



March 12, 2020

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PRESIDENT

Alice Gallagher

TRUSTEES

Heidi Rudolph

William Siffermann

James Tyrrell

Nicole Chen

Alan Fink

James John

Jorge Batres  
LTS Technical LLC  
723 N. Oaklawn Ave.  
Elmhurst, IL 60126

RE: MCImetro Access Transmission Services Corp. D/B/A Verizon Access  
Transmission Services - PROJECT #: ODN\_CFO\_55TH AND LA  
GRANGE\_PLD\_1904DBHB\_1\_PLN\_R00

Dear Mr. Batres:

The Village of Western Springs is in receipt of the permit request for “PROJECT #: ODN\_CFO\_55TH AND LA GRANGE\_PLD\_1904DBHB\_1\_PLN\_R00” dated January 14, 2020. Staff has reviewed the application and finds it to be incomplete and/or deficient based on the following:

CLERK

James Horvath

MANAGER

Ingrid Velkme

DIRECTORS

Grace Turi

Pat Schramm

Martin Scott

Matthew Supert

Patrick Kenny

Brian Budds

Ellen Baer

Aleks Briedis

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1. The Village is requesting in writing clarification if the proposed permit application is related to or being constructed ahead of any future small-cell wireless facilities. The applicant should describe in detail the proposed project scope and intent of the fiber network and its use.
2. The plans should include a statement from Leducor and/or MCImetro that they will comply with the terms and conditions of the Village's Right-of-Way ordinance.
3. The final plans must be wet-sealed by an Illinois-registered Engineer and dated.
4. Please provide signed agreements or other documentation clearly establishing permission for the construction of fiber facilities to existing ComED utility poles located on Village right of way.
5. The plan documents must include all Village owned public utilities including but not limited water, sewer and municipal owned fiber. Plan sheets must also include public sidewalk and any trees located in the public right of way for review and assessment of impact.

- a. All proposed installations, including but not limited to handholes, bore pits and equipment staging areas must be a minimum of 3' clearance from the edge of the public sidewalk, private driveway or back of curb.
  - b. All proposed vertical excavations, including but not limited handholes, utility pole installations, boring excavation pits or equipment staging areas must be no less than 3' outside the drip line of any existing tree located on the public right of way.
  - c. All directionally bored fiber must meet a minimum of 10' clearance from any public water main, public storm or sanitary sewer.
  - d. All directionally bored fiber located inside the drip line of any tree located in the public right of way must have a minimum depth of 7 feet.
6. Applicant must address all comments on the submitted plans.
- a. Submitted plans do not include detail for sod or parkway restoration
  - b. Plans must incorporate the Village's patching detail and specification (specifications attached)
  - c. Plans must include details for restoration of dyed concrete located in Central Business District (detail attached)
  - d. Contact information shown on the plans should include hours of operation of the Network Operations Center or call center.
  - e. All references in the plans to DuPage County should be changed to Cook County, IDOT, or the Village of Western Springs, depending on the location and applicable construction or restoration standards to be applied.
  - f. Street lights shown on the plans should include details on the pole material (aluminum, wood, concrete), height, ownership, power source (underground or aerial) and an indication if operation of the street light will be disrupted.

7. A certificate of insurance compliant with Section 8-8-10(Q) of the Village code is not included with the application.
8. Pursuant to Section 8-8-5 of the Village Code, Registration Required: All telecommunications carriers and providers that offer or provide any telecommunications service for a fee directly to the public, either within the village or outside the corporate limits from telecommunications facilities within the village, shall register with the village pursuant to this section on forms to be provided by the village clerk...”
9. Pursuant to Section 8-8-5 of the Village Code (missing or deficient items in **bold**),

A. License Requirement: telecommunications license shall be required of any telecommunications carrier who desires to occupy specific public ways of the Village for the sole purpose of providing telecommunications services to persons or areas outside the Village.

B. Application For License: Any person that desires a telecommunications license pursuant to this Section shall file an application with the Village which shall include the following information:

**1. The identity of the license applicant, including all affiliates of the applicant.**

**2. A description of the telecommunications services that are or will be offered or provided by licensee over its telecommunications facilities.**

**3. A description of the transmission medium that will be used by the licensee to offer or provide such telecommunications services.**

4. Preliminary engineering plans, specifications and a network map of the facilities to be located within the Village, all in sufficient detail to identify:

a. The location and route requested for applicant's proposed telecommunications facilities.

**b. The location of all overhead and underground public utility, telecommunication, cable, water, sewer drainage and other facilities in the public way along the proposed route.**

**c. The location(s), if any, for interconnection with the telecommunications facilities of other telecommunications carriers.**

**d. The specific trees, structures, improvements, facilities and obstructions, if any, that applicant proposes to temporarily or permanently remove or relocate. Any trees that are temporarily removed or relocated shall be maintained and guaranteed for not less than one year by the permittee.** Any of these trees that are determined to be unacceptable after one year by the Village shall be replaced as directed by the Village. Underground installation will be designed and installed in such a manner as to minimize the disturbance and damage to the root system of existing trees, roadways or other Village facilities. Plans will be reviewed so as to determine if augering or boring under or around public facilities will be required.

**e. That all proposed plans for the installation of underground or overhead facilities shall be reviewed and approved by an arborist certified by the International Society of Arboriculture.**

**5. If applicant is proposing to install overhead facilities, evidence that surplus space is available for locating its telecommunications facilities on existing utility poles along the proposed route.**

6. If applicant is proposing an underground installation in existing ducts or conduits within the public ways, information in sufficient detail to identify:

**a. The excess capacity currently available in such ducts or conduits before installation of applicant's telecommunications facilities.**

**b. The excess capacity, if any, that will exist in such ducts or conduits after installation of applicant's telecommunications facilities.**

7. If applicant is proposing an underground installation within new ducts or conduits to be constructed within the public ways:

a. The location proposed for the new ducts or conduits.

**b. The excess capacity that will exist in such ducts or conduits after installation of applicant's telecommunications facilities.**

**8. A preliminary construction schedule and completion date.**

9. A preliminary traffic-control plan in accordance with the IDOT Manual on Uniform Traffic Control Devices.

**10. Financial statements prepared in accordance with generally accepted accounting principles demonstrating the applicant's financial ability to construct, operate, maintain, relocate and remove the facilities.**

**11. Information in sufficient detail to establish the applicant's technical qualifications, experience and expertise regarding the telecommunications facilities and services described in the application.**

**12. Information to establish that the applicant has obtained all other governmental approvals and permits to construct and operate the facilities and to offer or provide the telecommunications services.**

**13. All fees, deposits or charges required pursuant to Section 8-8-8 of this Chapter.**

14. Such other and further information as may be required by the Village Manager's office.

10. Pursuant to Section 8-8-10(C)(4) of the Village Code, “The location of all existing underground utilities, conduits, ducts, pipes, mains and installations which are within the public ways along the underground route proposed by the applicant”.
11. Pursuant to Section 8-8-10(C)(6) of the Village Code, “The construction methods to be employed for protection of existing structures, fixtures and facilities within or adjacent to the public ways”.
12. Pursuant to Section 8-11-3 Annual Registration Required of the Village Code, “Every utility that occupies right of way within the village shall register on January 1 of each year with the director of municipal services, providing the utility's name, address and regular business telephone and telecopy numbers, the name of one or more contact persons who can act on behalf of the utility in connection with emergencies involving the utility's facilities in the right of way and a twenty four (24) hour telephone number for each such person, and evidence of insurance as required in section 8-11-8 of this chapter, in the form of a certificate of insurance. (Ord. 07-2463, 11-19-2007)”.
13. Pursuant to Section 8-11-4: Permit Required, Applications and Fees of the Village Code (missing or deficient items in **bold**),
  - A. Permit Required: No person shall construct (as defined in this chapter) any facility on, over, above, along, upon, under, across, or within any village right of way which: 1) changes the location of the facility, 2) adds a new facility, 3) disrupts the right of way (as defined in this chapter), or 4) materially increases the amount of area or space occupied by the facility on, over, above, along, under, across or within the right of way, without first filing an application with the director of municipal services and obtaining a permit from the village therefor, except as otherwise provided in this chapter. No permit shall be required for installation and maintenance of service connections to customers' premises where there will be no disruption of the right of way.

- B. Permit Application: All applications for permits pursuant to this chapter shall be filed on a form provided by the village and shall be filed in such number of duplicate copies as the village may designate. The applicant may designate those portions of its application materials that it reasonably believes contain proprietary or confidential information as "proprietary" or "confidential" by clearly marking each page of such materials accordingly.
- C. Minimum General Application Requirements: The application shall be made by the utility or its duly authorized representative and shall contain, at a minimum, the following:
1. The utility's name and address and telephone and telecopy numbers;
  2. The applicant's name and address, if different than the utility, its telephone and telecopy numbers, e-mail address, **and its interest in the work;**
  3. The names, addresses and telephone and telecopy numbers and e-mail addresses of all professional consultants, if any, advising the applicant with respect to the application;
  4. **A general description of the proposed work and the purposes and intent of the facility and the uses to which the facility will be put. The scope and detail of such description shall be appropriate to the nature and character of the work to be performed, with special emphasis on those matters likely to be affected or impacted by the work proposed;**
  5. Evidence that the utility has placed on file with the village:
    - a. A written traffic control plan demonstrating the protective measures and devices that will be employed consistent with the latest edition of the "Illinois Manual On Uniform Traffic Control Devices", to prevent injury or damage to persons or property and to minimize disruptions to efficient pedestrian and vehicular traffic; and
    - b. **An emergency contingency plan which shall specify the nature of potential emergencies, including, without**

