



## Statement of Justification

### Commnet Site: Jemez Springs - NML02659A

Jurisdiction – Village of Jemez Springs  
17816 Highway 4, Jemez Springs, NM 87025

Prepared By: Cynthia VanDeMark

SAC Wireless • 300 Airport Rd. Elgin, IL 60123 • 312-858-6546 – [cynthia.vandemark@sacw.com](mailto:cynthia.vandemark@sacw.com)

#### Description of Proposed Use

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Commnet Four Corners is currently working in partnership with AT&T and the First Responder Network Authority to provide the nation's first-ever high-speed wireless broadband network dedicated to federal, state, and local first responders. The FirstNet network will provide first responders priority access to wireless communications services on a single nationwide network, enabling increased coordination among first responder agencies that will decrease emergency response times throughout the country to help save lives.

The First Responder Network Authority (FirstNet) is an independent authority within the U.S. Department of Commerce. Its mission is to develop, build and operate the nationwide, broadband network that equips first responders to save lives and protect U.S. communities. This network will be dedicated to America's police, firefighters and emergency medical services and will cover all (50) states, (5) U.S. territories and the District of Columbia, including rural communities and tribal lands in those states and territories.

In its partnership with the First Responder Network Authority and AT&T, Commnet is responsible for building and upgrading cellular sites throughout the country including Commnet's site, "Jemez Springs" located at 17816 Highway 4, Jemez Springs, New Mexico (Parcel # 1-011-105-503-050).

SAC Wireless, an Agent of Commnet on behalf of AT&T, is requesting the necessary approvals for our scope of work, which includes replacing the existing monopole with a monopine that will be more structurally capable of collocating Firstnet, a dedicated wireless broadband network that equips First Responders to save lives and protect communities.

The work proposed is as follows:

**Location:** The proposed height of the monopine structure is 62'- 0" with faux pine tree branches appurtenances at 67'-0". The proposed collocation equipment will be installed between 43" and 53" vertical space and include a 48'-0" RAD space. The total square footage of the existing facility including leased area is approximately 1,600 square feet. At&T proposed collocation leased space is approximately 247 square feet and will be located within the existing facility. No expansions are required as part of project.

**Equipment:** Install (2) Panel Antennas and associated cabling, (4) Radios and associated cabling, (2) mounting pipes, (1) Two-Bay Cabinet, (1) Ice-bridge, (1) Concrete Equipment Pad within existing compound, Generator Receptacle, (1) Electrical Meter with Service Breaker, (1) Electrical Panel, (1) H-Frame, and Fiber Box. Please see attached plans for scope of work and site plan.

**Requirements for Proposed Use** The proposed site was chosen based on the following:

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- Existing telecommunication facility provides sufficient space for the Firstnet collocation.
- Upgraded facility will be the least disruptive to the community and is in accordance with the zoning ordinance as closely and feasibly as possible.



## Village of Jemez Springs Compliance Referencing

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### Village of Jemez Springs WTF Application Worksheet, Chapter 123 Wireless Telecommunication Facilities:

**123-21.C. (I)** Conditional use review: \$60.

*Applicant Response: Please note, SAC Wireless LLC sent the Village of Jemez Springs Check # 107562 for \$60.00 for the CUP Fee July 13, 2021.*

**123-21.C.(2)** Tower application fee: \$5,000 (includes building permit fees).

*Applicant Response: Please note, SAC Wireless LLC sent the Village of Jemez Springs Check # 107563 for \$5000 for the Tower Application Fee July 13, 2021*

**123-15.B.** An applicant shall deposit with the Village funds sufficient to reimburse the Village for all reasonable costs of consultant and expert evaluation and consultation to the Village in connection with the review of any application, including the construction and modification of the site, once permitted. The initial deposit shall be \$8,500. The placement of the \$8,500 with the Village shall precede the preapplication meeting. The Village will maintain a separate escrow account for all such funds. The Village consultants/experts shall invoice the Village for its services in reviewing the application, including the construction and modification of the site, once permitted. If at any time during the process this escrow account has a balance less than \$2,500, the applicant shall immediately, upon notification by the Village, replenish said escrow account before any further action or consideration is taken on the application. In the event that the amount held in escrow by the Village is more than the amount of the actual invoicing (at the conclusion of the project) for work performed through the date of issuance of a certificate of occupancy or compliance for the project, the remaining balance shall be promptly refunded to the applicant.

