

**PLAN COMMISSION  
MEETING MINUTES  
Monday, November 2, 2020**

---

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

**1. Roll Call.**

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

Absent: Mr. Kujawa

Also: 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 10/5/2020.**

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

**3. 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 §106-16.**

Present before the Commission was Nick Mather and Richard Sheer, of Deep River Partners, and Mark and Susan Irgens, property owners. Mr. Irgens attending the meeting virtually.

President Palmer provided a background summary on this property, indicating that the previous demolition permit application has been withdrawn by the property owner. This revised demolition permit application submittal outlines the principals which must be addressed for permit issuance pursuant to §106-15.

Attorney de la Mora inquired if the meeting is being recorded.

Mr. Harrigan initiated the recording of the meeting.

Attorney de la Mora provided a historical summary related to the previous demolition permit application which has been withdrawn. Noting there was an appeal filed by the neighboring property owner who objected to the application filed. Specifically referencing the failure to address the principals as outlined in §106-15. After reviewing the appeal filed by the attorney representing the aggrieved neighbor, it was determined the appeal was persuasive enough for the applicant to withdraw the original demolition application.

Attorney de la Mora advised the Commission, they must review this new application as though they have never heard this matter before.

Nick Mather presented the demolition permit application materials to the Commission.

Mr. Mather began by addressing §106-15A:

*“Whether, in cases where demolition is for the purpose of facilitating new construction, due and fair consideration has been given to the feasibility of preserving and continuing the use of the existing building.”*

Mr. Mather stated that due and fair consideration has been given to the possibility and feasibility of preserving the existing home. Extreme neglect and deferred maintenance issues has resulted in existing structural deficiencies of the home. Please refer to *Exhibit D – Photos of Existing interior and Site*. Mr. Mather continued, the site is poorly drained and there are water and mold issues located within the basement and roof structure of the home. Additionally, the existing structure does not meet the design standards for a client who is preferring to age in place.

§106-15B:

*“Whether the end result of the applicant's project including demolition and new construction, if any, will devalue adjoining properties by unreasonably altering the character of the neighborhood.”*

Mr. Mather played a virtual “fly-through” of the proposed new home to demonstrate the proposed new construction will not devalue the adjoining properties by unreasonably altering the character of the neighborhood. A walkthrough of the proposed construction materials was also provided. Mr. Mather indicated that based on previous new home construction projects which Deep River has completed, they find the home homes seem to increase the property values of adjoining properties. Please see *Exhibit F*.

§106-15C:

*“Whether the end result of the applicant's project including demolition and new construction, if any, will be detrimental to the public interest.”*

Mr. Mather stated the project will positively impact the public’s interest. The exterior materials and design are compatible with the neighborhood. Notably, the proposed stormwater management and grading plan will benefitting the neighboring properties which currently experience stormwater drainage issues. Please see *Exhibit G – Storm Water Memorandum*.

§106-15D:

*“Whether the existing building is in such deteriorated condition that it is not structurally or economically feasible to preserve or restore it.”*

Mr. Mather stated that due to the existing conditions of the residence, and as demonstrated in *Exhibits A through E*, it has been determined that extensive remodeling to meet the needs of the applicant and client would not be economically feasible.

President Palmer opened the floor for questions form the Commissioners.

Mr. Cashin highlighted the proposed new home would improve the stormwater drainage pattern, which adjacent property owners would benefit from. The water flow pattern of the existing site does not promote the slowing, or the spread of stormwater. There are proposed swales on the eastern and western property boundaries, and an overflow area which spills into the drainage ditch at the street.

President Palmer noted that from a site design perspective, the property will be able to hold more water than the existing site configuration. This neighborhood is known to experience adverse impacts related to stormwater management.

Attorney de la Mora noted the submitted Storm Water Memorandum provides extensive data demonstrating the improvement to stormwater management which would occur, should the site be redeveloped.

