

320 W. Jackson Ave., Naperville, IL 60540 • 630-848-5000 • Fax 630-848-5001 • napervilleparks.org

October 10, 2017

The Honorable Mayor Steve Chirico
Councilwoman Becky Anderson
Councilwoman Rebecca Boyd-Obarski
Councilwoman Judy Brodhead
Councilman Kevin Coyne
Councilwoman Patty Gustin
Councilman Paul Hinterlong
Councilman John Krummen
Councilman Dr. Benjamin M. White
Mr. Doug A. Krieger, City Manager

Dear Mayor Chirico, Members of the City Council and Mr. Krieger:

The purpose of this communication is to highlight some of the background and essential facts regarding the proposed communication tower at Springbrook Golf Course.

- In July 2016, the Park District was approached by Verizon representatives who expressed an interest to
  place a cell tower at Springbrook Golf Course. The northeast corner of this property was selected for its
  distance from Aero Estates Airport, its distance from homes in the area, its proximity to utilities, and its
  easy access for maintenance purposes.
- In February 2017, following discussions at the staff level, this request was brought to our board for consideration where it was approved at a regular meeting of the Board of Commissioners.
- Just last month, this proposal was brought to the Naperville Planning Commission who voted to recommend the special use permit to approve this request. City of Naperville staff also voiced their approval of the project.
- Additionally, the Forest Preserve District of DuPage County, although concerned as a neighbor to the golf
  course, did not oppose this request. In fact, you should be in receipt of a letter stating their concerns
  without formal opposition to the project.

There are many benefits to moving forward with placing a cell tower on Springbrook's property:

- Naperville residents are requesting better cell service, particularly in this area, which is deemed to be high
  use. Enhanced cell service would translate to significantly better service for area residents and businesses
  as well as commuters. Not only is faster and better access a convenience, but it also is a necessity if an
  emergency call needs to be made. Area residents have been informed of this project through a letter that
  was sent in August of this year.
- The Park District currently only has two main revenue engines: tax dollars and program fees. It is part of our organization's strategic plan to actively seek additional sources of alternative revenue. At a cost of













- \$36,000/year with escalator, or more than \$1.5m over the 30 years of the contract, a partnership of this kind would undoubtedly benefit our taxpaying residents.
- Placement of the cell tower on public land ensures that rental fees would benefit a government agency
  that serves the taxpaying public as opposed to being placed on private land and benefitting only that land
  owner.
- There also is a possibility of other mobile carriers co-locating at the Springbrook site to enhance cellular service to their customers; T-Mobile already has expressed an interest in this regard. This expansion could be accomplished with the single proposed cell tower and additional financial benefit would be realized.
- The proposed cell tower also would serve as a back-up for existing perimeter systems in the area, especially during storms and times of poor cell service.

As an organization that considers itself a good steward of the environment, the Park District is interested in maintaining a healthy ecosystem for wildlife. This is reflected in our core values. The most recent example that demonstrates our commitment in this regard is the three-month study our staff conducted on the use of Roundup and synthetic fertilizers. This culminated in a decision to continue to grow our use of organic products in our parks and playgrounds – a move that was endorsed by the resident-led group, Non-Toxic Naperville. Regarding the proposed addition of a cell tower at Springbrook, our staff, considering the environmental issues at hand, sought out any information regarding bird strikes in DuPage County, and more specifically, Naperville. However, no such data was available. It also is important to mention that this structure would not be unlike many other similar ones such as utility poles, light poles and other cell towers in the general vicinity.

The Park District staff has performed its due diligence throughout the process of vetting this project. As mentioned, we believe that there are many benefits to be derived for residents as a result of this project partnership with Verizon.

Thank you for your consideration,

Ray McGury
Executive Director
Naperville Park District

cc: Naperville Park District Board of Commissioners

Naperville Park District 2



3S580 Naperville Road P.O. Box 5000 Wheaton, IL 60189 630.933.7200 Fax 630.933.7204 TTY 800.526.0857 dupageforest.org

Via email: mayor@naperville.il.us

October 10, 2017

Mr. Steve Chirico, Mayor City of Naperville 400 S. Eagle Street Naperville, IL 60540

Re: File #17-697 Conditional use for a cell tower 2220 W. 83rd Street PZC 17-1-070

Dear Mayor Chirico and Council Members,

The Forest Preserve District of DuPage County thanks you for the opportunity to provide comment on a conditional use for a cell tower in excess of 60' at the Springbrook Golf Course, File #17-697, which is scheduled to be presented during the City Council meeting on October 17, 2017.

