

PLANNING & ZONING COMMISSION
MEETING MINUTES
October 2, 2012

Call to Order: Chairman Smith called the meeting to order in the Roselle Village Hall Council Chamber at 7:00 p.m.

Roll Call:

Present: Commissioners Beth Keller-Stein, Tom Stringfellow, Bob Stare, Bruce Berkshire, Hiren Patel, and Chairman Brian Smith

Absent: Commissioner Paul Zinni

Staff: Pat Watkins (Community Development Director)
Bob Zimmerer (Planner)

Other(s): Andy Maglio (Trustee – Community Development Liaison)

Approval of the Agenda: Commissioner Keller-Stein moved to approve the agenda for the meeting as presented. Commissioner Stare seconded the motion and the motion carried (6-0) by a voice vote.

Approval of Minutes: Commissioner Stare moved to approve the minutes for the meeting of September 11, 2012 as presented. Commissioner Keller-Stein seconded the motion and the motion carried (6-0) by a voice vote.

Consideration of Petitions:

A. PZ 12-1009 – John Van Hoesen (7N458 Garden Avenue) – Special Use

Chairman Smith asked for a motion to open the public hearing for PZ 12-1009. Such a motion was made by Commissioner Keller-Stein and seconded by Commissioner Stare. The motion carried (6-0) by a voice vote.

Director Watkins stated that Staff and the petitioner are asking the Commission to continue the hearing for this petition until the next meeting, as the petitioner was not able to get all his plans and paperwork to Staff in time for this meeting – even though the petitioner had provided proper public notice for a public hearing tonight.

Chairman Smith then asked for a motion to continue the public hearing for PZ 12-1009 to the next meeting on October 16, 2012. Such a motion was made by Commissioner Stare and seconded by Commissioner Keller-Stein. The motion carried (6-0) by a voice vote.

B. PZ 12-1006 – Sunset Estates – Subdivision w/ Variance (Right-of-Way Width)

Chairman Smith asked for a motion to open the public hearing for PZ 12-1006. Such a motion was made by Commissioner Stare and seconded by Commissioner Keller-Stein. The motion carried (6-0) by a voice vote.

Director Watkins provided an overview of the petition. The highlights from Mr. Watkins' overview are as follows:

- That the petitioner provided adequate/proper notice for this hearing;
- That the reason for this public hearing stems from the petitioner's request for a variance from the required right-of-way width for a portion of the site, which Village Staff was "okay" with since the roadway itself would meet all requirements and the Village would require the "missing" right-of-way to be dedicated when the neighboring property was developed;
- That the petitioner's plans met all of the other requirements of the Village;
- That the subdivision plans for the site had not changed from the Village's prior review and approval of the subdivision;
- That the Village's prior approval expired before the petitioner started work because they had failed to sign all necessary documents and provided the requisite paperwork; and,
- That the engineering plans for the site had changed a bit from last time in a good way – the plan goes above and beyond storm water requirements and has been approved by a multitude of agencies and departments, including the Army Corps of Engineers.

Chairman Smith then asked the petitioner whether they had anything to add.

Mr. Bill Warren, a representative of the petitioner, Village Square Development LLC at 34 N. Roselle Road in Schaumburg, provided an overview of the petitioner's experience in the development industry.

The petitioner's engineer, Mr. Brandon Jafari, of County Engineers, Inc. at 2202 Gary Lane in Geneva, detailed the changes made to the engineering plans for the subdivision.

Chairman Smith then asked Mr. Jafari to explain the general flow of storm water on the site, which he did.

Commissioner Keller-Stein asked whether the new storm water regulations recently adopted by DuPage County affected this petition. Director Watkins answered no, as the new regulations relate to smaller sites (less than one acre) that were previously not subject to the regulations. This site is over four acres in area.

Commissioner Patel asked Mr. Jafari to explain the removal of the “energy dissipater,” which he did.

Commissioner Keller-Stein asked Mr. Jafari to detail the locations of any retaining walls and fences, which he did. Commissioner Keller-Stein also asked Director Watkins to detail the portion of the proposed right-of-way that would not meet standards, which he did.

Commissioner Berkshire asked Mr. Jafari to explain how the control structure works, which he did.

Chairman Smith then opened the floor to any comments or questions concerning this petition.

Ms. Dianne Perra, representing St. Mary’s Church at 660 Larson Lane in Roselle, asked whether the proposed engineering plans for the site would negatively affect Larson Lane or the church’s detention pond. Mr. Jafari answered no. Ms. Perra also asked the Commission to require the petitioner to install a solid fence, six feet in height, along the southern edge of the site abutting the church’s property. Several of the Commissioners expressed their lack of support for Ms. Perra’s request, as the petition includes a wrought-iron style, metal fence, four feet in height, in the same area.

Mr. Ralph Bennett, of 310 Jennifer Lane in Roselle, asked Mr. Jafari to detail the flow of storm water from the proposed detention pond to the culvert underneath Larson Lane, which he did. In his response, Mr. Jafari also explained how detention basins work. Mr. Bennett also expressed concern for potential storm water conflicts that would result from the development of the northern half of the property at 297 E. Nerge Road, which is not part of this petition – but owned by the petitioner and adjacent to the site. In addition, Mr. Bennett added that the drainage / storm water system in this area is stressed. Mr. Jafari responded by explaining that, once the subdivision is in place, drainage / storm water issues in the immediate area will decrease during rain events that are less intense than 100-year events, as the site will have the excess capacity since it will be able to handle 100-year events independently.

