

Transcript of Proceedings

VILLAGE OF WILLOWBROOK PLAN & ZONING

HEARING CASE NUMBER 23-01

April 5, 2023

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VILLAGE OF WILLOWBROOK PLAN & ZONING

April 5, 2023

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VILLAGE OF WILLOWBROOK

PLAN & ZONING

HEARING CASE NUMBER 23-01

REPORT OF PROCEEDINGS at the
meeting held before the Plan & Zoning Commission of
Willowbrook on the 5th day of April, 2023, at the
hour of 7:00 p.m., as reported by Donna Watwood,
Certified Shorthand Reporter in and for the County
of Kane and State of Illinois.

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1 APPEARANCES:

2 Daniel Kopp - Chairman

3 John Wagner - Vice-Chairman

4 Catherine Kaczmarek - Member

5 Leonard Kaucky - Member

6 Maciej Walec - Member

7 Ronald Kanaverskis - Member

8 Matthew Holmes - Village Attorney

9 Michael Krol - Director of Community

10 Development

11 Adam Guzik - Deputy Director of Community

12 Development

13 Daniel Lynch - Village of Willowbrook Engineer

14 Ben Kadolph - Village of Willowbrook Deputy

15 Chief

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1 CHAIRMAN KOPP: I will call to order the
2 regular meeting of the Plan Commission of the
3 Village of Willowbrook and ask the plan commission
4 secretary to call the roll.

5 MR. KROL: That's me tonight.

6 Commissioner Baksay is absent.

7 Commissioner Kanaverskis?

8 COMMISSIONER KANAVERSKIS: Here.

9 MR. KROL: Commissioner Kaczmarek?

10 COMMISSIONER KACZMAREK: Here.

11 MR. KROL: Commissioner Kaucky?

12 COMMISSIONER KAUCKY: Here.

13 MR. KROL: Commissioner Walec?

14 COMMISSIONER WALEC: Here.

15 MR. KROL: Vice-Chairman Wagner?

16 VICE-CHAIRMAN WAGNER: Here.

17 MR. KROL: Chairman Kopp?

18 CHAIRMAN KOPP: Here.

19 MR. KROL: Director of Community
20 Development Krol. I am present.

21 Deputy Director of Community Development,
22 Adam Guzik?

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1 MR. GUZIK: Here.

2 MR. KROL: Village Attorney Matt Holmes?

3 MR. HOLMES: Here.

4 MR. KROL: And village engineer

5 representative from Christopher Burke's Office,

6 Mr. Lynch.

7 MR. LYNCH: Here.

8 CHAIRMAN KOPP: I think I was supposed to
9 say this first.

10 Due to the Covid 19 Pandemic and the
11 state of emergency declared by the State of
12 Illinois, the Village will be utilizing a Zoom
13 webinar. Members of the public can attend via the
14 Zoom webinar by audio and video.

15 The next item on the agenda is the
16 omnibus vote agenda. Would any of the
17 commissioners like an item to be moved from the
18 omnibus vote agenda? If not, will someone make a
19 motion to pass the omnibus vote agenda?

20 CHAIRMAN KOPP: So moved.

21 COMMISSIONER KANAVERSKIS: Second.

22 CHAIRMAN KOPP: I'd ask the plan

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1 commission secretary to call the vote.

2 MR. KROL: Commissioner Kanaverskis?

3 COMMISSIONER KANAVERSKIS: Yes.

4 MR. KROL: Commissioner Kaczmarek?

5 COMMISSIONER KACZMAREK: Yes.

6 MR. KROL: Commissioner Kaucky?

7 COMMISSIONER KAUCKY: Yes.

8 MR. KROL: Commissioner Walec?

9 COMMISSIONER WALEC: Yes.

10 MR. KROL: Vice-Chairman Wagner?

11 VICE-CHAIRMAN WAGNER: Yes.

12 MR. KROL: And Chairman Kopp?

13 CHAIRMAN KOPP: Yes.

14 The next item on the agenda is Zoning
15 Hearing Case 23-01, consideration of a petition for
16 a Preliminary Plat of Subdivision to re-subdivide
17 two parcels into eleven parcels and approval of a
18 variation from Section 9-11-11 to allow a lot with
19 no street frontage and consideration of other such
20 relief, exceptions, and variation from Title 9 of
21 the Village Unified Development Ordinance as are
22 set forth in the petition.

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1 The applicant for this petition is New
2 Horizon Homes Builders, Inc., and MGZ Properties,
3 9S737 William Drive, Willowbrook, Illinois.

4 Notice of this public hearing was
5 published in the Chicago Sun-Times on --

6 MR. KROL: Chairman Kopp, could I
7 interject. The Zoom has gone down, so we'll have
8 to wait a minute. It looks like it's pulling back
9 up again.

