

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

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

October 4, 2022

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

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, King, Marcotte, Wasowicz
Absent: Ciula, Czarnecki
A quorum was present.

STAFF PRESENT: K. Pozsgay, N. Arquette

JOURNAL OF PROCEEDINGS: The minutes of the Community Development Commission Meeting of the September 6, 2022 were presented.

Motion: Commissioner King made a motion to approve the minutes as presented. Commissioner Wasowicz seconded the motion.

All were in favor. Motion carried.

Acting Director of Community Development, Kurtis Pozsgay and Village Planner, Nick Arquette were present and sworn in by Chairman Rowe.

PUBLIC COMMENT: There was no Public Comment.

Public Hearing: CDC Case Number 2022-26
Petitioner: McLane Lomax
Location: 306 Hawthorne Avenue
Request: Variation, Fence in the Corner Side Yard
Municipal Code Section 10-7-4C-7a

Motion: Commissioner Wasowicz made a motion to open CDC Case No. 2022-26. Commissioner Chambers seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, King, Marcotte, Wasowicz
Absent: Ciula, Czarnecki
A quorum was present.

Chairman Rowe opened CDC Case No. 2022-26 at 6:32 p.m.

Village Planner, Nick Arquette, was present and sworn in by Chairman Rowe. Mr. Arquette stated a Legal Notice was published in the Daily Herald on September 15, 2022. Mr. Arquette stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Arquette stated Village personnel posted two Notice of Public Hearing signs on the property, visible from the public way on September 16, 2022. Mr. Arquette stated on September 15, 2022 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Mr. Arquette stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Arquette stated the Petitioner is seeking approval of a variation in order to construct a fence in the corner side yard of their property. Mr. Arquette stated that the fence will be 6' tall white vinyl fence and that there is an existing fence on the property in the south interior side yard that encloses the deck. Mr. Arquette stated the fence will extend north approximately 8' from the façade of the house into the corner side yard, and across 55' from that point to the west lot line. From there, the fence would continue along the property line to the south property line. Mr. Arquette stated that the existing fence located west of the home will be removed to allow for access into the newly fenced in area of the yard.

McLane Lomax of 306 Hawthorne Lane, was present and sworn in by Chairman Rowe. Mr. Lomax commended the summery of Mr. Arquette and stated he was present to answer any questions. He then asked for clarity on the lattice requirement. Mr. Lomax pointed out that there are several new fences around the village that were not required to install lattice.

Commissioners Marcotte and King explained that the lattice is required because of safety concerns. Commissioner Rowe explained that the lattice requirement was a new one, only starting in the last couple of years.

Mr. Lomax asked about the lattice on the rear portion of the lot. Mr. Pozsgay stated that he can keep the fence solid across the complete rear. Lattice will be required only on the street facing portion and the small portion that connects to the side of the home.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Arquette reviewed the Findings of Fact for the proposed Variance in the Staff Report consisting of:

1. Public Welfare: The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public. The proposed fence is setback significantly from the public sidewalk, and the property to the south has an existing fence along the lot line.

2. Compatible with Surrounding Character: The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: Yes, the proposed variation is compatible with the character of the adjacent properties and other property within the immediate vicinity of the proposed variation.

3. Undue Hardship: The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: Yes, the proposed variation alleviates an undue hardship created by the literal enforcement of this title. Due to the layout of the

property, the proposed fence will allow for a larger portion of fenced in yard that would not otherwise be allowed.

4. Unique Physical Attributes: The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: Yes, the proposed variation is necessary due to the fact that the house is located on a corner lot and the rear of the house is located adjacent to the property line.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: Yes, the proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property. The fence does not fence in the entire area of the corner side yard.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Yes, the proposed variation is consistent with the intent of the comprehensive plan, this title, and the other land use policies of the Village.

Mr. Arquette stated:

1. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation to allow a Fence in the Corner Side Yard with the following conditions:
 - a. The portion of fence located on the north and east sides of the corner side yard shall have a 5' height of solid material; the remaining 1' shall be lattice.

There were no questions from the Commission.

Motion: Commissioner King made a motion to close CDC Case No. 2022-26. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2022-26 at 6:39 p.m.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of the Variation, Municipal Code Section 10-7-4C-7a with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2022-27

Petitioner: Jorge Arroyo

Location: 404 S Church Road

Request: Variation, Fence in the Corner Side Yard
Municipal Code Section 10-7-4C-7a

Motion: Commissioner Chambers made a motion to open CDC Case No. 2022-27. Commissioner Wasowicz seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:

Rowe, Chambers, King, Marcotte, Wasowicz

Absent: Ciula, Czarnecki

A quorum was present.

Chairman Rowe opened CDC Case No. 2022-27 at 6:41 p.m.

