

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Tuesday, October 24, 2023

6:30 PM

****SPECIAL MEETING****

Village Hall

Plan Commission

Nick Parisi, Chairman
Edward Schussler, Vice Chairman
Commissioners: John J. Paul, Patrick Zomparelli, Yousef Zaatar,
Daniel Sanchez and John Nugent

CALLED TO ORDER/ROLL CALL

The meeting was called to order at 6:30 p.m.

Present: 6 - Member Parisi; Member Schussler; Member Paul; Member Zomparelli; Member Sanchez, Member Nugent

Absent: 1 - Member Zaatar

APPROVAL OF MINUTES**2023-0732 Minutes for the September 6, 2023, Plan Commission Meeting**

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

Aye: 5 - Member Parisi, Member Schussler, Member Zomparelli, Member Sanchez and Member Nugent

Nay: 0

Abstain: 1 - Member Paul

Absent: 1 - Member Zaatar

NON-PUBLIC HEARINGS**2023-0792 Plan Commission - Training**

Plan Commission Meeting

The Commission and staff, including Assistant Development Services Director Carrie Haberstick, Associate Planner Marcus LeVigne, Associate Planner Wisdom Henry, Associate Planner Allison Izguerra, Planning Consultant Karen Stonehouse, Director of Engineering & Programs Khurshid Hoda, Village Engineer Scott Lueken, Office Support Supervisor Diana Porcelli, Village Attorney Anne Skrodzki, and Executive Assistant Tiffany Cooper, attended the public meeting in-person. Zoning Board of Appeals member Brian Weaver also attended in-person. No members of the public were present.

The trainers from the Illinois Chapter of the American Planning Association (APA-IL) were Jason Berry, AICP, Megan Mack, and Michael Schwarz, AICP.

Roles in the Process

Mike Schwarz started a presentation on different topics for the Plan Commission Training. (refer to audio)

Commissioner Schussler asked what Mr. Schwarz meant when he said to clarify the reasons for a decision differing from the commission decision.

Mr. Schwarz answered saying that the commissioner's recommendation will sometimes differ from the elected official's decision.

Megan Mack commented saying the job of the Plan Commissioners is different

than the Village Board and that it's important to remember that each Board will be reviewing different criteria when it comes to projects.

Commissioner Schussler asked what is the best way to cover differing votes in minutes.

Ms. Mack answered saying that if the commissioners are voting against a project that they should make record of that during the "findings of fact" section of the meeting.

Mr. Schwarz added that the commissioners can state "for record I'm voting no because..." to make it clear in the minutes.

Chairman Parisi asked what if the commissioners don't like a particular project for various reasons like safety, what to do then.

Ms. Mack answered that the commissioners need to be viewing the project from a planning and zoning perspective and that safety might not be the only thing to consider, but that the criteria they are looking at for different projects will depend on what the project is.

Mr. Schwarz added that the commissioners can make it known that they do not support a project for safety concerns but that they are there to make decisions based on planning criteria.

Responsibilities of Commission Members

Mr. Schwarz continued the presentation. (refer to audio)

Commissioner Nugent asked if it is okay to talk to a trustee after a meeting off the record.

Mr. Schwarz answered that it is best practice to share with everyone to make it an even playing field or communicate through the staff.

Ms. Mack adds that to avoid impropriety, it's best to use the staff and let the minutes speak for them.

Commissioner Nugent added that if he votes no on a project, he wants it known as to why it's a no.

Ms. Mack added that transparency is key, but it's not necessarily an Open Meetings Act violation.

Commissioner Zomparelli asked if it is a legitimate reason to turn down a project based on one reason like parking.

Mr. Schwarz answers that the commissioners can reach out to staff with their specific questions.

Commissioner Zomparelli added that the project met the code but the project had a different number of bedrooms at the end which in turn affected the parking count, so he voted no.

Mr. Schwarz commented that if that is a concern, then staff can answer any questions.

Mr. Weaver asked what constitutes ex parte communication.

Ms. Mack answered that the commissioners should visit the site of the project, but if they come into contact with the petitioner or someone related to or impacted by the project, that it's best to say "see you at the meeting" and stop any further communication.

Mr. Weaver commented that sometimes minutes aren't approved until a month

later and it can change.

Ms. Mack agreed and said the Village Board might not be able to tell what went on at the meeting from the votes alone.

Ms. Skrodzki commented on Village procedure and said that the Board will watch the recorded meeting and will listen to the audio instead of waiting for the minutes.

Mr. Schwarz agreed that watching the meeting is great.

Ms. Mack agreed.

Mr. Schwarz continued the presentation. (refer to audio)

Commissioner Zomparelli asked if a chairperson can make a motion.

Ms. Mack answered saying they can but tend not to since they are looking for the motion.

Mr. Berry added for point of clarity to make motion in the affirmative.

Mr. Schwarz agreed with voting in the affirmative.

Ms. Mack agreed and added for the chair to make clear to the public how they are voting.

Commissioner Zomparelli complimented Chairman Parisi for doing a good job, and said that sometimes Chairman lets the public speak multiple times.

Ms. Mack stated that the public should be allowed to speak multiple times because everyone should be afforded the opportunity to speak multiple times. She shared that she was in a public meeting the week prior and that the community had the public fill out a slip to speak which is helpful to run controversial meetings.

