

Village of Elm Grove Board of Appeals Meeting Minutes

DRAFT

The meeting was called to order at 4:00 pm.

ROLL CALL:

BARRY BOOK

TIM CLARK

JOSEPH PUCHNER – via Zoom and recused

DOUGLAS JACOBSON

JOHN ALLEN

GORDON GIAMPIETRO – present and recused

FRANK LORENZ – absent

HECTOR DE LA MORA, VILLAGE ATTORNEY

DAVID DE ANGELIS, VILLAGE MANAGER

SANDEE POLICELLO, VILLAGE CLERK

MINUTES:

MOTION BY JACOBSON, SECOND BY ALLEN, TO APPROVE THE MINUTES OF JANUARY 11, 2022 AS PRESENTED.

ALL IN FAVOR. MOTION CARRIED (CLARK-ABSTAINED)

HEARING – ST. MARY’S CEMETERY, WATERTOWN PLANK ROAD

Applicant(s): St. Mary’s Visitation Parish & Cemetery - owners, Jim Olson - Architect

The Clerk administered an oath to Deacon Richard Piontek of St. Mary’s Visitation Parish & Cemetery and Jim Olson, architect.

Deacon Piontek gave an overview of the project they are seeking approval for. The cemetery has been in existence since 1858. A feasibility study was done, which included speaking with School Sisters of Notre Dame, which did not produce an option; they have nowhere else to expand. He was asked to resume the feasibility study for developing a columbarium for cremated remains. They took into consideration that there is a statue of Mary that has been there for the better part of a century; they have gates dating back 100 years. Their goal is to protect and enhance the beauty of the statue and refurbish the gates, which are symbolic for the parish. They want to match the brick of their campus. The portico was designed to match their atrium with a sloping roofline to provide connectivity. Their goal is also to preserve the history and architectural integrity. They wish to construct four structures for niches, each containing 4 or 5 levels of niches. They have spent time and effort to beautify and update the cemetery. There are only 300 grave sites remaining, which will not last long. The Parish is multi-generational; they want to preserve that and this columbarium will foster that opportunity. Currently sixty percent of internments are

Village of Elm Grove Board of Appeals Meeting Minutes

DRAFT

cremated remains and they have to provide for that. Each niche can preserve not only individual remains, but can accommodate other family remains.

Attorney de la Mora asked about Catholic hesitation regarding cremation. Deacon Piontek said there are stipulations regarding cremated remains. Catholic teachings currently state that the remains must be kept together and not separated. He added that the grounds are blessed, and therefore, the niches are sacred ground. If approved, Archbishop Jerome ListECKI will be asked to do a special blessing. The Parish has received support from the Archdiocese for this project.

Member Allen questioned the capability for multiple remains in one niche. Deacon Piontek confirmed they can hold the remains of 1 – 4 individuals, so families can stay together in a singular niche.

Member Jacobson asked if the purpose of the meeting is to address the issue of the structure exceeding 10' in height. It was confirmed this proceeding is only related to the element of the peak of the structure.

Attorney de la Mora asked if there was a plan to install additional similar structures in the future in the cemetery. Deacon Piontek said he does not foresee that; this project accomplishes their goal. The statue will be moved and that area then landscaped; they will not have room in their cemetery for more. The area of columbarium construction is at least 15' below road surface.

Attorney de la Mora asked what would be seen from the road. Deacon Piontek said he would be surprised if anything but the very top would be seen. The cross that is in that area now will be moved, but he can only see the very top of that cross now. The old cedar trees in that area will stay and they are approximately 20' high for backdrop.

Attorney de la Mora asked if the statue that they are moving will be at the same elevation. Deacon Piontek confirmed it will stay at the same elevation and it is approximately 6' tall.

Attorney de la Mora inquired as to the purpose of the portico. Deacon Piontek said that it mirrors the entry to the Church and it will have the same roofing tile as the atrium. He said that it will protect the statue, which was refurbished approximately 12 years ago. Moving it will also help preserve it due to it currently being located near the railroad tracks.

Jim Olson spoke to the architecture of the structure. The portico will become part of the columbarium. They tried to get the height down to 10', but to emulate the arch with the slate roof, it was too difficult to get the proportions to work out.

Village of Elm Grove Board of Appeals Meeting Minutes

DRAFT

Attorney de la Mora asked if neighbors have expressed opinions. Olson said he has spoken with the Mandel Group, which didn't believe it would be an issued for them at all.

Deacon Piontek said he has spoken with people in the adjacent condominiums and with Jim O' Donoghue, all of whom support the project.

Member Book asked if the Board is restricted to considering the variance requested or if it could review the staff decision as to whether the Project was an accessory structure.

Attorney de la Mora said the application is for a variance. Member Book asked if they are able to determine an appeal of the decision made by staff. Attorney de la Mora said the application was made to the zoning administrator, who decided that the portico as part of an accessory structure exceeded the 10 foot height restriction. The applicant could have changed their design. In this instance there is a specific request for a variance to accommodate the portico as presented in drawings circulated to the Board .

Member Jacobson asked if it was determined by staff that this is an accessory structure. If so, what part? David De Angelis said it was the portico including the area designated for the statue.

Member Book said they are here to determine whether or not to issue a variance, which was confirmed by Attorney de la Mora. Attorney de la Mora reviewed the definitions of a building and a structure. If the columbaria are primary structures, then the limit is 35'. The drafters of the applicable ordinances, which were revised as recently as 2012, did not contemplate columbaria.

Member Jacobson said he has trouble understanding that the portico is an accessory structure.

Deacon Piontek said they have several burial structures in the cemetery that are 15' high.

CONVENED INTO CLOSED SESSION

MOTION BY CLARK, SECOND BY JACOBSON, TO CONVENE INTO CLOSED SESSION.

ROLL CALL VOTE-

AYE-BARRY BOOK

AYE-DOUGLAS JACOBSON

AYE-TIM CLARK

AYE-JOHN ALLEN

ALL IN FAVOR, MOTION CARRIED.

RECONVENED INTO OPEN SESSION

MOTION BY CLARK, SECOND BY JACOBSON, TO RECONVENE INTO OPEN SESSION.

Monday, October 3, 2022

4:00 PM

Village of Elm Grove Board of Appeals Meeting Minutes

DRAFT

ALL IN FAVOR. MOTION CARRIED. OPEN SESSION AT 4:48 PM

Member Book stated that for the reasons contained in the application (five requirements) the Board had voted to grant the variance that is requested.

ADJOURNMENT

There was no further business.

MOTION BY JACOBSON, SECOND BY CLARK, TO ADJOURN THE MEETING.

ALL WERE IN FAVOR. MOTION CARRIED. MEETING ADJOURNED AT 4:49 pm.

Minutes transcribed by: Sandee Policello

Minutes Approved on: