

*Chairman Brewer called the Planning and Zoning & Historic Commission meeting to order at 7:00 p.m. Roll: 7 Present (Apke, Bernstein, Brewer, Muscat, Scarpelli, Schock and Steneck ). 2 – Absent (Holliman and Meyer). Also present were Village Administrator Jennifer Johnsen, Assistant Village Administrator Brad Mitchell, Building Inspector Chris Ranieri, Village Engineer Joe Heinz and Village Clerk Katherine Holt.*

**APPROVAL OF MINUTES:**

**1. Planning and Zoning and Historic Commission Meeting Minutes dated May 7, 2020**

*Motion to approve the May 7, 2020 meeting minutes by Scarpelli/Muscat.  
Motion carries by unanimous vote.*

**PUBLIC COMMENT: None**

**NEW BUSINESS: None**

**HISTORIC COMMISSION:**

**1. Certificate of Appropriateness for Signage: Nonno's Italian Kitchen & Café – 304 N. River Street.**

- a. Discussion and Motion to Recommend Approval/Denial of a Certificate of Appropriateness for Nonno's Italian Kitchen & Café Proposed Awning Sign

*Jim Seng, applicant and owner of Nonno's Italian Kitchen & Café was present to answer any questions or address any comments. There were no questions or comments.*

*Motion to Approve the Certificate of Appropriateness for Nonno's Italian Kitchen & Café Proposed Awning Sign by Scarpelli/Apke.  
7 Ayes (Scarpelli, Apke, Berstein, Steneck, Schock, Muscat and Brewer). 0 Nays. 2 - Absent (Holliman and Meyer). Motion carries.*

**NEW BUSINESS**

- 1. PUBLIC HEARING (VOED) – (509 Maxwellton Rd. - PIN: 03-23-128-020) – to consider a request for a variance from Section 157.031(A)(6)(a) of the Zoning Chapter of the East Dundee Village Code requiring the front yard setback in the E- Estate District to be not less than 35 feet in depth.**

Commissioner Scarpelli made a motion to table the public hearing until an ordinance is provided creating a single lot large enough in which to house the principle residence and the accessory building. Building Official Ranieri advised that the property owner and petitioner of this request owns the entire 2.4 acres. He said the concern of Commissioner Scarpelli is that the owner has not recorded a plat of consolidation of the multiple lots he owns. He said the owner agrees to do this and would need to before any Village permits are issued. He said the item presented at this meeting is whether to grant a variance for the set backs to save trees on the property that he wishes to save. Scarpelli commented that he believes that a plat of subdivision needs to be filed with the Village and a public hearing to consolidate the lots needs to be

held before the Village Board. Assistant Administrator Mitchell advised that the variance requests are to be addressed in this Commission's forum. He said the lot consolidation is outside of the Planning & Zoning Commission's jurisdiction. Ranieri added that a permit cannot be issued without the variances because of the requested location of the structure.

*Commissioner Muscat seconded the motion to table the public hearing.*

Administrator Johnsen advised that the property owners have been instructed to consolidate their lots. She said that they have consolidated their PINs and now have one PIN and one property tax bill. She does not believe that a subdivision process is required. But if it was, it would appear before the Village Board. She said that Section 155 of the village code allows for the Building Inspector to withhold a permit until such consolidation takes place. She said that tonight's discussion is to prove there is a hardship. In this case it is the protection of the trees and the slope of the land. She urged the Commission not to table the item. Scarpelli held firm on his position that the multiple parcels must be consolidated before moving forward on approvals of variance requests. Johnsen urged the Commission to either approve or deny the request.

Commissioners Scarpelli and Muscat stated that they will not withdraw their original motions to table the public hearing.

*7 Ayes (Scarpelli, Apke, Berstein, Steneck, Schock, Muscat and Brewer). 0 Nays. 2 - Absent (Holliman and Meyer). Motion carries.*

- 2. PUBLIC HEARING (PINS: 03-25-300-011, 03-25-300-012)** – to consider a request to rezone the property from the R-1- Single Family District to the M-1- Limited Manufacturing District.

*Motion to open the public hearing by Scarpeilli/Berstein. Motion passes by unanimous vote.*

Assistant Administrator Mitchell advised that the annexation of the property for this project was unanimously approved by the Village Board this past Monday. David Plote, of Plote Property Investments, stated that his father began doing business with Patten Tractor in the early 1960's, which is a longtime Caterpillar dealer. He said this use will compliment his current mining operations and blends with the surrounding area uses. He added that it will not affect any residential area. Derek Altorfer, President of Altorfer, Inc., stated that this facility will focus on sales, service and rentals of Caterpillar construction products.

Commission Scarpelli asked if all newly annexed properties are zoned as R-1. Village Engineer Heinz advised that all newly annexed parcels are zoned as R-1 by default.