The Forest Preserve District owns and manages Springbrook Prairie Forest Preserve which is located across the street from the subject property (to the north and to the east). Forest Preserve District staff have reviewed information provided in a Public Notice, provided by the Park District and their consultant, and discussed at the Planning and Zoning Commission's Public Hearing on September 6, 2017. The Forest Preserve District offers the following comments.

Springbrook Prairie Forest Preserve is one of the largest grassland communities in DuPage County comprising approximately 1,800 acres. Due to its size and composition of tall and short grass prairies, wetlands and wet prairies, and remnant calcareous fens, it is home to many significant bird species. Raptors, such as the state-endangered northern harrier, state-endangered short-eared owl, and state-threatened barn owl have been found here. In addition, numerous species of grassland birds and hundreds of migratory waterfowl utilize the preserve on an annual basis.

All native migratory birds (e.g., waterfowl, shorebirds, songbirds, hawks, owls, vultures, falcons) are afforded protection under the Migratory Bird Treaty Act of 1918. Migratory birds are a federal trust resource responsibility, and the U.S. Fish and Wildlife Service (USFWS) considers migratory bird concentration areas environmentally significant. The USFWS recommends communication towers should not be sited in or near known bird concentration areas.

Due to these high-quality wildlife resources, Springbrook Prairie Forest Preserve was designated as an "Important Birding Area" in Illinois by the National Audubon Society in 2010. More importantly, in 2013, Springbrook Prairie was protected as an Illinois Nature Preserve.

Because of these valuable assets and because of the beauty and value of a broad prairie vista within a highly-developed landscape, the District is concerned about the placement of a new monopole in close proximity to the

preserve. At this time, we are seeking confirmation that the following concerns have been considered and addressed:

- Guidance documents updated in 2016 from the USFWS recommend any proposal to construct a new communication tower should consider collocating communication equipment on existing communication towers. <a href="https://www.fws.gov/migratorybirds/pdf/management/usfwscommtowerguidance.pdf">https://www.fws.gov/migratorybirds/pdf/management/usfwscommtowerguidance.pdf</a>. Current communication towers exist 1.3 miles to the southwest, 1.7 miles to the northwest, and 1.8 miles to the east. Have the 2016 USFWS guidelines been followed and was a study on collocation options completed?
- As noted in the Planning and Zoning Commission Meeting Minutes for September 6, 2017, Aero Estates has requested the proposed tower be lit. Lighted communication towers increase risk to migratory birds compared to unlit towers. If conditional use is approved, we request an Aircraft Detection Lighting System (ADLS) be installed. Permitted by the FAA, an ADLS maintains a communication tower of any height to be unlit until the ADLS radars detect nearby aircraft, at which time the tower lighting system is triggered to illuminate until the aircraft is out of radar range. At the proposed location, will an ADLS be used?
- Under Part 1075, Title 17, of the Illinois Administrative Code, consultation with the Illinois Department of Natural Resources is required for this project to determine if adverse impacts to state-protected resources may occur. The petitioner has previously provided documentation indicating that project information was submitted to the IDNR's website "for information only" (which is not confirmation that consultation was completed). Was the required consultation with IDNR completed, and was a letter confirming termination of consultation issued by IDNR for this project?

Thank you for considering our concerns. We hope you will allow us the opportunity to review and comment on any revisions to plans as this project moves forward. Please consider this as the Forest Preserve District's request that this letter be read and entered into the public record at the meeting on Tuesday, October 17, 2017. If you have any questions, please contact me at (630) 933-7215.

