

Village of Bensenville
Board Room
12 South Center Street
DuPage and Cook Counties
Bensenville, IL, 60106

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

November 19, 2012

CALL TO ORDER: The meeting was called to order by Chairman Moruzzi at 6:30 p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Janowiak, Rowe, Pisano, Ventura, Weldon
Absent: James
A quorum was present.

Commissioner Ventura was not allowed to vote on matters of the meeting due to regulations set forth in the Illinois Open Meetings Act.

JOURNAL OF PROCEEDINGS:

The minutes of the Special Community Development Commission of October 28, 2012 were presented.

Motion: Commissioner Pisano made a motion to approve the minutes as presented. Commissioner Weldon seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Rowe, Weldon

Nays: None

Abstained: Pisano

Motion carried.

Chairman Moruzzi swore in members of the staff and audience under oath that planned to give testimony.

Public Hearing:

CDC Case Number 2012-38

Petitioner:

American Tower; Christopher Flick

Location:

602 N. York Road

Request:

Amendment to Conditional Use Permit to Allow Installation of an Additional Antenna Above the Maximum Allowed Height of 35 Feet.

Motion:

Commissioner Weldon made a motion to open CDC Case Number 2012-38. Commissioner Janowiak seconded the motion.

ROLL CALL :

Upon roll call the following Commissioners were present:

Moruzzi, Janowiak, Rowe, Pisano, Ventura, Weldon

Absent: James

A quorum was present.

Commissioner Ventura was not allowed to vote on the CDC Case due to regulations set forth in the Illinois Open Meetings Act.

Chairman Moruzzi opened the Public Hearing for CDC Case Number 2012-38 at 6:33 p.m.

Planner, Victoria Kosman, stated a legal notice was published in the Daily Herald on November 3, 2012 and that a certified copy of the legal notice is maintained in the CDC file and available for viewing. Ms. Kosman also stated that Village Staff posted a notice of the Public Hearing sign on the property on November 2, 2012. Ms. Kosman stated on November 2, 2012 Village Staff mailed first class notice of the public hearing to taxpayers of record within 250 feet of the property in question.

Christopher Flick of American Tower was present and previously sworn in by Chairman Moruzzi. Mr. Flick stated the amendment was to allow a gps devise on the tower for O'Hare Airport. Mr. Flick stated the proposed installation has been reviewed and approved by the FAA. Mr. Flick reviewed the approval criteria for the proposed amendment as requested by Chairman Moruzzi.

Commissioner Pisano asked if the proposed antenna was a new FAA requirement. Mr. Flick stated the proposed antenna was a new requirement set forth by the FAA.

Commissioner Pisano asked if the proposed antenna will cause any type of residential interference. Mr. Flick stated there will be no interference with any residential or commercial occupants.

Chairman Moruzzi asked if there were any concerns with the height of the tower from the FAA. Mr. Flick stated the FAA has reviewed the proposed antenna and there have been no issues with the plans.

There were no other questions from the Commissioners.

Planner, Victoria Kosman reviewed the Village Staff report with the Commission. Ms. Kosman stated the outstanding utility bill has been paid and is no longer an issue. Ms. Kosman stated Staff recommends approval of the amendment with the following conditions:

1. The Conditional Use Permit Amendment be granted solely to American Towers, Inc. and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit.
2. The property shall be developed and utilized in substantial conformance to the plans to be submitted as part of this application prepared by ITT Exelis for American Tower Corp. dated 08.31.12.

There were no questions from the Commissioners.

Public Comment:

Chairman Moruzzi asked if there was any member of the Public that would like to give testimony. There were none.

Motion:

Commissioner Rowe made a motion to close the Public Hearing for CDC Case Number 2012-38. Commissioner Janowiak seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing for CDC Case Number 2012-38 at 6:44 p.m.

Motion: Commissioner Weldon made a motion to approve the findings of facts for the variances for CDC Case Number 2012-38 consisting of:

1. **Traffic:** The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized. No increase in traffic volume is expected as the subject property is an unmanned facility and only sporadic maintenance would need to be performed during the course of operation.
2. **Environmental Nuisance:** The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not characteristic of the historic use of the property or permitted uses in the district. As this is a proposed collocation of equipment onto an existing wireless communications tower, it prevents the need for an additional tower to be built. The site itself produces no waste, dust, glare, odor and only minimal sound from an internal cooling source.
3. **Neighborhood Character:** The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized. The proposed installation involves additional equipment being added onto an existing wireless communications tower as well as utilizing available space within the existing compound for an additional radio equipment cabinet. The installation conforms to the current use and will not change the current character of the area.

4. **Use Of Public Services And Facilities:** The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area. The proposed installation will not require any additional service beyond the currently provided to the facility. Power and Telephony will be provided by ComEd and the LEC.
5. **Public Necessity:** The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community. The proposed installation is part of a national initiative to aid in the FAA in tracking of both air traffic and aircraft currently on the ground. The increased safety and security of this system will benefit flights as well as provide the same relating to Homeland Security.
6. **Other Factors:** The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location. Other factors are subject to the Commission's judgment.

Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Weldon made a motion to approve the conditional use requested for CDC Case No. 2012-38 with Staff's recommendations Commissioner Pisano seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2012-32

Petitioner: Linden Towers

Location: 6-24 S. Addison

Request: Master Sign Plan

Motion: Commissioner Pisano made a motion to continue Public Hearing CDC Case Number 2012-32 until December 10, 2012. Commissioner Weldon seconded the motion.

All were in favor. Motion carried.

Report from Community Development

Motion: Commissioner Pisano made a motion to appoint Commissioner Weldon as Chairman Pro Tem in the absence of Chairman Moruzzi. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Mr. Viger reviewed both recent Village Board actions and prior CDC cases along with upcoming cases.

ADJOURNMENT:

There being no further business before the Community Development Commission, Commissioner Rowe made a motion to adjourn the meeting. Commissioner Pisano seconded the motion.

All were in favor

Motion carried.

The meeting was adjourned at 7:02 p.m.