Attorney de la Mora asked Mr. Mather to expound upon his comments that redevelopment of the property will increase the value of the adjacent homes.

Mr. Mather stated that based on his knowledge on how property value is evaluated and appraised, this new home should increase home values in the neighborhood.

Mr. Long questioned how that could be proven one way or another.

President Palmer commented that the Commission has never seen any evidence from an expert witness demonstrating the effect on the Village assessment roll.

Mr. Reineke stated the he believes the stormwater management report appears to be sound, specifically *Exhibit B – Geotechnical Report*.

It was discussed that from the existing Village Ordinance, a new home constructed within the Rs-1 zoning district could be 36 feet in height.

Mr. Cashin opined that he finds it difficult to make the assessment on §106-15B, without considering the massing of the adjacent homes.

The neighboring property owner Thomas Goblirsch, 12955 Wrayburn Road, was present before the Commission via videoconference. Mr. Goblirsch stated the he submitted a letter to the Plan Commission for their consideration. Mr. Goblirsch stated that he reviewed the demolition application and does not appreciate the comment related to mold existing in the home. He has nothing personal against the applicant and property owner, rather he has a different vision for the Meadow Wood subdivision. Mr. Goblirsch stated he hopes the applicant and he can still be good neighbors after this process concludes.

President Palmer stated that he appreciates the neighbor's perspective. President Palmer highlighted that the Commission is charged with addressing the principals found within §106-15.

President Palmer motioned to approve the demolition permit application pursuant to §106-11 to §106-16 based on the following findings:

§106-15A: The Building Inspection report clearly identifies the existing structural deficiencies within the home which suggest it is not feasible to preserve and continue the use of the home.

§106-15B: The fact that the Village has never seen a case where a new home devalues a property. Rather, new home construction improves home values in the surrounding neighborhood.

§106-15C: The new project is in the public's interest due to the significant improvement to stormwater management the new home would present.

§106-15D: Based on the submitted application materials, it is clear the existing home is significantly deteriorated to the point it is not economically feasible to preserve or restore it.

Mr. Michalski seconded the motion.

Mr. Michalski echoed President Palmer's comments in agreeance. Mr. Michalski also commented that in his neighborhood, several newly constructed home have assessed valuation into the millions of dollars. These higher value homes do not appear to have an adverse impact on the values of home within the neighborhood with less assessed valuations.

Mr. Long commented that someone could take the existing home and renovate it. However, due to the existing water issues and high water table, it should be demolished.

Mr. Reineke again highlighted Exhibit B, and stated the stamped stormwater plan is very compelling, indicating there will be an added value to the neighborhood.

Mr. Cashin stated it appears due consideration has been given to the renovation and preservation of the existing home.

Mr. Long echoed Mr. Reineke's comments, that the stormwater management plan will be an added value to the public interest.

President Palmer called the question. Motion carried 6-0

**4. Review and act on a request for a Temporary Plan of Operation pursuant to §335-85B for Bakers Square, located at 15300 W. Bluemound Road, for a Thanksgiving pie pick-up and drive-through.**

There was nobody present before the Commission to represent this item.

President Palmer reminded the Commission that Bakers Square has conducted a pie pick-up in their parking lot for many years. This year due to the pandemic, the store is proposing to expand the pie pick-up operation in the western parking lot of the store. This will require a change to the existing plan of operation.

Mr. Reineke suggested the store manager consider reversing the configuration of the pie trailer and drive-thru tent on the southern portion of the site plan in order to improve the traffic flow through the parking lot.

Mr. Long motioned to approve the temporary plan of operation noting that staff will recommend the site plan will be modified to increase traffic safety on the southern portion of the site plan. Mr. Reineke seconded. Motion carried 6-0.

**5. Other Business**

**6. Adjournment**

Mr. Long motioned to adjourn, seconded by Mr. Cashin, Motion carried 6-0.  
Meeting adjourned at 7:55 P.M.

Respectfully Submitted,

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