Sincerely,

Ed Stevenson

**Executive Director** 

cc: Joseph Cantore, President

Mary Lou Wehrli, Commissioner, District 5

Dan Zinnen, Director of Resource Management and Development

Ray McGury, Executive Director, Naperville Park District (via email: <a href="mailto:rmcgury@napervilleparks.org">rmcgury@napervilleparks.org</a>)

Eric Schutes, Director of Planning, Naperville Park District (via email: eschutes@napervilleparks.org)

Doug Krieger, City Manager, City of Naperville (via email: kriegerd@naperville.il.us)

City of Naperville Planning Department (via email: planning@naperville.il.us)

October 10, 2017

Naperville City Council 400 S. Eagle Street Naperville, IL 60540

RE: Public Hearing Regarding Proposed Cell Tower at Springbrook Golf Course PZC Case 17-1-10

Dear Mayor and Members of the Naperville City Council:

I am writing on behalf of the American Bird Conservancy, Great Lakes Office. We are concerned about the construction of a 135-ft. cell tower at the Springbrook Golf Course.

Springbrook Prairie is directly adjacent to the proposed tower location. The Forest Preserve District of DuPage County at Springbrook Prairie is one of three regionally significant grassland bird communities in the state and home to species like meadowlarks, dickcissels, grasshopper sparrows, woodcocks, and bobolinks as well as state-endangered northern harriers, short-eared owls, and Henslow's sparrows. The proposed tower does not adhere to guidelines adopted by the U. S. Fish and Wildlife Service to mitigate impacts of communications towers on birds.

Communications towers are estimated to kill about a million birds per year due to collisions, particularly during migration when many species of bird travel at night. To help reduce the number of birds killed by communications towers, The US Fish and Wildlife Service has established guidelines for siting and operating such towers. The guidelines recommend that the first consideration is to locate new towers with existing tower sites or within existing antenna farms. Furthermore, towers should not be lighted with steady lights which have been shown to increase bird collisions and mortality. The guidelines also recommend that proposed communications towers not be sited in or near wetlands, other known bird concentration areas (state or federal refuges, staging areas, rookeries), known migratory flyways, or in habitat of threatened or endangered species.

Because the proposed cell tower at Springbrook Golf Course requires approval for a zoning variance and conditional use permit, this gives the City Council significant control over its placement and operation. We think it would be reasonable to have the petitioner considered alternatives to the proposed tower that could mitigate the impacts to Springbrook Furthermore, despite not being required to light the tower with steady-burning red lights by the FAA, the petitioner has proposed to do so. Numerous studies have demonstrated that steady burning red lights greatly increase bird strikes with communications towers. The FCC now mandated that new tall communications towers can no longer have steady burning lights but are required to have flashing lights which are much less harmful to birds – decreasing bird

strikes by as much as 70%. It also decreases operating costs. Even though the tower in question is not a tall communications tower there is no justification for the steady light.

I encourage you to visit the American Bird Conservancy website for additional information on bird collisions with communication towers. Here is a link that will take you directly to a section that provides more information, resources and links to FAA and FCC guidelines: https://abcbirds.org/birds-communication-towers/.

Thank you for your time and consideration. Please feel free to contact me if you have any questions or need additional information.

Sincerely

Shawn Graff

Vice President, Great Lakes Region



## BIRD CONSERVATION NETWORK

c/o Bird Division, 1400 S. Lake Shore Drive Chicago, IL 60605-2469 www.bcnbirds.org

David Willard PRESIDENT dwillard@fieldmuseum.org

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Mr. Steve Chirico, Mayor City of Naperville 400 S. Eagle Street Naperville IL60540

Re: File #17697

Verizon Cell Tower adjacent to Springbrook Prairie Forest Preserve and designated Illinois Nature Pre-

serve

Dear Mayor Chirico and City Council Members,

EBI Consulting's Natural Areas Review, states that very near to the tower site, state-endangered and threatened birds-including Black Rail, Northern Harrier, Black-crowned Night Heron, and Least Bittern, nest in the marsh and prairie areas of Springbrook Prairie. As a state-designated Illinois Nature Preserve, Springbrook requires a higher level of protection and consideration. Granting a special use permit to erect this hazard to flying birds, inevitably results in the deaths of both endangered and threatened species, a consideration noted by USF&WS in their comment letter. Bird Conservation Network supports the DuPage Forest Preserve District's request to collocate communication on existing structures, far from Springbrook Prairie. Very little prairie habitat remains in Illinois. Allowing its further fragmentation by granting this permit directly endangers the Threatened and Endangered bird species that depend on this fragment for their habitat needs.

