please include this resolution in the packet materials for the Kane County ZBA's hearing on the SAC Petition.

If you should have any questions with respect to the Village's opposition to the SAC Wireless Petition please do not hesitate to contact me at 847-428-2861.

Sincerely,

George Sakas
Village Administrator

Cc: Kane County Board Members

Thomas (T.R.) Smith
County Board District 9
Kane County Government Center
Kane County, Illinois
719 Batavia Avenue
Geneva, Illinois 60134
tsmith@kanecoboard.org

Rebecca Gillam
County Board District 21
Kane County Government Center
Kane County, Illinois
719 Batavia Avenue
Geneva, Illinois 60134
E-Mail: rgillam@kanecoboard.org

Kurt Kojzarek
County Board District 19
Kane County Government Center
Kane County, Illinois
719 Batavia Avenue
Geneva, Illinois 60134
kkojzarek@kanecoboard.org

VILLAGE OF GILBERTS

**A RESOLUTION OPPOSING SAC WIRELESS PETITION TO KANE COUNTY
FOR A SPECIAL USE PERMIT FOR A CELLULAR TOWER
(39W330 Big Timber Road)**

WHEREAS, SAC Wireless for Central States Tower III, LLC ("*SAC Wireless*") filed a petition with the Kane County Zoning Board of Appeals ("*SAC Petition*") requesting that the County approve a special use permit to allow it to construct a 135 foot high monopole tower for cellular antenna facilities ("*Tower*") on property located at 39W330 Big Timber Road in unincorporated Kane County and zoned in the F Farming District ("*Property*"); and

WHEREAS, the Kane County Zoning Board of Appeals (ZBA) intends to conduct a public hearing on the SAC Petition; and

WHEREAS, Kane County sent a notice of the SAC Petition to the Village of Gilberts, since the Property is immediately adjoining the Village of Gilberts' corporate boundaries and is within the Village's 1 ½ mile planning jurisdiction; and

WHEREAS, the Village of Gilberts Board of Trustees desires to adopt and present to the County, and have entered into the record of the ZBA hearing, a formal resolution of the Village Board to oppose the SAC Petition; and

WHEREAS, it is the Village's position that the Property is not an appropriate location for the installation of a Tower, and that the antenna facilities proposed to be located on the Tower would be more appropriately installed on existing facilities such as a publicly owned water tower, which would encourage co-location of antenna facilities and avoid a proliferation of cellular towers that can negatively affect the character of the surrounding area.

**THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF GILBERTS, KANE COUNTY, ILLINOIS, AS FOLLOWS:**

Section 1. The recitals listed above are incorporated into this Resolution as if fully set forth in this Section 1.

Section 2. The Village Board opposes the SAC Petition because the Petition for the proposed Tower does not meet the special use permit standards set forth in Section 25-4-8-2 of the County Zoning Ordinance. Specifically, allowing the construction of a new 135 foot high Tower on the property, where there are existing facilities that could accommodate the installation and co-location of antenna facilities, could have a negative impact on the character of the neighboring area and property values of neighboring properties. Co-location of antenna facilities on existing facilities, wherever feasible, should be encouraged to mitigate the impact from a proliferation of cellular towers. The Village Board of Gilberts requests that the Kane County ZBA recommend that the County Board deny SAC's request, and the County Board should accept the ZBA's recommendation and deny SAC's petition for a special use permit for the Tower.

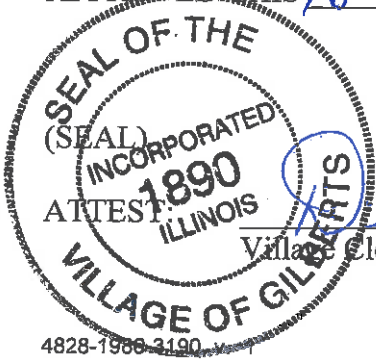
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ADOPTED THIS 16th DAY OF August, 2016, pursuant to roll call vote as follows:

	Ayes	Nays	Absent	Abstain
Trustee David LeClerc	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Dan Corbett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Nancy Farrell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Trustee Louis Hacker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Elissa Kojzarek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Guy Zambetti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President Rick Zirk	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPROVED THIS 16th DAY OF August, 2016


 Village President, Rick Zirk




 Village Clerk, Debra Meadows

4828-1988-3190 v. 1