

VILLAGE OF ORLAND PARK

*14700 Ravinia Avenue
Orland Park, IL 60462
www.orlandpark.org*



Meeting Minutes

Tuesday, August 3, 2021

7:00 PM

Village Hall

Plan Commission

Nick Parisi, Chairman

Edward Schussler, Vice Chairman

*Commissioners: John J. Paul, Patrick Zomparelli, Yousef Zatar, Daniel Sanchez
and John Nugent*

CALLED TO ORDER/ROLL CALL (AUDIO: 0:54)

Present: 6 - Chairman Parisi; Vice Chairman Schussler; Member Paul; Member Zomparelli; Member Zaatar, Member Sanchez

Absent: 1 - Member Nugent

APPROVAL OF MINUTES**2021-0511 Minutes of June 29, 2021 Plan Commission Meeting**

A motion was made by Vice Chairman Edward Schussler, seconded by Member Patrick Zomparelli, that this matter be APPROVED. The motion carried by the following vote:

Aye: 6 - Chairman Parisi, Vice Chairman Schussler, Member Paul, Member Zomparelli, Member Zaatar and Member Sanchez

Nay: 0

Absent: 1 - Member Nugent

PUBLIC HEARINGS**OPEN PUBLIC HEARING (AUDIO: 1:52)**

A motion was made by Chairman Nick Parisi, seconded by Member John J. Paul, that this matter be APPROVED. The motion carried by the following vote:

Aye: 6 - Chairman Parisi, Vice Chairman Schussler, Member Paul, Member Zomparelli, Member Zaatar and Member Sanchez

Nay: 0

Absent: 1 - Member Nugent

2021-0530 Woodland Avenue Lot Consolidation - Lots 33 through 36 - Development Petition for Plat of Consolidation

Presentation was given by Kyle Quinn in accordance with the written report dated August 3, 2021.

Kyle Quinn noted that all the public notification requirements had been met as well as all necessary responses to the standards were received.

The Commission, staff and members of the public attended the public hearing in person.

Chairman Parisi swore in Michelle DeMaso and Thomas Lyons, members of the public.

Ms. DeMaso indicated she lives in the residence adjacent to the subject property.

She continued and expressed concern regarding driveway access and the close proximity to the proposed property. Ms. DeMaso further indicated concern for the 100 year-old Oak trees, plant life and animal species that live in the trees on the ancient undeveloped land. Ms. DeMaso expressed many of the plant life and animal life is protected species. She continued the area on Woodland is like walking into a prehistoric world and commented on its beauty. Ms. DeMaso continued the land has been marked and she is worried because some of the markings appear to go directly through their driveway and is concerned about access to their home as well as what will happen to her 100 year-old house once the development begins.

Chairman Parisi acknowledged Ms. DeMaso is concerned about 100 year-old Oak trees disappearing, animal and plant life, blocking access to get to the property while this is going on and potential damage due to ground machines.

Ms. DeMaso pointed out there has already been an issue with pipes approximately a year ago that caused a giant sinkhole directly in front of the subject property.

Chairman Parisi commented the Village is very sensitive to the removal of trees and explained there is a tree mitigation requirement and asked staff what is being done to confirm the access and the driveway to Ms. DeMaso's residence will not be compromised while this project is going on. He continued he is unsure of the quality of the ground but hopes there would not be any earth movers or pylons that could potentially cause damage to an older home and asked staff to address these concerns.

Kyle Quinn addressed the access issue by indicating the plat of survey shows the driveway is entirely accessible, with the exception of a slight bump out on the South property.

Chairman Parisi clarified that Ms. DeMaso is not referring to encroachment but access to the driveway.

Ms. DeMaso explained that the driveway is on a very steep hill and you must have access to go up the hill and drive on an angle and the markers make it where parking would be very close to the house.

Commissioner Zomparelli further clarified Ms. DeMaso's property is further North and you can see the stakes and confirmed it does touch a little bit of Ms. DeMaso's driveway.

Mr. Quinn explained the building setbacks would be 10 feet from the South property line or the North side of the driveway. He further clarified it should not directly abut Ms. DeMaso's property.