10 CHAIRMAN KOPP: -- March 30, 2023.

11 MR. KROL: Okay. We're back on.

12 CHAIRMAN KOPP: Okay. So this will be
13 the public hearing. Michael, would you like to
14 make a presentation?

15 MR. KROL: Yes. Thank you, Chairman
16 Kopp. I will give a brief overview of the project.
17 And the applicants and their attorney are here as
18 well.

19 MR. HOLMES: Can I interrupt? Can you
20 have a motion to open the public hearing?

21 CHAIRMAN KOPP: Will someone make a
22 motion -- Would one of the commissioners make a

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1 motion to open the meeting?

2 VICE-CHAIRMAN WAGNER: So moved.

3 COMMISSIONER WALEC: I second it.

4 CHAIRMAN KOPP: Call roll.

5 MR. KROL: Commissioner Kanaverskis?

6 COMMISSIONER KANAVERSISKIS: Yes.

7 MR. KROL: Commissioner Kaczmarek?

8 COMMISSIONER KACZMAREK: Yes.

9 MR. KROL: Commissioner Kaucky?

10 COMMISSIONER KAUCKY: Yes.

11 MR. KROL: Commissioner Walec?

12 COMMISSIONER WALEC: Yes.

13 MR. KROL: Vice-Chairman Wagner?

14 VICE-CHAIRMAN WAGNER: Yes.

15 MR. KROL: And Chairman Kopp?

16 CHAIRMAN KOPP: Yes.

17 MR. KROL: Thank you. Okay.

18 The case number 23-01 is for a

19 Preliminary Plat of Subdivision for Bentley Woods.

20 This is for two parcels 6031 and 6037 Bentley

21 Avenue. The two parcels combine for 4.3 total

22 acres. The subdivision proposed before you tonight

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1 is for a total of eleven parcels, one of which is a
2 dedicated stormwater management and wetland area.
3 That's about 69,000 square feet.

4 Seven of the lots are identical that
5 front 61st Street. Three of the proposed lots will
6 front Bentley Street. And there's one existing
7 house on one of the re-subdivided lots.

8 With that said, I will turn it over to
9 the applicants to approach the podium and go ahead
10 with your presentation.

11 CHAIRMAN KOPP: Good evening, sir. And
12 anyone to testify for the applicant will need to be
13 sworn in by the court reporter.

14 MR. HARDEK: Very good.

15 MR. KROL: Can you all go at one time?

16 MR. HARDEK: Yes.

17 | (Whereupon, Scott Hardek,

18 | Scott Schreiner, John

19 | Jurinek and Patricia

20 were sworn in.)

21 MR. HARDEK: Thank you for allowing u

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1 with the Law Firm of Kavanagh Grumly & Gorbolt.

2 And my firm represents the applicant for the
3 petitioner --

4 MR. KROL: Can you speak up?

5 CHAIRMAN KOPP: Can you speak up?

6 MR. HARDEK: I'll start again.

7 My name is Scott Hardek, H-a-r-d-e-k.

8 I'm with the Law Firm of Kavanagh Grumly & Gorbolt
9 based in Joliet. And we represent the petitioner
10 in this case, New Horizon Homes Builders, Inc., and
11 MGZ Properties, LLC.

12 As Mr. Krol has indicated, we're here for
13 a consideration of a Preliminary Plat of
14 Subdivision. This property is in the R-2 District,
15 and all the homes that are proposed are consistent
16 with their bulk specifications for that district.

17 There will be nine new homes. The
18 existing home along Bentley will be renovated, and
19 then there's the one stormwater lot.

20 The variation that's requested is the
21 stormwater lot does not have a full frontage. It
22 has a 15-foot wide access that we believe would be

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1 adequate for any equipment or other reason to have
2 to get to the stormwater lot.

3 With me tonight is Scott Schreiner from
4 DesignTek, who is our engineer, along with the
5 Jurineks who are the principals of the developer.

6 My understanding is that Mr. Schreiner
7 has communicated with Mr. Lynch from Burke along
8 with -- in regards to the stormwater requirements
9 and the adequacy of what's been proposed. And I
10 believe that everything is in accordance with what
11 is desired by the Village.

12 The other consideration that's been done
13 is in the northeast corner of this property, there
14 is some wetlands that are under the jurisdiction of
15 the County. And we have also communicated with the
16 Gary Weber & Associates firm in regards to that.
17 And I believe that what's being proposed is
18 consistent with what the County would require to
19 maintain those wetlands in that fashion.

20 So we believe that with that small
21 variation to access the stormwater area, that this
22 otherwise fits within all the requirements of your

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1 code.