Village Planner, Nick Arquette, was present and sworn in by Chairman Rowe. Mr. Arquette stated a Legal Notice was published in the Daily Herald on September 15, 2022. Mr. Arquette stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Arquette stated Village personnel posted two Notice of Public Hearing signs on the property, visible from the public way on

September 16, 2022. Mr. Arquette stated on September 15, 2022 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Mr. Arquette stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Arquette stated the Petitioner is seeking a variation to allow a 6' pretreated wood fence in the corner side yard of the property. Mr. Arquette stated the fence will be 6' tall, and that there is no fence on the property. Mr. Arquette stated the fence will extend into the corner side yard from the northwest corner of the home to 10' short of the property line, and the fence will observe the 10' by 10' sight vision triangle along the existing concrete drive. Mr. Arquette stated the fence will extend to the asphalt parking pad off the rear and attach to the garage, and additional fencing would be placed on the south end of the property to enclose the yard. Mr. Arquette stated that the fence will include 5' of solid fencing with 1' of lattice on top for the portions located in the corner side yard.

Itzael Arroyo, 404 S Church Road, son of the property owner, was present and sworn in by Chairman Rowe. Mr. Arroyo explained that the family's backyard is next to a busy road. They have a pool in the rear yard. It generally feels unsafe, especially for the children. The fence will allow them to have privacy and a safe rear yard.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Arquette reviewed the Findings of Fact for the proposed Variance in the Staff Report consisting of:

- 1) Public Welfare:** The proposed Variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: No the proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public. It is just a fence for the backyard.

2) Compatible with Surrounding Character: The proposed Variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed Variation.

Applicant's Response: Yes the proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

3) Undue Hardship: The proposed Variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: Yes this proposed variation alleviates an undue hardship created by the literal enforcement of this title.

4) Unique Physical Attributes: The proposed Variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: Yes, this property is a corner lot therefore this variation will allow for a safer environment and safety precaution to the street.

5) Minimum Deviation Needed: The proposed Variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: Yes the proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

6) Consistent with Ordinance and Plan: The proposed Variation is consistent with the intent of the comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Yes the proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Arquette stated Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation to allow a Fence in the Corner Side Yard with the following conditions:

1. The portion of fence located in the corner side yard shall have a 5' height of solid material; the remaining 1' shall be lattice;
2. The fence shall observe the 10' by 10' sight vision triangle between the north property line and the existing driveway attached adjacent to the north façade of the home;
3. The fence shall be located 3' from the north property line;
4. If the fence around the yard is to act as a pool barrier, then pool barrier requirements shall be met as described in the 2015 international pool and spa code.

There were no questions from the Commission.

Motion: Commissioner King made a motion to close CDC Case No. 2022-27. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.
Chairman Rowe closed CDC Case No. 2022-27 at 6:46 p.m.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval of a Variation, Fence in the Corner Side Yard, Municipal Code Section 10-7-4C-7a with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2022-16
Petitioner: Miguel Ayala (Doctor Rooter Plumbing)
Location: 11 Gateway Road
Request:

- Site Plan Review
 - Municipal Code Section 10-3-2
 - Variation, Maximum Off-Street Parking Requirements
 - Municipal Code Section 10-8-2B-6b
 - Variation, One-Way Parallel Parking Aisle Width
 - Municipal Code Section 10-8-6-1
 - Variation, Parallel Parking Space Depth
 - Municipal Code Section 10-8-6-1
 - Variation, Driveway Quantity
 - Municipal Code Section 10-8-8B
 - Variation, Tree Shade Canopy
 - Municipal Code Section 10-9-5A

Motion: Commissioner Wasowicz made a motion to open CDC Case No. 2022-16. Commissioner Marcotte seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Chambers, King, Marcotte, Wasowicz
Absent: Ciula, Czarnecki
A quorum was present.

Chairman Rowe opened CDC Case No. 2022-16 at 6:48 p.m.

Village Planner, Nick Arquette, was present and sworn in by Chairman Rowe. Mr. Arquette stated a Legal Notice was published in the Daily Herald on September 15, 2022. Mr. Arquette stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Arquette stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on September 16, 2022. Mr. Arquette stated on September 15, 2022 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Mr. Arquette stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Arquette stated the Petitioner is seeking approval of a site plan review and variations in order to construct a brick paver parking lot at 11 Gateway Road. Mr. Arquette stated the petitioner has

received violations via administrative adjudication as recent as August 11, 2022, for failure to remove vehicles from a non-approved surface. Mr. Arquette stated the applicant currently parks vehicles on the non-approved gravel surface on the site, and the petitioner must seek various variations relating to a parking space, aisle, and the two proposed driveways to build a parking lot with approved parking spaces.

Mike Elliott, contractor for the applicant, was present and sworn in by Chairman Rowe. Mr. Elliott explained the planned development was to mainly deal with a parking issue on site. Most of the work is corporate and done during the night. During the day, the work vans are parked on site. At night, workers park their personal vehicles and take the work vehicles to job sites.