Mr. John Picchietti, of 1616 Larson Lane in unincorporated Schaumburg Township, asked several detailed questions of Mr. Jafari related to the following: proposed foundation levels, the surface area and volume of the proposed detention pond, water levels, why it took so long to obtain the approval of Army Corps of Engineers, and proposed grades. In addition, Mr. Picchietti noted that dumping occurs at the site.

Mr. Rob Phillips and Mrs. Pam Phillips, of 1635 Roslyn Road in unincorporated Schaumburg Township, reiterated that the current owner of the site allows dumping to occur. Mr. and Mrs. Phillips expressed concern for the depth of the proposed detention pond due to the shallow depth of the water table in the area. Mr. Jafari responded by providing a detailed explanation of the design of the proposed detention pond. Notably, he answered that the pond would have an “extra” six inches of capacity below the bottom of the pipe that allows the pond to drain to account for the wetness of the soils in the area. The Phillips also asked the Commission to require the petitioner to construct the public sidewalk within the right-of-way of Hale/Half Lane abutting their property in a manner that would preserve as many of the large, evergreen trees adjacent to their property as possible. Several of the Commissioners expressed their support for the Phillips’ request to preserve the trees, and Director Watkins added that Village Staff would ensure that the engineering plans the Board of Trustees ultimately approve have language on them to this effect, as the trustees were also supportive of this request in the past. In addition, Director Watkins responded to the comments regarding dumping by reminding the Commission that the property, at present, is not within the Village so there is nothing the Village can do; however, he added that the dumping should stop once the petitioner receives approval (which includes annexation into the Village) and purchases the site from the current owner.

Mr. John Picchiatti, again, of 1616 Larson Lane in unincorporated Schaumburg Township, asked Mr. Jafari to explain the proposed erosion control measures near the west side of the culvert underneath Larson Lane, which he did.

Ms. Dianne Perra, again representing St. Mary’s Church at 660 Larson Lane in Roselle, clarified her request for a solid fence, six feet in height, and asked who would be responsible for ongoing maintenance of the storm water system for the subdivision. Director Watkins responded that Village Staff intends to ask the Board of Trustees to create a special assessment district for the subdivision so that the Village can collect monies from owners in the subdivision for ongoing maintenance purposes. Director Watkins added the reasoning behind such a move is due to one or two other smaller subdivisions (i.e. less than 30 lots) elsewhere in the Village failing to create a homeowners association for ongoing maintenance purposes.

Mr. Ralph Bennett, again, of 310 Jennifer Lane in Roselle, asked Mr. Jafari to clarify the proposed erosion control measures near the west side of the culvert underneath Larson Lane, which he did. In addition, Mr. Bennett also asked about ongoing maintenance. Director Watkins response was the same as his response to Ms. Perra. However, he added that the subdivision Mr. Bennett resides in is a good example of why Village Staff intends to ask the Board of Trustees to create a special assessment district to collect monies for ongoing maintenance purposes, as the homeowners in the subdivision Mr. Bennett resides in have repeatedly failed to create a homeowners association for ongoing maintenance purposes.

Chairman Smith then asked whether there were any additional comments from the Commissioners, and Commissioner Keller-Stein remarked that even though the majority

of concerns expressed by neighbors related to storm water, the petitioner would have to meet all requirements related to storm water and that the variance they were considering related to the right-of-way width and not to storm water.

Chairman Smith asked for a motion to close the public hearing for PZ 12-1006. Such a motion was made by Commissioner Stare and seconded by Commissioner Berkshire. The motion carried (6-0) by a voice vote.

Chairman Smith then asked for a motion to find the findings of fact in favor of the petitioner for the request to reduce the required right-of-way width. Such a motion was made by Commissioner Keller-Stein and seconded by Commissioner Stringfellow. The motion carried (6-0).

Chairman Smith then asked for a motion to recommend approval of the request to reduce the required right-of-way width. Such a motion was made by Commissioner Keller-Stein and seconded by Commissioner Stare. The motion carried (6-0). However, during the roll call vote, before voting, Commissioner Keller-Stein stated that she was not in favor of the request for a solid fence, as she believes it is the duty of the petitioner to address security (via the metal fence) but not privacy. She also stated that she agreed with the request to preserve the trees. In addition, during the roll call vote, before voting, Commissioner Patel stated that he agreed with the sentiments expressed by Commissioner Keller-Stein.

Chairman Smith then asked for a motion to recommend approval of the proposed plat of subdivision. Such a motion was made by Commissioner Stare and seconded by Commissioner Stringfellow. The motion carried (6-0).

Director Watkins stated that Staff would convey the Commission's desires related to the sidewalk at the northeast corner of Hale/Half Lane and Roslyn Road to the Board of Trustees.

Old Business: There was none.

New Business: Director Watkins informed the Commission about the recent purchase of the building/property at 107 E. Main Street by an entity that wants to open an Asian/Japanese restaurant. At present, they have two other locations – one in Barrington and one in Bartlett.

Adjournment: Chairman Smith then called for a motion to adjourn. Commissioner Keller-Stein made such a motion, and Commissioner Patel seconded the motion. The motion carried (6-0) by a voice vote, and the meeting concluded at 8:50pm.