



LAKE COUNTY FOREST PRESERVES
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Preservation, Restoration, Education and Recreation

DATE: June 26, 2017

MEMO TO: Carol Calabresa, Chair
Planning Committee

FROM: Alex Ty Kovach
Executive Director

RECOMMENDATION: Provide Policy Direction regarding the June 5th letter from Wireless & Broadcast Siting Advisors LLC requesting that the Lake County Forest Preserve Board of Commissioners commit to one of the two sites at Countryside Golf Course before Central States Tower (CST) organizes and holds an open house for public input on the two proposed sites.

FINANCIAL DATA: At this time there is no financial impact.

BACKGROUND: The License and Easement Ordinance cites Section 6 of the Downstate Forest Preserve District Act, which states the Lake County Forest Preserve District (the “District”) has the “power to grant licenses, easements and rights-of-way for the construction, operation and maintenance upon, under or across any property of [the] District of facilities for water, sewage, telephone, telegraph, electric, gas or other public service...”

The District has been approached with requests to construct and operate cell towers at various Forest Preserve locations. In preliminary discussions, staff has delivered to the cell tower companies, the Committee-approved “Terms for New Cell Tower Site Requests” (dated February 22, 2016) (the “Term Sheet”) which sets for the terms under which the District is willing to consider new cell tower agreements.

Policy direction on this item was brought before Committee on March 6, 2017. Consensus at that time was for Central Lakes Tower, consistent with the Term Sheet, to hold a public open house and bring the results back to the committee for review.

CST has sent the District a letter stating that the open house process would generate “too much time and financial exposure to proceed without a greater commitment from the Board of Commissioners” that it would support one or both sites in Mundelein. Staff would like to obtain committee direction on whether to continue negotiations with CST in light of CST’s reluctance to hold an open house without a commitment from the Board. A Board commitment to a site, without the applicant first holding a public open house, is not consistent with past committee direction or the Term Sheet.

REVIEW BY OTHERS: Chief Operations Officer, Director of Planning and Land Preservation, Director of Finance, Corporate Counsel.

**WIRELESS & BROADCAST
SITING ADVISORS LLC**
123 North 4th Street
Chesterton, Indiana 60462

Mr. Alex Ty Kovach
Executive Director
Lake County Forest Preserves
1899 West Winchester Road
Libertyville, Ill. 60048

June 5th, 2017

RE: PLACEMENT OF A CELL TOWER ON THE COUNTRYSIDE GOLF COURSE.

Dear Mr. Kovach,

After our meeting on April 13th, my client Central States Tower (CST) met with their client, Verizon Wireless; their discussion revolved around what had been communicated from staff during this meeting: The first issue discussed was the Board of Commissioners tolerance level for community pushback; staff's response was not encouraging as they unanimously chorused that it was very low. I indicated that given their familiarity with the Mundelein site, they should expect opposition; but they still wanted me to know that the community would have substantial sway with the Board no matter how unreasonable their position was. Restated it was the consensus of the LCFPD staff members present was that if there was opposition to either/both of the two final sites at the Countryside Golf Course then the Board of Commissioners would likely not approve a lease agreement.

Also at this meeting there was significant discussion of the responsibilities and expenses that CST would shoulder and incur in orchestrating the "open house / community meeting" in order to meet the Public disclosure and information requirements established by the Board of Commissioners and staff: namely,

- CST will host the meeting and is responsible for all associated costs.
- CST is to choose the meeting place and arrange for the time and date.

- Two sites will be presented: The Chevy Chase RD; and the Hawley St. sites.
- There will be a mailing to surrounding residents.
- The notice will be the size of a large post card and will be sent regular mail.
- Display boards and power-point presentations need to be developed, reviewed and presented.
- Comment "forms" that can be filed out and placed in containers need to be developed so they can be catalogued and categorized and presented to the Board of Commissioners for discussion
- CST representatives will be present to answer any questions.
- The LCFPD will not be a participant, although they will be in attendance.

CST found this last point troubling and when they considered this in conjunction with the Staff's earlier statements regarding the Board of Commissioner's anticipated low tolerance for community pushback reached the conclusion that there was too much time and financial exposure to proceed without a greater commitment from the Board of Commissioners.

I was pointedly reminded at the April 13th meeting that a great deal of time and effort has been expended by the Staff at the direction of the Board of Commissioners and Planning Committee regarding the siting of wireless facilities. Indeed, one has only to review the document "Terms for New Cell Tower Site Requests" developed by Staff to appreciate the level of discussion and meetings that have occurred in the development of this document both by staff and the wireless industry.

It is therefore hard for me (And CST) to understand why, when sites are developed that meet the siting criteria as developed by Staff and approved by the Planning Committee and Board of Commissioners, they should not receive a greater level of support and commitment. To be blunt CST feels, after all the time and effort given to the issue of siting Wireless Facilities both on CST's part and collectively the LCFPD that it is not unreasonable for the Board to commit to proceeding with one of the two presented sites dependent on Community input.

Lastly, this commitment needs to be made public so that CST and The LCFPD can proceed as partners in this endeavor.

Regards,

