
GOLDIN, HILL & ASSOCIATES, P.C.
ATTORNEYS AT LAW

Kenneth Goldin
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Affidavit re: Special Use Application: 2019-.011 for Aurora West High School, 1201 W. New York Street, Aurora, Illinois (the "Site")

To: Planning and Zoning Division
City of Aurora

The undersigned, Joseph Hill, being first duly sworn and under penalties of perjury as provided by law, hereby certify and state as follows:

1. I am an attorney who has practiced law in the State of Illinois since 1996. I also hold a bachelor of science degree in general engineering from the University of Illinois, Champaign Illinois. Since 1996, I have specialized in the representation of telecommunications carriers, site acquisition companies and zoning specialists and have represented numerous telecommunications entities in connection with site selection, leasing and development and with the preparation, submission and prosecution of land use applications. Since 2003, I have been a principal with the law firm of Goldin, Hill & Associates, P.C. ("GHA"). GHA and/or I have appeared in front of the planning commission and City Council of the City of Aurora on numerous occasions for prior unrelated telecommunication matters.
2. We've been advised that T-Mobile, or its affiliate, proposes to make improvements to the captioned Site, which improvements shall provide for the installation of a monopole, antennas, equipment cabinet, cabling utilities and related equipment. The Site is owned by West Aurora School District 129 (the "School District").
3. GHA has been retained by Insite RE, Inc. on behalf of T-Mobile to review and advise on legal matters incident to the captioned Special Use Application, and in particular to ensure that all items contemplated by Section B(3) of the Application Completeness Checklist issued by the City in connection with the Special Use Application were properly submitted to the City. Compliance with the requirements of Section B(3) of such Checklist are addressed in Paragraphs 4-9 below of this affidavit.
4. A written statement addressing compliance with subsections 19-68(f)—(n), and all applicable federal, state or local laws is attached hereto as Exhibit A.
5. A written statement addressing the current radio frequency coverage prediction in the area served both prior to and after construction of the proposed communications facility and technical performance goals for the desired signal strength is set forth in the RF coverage and propagation maps attached hereto as Exhibit B.
6. Petitioner has not submitted a written statement addressing the use of drive test results to confirm or refute the areas shown on coverage maps used in planning the system used by the communications provider, however, Petitioner has provided a RF affidavit referencing the need for coverage attached hereto as Exhibit C along with the RF propagation maps attached as Exhibit B.
7. A written statement addressing the suitability or unsuitability of the use of existing towers, other structures or alternative technology not requiring the use of towers or structures to provide the services to be provided through the use of the proposed new communication facility is set forth in the RF affidavit attached

hereto as Exhibit C. Although Petitioner did not provide information regarding the number of calls dropped and failed handoffs between existing sites within two miles of the City of Aurora, Petitioner has provided a map showing all existing sites within city limits, attached as Exhibit F, along with the RF propagation maps attached as Exhibit B.

8. A written statement from an engineer(s) that T-Mobile will undertake best efforts to prevent frequencies from the proposed new site will not interfere with public safety communications and the usual and customary transmission or reception of radio, television or other communications services is set forth in the RF affidavit attached hereto as Exhibit D.

9. Petitioner has not provided an affidavit by the owner of the parent tract (if the location is leased) agreeing to the terms relating to removal of the facility, as described in section 19-73, however, Petitioner provided a letter from the owner of the parent tract in connection with the lease and the terms relating to the removal of the facility, such letter is attached hereto as Exhibit E.

10. For purposes hereof I have assumed the accuracy of the Exhibits attached to this affidavit, and the authenticity and completeness of any documents furnished to us in connection herewith. I have no reason to believe that any documents are submitted in error or otherwise incomplete. I have not independently reviewed applicable zoning, building or land use regulations and ordinances applicable to the Site, and except to the extent expressly provided in this Affidavit do not advise hereby as to whether T-Mobile's present or proposed use of, and installation at, the Site is permitted under such regulations and ordinances.

Further affiant sayeth not.

Executed this 23rd day of July, 2019.

By: 
Joseph Hill

Subscribed and sworn to me before me this 23rd day of July, 2019


Notary Public



Exhibit A
Statement regarding Compliance with Subsections 19-68(f)-(n)
and all applicable federal, state or local laws.

Aurora City zoning code Sections 19-68(f)-(n)

(f) Aesthetics: T-Mobile's design matches the galvanized steel color of the existing light poles. The 6-foot wood fence will block the view of the equipment cabinets. T-Mobile is open to any suggested landscaping and can make that addition with the building permit review.