EBI's threats review consists solely of a statement that they looked at the website of the Illinois Department of Natural Resources, a clearly inadequate level of review. As also requested by the Illinois Nature Preserves Commission, we urge you to defer a decision, and consult with both IDNR and INPC staff prior to acting on this conditional use permit, as required by the following statutes: *Illinois Natural Areas Preservation Act* (525 ILCS 30/17,) *Title 17 Illinois Administrative Code Part 1075*, and the *Illinois Endangered Species Act* (520 ILCS 10/11.)

The Bird Conservation Network appreciates the opportunity to provide comment on the proposed conditional use permit for a 135' cell tower at the corner of Book Road and 83<sup>rd</sup> Street in the Springbrook Golf Course, scheduled to be discussed at the City Council meeting October 17, 2017.

Sincerely,

David Willard President

BCN is a coalition of 21 organizations sharing an interest in the conservation of birds. BCN promotes public awareness, knowledge, appreciation and enjoyment of birds, and other wildlife and wildlife habitat. BCN proposes and supports public and private programs designed to protect, restore, and enhance the natural environment, and conserve/increase native bird populations.

## **Illinois Nature Preserves**

One Natural Resources Way Springfield, IL 62702-1271 217-785-8686

October 16, 2017

Mr. Steve Chirico, Mayor City of Naperville 400 S. Eagle Street Naperville, IL 60540

Re:

File # 17-697

Proposed Communication Tower near Springbrook Prairie Nature Preserve

Dear Mayor Chirico and City Council Members,

Under the *Illinois Natural Areas Preservation Act* (525 ILCS 30/1 et seq), the Illinois Nature Preserves Commission (INPC) is statutorily responsible for maintaining dedicated nature preserves in their natural condition to be used in a manner and under limitations consistent with their continued preservation, without impairment, disturbance or artificial development, to secure for the people of present and future generations the benefits of an enduring resource of high quality natural areas. Springbrook Prairie Nature Preserve, owned by the Forest Preserve District of DuPage County and comprised of more than 1600 acres, was dedicated in February of 2013. It is recognized for its high concentrations and diversity of bird species that either forage or nest there. This high quality natural area provides essential habitat for several threatened or endangered bird species in Illinois. Springbrook Prairie Nature Preserve is also known as a significant migratory bird concentration area, and the United States Fish and Wildlife Service (USFWS) recommends that prospective locations for new communications towers not be within or close to such areas. To ensure protection for the natural resources at Springbrook Prairie Nature Preserve, the INPC agrees with this recommendation.

Commission

The location of the proposed communication tower is very close to the nature preserve, much closer than any other towers in the vicinity. The INPC is concerned that installation in its proposed location could adversely impact the ecologically-significant resources at Springbrook Prairie Nature Preserve. Has collocation of the proposed tower on an existing tower been considered? The INPC would like to see consideration for the collocation approach and requests that documentation of the results be provided.

Pursuant to the requirements of the *Illinois Endangered Species Protection Act* (520 ILCS 10/11), the *Illinois Natural Areas Preservation Act* (525 ILCS 30/17), and *Title 17 Illinois Administrative Code Part 1075*, the INPC requests that this project be submitted to the Illinois Department of Natural Resources (IDNR) for consultation. The INPC further requests that any action by the Naperville City Council on the conditional use permit for a new communication tower be deferred until the consultation process has been completed.

The INPC appreciates the opportunity to provide these comments and looks forward to working with the City of Naperville and IDNR during the consultation process.

Sincerely.

Valene Njapa

Natural Areas Defense Program



Insite RE, Inc. 1s660 Midwest Road Suite 140 Oakbrook Terrace, IL 60181

VIA EMAIL: mattinglyg@naperville.il.us

October 13, 2017

The Honorable Mayor Steve Chirico
Councilwoman Becky Anderson
Councilwoman Rebecca Boyd-Obarski
Councilwoman Judy Brodhead
Councilman Kevin Coyne
Councilwoman Patty Gustin
Councilman Paul Hinterlong
Councilman John Krummen
Councilman Dr. Benjamin M. White
Mr. Doug A. Krieger, City Manager

**RE:** PC Case # 17-1-070

Applicant's rebuttal to Mr. Joe Suchecki's October 6, 2017 letter and the Forest Preserve District of DuPage County October 10<sup>th</sup> letter

Dear Mayor Chirico, Members of the City Council and Mr. Krieger:

