

**PLAN COMMISSION
MEETING MINUTES
Monday, August 3, 2020**

Meeting was called to order at 7:00 p.m. by President Palmer

1. Roll Call.

Present: (In person) President Palmer, Mr. Long (Virtual attendance) Mr. Cashin, Mr. Reineke, Mr. Kujawa, Trustee Michalski.

Absent: Mr. Jodie

Also: David De Angelis, Village Manager, Thomas Harrigan, Zoning and Planning Administrator/Assistant to the Village Manager, Hector de la Mora, Village Attorney, Applicants and members of the public.

2. Review and act on meeting minutes dated 7/6/20.

Mr. Michalski motioned and Mr. Kujawa seconded to approve the meeting minutes as submitted. Motion carried 6-0.

3. Review and act on a request for a plan of operation for Remedy Within, LLC pursuant to §335-85 and a conditional use permit pursuant to §335-86 for a massage parlor, pursuant to §335-22C(10) located in the B-1 Local Business District at 13425 Watertown Plank Road.

Tammi Kapitanski, of Remedy Within, was present before the Commission.

President Palmer asked if anything within the application materials has changed since it was submitted.

Ms. Kapitansk stated nothing has changed. She explained the business is simply relocating to a new location within the Village.

Mr. Long inquired how many employees will be working at the business.

Ms. Kapitansk stated there will be a maximum of five employees.

Mr. Long motioned and Mr. Kujawa seconded to recommend approval of the Plan of Operation and Conditional Use Permit to the Board of Trustees. Motion carried 6-0.

4. Review and act on a request for a demolition permit for a single family residential home located at 13005 Wrayburn Road pursuant to §106-11 to §106-14.

Nick Mather, of Deep River Partners, and Mr. and Mrs. Irgens were present before the Commission.

President Palmer asked if anything within the application materials has changed since it was submitted.

Mr. Mather stated that nothing has changed.

Mr. Kujawa noted that within the engineering review letter dated July 15th, 2020, it appears there is a discrepancy regarding the proposed total impervious surface content for the new home.

Mr. Mather explained the initial assumption was that the proposed permeable paver auto court would not be included into the total impervious surfacing calculation. The Village Staff has clarified the permeable paver materials are considered impervious, unless applied for under §335-12C.

Mr. Kujawa explained he has concerns related to the proposed footprint of the home. Specifically, the proposed garage projects to the 50' street yard setback, and the rest of the home is recessed into the back of the lot. This would have the potential of diminishing the line of sight from the neighboring back yards.

President Palmer commented that the Building Board will take notice of the proposed footprint and be charged with addressing it.

Mr. Michalski opined that he feels issuance of the demolition application would be acceptable. However, he would like the Building Board to review the proposed site plan and elevation of the new home in relation to that of the existing home.

President Palmer noted that a stormwater management plan will be needed in order to demonstrate the proposed new grading and site plan will be able to effectively manage stormwater on the property.

Mr. Mather stated that a stormwater management plan is currently being created by a reputable engineering company.

President Palmer asked if there is a motion to approve the demolition permit contingent upon all outstanding items be submitted for Village engineering review.

Elizabeth Goblirsch, resident of 12955 Wrayburn Road, was present before the Commission. Ms. Goblirsch stated she is very concerned about stormwater management on the subject property and within the neighborhood. Ms. Goblirsch is opposed to the demolition application, as the proposed new home is out of character with the neighborhood.

President Palmer stated that Ms. Goblirsch is welcome to attend the Building Board meeting at which the new home proposal will be considered. The charge of the Plan Commission is strictly to review and take action on the demolition application. There are limitations on what can be built when it comes to size and proposed placement of a new residence. President Palmer thanked Ms. Goblirsch for attending the meeting.

President Palmer called the question.

Mr. Michalski motioned and Mr. Long seconded to approve the demolition permit application. Motion carried 6-0.

President Palmer asked Mr. Mather when the demolition is planned to commence. Mr. Mather stated it is tentatively scheduled for October.

5. Review and make possible recommendations on draft ordinance §95-20 Chickens.

Mr. De Angelis stated that the Public Safety Committee has created this draft ordinance by utilizing existing ordinances from other communities that relate to urban chickens, and tailoring those documents to better serve Elm Grove.

President Palmer noted that the Plan Commission is charged with reviewing sections of the draft ordinance which relate to zoning regulations.

Mr. Kujawa commented that he is aware the Village considered the creation of an urban chicken ordinance in the past, and is wondering what has changed that the Village will entertain the creation of one now.

Mr. De Angelis explained the experience of other communities has shown that it is possible to effectively allow and regulate urban chickens.

Mr. Michalski stated that he has no objections to the ordinance.

President Palmer highlighted that a strong enforcement section exists in the draft ordinance.

Mr. Michalski asked if properties which have permits to house chickens will be inspected annually.

President Palmer commented the Zoning Officer will revisit the sites to verify everything is being maintained according to approvals.

It was discussed if property owners should be encouraged to combine accessory structures for the purpose of creating a coop.

Mr. Harrigan noted that property owners generally prefer to place shed (yard maintenance buildings) in the rear corners of their lots. The draft chicken ordinance does not allow for coops to be placed in the side yards of properties. Therefore, combining structures in order to accommodate a coop is unlikely.

Mr. Kujawa asked why the neighboring properties should potentially have the coop located closer to their home than the home of the permit holder.

President Palmer agreed, language will need to be incorporated which prevents the coop being located closer to a neighboring home, than the home of the permit holder. Perhaps something to the effect of, "no coop shall be closer to an adjacent principal structure than the subject (permit holders) residence."

It was discussed if there should be language which requires a minimum lot size for the keeping of chickens.

President Palmer stated he prefers not to have a minimum lot size associated with the ordinance.

The Commission referred the draft ordinance with the changes discussed to the Legislative Committee for consideration and possible action.

6. Other Business

None.

7. Adjournment

Mr. Cashin motioned to adjourn, seconded by Mr. Kujawa, Motion carried 6-0.

Meeting adjourned at 8:15 P.M.

Respectfully Submitted,

Thomas Harrigan
Zoning and Planning Administrator/
Assistant to the Village Manager