*Applicant Response: Please note, SAC Wireless LLC sent the Village of Jemez Springs Check #107564 for \$8500 for the Escrow Fee July 13, 2021.*

**123-7.D.** The applicant shall include a statement in writing:

(1) That the applicant's proposed wireless telecommunications facilities shall be maintained in a safe manner, and in compliance with all conditions of the conditional use permit, without exception, unless specifically granted relief by the Planning and Zoning Commission, in writing, as well as all applicable and permissible local codes, ordinances, and regulations, including any and all applicable municipal, county, state and federal laws, rules, and regulations;

*Applicant Response: Please find the attached Compliance Letter.*

(2) That the construction of the wireless telecommunications facilities is legally permissible, including but not limited to the fact that the applicant is authorized to do business in the state.

*Applicant Response: Please find the attached New Cingular Wireless PCS, LLC (ATT&), Certificate of Good Standing as well as Commnet Four Corners Good Standing Status search results via New Mexico's Secretary of State search portal.*

**123-7.F. (18)** A copy of the FCC license applicable for the intended use of the wireless telecommunications facilities;

*Applicant Response: Please find the attached Call Sign.*

**123-7.B.** An application for a conditional use permit for wireless telecommunications facilities shall be signed on behalf of the applicant by the person preparing the same and with knowledge of the contents and representations made therein and attesting to the truth and completeness of the information. The landowner, if different than the applicant, shall also sign the application and shall agree to remove any existing violations and make all existing telecommunications facilities compliant with this chapter and all applicable local, state and telecommunications codes prior to the issuance of any certificate of occupancy or



compliance or the functional equivalent for a new or modified wireless facility at the discretion of the Planning and Zoning Commission, any false or misleading statement in the application may subject the applicant to denial of the application without further consideration or opportunity for correction.

Applicant Response: Applicant will provide upon receiving a copy of the conditional use permit application.

**123-7.F.(2)** The name, address and phone number of the person preparing the report;

*Applicant Response: Please find the attached Project Information Sheet and below.*

*Cynthia VanDeMark  
SAC Wireless  
300 Airport Rd  
Elgin, IL 60123*

*Mailing Address: Jeremy Boone, 1820 N Dayton, Chicago, IL 60614*

**123-7.F.(3)** The name, address, and phone number of the property owner, operator, and applicant, and to include the legal form of the applicant;

*Property Owner:  
Melvin L Johnson  
106 KEIRA CT  
CORRALES, NM 87048  
Phone # (505) 899-0246*

*Commnet Four Corners LLC  
Attn: Cindy Phillips  
1562 North Park Street  
Castle Rock, CO 80109  
Phone # (312) 858-6546*

*Applicant information (please see 123-7.F)*

**123-17.A.** Prior to the approval of any application for a conditional use permit for wireless telecommunications facilities, a public hearing shall be held by the Village, notice of which shall be published in the local newspaper of the Village no less than 10 calendar days prior to the scheduled date of the public hearing. In order that the Village may notify nearby landowners, the application shall contain the names and addresses of all landowners whose property is located within 1,320 feet of any property line of the lot or parcel on which the new wireless telecommunications facilities are proposed to be located.

*Applicant Response: Please find the attached list of property owners that are within 1320 feet of parcel 1-011-105-503-050.*

**123-7 F (I)** Documentation that demonstrates the need for the wireless telecommunications facility to provide service primarily and essentially within the Village. Such documentation shall include propagation studies of the proposed site and all adjoining planned, proposed, in-service or existing sites;

*Applicant Response: Please find the attached propagation maps for both Commnet and Firstnet collocation.*

**123-7.F.4.** The postal address and Tax Map parcel number of the property;

*Applicant Response: Postal Address of site is 17816 Highway 4, Jemez Springs, NM 87025 (Parcel ID 1-011-105-503-050). Please see attached plans and Project Information Sheet for reference.*



**123-7.F.5.** Size of the property stated both in square feet and lot line dimensions, and a diagram showing the location of all lot lines;

Applicant Response: Parcel 1-011-105-503-050 comprises of 1.003 acres (43690.68 square feet) and has an irregular shape. The eastern most edge of parcel is 227.15, southern most edge is 86.06', the south western edge is 87.07', the western most edge is 233.69', the northwestern parcel line is 27.53', and the north eastern diagonal parcel line is 187.73'. The existing telecommunication facility is 40'x40' and is comprised of 1600 square feet. Please see the attached survey that shows the dimensions and existing leased area. As part of project, no expansion of leased area is required.

**123-7.F.6.** The location of nearest residential structure;

Applicant Response: There is a mobile home on the subject property that is approximately 150' from the telecommunication facility. No other residential structures are located within 500 feet.

**123-7.F.7.** The location, size and height of all structures on the property which is the subject of the application;

Applicant Response: The property, which is the subject of the application, has an existing telecommunication facility that is 62' tall. There is also a mobile home on the subject property that is approximately 9' and is approximately 150' from the existing monopole.

**123-7.F.8.** The location, size and height of all proposed and existing antennas and all appurtenant structures;

Applicant Response: Please see below and attached drawings zoning drawings created by Westchester LLC, specifically sheets A-2.0, A-2.1, A-3.0, A-4.1 as well as the 3D Rendering of the proposed monopine facility.

- Proposed 62' Monopine telecommunication facility with faux branches tip height at 67'.
- Proposed (2) Firstnet Panel Antennas with a RAD Center at 48'-0" and a tip height at 52'. Antennas are 8'
- Relocated (2) Existing Commnet Antennas to be installed at 60' and have a tip height at 63'. Antennas are 5'. Existing Tip height is 62'.
- Existing Relocated Emergency Services Antenna at 41' and is approximately 20' that is owned by the Village of Jemez Springs. Existing location has a tip height at 43'.
- Existing Relocated Antenna – mounted at 11' that is owned by the Village of Jemez Springs. Existing antenna is mounted at 11'.

**123-7.F.9.** The type, locations and dimensions of all proposed and existing landscaping, and fencing;

Applicant Response: The existing and proposed facility area is 40'x40' and is located on a hill. The ground area is screened by the existing vegetation and elevated topography that is not visible by Highway 4. There is an existing slatted fence, which we propose to maintain around the facility.

**123-11.C.** If lighting is required, the applicant shall provide a detailed plan for sufficient lighting of as unobtrusive and inoffensive an effect as is permissible under state and federal regulations.

Applicant Response: Lighting is not required as part of project.

**123-7.F.10.** The number, type and design of the tower(s) and antenna(s) proposed and the basis for the calculations of the tower's capacity to accommodate multiple users;

Applicant Response: Please accept this request to provide the calculations including tower and foundation calculations and the mount analysis as a condition of approval. Please note, due to the costs of finalizing designs, we want to ensure that we have an approved height and design first.

**123-7.F.11.** The make, model and manufacturer of the tower and antenna(s);



*Applicant Response:*

*Proposed Monopine*

*Tower Make and Manufacturer is Valmont Larson*

*Model # P521925*

*Make: Monopine*

*Panel Antennas (2)*

*Make: Kathrein / Ericson*

*Model: 80010992K*

*Manufacturer: Kathrein*

**123-7.F.12.** A description of the proposed tower and antenna(s) and all related fixtures, structures, appurtenances and apparatus, including height above preexisting grade, materials, color and lighting;

*Applicant Response: Please find the attached zoning drawings created by Westchester LLC and the 3D Rendering created by Valmont Larson.*

*We are proposing to install a 62' monopine with faux branches that have a max height at 67'. The branches will be pine green and all the proposed antenna equipment and mounts will be painted brown to emulate bark from a tree.*

*Please also refer to above Applicant Response to 123-7.F.8.*

**123-7.F.13.** The frequency, modulation and class of service of radio or other transmitting equipment;

*Applicant Response: Please find the Data Propagation Study Sheets for both Commnet and Firstnet.*

**123-7.F.14.** The actual intended transmission and the maximum effective radiated power of the antenna (s);

*Applicant Response: Please find the Data Propagation Study Sheets for both Commnet and Firstnet.*