*Motion to close the public hearing by Scarpeilli/Berstein. Motion passes by unanimous consent.*

*Motion to recommend approval of a request to rezone the property from the R-1- Single Family District to the M-1- Limited Manufacturing District by Scarpelli/Steneck.*

*7 Ayes (Scarpelli, Apke, Berstein, Steneck, Schock, Muscat and Brewer). 0 Nays. 2 - Absent (Holliman and Meyer). Motion carries.*

*Motion to Approve a Findings of Fact to recommend approval of a request to rezone the property from the R-1- Single Family District to the M-1- Limited Manufacturing District by Muscat/Scarpelli.*

*7 Ayes (Scarpelli, Apke, Berstein, Steneck, Schock, Muscat and Brewer). 0 Nays. 2 - Absent (Holliman and Meyer). Motion carries.*

**3. PUBLIC HEARINGS (PINS: 03-25-300-011, 03-25-300-012)** – to consider a request for a variance from:

- i. Section 155.045(G)(1) and Section 155.045(G)(4) of the Subdivision Chapter of the East Dundee Village Code requiring the maximum length of a cul-de-sac shall be 500 feet measured along the center line from the intersection at origin through center of circle to end of right-of-way and requiring the use of cul-de-sac streets shall be prohibited in multi-family, business or industrial districts.
- ii. Section 155.054 and Section 155.096(A)(1)(c) of the Subdivision Chapter of the East Dundee Village Code requiring the sanitary sewer to be extended through the development parcel.
- iii. Section 157.065(A)(2)(e)(3) of the Zoning Chapter of the East Dundee Village Code requiring areas utilized for accessory commercial operations yards be provided with a permanent durable and dustless surface.
- iv. Section 157.065(A)(2)(e)(4) of the Zoning Chapter of the East Dundee Village Code requiring storage yards to be completely enclosed and screened with a solid wall or fence of not more than 12 feet in height and/or a berm or evergreen plants of any height

*Motion to open the public hearings by Steneck/Scarpelli. Motion passes by unanimous vote.*

Ken Nyenhuis of Northern Builders, Inc. and Dave Hixon, Vice President of Altorfer, summarized the variance requests for the Commission. Due to space constraints, the developer has proposed to provide a temporary access easement to allow for vehicles to use the southerly driveway for the turnaround maneuver. The developer has proposed to grant an easement and install a casing pipe under Christina Drive for the future sanitary sewer extension instead of extending approximately 1120 LF of 10” sanitary sewer line along the frontage of Route 72 extending past Christina Drive. There is a request for relief of required hard surfaces in the storage yard and for a variance to allow the use of aggregate on the far south side of the property to allow temporary seasonal overflow display of Caterpillar equipment. Lastly, there is a request for relief from a solid fence requirement surrounding the property. The linear feet required to encase the 23 acres with a solid structure would be extremely expensive. It is proposed to provide an esthetically pleasing fence with screening. The appearance from Route 72 will be of a stone wall. The balance of the property will be a black chain link fence with black screening.

*Motion to close the public hearings by Scarpelli/Steneck. Motion passes by unanimous vote.*

Building Official Ranieri noted that the requested variances apply only to PIN Number 03-25-300-012.

*Motion to recommend approval for all variances as presented by Scarpelli/Muscat.*

*7 Ayes (Scarpelli, Apke, Berstein, Steneck, Schock, Muscat and Brewer). 0 Nays. 2 - Absent (Holliman and Meyer). Motion carries.*

*Motion to approve a Findings of Fact to recommend approval of all variances as presented by Scarpelli/Schock.*

*7 Ayes (Scarpelli, Apke, Berstein, Steneck, Schock, Muscat and Brewer). 0 Nays. 2 - Absent (Holliman and Meyer). Motion carries.*

**OTHER BUSINESS**

Chairman Brewer asked what the plan was to paint the exterior of the building at 1 E. Main Street. Ranieri advised that the new owner is looking to paint the exterior gray with black accents. He said he is unsure if this would need to go before the Historic Commission. Chairman Brewer does not believe it would need to as long as it is compatible with neighboring buildings. Commissioner Scarpelli asked if a second story is planned for the building. Ranieri advised that that is their plan and they would need to appear before the Commission before they have approval to do that. Mitchell added that the paint could change the look of the exterior. He thinks it is best to review these plans with staff to see if it would need to go through the formal process.

Administrator Johnsen stated that the Plote item on tonight's agenda was very similar to the Maxwelton property item in the fact that variances were approved prior to the subdivision being approved. She said she just wanted to point out that the Maxwelton item was no different than the Altorfer/CAT item for this reason. She again encouraged the Commission to reconsider the motion for tabling and to take a vote.

*Motion to adjourn the Planning and Zoning & Historic Commission Meeting at 7:59 p.m. by Schock/Bernstein. Motion carries by unanimous vote. Meeting adjourns.*