Chairman Parisi asked regarding construction vehicle access blockage with regard to Ms. DeMaso's property.

Mr. Lelo explained the Developer is not permitted to block access and if it ever were to happen, a simple phone call to the Village would remedy the situation.

Commissioner Zaatar asked for clarification to which address Ms. DeMaso resides in and whether they were the sellers of the subject property.

Mr. Quinn explained that up until the sale of the property it was all under one ownership with one PIN number and had the same address.

Ms. DeMaso clarified Ian McDonald is the owner of the subject property.

Mr. Quinn further explained Ian McDonald is the developer of the single family home being built on the subject property. He explained the address for the North property will be adjusted with the building permit.

Commissioner Zaatar asked if Ms. DeMaso's property has been recently built.

Ms. DeMaso explained the house was built in the early 1900's, was redone in 1957 and was owned by a family and then purchased by Ian McDonald when the last resident had passed away.

Commissioner Zaatar asked if the overlay shown was from Cook County or the Village and asked regarding the property across the street where there are five pins listed but it is only one house.

Mr. Quinn explained the overlay is from Cook County and reflects a previous tax consolidation despite the parcel being comprised of 4 lots. In addition, policy previously may have allowed for the construction across property lines if the properties were all under one ownership. He continued that, theoretically, there could be a 25 x 100 ft piece of land which could be sold off, which has occurred before in the older sections of town as well as other municipalities with older platted areas. Typically, those situations result in code enforcement issues due to the land not being developed and mosquito abatement becomes an issue.

Commissioner Zaatar said it is not allowed to have one owner of multiple PINS to build but rather they have to go through this process before they can obtain a building permit.

Mr. Lelo confirmed and further explained the purpose is to make a conforming zoning lot. He also expressed it has been this way for a while and if you look at the aerial it is the result of a tax division which has to do with the way the property is assessed and how the tax bill is distributed but does not necessarily reflect what a municipality's subdivision requirements are.

Mr. Quinn explained the subject lots were platted two years after the incorporation of the Village and no longer meet minimum requirements.

Commissioner Zaatar asked if Ms. DeMaso's property is considered nonconforming to the setback requirement in the current code.

Mr. Quinn confirmed that is correct but with older platted lots they would be brought through the consolidation process to correct it.

Commissioner Zaatar asked if there could be a recommendation made to increase the setback obligation of the Developer because of the grandfathered in condition in the adjacent property.

Mr. Lelo explained they are confined to what zoning requires but that the Plan Commission could make a recommendation but they would be allowed to build according to what the code indicates today.

Commissioner Zaatar asked what the steps are for tree removal.

Mr. Lelo said every effort is taken to maintain existing trees onsite if it is feasible. He continued if it is not feasible then they have a choice of either mitigating in terms of planting additional trees elsewhere or paying a fee in lieu of the mitigation. Mr. Lelo explained the assessed fee is per caliber inch on certain trees.

Thomas Lyons asked if the plans indicate how many trees and which trees will be removed from the site.

Mr. Quinn indicated he did not have that answer currently but the actual buildable area of the lot which is centrally located appears to not be where the trees are located.

Chairman Parisi indicated the builder cannot arbitrarily place the house where they would like to and they would have to follow the setback requirements.

Mr. Lyons asked where the location of the driveway would be.

Mr. Quinn indicated that he currently does not have those plans and that would be received by the Building Division during the permitting process. He continued he assumed the driveway would be located to the North of the property.

Commissioner Zomparelli explained it would be unlikely for the driveway to be adjacent as there is a significant slope there and a very large Oak tree. He continued and said he would venture to say the driveway would be on the North side of the property far from Ms. DeMaso's home.

Commissioner Zaatar asked regarding sworn affidavit and if the letters of notification had been sent.

Mr. Quinn indicated there was also a sign posted with the notification of the meeting.

Commissioner Sanchez indicated he did not have too much to add but that he completely understands the neighbor's concern. He further continued the Village of Orland Park acts responsibly and would not allow anything that would cause damage to your home directly or to the earth.

Commissioner Paul asked if there was anything previously built on the site and if soil testing would be part of the process to ensure the property is able to be built on.