**123-7.F.15.** Direction of maximum lobes and associated radiation of the antenna(s);

*Applicant Response: Please find the Data Propagation Study Sheets for both Commnet and Firstnet.*

**123.7.F.16.** Certification that the NIER levels at the proposed site are within the threshold levels adopted by the FCC;

*Applicant Response: Please find the attached NIER Report prepared by Tower Engineering Professionals dated October 4, 2021.*

**123.7.F.17.** Certification that the proposed antenna(s) will not cause interference with other telecommunications devices;

*Applicant Response: Please find the attached Interference Letter.*

**123-24.A.** The holder of the conditional use permit shall, annually, certify to the Village that NIER levels at the site are within the threshold levels adopted by the FCC.

*Applicant Response: Commnet understands the process and will comply.*

**123-24.B.** The holder of the conditional use permit shall provide twenty-four-hour notification of any changes or modifications (e.g., repositioning antenna, propagation patterns) that will affect the defined service areas. This information is necessary to support advance notification of E911 Service Centers.



Applicant Response: Commnet understands the process and will comply.

**123-K.** The applicant shall furnish a visual impact assessment, which shall include:

(1) A zone of visibility map which shall be provided in order to determine locations from which the tower may be seen.

Applicant Response: Please see the attached Viewshed Model.

(2) Pictorial representations of before and after views from key viewpoints both inside and outside of the Village as may be appropriate, including but not limited to state highways and other major roads; state and local parks; other public lands; historic districts; preserves and historic sites normally open to the public; and from any other location where the site is visible to a large number of visitors, travelers or residents . (Guidance will be provided concerning the appropriate key sites at a preapplication meeting.)

Applicant Response: Please find the attached photosimulations.

(3) An assessment of the visual impact of the tower base, guy wires and accessory buildings from abutting and adjacent properties and streets as relates to the need or appropriateness of screening.

Applicant Response: Please find the attached photosimulations.

123-7.L. The applicant shall demonstrate and provide, in writing and/or by drawing, how it shall effectively screen from view the base and all related facilities and structures of the proposed wireless telecommunications facilities.

Applicant Response: Due to the low visibility of the ground use area, Commnet proposes to not disturb any existing vegetation that is within the subject parcel. Commnet will maintain the existing fence at the existing facility.

123-7.G. In the case of a new tower, the applicant shall be required to submit a written report demonstrating its meaningful efforts to secure shared use of existing tower(s) or the use of alternative buildings or other structures within the Village. Copies of written requests and responses for shared use shall be provided to the Planning and Zoning Commission in the application, along with any letters of rejection stating the reason for rejection.

Applicant Response: Please note that there are no other existing telecommunication facilities within Jemez Springs that would provide the Firstnet coverage requirements. Please find the attached ASR Search.

123-7.U. The applicant shall examine the feasibility of designing a proposed tower to accommodate future demand for at least five additional commercial applications, for example, future co-locations. The tower shall be structurally designed to accommodate at least five additional antenna arrays equal to those of the applicant, and located as close to the applicant's antenna as possible without causing interference. This requirement may be waived, provided that the applicant, in writing, demonstrates that the provisions of future shared usage of the tower is not technologically feasible, is commercially impracticable or creates an unnecessary and unreasonable burden, based upon:

(1) The foreseeable number of FCC licenses available for the area;

Applicant Response: New Cingular Wireless PCS d/b/a AT&T and Commnet Four Corners are the only carriers listed in the FCC's database that have frequency licenses within the area. Any future collocator would be required to get the necessary license.

(2) The kind of wireless telecommunications facilities site and structure proposed;

Applicant Response: Due to the existing antennas located on the tower which include Emergency Antennas between 11' and 41', Commnet's existing relocated antenna equipment, and Firstnet collocation, there is limited space



available. Our goal is to replace the existing pole with a pole that is more structurally capable, has an increased stealth aesthetic, and at a comparable height of the existing pole.

(3) The number of existing and potential licenses without wireless telecommunications facilities spaces/sites;

Applicant Response: Commnet and Firstnet/New Cingular PCS d/b/a AT&T have secured all necessary licenses. Please find the attached Call Signs.