Mr. Schwarz's community has a sign in-sheet for the minutes and that addresses aren't needed.

Chairman Parisi added that sometimes the members of the public don't intend to speak but as a result during the meeting they want to voice their opinion. Chairman added that he doesn't like to ignore them.

Ms. Mack said to let them speak but have them fill out a slip for keeping a record of who spoke and who didn't

Chairman Parisi said he limits how long the public gets to speak but wants to allow them to ask multiple questions since they took the time to come out to the meeting.

Ms. Mack said the meetings can run longer if they allow for multiple questions on a project that is controversial.

Commissioner Zomparelli said he likes to see people state their address and asked if there is a problem with that.

Mr. Berry stated that if a person denied giving their address that they would still be allowed to speak.

Ms. Mack said since for privacy reasons the address should not be asked for.

Chairman Parisi said it's helpful to see if someone is coming from another municipality.

Ms. Mack agreed and added that at a recent meeting most of the people against the project were not from that community, they were from neighboring communities.

Chairman Parisi noted a recent project had a neighboring community present.

Mr. Schwarz said that notification requirements vary between communities but

there are ways for the municipality to get notification to the public who live outside of the required notification areas.

Mr. Schwarz continued the presentation.

Commissioner Schussler asked how much do the commissioners have to consider incorrect statements from residents or non-residents, and stated that the commission often times has to educate the public because the public bases their preconceived ideas off incorrect information.

Mr. Schwarz answered that the commissioners can take incorrect statements from residents and non-residents into account, but their decision-making has to be based off the findings of the project.

Mr. Berry added that where he works in Lemont there are a lot of unincorporated areas, and at public meetings there are many residents from those areas. He said to remember these people still participate in your community even if they are not directly in it.

Findings of Fact

Ms. Mack continued the presentation. (refer to audio)

Commissioner Paul asked if it is up to the petitioner to prove if there will be adverse effects on property.

Ms. Mack answered that the burden is on the petitioner.

Mr. Schwarz replied that the commissioners can ask for empirical data.

Ms. Mack agreed and added that even with data and studies, the public can think that the data wasn't captured correctly.

Mr. Weaver agreed.

Ms. Mack continued the presentation. (refer to audio)

Mr. Schwarz said to use the terms "land hardships" when it comes to variations from projects.

Ms. Mack continued the presentation. (refer to audio)

Chairman Parisi said that this community is substantially developed and there are more instances of having unique parcels that need variances.

Mr. Schwarz agreed and said in historical districts a lot of those lots don't comply and will need variances.

The Fine Print

Ms. Mack continued the presentation. (refer to audio)

Mr. Berry asked if there are best practices in terms of ex parte communications.

Ms. Mack said to try and minimize communications with the public, and encourage them to attend the meeting.

Mr. Schwarz added to direct all inquiries from the public to the staff.

Ms. Mack continued the presentation. (refer to audio)

Commissioner Schussler asked what if a commissioner's spouse has financial interest in a project.

Ms. Mack answered that it's best to recuse yourself and to leave right away.

Ms. Skrodzki agreed.

Commissioner Paul mentioned he has recused himself before because his son has been an employee of a company who was an applicant.

Ms. Mack answered to avoid impropriety it's best recuse, and then continued the presentation. (refer to audio)

Mr. Weaver made a comment.

Ms. Mack said if there is a conflict of interest and you do not recuse yourself it can come back. She continued the presentation.

Planning and Development 101

Mr. Berry took over and continued the presentation.

Commissioner Zomparelli asked if they can downzone a development.

Mr. Berry answered that sometimes the zoning doesn't work.

Mr. Schwarz added that rezoning does happen.

Ms. Mack added that amortization has to be built in.

Tools of the Trade

Mr. Berry continued the presentation.

Ms. Mack asked if the commissioners are comfortable putting conditions on special uses.

Mr. Berry continued the presentation.

Mr. Schwarz added that it's best to do a pre-application meeting with applicants.

Mr. Berry said they do a technical review with staff outside of the planning department.

Commissioner Zomparelli asked if these reviews are open to the public.

Mr. Berry answered that they are not.

Mr. Schwarz said that giving preliminary approval is important step in a PUD.

Mr. Berry continued the presentation.

Mr. Schwarz said if there are many variations to a specific code requirement then it's best to update that code section.

Mr. Berry continued the presentation

Commissioner Nugent asked what changed in Lemont that allowed for every lot to be buildable.

Mr. Berry answered it's all policy decisions.

Commissioner Nugent asked where specifically was the change in the policy.

Mr. Berry answered that over time the Board becomes less restrictive.

Commissioner Zomparelli asked if it's a case by case basis.

Mr. Berry answered yes.

Resources for Commissioners

Mr. Schwarz finished the presentation. (refer to audio)

Commissioner Schussler thanked the presenters for an informative presentation and taking the time to come and help.

Chainman Parisi agreed and said kudos to the Village for repurposing properties.

None. A discussion item only.

OTHER BUSINESS

2023-0798 Memo: New Petitions**NON-SCHEDULED CITIZENS****ADJOURNMENT**

The meeting was adjourned at 8:54 p.m.

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

Aye: 5 - Member Parisi, Member Paul, Member Zomparelli, Member Sanchez and Member Nugent

Nay: 0

Absent: 2 - Member Schussler and Member Zaatar