**limitation, construction and hazardous materials emergencies, and the intended response by the applicant. The intended response shall include notification to the village and shall promote protection of the safety and convenience of the public. Compliance with ICC regulations for emergency contingency plans constitutes compliance with this section unless the village finds that additional information or assurances are needed;**

6. Drawings, plans and specifications showing the work proposed, including a site plan **and a landscape plan** as well as the certification of an Illinois registered professional engineer that such drawings, plans, and specifications comply with applicable codes, rules, and regulations;
  7. **Evidence of insurance as required in section 8-11-8 of this chapter;**
  8. **Evidence of posting of the security fund as required in section 8-11-10 of this chapter;**
  9. Any request for a variance from one or more provisions of this chapter (see section 8-11-21 of this chapter); and
  10. Such additional information as may be reasonably required by the village.
- D. Supplemental Application Requirements For Specific Types Of Utilities: In addition to the requirements of subsection C of this section, the permit application shall include the following items as applicable to the specific utility that is the subject of the permit application:
1. **In the case of the installation of a new electric power, cable television, telecommunications or natural gas distribution system, evidence that any "certificate of public convenience and necessity" or other regulatory authorization that the applicant is required by law to obtain, or that the applicant has elected to obtain, has been issued by the ICC or other jurisdictional authority;**



2. In the case of natural gas systems, state the proposed pipe size, design, construction class, and operating pressures;
3. In the case of water lines, indicate that all requirements of the Illinois environmental protection agency, division of public water supplies, have been satisfied;
4. In the case of sewer line installations, indicate that the land and water pollution requirements of the Illinois environmental protection agency, division of water pollution control and the metropolitan water reclamation district, and any other local or state entities with jurisdiction, have been satisfied; or
5. In the case of petroleum products pipelines, state the type or types of petroleum products, pipe size, maximum working pressure, and the design standard to be followed.

E. Applicant's Duty To Update Information: Throughout the entire permit application review period and the construction period authorized by the permit, any amendments to information contained in a permit application shall be submitted by the utility, in writing, to the village within thirty (30) days after the change necessitating the amendment.

**F. Application Fees: Unless otherwise provided by franchise, license, or similar agreement, all applications for permits pursuant to this chapter shall be accompanied by a fee as required by section 8-8-8 of this title. No application fee is required to be paid by any telecommunications retailer that is paying the simplified municipal telecommunications tax pursuant to section 3-2-5 of this code or by any electricity utility that is paying the municipal electricity infrastructure maintenance fee pursuant to the electricity infrastructure maintenance fee act. (Ord. 07-2463, 11-19-2007)**

Pursuant to Section 8-11-16: Construction Methods and Materials of the Village Code, the following provisions must be incorporated into the plan documents and specifications:

A. Standards And Requirements For Particular Types Of Construction Methods:

1. Boring Or Jacking:

- a. Pits And Shoring: Boring or jacking under rights-of-way shall be accomplished from pits located at a minimum distance specified by the Director of Municipal Services from the edge of the pavement. **Pits for boring or jacking shall be excavated no more than forty eight (48) hours in advance of boring or jacking operations and backfilled within forty eight (48) hours after boring or jacking operations are completed.** While pits are open, they shall be clearly marked and protected by barricades. Shoring shall be designed, erected, supported, braced, and maintained so that it will safely support all vertical and lateral loads that may be imposed upon it during the boring or jacking operation.
- b. Wet Boring Or Jetting: **Wet boring or jetting shall not be permitted under the roadway.**
- c. Borings With Diameters Greater Than Six Inches: Borings over six inches (6.00") in diameter shall be accomplished with an auger and following pipe, and the diameter of the auger shall not exceed the outside diameter of the following pipe by more than one inch (1.00").
- d. Borings With Diameters Six Inches Or Less: Borings of six inches (6.00") or less in diameter may be accomplished by either jacking, guided with auger, or auger and following pipe method.
- e. **Tree Preservation: Any facility located within the drip line of any tree designated by the Village to be preserved or protected shall be bored under or around the root system.**

The Application is advised to review all provisions under Title 8 Public Rights of Ways, Chapter 11, Section 8-11: Standards for Construction of Utility Facilities of Rights Of Way to ensure all construction provisions are included in the application.

Once you have resubmitted your application with the requested information, the Village will reevaluate the application for compliance with the Village's requirements.

If you have questions or concerns about the comments, please call me at 708-246-1800 ext. 205 via email at [msupert@wsprings.com](mailto:msupert@wsprings.com)

Sincerely,

A handwritten signature in black ink that reads "Matthew Supert". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Matthew Supert  
Director of Municipal services

Attachments

CC: Ingrid Velkme, Village Manager  
Martin Scott, Director of Community Development  
Michael Jurusik, Village Attorney