(4) Available space on existing and approved towers.

Applicant Response: Due to the existing antennas located on the tower which include Emergency Antennas between 11' and 41', Commnet's existing relocated antenna equipment, and Firstnet collocation, there is limited space available. Our goal is to replace the existing pole with a pole that is more structurally capable, has an increased stealth aesthetic, and at a comparable height of the existing pole.

Based upon the height of the tower as well as the request for the tower to be stealthed, that limits future collocators.

123-V. Shared use.

123-V(1) The owner of the proposed new tower, and his/her successors in interest, shall negotiate in good faith for the shared use of the proposed tower by other wireless service providers in the future, and shall:

(a) Respond within 60 days to a request for information from a potential shared-use applicant;

Applicant Response: Commnet understands the process and will comply.

(b) Negotiate in good faith concerning future requests for shared use of the new tower by other telecommunications providers;

Applicant Response: Commnet understands the process and will comply.

(c) Allow shared use of the new tower if another telecommunications provider agrees, in writing, to pay reasonable charges. The charges may include, but are not limited to, a pro rata share of the cost of site selection, planning, project administration, land costs, site design, construction and maintenance financing, return on equity, less depreciation, and all of the costs of adapting the tower or equipment to accommodate a shared user without causing electromagnetic interference.

Applicant Response: Commnet understands the process and will comply.

123-V(2) Failure to abide by the conditions outlined above may be grounds for revocation of the conditional use permit for the tower.

Applicant Response: Commnet understands the process and will comply.

123-7.H. The applicant shall certify that the telecommunication facility, foundation and attachments are designed and will be constructed to meet all municipal, county, state and federal structural requirements for loads, including wind and ice loads.

Applicant Response: Commnet understands the process and will comply.

123-7.I. The applicant shall certify that the wireless telecommunications facilities will be effectively grounded and bonded so as to protect persons and property and installed with appropriate surge protectors.

Applicant Response: Commnet understands the process and will comply.



123-7.J. An applicant may be required to submit an environmental assessment analysis and a visual addendum. Based on the results of the analysis, including the visual addendum, the Planning and Zoning Commission may require submission of a more detailed visual analysis. The scope of the required environmental and visual assessment will be reviewed at the preapplication meeting.

*Applicant Response: Please find the attached Phase 1 Environmental Assessment prepared by GSS on September 18, 2020.*

123-7.BB The application will provide all maintenance free of charge for Village Police Department and Fire Department communication equipment placed on the tower.

*Applicant Response: Commnet understands the process and will comply.*

123-7.Z. The applicant will provide a written copy of an analysis, completed by a qualified individual or organization, to determine if the tower or existing structure intended to support wireless facilities requires lighting under Federal Aviation Administration Regulation Part 77. This requirement shall be for any new tower or for an existing structure or building where the application increases the height of the structure or building. If this analysis determines that the FAA must be contacted, then all filings with the FAA, all responses from the FAA and any related correspondence shall be provided in a timely manner.

*Applicant Response: Please find the attached Notice Criteria Results. No notices are required.*

123-22. Performance security. The applicant and the owner of record of any proposed wireless telecommunications facilities property site shall, at its cost and expense, be jointly required to execute and file with the Village a bond, or other form of security acceptable to the Village as to type of security and the form and manner of execution, in an amount of at least \$75,000 and with such sureties as are deemed sufficient by the Village to assure the faithful performance of the terms and conditions of this chapter and conditions of any conditional use permit issued pursuant to this chapter. The full amount of the bond or security shall remain in full force and effect throughout the term of the conditional use permit and/or until any necessary site restoration is completed to restore the site to a condition comparable to that, which existed prior to the issuance of the original conditional use permit.

*Applicant Response: Please find the attached Bond.*

123-25. Liability insurance.

A. A holder of a conditional use permit for wireless telecommunications facilities shall secure and at all times maintain public liability insurance for personal injuries, death and property damage, and umbrella insurance coverage, for the duration of the conditional use permit in amounts as set forth below:

(1) Commercial general liability covering personal injuries, death and property damage: \$1,000,000 per occurrence/\$2,000,000 aggregate;

*Applicant Response: Please find the attached COI.*

(2) Automobile coverage: \$1,000,000 per occurrence/\$2,000,000 aggregate;

*Applicant Response: Please find the attached COI.*

(3) Workers' compensation and disability: statutory amounts.