Mr. Quinn indicated there was not anything previously built on the lot and during the building permit process, engineering will be conducting a review and wouldn't approve anything that would be detrimental to the surrounding area as far as storm water is concerned.

Commissioner Paul indicated he has no issue with it and it is consistent with everything else you see there.

Commissioner Zomparelli indicated it is a beautiful piece. He asked if the elevation was known and if there have been any elevations submitted yet.

Mr. Lelo explained as part of the building permit submittal, a topographic survey is required to be submitted and that is done to ensure it matches the grade surrounding it.

Commissioner Zomparelli expressed whoever owned that land did a great job of keeping the trees to the perimeter of the land and commented O'Malley is a great builder. He asked if sidewalks were required in that subdivision.

Mr. Quinn responded sidewalks are not required at this time for one single family house, but if there was a formal new subdivision, they may be required.

Vice Chairman Schussler indicated he is familiar with the parcel as he used to live nearby. He said he believes the driveway would be on the South side of the property because there is a seven foot drop off on the far Northern edge of the property. Vice Chairman Schussler expressed the property is developable and there is no reason to tell him not to consolidate and develop it.

Ms. DeMaso asked regarding an archeological survey if they dig and start finding things of significance.

Mr. Lelo indicated if they were to come across something and the Village was notified, it would be taken up with the appropriate organization.

Chairman Parisi said the discussion was very thoughtful with good questions and he trusts that everything will work out for everyone involved. He further said the Village is very strict on setback requirements and soil boring.

Overall, the Plan Commission expressed support of the project.

Regarding Case Number 2021-0530, also known as Woodland Avenue Lot Consolidation, I move to accept and make findings of fact as discussed at this Plan Commission meeting and within the Staff Report dated August 3, 2021.

And

I move to recommend to the Village Board approval of the Preliminary Plat of Consolidation titled "Woodlands Plat of Consolidation", prepared by Martin M. Engineering, Inc., last revised July 20, 2021.

A motion was made by Vice Chairman Schussler, seconded by Member Paul, that this matter be APPROVED. The motion carried by the following vote:

Aye: 6 - Chairman Parisi, Vice Chairman Schussler, Member Paul, Member Zomparelli, Member Zaatar and Member Sanchez

Nay: 0

Absent: 1 - Member Nugent

CLOSE PUBLIC HEARING (AUDIO: 40:23)

A motion was made by Chairman Nick Parisi, seconded by Member John J. Paul, that this matter be APPROVED. The motion carried by the following vote:

Aye: 6 - Chairman Parisi, Vice Chairman Schussler, Member Paul, Member Zomparelli, Member Zaatar and Member Sanchez

Nay: 0

Absent: 1 - Member Nugent

NON-PUBLIC HEARINGS

OTHER BUSINESS

There was a discussion between Mr. Lelo and the Commissioners regarding large sets of plans for projects. Mr. Lelo indicated the large sets of plans included in the plan commission packets will be available for pickup at the Development Services Department starting the Friday afternoon, Monday and Tuesday before

the meeting.

Mr. Lelo explained that the availability of the Commissioners would be helpful to schedule a time to walk through the development process and how proposals are evaluated.

A brief discussion regarding Metro East located at 143rd Street and John Humphrey took place. Mr. Lelo explained it is a 42-unit town home development.

Vice Chairman Schussler explained the Board of Trustees took the recommendation of the Plan Commission on Boley Farm.

2021-0548 Memo: New Petitions

NON-SCHEDULED CITIZENS & VISITORS

ADJOURNMENT (AUDIO: 47:59)

Meeting adjourned at 7:50 p.m.

A motion was made by Chairman Nick Parisi, seconded by Member Patrick Zomparelli, that this matter be ADJOURNED. The motion carried by the following vote:

Aye: 6 - Chairman Parisi, Vice Chairman Schussler, Member Paul, Member Zomparelli, Member Zaatar and Member Sanchez

Nay: 0

Absent: 1 - Member Nugent

These minutes are not a verbatim record of the meeting but a summary of the proceedings.

Respectfully submitted,

Gerianne Flannery
Recording Secretary