(g) Lighting: The proposed tower meets FAA guidelines and does not require lighting.

(h) State of Federal requirements. The proposed site will meet all applicable State and Federal engineering and structural requirements.

(i) Building codes and safety standards: If the site is approved in zoning, T-Mobile will file for the City building permit and provide an Illinois stamped set of construction drawings along with a structural analysis for the pole.

(j) Public Notice: The list of property owners and the map of the people who will be notified is enclosed in this packet.

(k) Signs. The site will meet all city guidelines and only post the applicable notice RF requirements. Nothing else.

(l) Building and support equipment. The proposed design is in line with existing antenna facilities located in the City of Aurora.

(m) multiple communications facility plan. This is the only site in this immediate area.

(n) availability of suitable existing towers, other structures or alternative technology: The information provided in this application demonstrates there are no other structures within the search area. In fact, the closest towers or structures T-Mobile is already a tenant.

What is T-Mobile's method of providing backhaul?

This site will require 200 AMPS of power and a fiber connection to one of the fiber vendors operating in Aurora. No other "backhaul network" is required.

Provide a statement that the proposed tower will meet structural design requirements.

Once this site is approved in zoning, T-Mobile will order a tower and foundation design that will be stamped by an Illinois licensed structural engineer that will be reviewed by the city building department.

Exhibit B
RF Coverage and Propagation Maps

Exhibit C
RF Affidavit

Exhibit D
Statement relating to Interference with Public Safety

Exhibit E
Lease between the owner of the property and Petitioner

Exhibit F
T-Mobile's existing sites within the City of Aurora

AFFIDAVIT

**T-Mobile Central LLC
PROPOSED WIRELESS TELECOMMUNICATIONS FACILITY
West Aurora High School
Aurora, IL**

I, Jim Fairchild, Site Development Manager, representing T-Mobile Central LLC, d/b/a T-Mobile, a Delaware limited liability company (hereinafter "T-Mobile"), whose address is 1400 Opus Place, 7th Floor, Downers Grove, Illinois, being duly sworn, state the following:

1. I am the Site Development Manager engaged in the development and deployment of T-Mobile's Chicago area network and involved in network design and optimization, including evaluation and selection of candidates for wireless telecommunications base station sites in the network.
2. In an effort to provide seamless in-building coverage in Aurora, T-Mobile has determined that it is necessary to obtain a site within a 0.5-mile radius of St David's Episcopal Church (the "Search Ring"). This new site will help in offloading the exiting On-Air sites CH27586A on east side of the ring and CH47900B on north side of the ring and this candidate will also serve West Aurora High School traffic and cover the nearby intersections along West Galena Boulevard, since the demand will only increase over time. T-Mobile MUST be able to add a new site to the area in order to maintain seamless service.
3. There are no existing tower structures or feasible building structures with a suitable height of 120' or greater above ground level within 0.5 miles of the search location.
4. My evaluation, conducted in the normal course of T-Mobile's operations, consisted of predicting signal propagation via industry-standard software models. T-Mobile calculated the proposed site's contribution to T-Mobile's needs for coverage and capacity in the area intended to be served by the site within reference to surrounding proposed sites.
5. Further Affiant Sayeth Not.

IN THE PRESENCE OF:



Print Name:




Jim Fairchild

Print Name:

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

On July 9th, 2019 before me, Ray Shinkle, Notary Public, personally appeared Jim Fairchild, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same of his own free will.

WITNESS my hand and official seal.



Notary Public

(SEAL)



My commission expires:

T-Mobile USA
1400 Opus Place, Suite 600
Downers Grove, IL 60515

March 8, 2019

To: **Steve Broadwell, Planner**
City of Aurora Zoning & Planning Division
77 South Broadway, 2nd Floor
Aurora, IL 60507
P (630) 256-3080
F (630) 256-3089
sbroadwell@aurora-il.org


Re: New Site Build on Aurora West High School Light Pole Structure

Sir,

The undersigned hereby certifies the following statement below:

1. T-Mobile will comply with zoning district requirements and state and federal regulations.
2. T-Mobile indicating that it will undertake best efforts to prevent frequencies transmitted from the proposed new site will not interfere with frequencies used by City of Aurora Police, Fire, or Public Safety Communication, Radios and Televisions.

Sincerely,

 3/8/19
Edmil Padernos
RF Engineer
m 773.818.0028