*Applicant Response: Please find the attached COI.*

B. The commercial general liability insurance policy shall specifically include the Village and its officers, commissions, employees, committee members, attorneys, agents and consultants as additional named insured.





Applicant Response: Please find the attached COI.

C. The insurance policies shall be issued by an agent or representative of an insurance company licensed to do business in the state and with a Bests rating of at least A.

Applicant Response: Please find the attached COI.

D. The insurance policies shall contain an endorsement obligating the insurance company to furnish the Village with at least 30 days' prior written notice -in advance of the cancellation of the insurance.

Applicant Response: Please find the attached COI.

E. Renewal or replacement policies or certificates shall be delivered to the Village at least 15 days before the expiration of the insurance that such policies are to renew or replace.

Applicant Response: Please find the attached COI.

F. Before construction of a permitted wireless telecommunications facilities is initiated, but in no case later than 15 days after the grant of the conditional use permit, the holder of the conditional use permit shall deliver to the Village a copy of each of the policies or certificates representing the insurance in the required amounts.

Applicant Response: Please find the attached COI.

#### 123-26. Indemnification.

A. Any application for wireless telecommunication facilities that is proposed for Village property, pursuant to this chapter, shall contain a provision with respect to indemnification. Such provision shall require the applicant, to the extent permitted by the law, to at all times defend, indemnify, protect, save, hold harmless, and exempt the Village, and its officers, commissions, employees, c01mmittee members, attorneys, agents, and consultants from any and all penalties, damages, costs, or charges arising out of any and all claims, suits, demands, causes of action, or award of damages, whether compensatory or punitive, or expenses arising therefrom, either at law or in equity, which might arise out of, or are caused by, the placement, construction, erection, modification, location, products performance, use, operation, maintenance, repair, installation, replacement, removal, or restoration of said facility; excepting, however, any portion of such claims, suits, demands, causes of action or award of damages as may be attributable to the negligent or intentional acts or omissions of the Village, or its servants or agents. With respect to the penalties, damages or charges referenced herein, reasonable attorneys' fees , consultants' fees , and expert witness fees are included in those costs that are recoverable by the Village.

Applicant Response: Commnet understands the process and will comply.

123-7.N. All utilities at a wireless telecommunications facilities site shall be installed underground and in compliance with all laws, ordinances, rules and regulations of the municipality, county, and state, including specifically but not limited to the National Electrical Safety Code and the National Electrical Code, where appropriate.

Applicant Response: Commnet understands the process and will comply.

123-7.0. All wireless telecommunications facilities shall contain a demonstration that the facility be sited so as to be the least visually intrusive reasonably possible and thereby have the least adverse visual effect on the environment and its character, on existing vegetation, and on the residences in the area of the wireless telecommunications facility.

Applicant Response: Commnet is proposinq to replace the existing monopole with a monopine to minimize the visual impact. No vegetation will need to be removed as part of project that is outside of the leased area.



123-7.P. Both the wireless telecommunications facility and any and all accessory or associated facilities shall maximize the use of building materials, colors and textures designed to blend with the structure to which it may be affixed and/or to harmonize with the natural surroundings, this shall include the utilization of stealth or concealment technology as may be required by the Village.

*Applicant Response: Commnet understands the process and will comply. Commnet is proposing to camouflage the antennas using paint as well as install a stealth monopine pole to further conceal the facility. The ground facility is not visible due to the surround vegetation on parcel and elevation of site.*

123-7.Q. At a telecommunications site, an access road, turnaround space and parking shall be provided to assure adequate emergency and service access. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road construction shall at all times minimize ground disturbance and the cutting of vegetation. Road grades shall closely follow natural contours to assure minimal visual disturbance and reduce soil erosion.