Gabrielle Mattingly was kind enough to forward the two letters where Mr. Suchecki and the DuPage County Forest Preserve state reasons they are opposed to our application for a new 130' communications facility at the Springbrook Golf Course. I felt it was important to respond in writing before the October 17<sup>th</sup> City Council meeting and address each one of their concerns:

- 1. Mr. Suchecki feels the facility will impact the use and enjoyment of the Springbrook Forest Preserve. The proposed facility meets all Federal, State and local regulations regarding the placement of antenna facilities. We have Naperville Staff support and received a recommendation for approval from the Planning Commission. We provided a "no effect" letter from the US Fish and Wildlife for the neighboring Springbrook Forest Preserve. EBI Engineering also provided a Natural Resource Review that stated the new facility will NOT impact the natural habitat of the Springbrook Prairie. Mr. Suchecki has a right to his opinion, but he has not provided one Federal or State report that states the facility will be harmful to the Springbrook Forest Preserve habitat. It's also important to note there are existing towers and large utility towers adjacent to the Danada, McDowell Grove, Warrenville Grove and Hidden Lake Forest Preserves.
- 2. Mr. Suchecki claims we have not adequately eliminated other candidates and asked why we cannot propose a 60' tower versus 130'.

- The RF statement and propagation maps we submitted show the need for improved coverage. Verizon needs the 130' height to meet the coverage objective and unfortunately, there are no existing structures in the area able to offer a collocation opportunity, so a new facility is the only option. T-Mobile also submitted a letter of intent to collocate on this tower and needs the next available height of 115' to meet their coverage objective. Anything below 130' will impact the signal range for both carriers and any interested future carriers.
- Both Verizon and the NPD felt the proposed location of the site is the best since it's located behind the maintenance shed and out of the way. Moving it south puts it on hole number 10 and moving it west puts in at the entrance of the course and closer to Aero Estates runways. The current location is the furthest point from the neighboring subdivisions to the west and south, which makes the most sense and is approved by the FAA.
- Concealing the antennas inside the tower impacts the collocation opportunities since the antennas need to be stacked. It also requires a much thicker pole to hold all of the required antennas and coax.
- 3. Mr. Suchecki feels the 130' monopole does not adhere to the guidelines adopted by the US Fish and Wildlife Service to mitigate impacts of communications towers on birds.
  - As stated above, we provided a "no effect" approval from the US Fish and Wildlife and Verizon did follow the siting guidelines for new towers.
  - The FAA approval clearly states no lighting is required. Aero Estates requested lighting at the Planning Commission hearing, but has since retracted this request, so the tower will NOT have lighting.
- 4. Mr. Suchecki claims the proposed facility is not compatible with the surrounding residential and recreational uses. The proposed facility is over 2,300 feet from the closest residence to the west and south. There are several towers in and around Naperville that are only a few hundred feet from residential areas; therefore, we feel we have done an excellent job of locating a new site that meets the coverage objective while maintaining a far distance from the residences. We provided a number of examples at the Planning Commission hearing where towers exist in residential areas. These types of facilities are part of the city landscape and required to keep up with the demand for wireless service.
- 5. The Forest Preserve District of DuPage County references the 2016 USFWS guidelines for locating a communications tower and asked if we considered towers that are 1.7 miles to the northwest and 1.8 miles to the east. We provided a "no effect" letter from the US Fish and Wildlife and did follow the recommended steps for siting new communications facilities. We presented the coverage maps at the Planning Commission hearing and showed Verizon is already a tenant on the towers the DCFP asked about above and there is still a coverage gap. Knowing there are no viable collocation opportunities in the area, the only viable option to address the coverage gap for Verizon and T-Mobile is the proposed site.
- 6. The FPDC is requesting an Aircraft Detection Lighting System to be installed to manage the tower lights. The FAA approval does not require any lighting for this tower and the Aero Estates have withdrawn their request to light the tower, so the tower will NOT have lighting.

7. **The FPDC asked if we consulted with the Illinois Department of Natural Recourses.** Verizon completed their obligations under NEPA (National Environmental Policy Act) and concluded no effect for federal and state listed species. The EBI Engineering biologist reviewed the IDNR resources and completed a Natural Resources Review. Central States Tower and Verizon are *not required* to complete an IDNR study per federal and state guidelines.

I look forward to presenting this material and answering any of your questions on October 17th.