Commissioner Wasowicz asked about the other operations at the facility. Mr. Elliott stated there is a drive-in door to the rear of the building. Some parking may occur inside the building. Mr. Elliott also thinks the vans are serviced inside.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Arquette reviewed the Findings of Fact for the proposed Site Plan Review in the Staff Report consisting of:

- 1) **Surrounding Character:** The site plan for the proposed development is consistent with the existing character and zoning of adjacent properties and other property within the immediate vicinity of the proposed development.

Applicant's Response: The proposed development is currently in Industrial (I) Zoning District and surrounded by Industrial Zoning on all sides. The proposed Zoning will remain the same and the improvements will be consistent with the zoning regulations.

- 2) **Neighborhood Impact:** The site plan for the proposed development will not adversely impact adjacent properties and other properties within the immediate vicinity of the proposed development.

Applicant's Response: The proposed development will not adversely impact adjacent properties.

Improvements to drainage and paved surfaces are proposed. The adjacent owner to the west has agreed to share a portion of the driveway. A variance is being sought for Village Code Section: 10-8-6-D.

- 3) **Public Facilities:** The site plan for the proposed development will be provided with adequate utilities, access roads, parking, loading, drainage, stormwater flow paths, exterior lighting, and/or other necessary facilities.

Applicant's Response: The site plan for the proposed development is providing a storm sewer connection, paved drive aisles with permeable pavers, curbing, parking stalls, and positive drainage flow paths.

- 4) **Environmental Preservation:** The site plan for the proposed development is designed to preserve the environmental resources of the zoning lot.

Applicant's Response: The site plan for the proposed development is designed to improve the environmental resources of the zoning lot. Runoff from smaller stormwater events will be infiltrated into the sub-soils and larger stormwater events will be discharged to the Village storm sewer system.

- 5) **On-Site Pedestrian Circulation System:** The site plan shall accommodate on-site pedestrian circulation from parking areas, plazas, open space, and public rights-of-way. Pedestrian and vehicular circulation shall be separated to the greatest extent possible.

Applicant's Response: The site plan is designed with an improved parking lot in the rear of the building with an access door to the parking area. The front of the building has two sidewalk connections from the public R.O.W. to the building.

- 6) **Vehicle Ingress and Egress:** The site plan shall locate curb cuts for safe and efficient ingress and egress of vehicles. The use of shared curb cuts and cross-access easements shall be provided when appropriate.

Applicant's Response: The site plan improves the two existing access drives to meet the Village standards. The neighbors access drives on the west and east sides are located on the shared lot line but are considered separate.

- 7) **Architectural Design:** The site plan for the proposed development includes architectural design that contributes positively to the Village's aesthetic appearance.

Applicant's Response: The site plan does not include improvements to the existing building. The driveway and parking services will be improved with permeable pavers.

- 8) **Consistent with Title and Plan:** The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The site plan for the proposed development is consistent with the intent of the Comprehensive Plan, Site Plan Review and other land use policies of the Village.

Mr. Arquette reviewed the Findings of Fact for the proposed Variance in the Staff Report consisting of:

1. **Public Welfare:** The proposed Variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: The proposed development will include 18 offsite parking stalls, 3 more than allowed by Village Code. This variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

2. **Compatible with Surrounding Character:** The proposed Variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed Variation.

Applicant's Response: The proposed development will be brought into compliance with a paved parking lot to match other commercial businesses in the neighborhood. The additional parking and driveway matching the neighbor's driveway to the west will create uniformity.

3. **Undue Hardship:** The proposed Variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: The proposed off-street parking will provide additional stalls needed for the business. The property is only 100 feet wide and can only accommodate a 15-foot-wide ingress and 15-foot-wide egress. The requirement for a curb along the west lot line creates a driving hazard with pavement on both sides.

4. **Unique Physical Attributes:** The proposed Variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: The property is only 100' wide and limits the number of parking stalls to 18 due to the size. The variance would allow for 3 additional parking stalls above the limit of 15.

5. **Minimum Deviation Needed:** The proposed Variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: The variation proposed will be minimized to no curb between adjacent drives that currently meet at the western lot line. The development will meet the requirements of the Village Code with exception of the two variances.

6. **Consistent with Ordinance and Plan:** The proposed Variation is consistent with the intent of the comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Mr. Arquette stated staff recommends the approval of the above findings of fact and therefore the approval of the Site Plan Review at 11 Gateway Road with the following conditions:

1. All vehicles parked outdoors must be placed within a designated approved parking space within the lot. Vehicles may not be parked within driveways or parking drive aisles;
2. One Accessible parking space will need to be included on the property per Illinois Accessibility Code Standards;
3. Wheel/Bumper stops shall be placed in front of parking spaces on the south side of the parking lot to prevent vehicles from encroaching on the building;
4. Trees shall be placed within the landscape islands at the rear of the property. A landscape plan showing trees shall be included with permit submission.