*Applicant Response: Commnet understands the process and will comply.*

123-7.AA. All applicants for conditional use permit for wireless telecommunications facilities or any modification of such facilities should develop their plans to allow reasonable requests from the Village of Jemez Springs to use space on its towers and space within the existing or planned compound for deploying and operating public service radio facilities (e.g. , police, fire, emergency, homeland security, etc.). The Village will pay no fees for space on towers or for space within the compound.

*Applicant Response: Commnet understands the process and will comply. Commnet currently has (2) local emergency service antennas that are owned by the Village's Emergency Departments.*

123-12. Security. All wireless telecommunications facilities and antennas shall be located, fenced or otherwise secured in a manner that prevents unauthorized access. Specifically:

A. All antennas, towers and other supporting structures, including guy wires, shall be made inaccessible to individuals and constructed or shielded in such a manner that they cannot be climbed or collided with; and

B. Transmitters and telecommunications control points shall be installed in such a manner that they are readily accessible only to persons authorized to operate or service them.

*Applicant response: The site will maintain the slatted fencing as part of project and will not be accessible to the public.*

123-13. Signage. Wireless telecommunications facilities shall contain a sign no larger than four square feet in order to provide adequate notification to persons in the immediate area of the presence of an antenna that has transmission capabilities and shall contain the name(s) of the owner(s) and operator(s) of the antenna(s) as well as emergency phone number(s). The sign shall be on the equipment shelter or cabinet of the applicant and be visible from the access point of the site and must identify the equipment owner of the shelter or cabinet. The sign shall not be lighted, unless lighting is required by applicable law, rule or regulation. No other signage, including advertising, shall be permitted.

*Applicant Response: Please find the attached existing signage at site.*

123-14. Lot size and setbacks.

A. All proposed towers and any other proposed wireless telecommunications facility structures shall be set back from abutting parcels, recorded rights-of-way and road and street lines by the greater of the following distances: a distance equal to the height of the proposed tower or wireless telecommunications facility structure plus 10% of the height of the tower or structure, or the existing setback requirement by the Village, whichever is greater. Any accessory structure shall be located so as to comply with the applicable minimum setback requirements for the property on which it is situated.



Applicant Response: We are requesting relief from this section 123-14 as this application is replacing an existing facility, that was previously approved thru a conditional use permit. The existing tower has easements, utility runs, and leases, We would like to request the same waivers that the Village has previously approved at this location.

B. Any decision of the Planning and Zoning Commission may be appealed to the Village governing body as provided in § 123-32 of this chapter.

Applicant Response: Commnet understands the process and will comply.

123-23. Inspections. In order to verify that the holder of a conditional use permit for wireless telecommunications facilities and any and all lessees, renters, and/or licensees of wireless telecommunications facilities place and construct such facilities, including towers and antennas, in accordance with all applicable technical, safety, fire, building, and zoning codes, laws, ordinances and regulations and other applicable requirements, the Village may inspect all facets of said permit holder's, renter's, lessee's or licensee's placement, construction, modification and maintenance of such facilities, including but not limited to towers, antennas and buildings or other structures constructed or located on the permitted site.

Applicant Response: Commnet understands process and will comply.

#### **Anticipated Impacts**

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As this is an unmanned facility, the site will not generate excessive traffic; will not cause any noise, air, light or water pollution. No noise, lights, dust or vibrations will be generated. There will be no environmental concerns as the conduit installation will be within Commnet's existing leased area on the ground and nothing is to be done to modify the tower or enlarge the site. No lighting is proposed. The visual impact to the adjoining properties will not be altered by this installation.

#### **Proposed Facility Plan**

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See enclosed attached drawings.

#### **Other Information**

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If you have any further questions or comments concerning this application, please feel free to contact me 312-858-6546, or via email at: [cynthia.vandemark@sacw.com](mailto:cynthia.vandemark@sacw.com) I thank you in advance for your kind courtesies and attention with respect to this application.

Thank you for your review,

Sincerely,

**Cynthia VanDeMark | Site Development and Zoning & Permitting Specialist** | Phone: 312-858-6546  
**SAC Wireless, LLC** – 300 Airport Rd, Elgin, IL 60123  
[cynthia.vandemark@sacw.com](mailto:cynthia.vandemark@sacw.com) | [www.sacw.com](http://www.sacw.com)