Sincerely,

Ray Shinkle

Ray Shinkle Insite RE, Inc. Authorized agent for Central States Tower and Verizon Wireless



21 B Street Burlington, MA 01803 Tel: (781) 273-2500 Fax: (781) 273-3311 www.ebiconsulting.com

October 12, 2017

The Honorable Mayor Steve Chirico
Councilwoman Becky Anderson
Councilwoman Rebecca Boyd-Obarski
Councilwoman Judy Brodhead
Councilman Kevin Coyne
Councilwoman Patty Gustin
Councilman Paul Hinterlong
Councilman John Krummen
Councilman Dr. Benjamin M. White
Mr. Doug A. Krieger, City Manager

Re: PC Case # 17-1-070

Response to Forest Preserve District of DuPage County Concerns Regarding Proposed Wireless Communications Tower Facility 2220 West 83<sup>rd</sup> Street, Naperville, IL

Dear Mayor Chirico, Members of the City Council, and Mr. Krieger:

EBI Consulting (EBI), on behalf of Central States Towers III, LLC (Central States Towers) appreciates the opportunity to address concerns raised by the Forest Preserve District of Du Page County (FPD), in their October 10, 2017 letter (see attached).

Specifically, the purpose of this letter is to offer *Central State Towers*' and *EBI*'s comments with regard to the following concern expressed by the *FPD*:

"Under Part 1075, Title 17, of the Illinois Administrative Code, consultation with the Illinois Department of Natural Resources is required for this project to determine if adverse impacts to state-protected resources may occur. The petitioner has previously provided documentation indicating that project information was submitted to the IDNR's website "for information only" (which is not confirmation that consultation was completed). Was the required consultation with IDNR completed, and was a letter confirming termination of consultation issued by IDNR for this project?"

Wireless communications tower facilities such as this proposed facility, are subject to the authorization and licensing procedures of the Federal Communications Commission (FCC). As an FCC-licensed facility, the authorization of the proposed installation is considered a federal undertaking and is therefore subject to federal National Environmental Policy Act (NEPA) review, and specifically with the FCC's NEPA implementing procedures set forth in 47 CFR §1.1301-1.1319. EBI was contracted by Central States Towers to complete a NEPA environmental review in accordance with the FCC's implementing rules.

As part of this NEPA review, EBI utilized the Illinois Department of Natural Resources (IDNR) online database tool (EcoCAT) to obtain Illinois Threatened and Endangered species and Illinois Natural Areas Inventory (INAI) data for

the vicinity of the proposed facility. Accordingly, when prompted by the system indicate the purpose for utilizing EcoCAT, *EBI* indicated that it was for the purposes of "federal agency actions (including NEPA compliance)."

*EBI*'s NEPA review, and specifically its assessment of effects on natural resources as summarized in the May 23, 2017 Natural Resources Review letter report, was completed by a qualified biologist in accordance with FCC NEPA implementing procedures.

Should you require additional information, please do not hesitate to contact the undersigned.

Respectfully Submitted,

Ms. Devon Pavlek

EBI Consulting-Senior Project Manager

773-746-6766

dpavlek@ebiconsulting.com

## Mattingly, Gabrielle

From: Ray Shinkle <shinkle@insite-inc.com>
Sent: Thursday, October 12, 2017 10:12 AM

**To:** Mattingly, Gabrielle

**Subject:** FW: Monopole IL-00-5715 (Springbrook Golf Course)

FYI. I will include this is my rebuttal letter today.

From: Mike Pastore

**Date:** Thursday, October 12, 2017 at 9:55 AM **To:** Ray Shinkle <shinkle@insite-inc.com>

Cc:

**Subject:** Monopole IL-00-5715

Ray,

Pursuant to our telephone conversation yesterday, and in the spirit of cooperation with the DuPage County Forest Preserve, the Naper Aero Club Board of Directors wishes to withdraw our request that steady burning red lights be mounted on the subject tower. If there is a change to the FAA's position or if we discover pertinent safety issues - including interference with our instrument approach should future FAA flight checks make such a determination - we may revisit this request. But, for now, we are happy to let it go.

Thank you so much for your cooperation and assistance in this matter. If you have any further questions, please do not hesitate to contact me.

Best Regards,

Michael Pastore President, Naper Aero Board of Directors Certificated Flight Instructor, FAA Safety Team Representative