Mr. Arquette stated staff recommends the approval of the findings of fact and therefore the approval of the variation to exceed the Maximum Off-Street Parking Spaces.

Mr. Arquette stated staff recommends the approval of the findings of fact and therefore the approval of the variation to allow a wider than permitted One-Way Aisle for parallel parking spaces.

Mr. Arquette stated staff recommends the approval of the above findings of fact and therefore the approval of the variation to allow the northernmost parallel parking space to have a depth of 25'.

Mr. Arquette stated staff recommends the approval of the findings of fact and therefore the approval of the variation to allow the property to have two one-way driveways.

Mr. Arquette stated staff recommends the approval of the above findings of fact and therefore the approval of the variation to allow the property to have less than the required 40% Tree Shade Canopy in parking area hardscapes.

Commissioner Wasowicz asked about the how the Village will monitor the vehicle parking, which had been the cause of concern. Mr. Pozsgay explained that the CDC case was a direct result of a CED adjudication process and that staff has and will continue to monitor the situation.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2022-16. Chairman Rowe seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2022-16 at 7:00 p.m.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of a Site Plan Review, Municipal Code Section 10-3-2 with Staff's Recommendations. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval of a Variation, Maximum Off-Street Parking Requirements, Municipal Code Section 10-8-2B-6b. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of a Variation, One-Way Parallel Parking Aisle Width, Municipal Code Section 10-8-6-1. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval of a Variation, Parallel Parking Space Depth, Municipal Code Section 10-8-6-1. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a combined motion to approve the Findings of Fact and Approval of a Variation, Driveway Quantity, Municipal Code Section 10-8-8B. Chairman Rowe seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of a Variation, Tree Shade Canopy, Municipal Code Section 10-9-5A. Commissioner Chambers seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Public Hearing:

CDC Case Number 2022-28

Petitioner:

Kevin Nowak (ARCO/Murray National Construction Co.)

Location:

220 N York Road

Request:

Final Plat of Subdivision

Municipal Code Section 11-3

Motion: Commissioner Marcotte made a motion to open CDC Case No. 2022-28. Commissioner Wasowicz seconded the motion.

ROLL CALL :

Upon roll call the following Commissioners were present:

Rowe, Chambers, King, Marcotte, Wasowicz

Absent: Ciula, Czarnecki

A quorum was present.

Chairman Rowe opened CDC Case No. 2022-28 at 7:05 p.m.

Village Planner, Nick Arquette, was present and sworn in by Chairman Rowe. Mr. Arquette stated a Legal Notice was published in the Daily Herald on September 15, 2022. Mr. Arquette stated a certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours. Mr. Arquette stated Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on September 16, 2022. Mr. Arquette stated on September 15, 2022 Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. Mr. Arquette stated an affidavit of mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

Mr. Arquette stated the Petitioner is seeking approval of a Final Plat of Subdivision in order to consolidate two proposed expansion lots with the existing lot that holds the 220 N York Road industrial building. Mr. Arquette stated that the project to expand the 220 N York Road industrial building to the west onto the two additional parcels was approved at the Village Board of Trustees meeting on August 23, 2022. Mr. Arquette added that the owner of the existing 220 N York Road parcel, Metlife, will be purchasing the additional parcels and consolidating the three lots into one.

Jason Spalski, consultant for the project, 1442 Joshel Court, Geneva, was present and sworn in by Chairman Rowe. Mr. Spalski agreed with Mr. Arquette's summary and acknowledged that the consolidation was a condition of approval of the recent CDC case to expand the development.

Public Comment

Chairman Rowe asked if there were any members of the Public that would like to make comment. There were none.

Mr. Arquette stated Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Final Plat of Subdivision at 220 N York Road with the following conditions:

- a. Stormwater easements to be added to plat once finalized. Easements must encompass detention areas as well as inlet and outlet piping to underground vaults;
- b. New 10' utility easements may need to be dedicated on the rear and side lot lines for future private utilities.

There were no questions from the Commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2022-28. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2022-28 at 7:08 p.m.

Motion: Commissioner Chambers made a combined motion to approve the Findings of Fact and Approval of a Final Plat of Subdivision, Municipal Code Section 11-3 with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Chambers, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

**Report from
Community
Development:**

Mr. Arquette reviewed both recent CDC cases along with upcoming cases.

ADJOURNMENT: There being no further business before the Community Development Commission, Commissioner Wasowicz made a motion to adjourn the meeting. Commissioner Marcotte seconded the motion.

All were in favor. Motion carried.

The meeting was adjourned at 7:11 p.m.



Ronald Rowe, Chairman
Community Development Commission