2 It's consistent with the trend and
3 character of the surrounding area, which is all
4 R-2. And we would hope that you would give strong
5 consideration to approving the Preliminary Plat.

6 With that being said, I don't know what
7 your pleasure is, Mr. Chairman. Our engineer is
8 here. I know he's consulted with the village
9 engineer and Mr. Weber. We could give you our
10 overview or simply answer any questions that the
11 Plan Commission might have.

12 CHAIRMAN KOPP: Before I open it up to
13 the rest of the commissioners to ask questions, I
14 guarantee you that the biggest topic on people's
15 minds is what you just read, which is stormwater
16 detention. And so maybe if the engineer could
17 describe what is going to be done so that the
18 neighbors don't have increased flooding as a result
19 of this.

20 MR. HARDEK: Absolutely. That's totally
21 understandable. In order to address this concern,
22 I'll ask Mr. Schreiner to come up and discuss what

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1 is there and what's been discussed with the various
2 engineering firms involved with reviewing this
3 project.

4 MR. SCHREINER: Thank you. Good evening.

5 My name is Scott Schreiner. I'm with DesignTek
6 Engineering. I'm president of DesignTek.

7 We have worked with the Jurineks for
8 several years now, probably close to 30 years on
9 various different projects.

10 This particular site, the preliminary
11 engineering has been put up on the screen.

12 MR. KROL: Hold on one second. It looks
13 like the Zoom went down again. My apologies,
14 everybody. We have to wait until this gets back
15 on.

16 VICE-CHAIRMAN WAGNER: This is a very new
17 room.

18 MR. KROL: Yes.

19 Okay. You can continue.

20 MR. SCHREINER: So this site generally
21 drains currently from 61st Street and heads north
22 in a generally north and slightly to the east to

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1 the hatched area on the plan on the screen. That
2 hatched area is the delineated wetland area, so
3 that was delineated by Gary Weber & Associates. I
4 believe that the Village's engineer has been to the
5 site with Gary Weber and has confirmed that
6 delineation.

7 DuPage County would be the permitting
8 entity for the lot area. And within their
9 regulations, they require a 50-foot buffer. Now,
10 that 50-foot buffer, you're not allowed to do any
11 work in -- Excuse me.

12 -- unless you're doing stormwater
13 management. And if you're doing stormwater
14 management, you're allowed to encroach into that
15 buffer by 50 percent.

16 So what you see with our design is our
17 initial proposed grading occurs at your 25 feet or
18 further from the edges of the existing wetlands.
19 So that existing wetlands will remain intact with a
20 25-foot buffer.

21 The detention basin that we have shown on
22 that plan is approximately four and a half to five

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1 feet deep. It's going to be a flat bottom
2 detention basin with wetland plantings throughout
3 the bottom of the basin and then native vegetation
4 or prairie grass mix on the slopes, on the top, and
5 on the back slopes of the ponds.

6 Because the natural drainage flows from
7 south to north, our discharge from this pond is
8 into that wetland area, which would then flow to
9 the wetland area and then north.

10 Now, as you head north from this between
11 61st and 59th Street, as I'm sure everybody in this
12 room is aware, there's a large area of depressional
13 storage that occurs in all those backyards to the
14 north. There is a complex of wetlands. There are
15 some regulatory wetlands within that area to the
16 north.

17 Should that water ever pond to an
18 excessive depth, it would generally overtop into an
19 existing detention basin that's adjacent to the
20 159th -- I'm sorry, 59th Street just east of the
21 intersection of 59th and Bentley. From there, the
22 water would then flow through a side yard and out

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1 to 59th Street storm sewage.

2 So all of that existing drainage pattern
3 is going to be maintained throughout the course of
4 our project. And part of our discussions with the
5 village engineer, there's the potential to redirect
6 that stormwater to a storm sewer system located in
7 61st Street. We need some additional information
8 to determine if that would function properly, if
9 that would work properly. And if it does and
10 that's the desire of the Village, we have no
11 objection necessarily to redirect the stormwater to
12 61st Street.

13 Now, in having said that, there are some
14 hurdles we would have to overcome in order to do
15 that. So the wetland area is regulated by the
16 County. And if we redirect water away from that
17 wetland area, we have to prove to them that the
18 hydraulics of the wetland would still function.
19 They have specific rules.

20 So I believe it's you cannot decrease
21 full by more than 20 percent, I believe is the
22 rule. So by taking our four acres and redirecting

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1 it to 61st Street, we may be decreasing the
2 hydraulics to that wetland by more than 20 percent.
3 If so, the County will not allow us to do that.

4 But it is an option that we would
5 definitely be willing to look into, run the numbers
6 on, and see if it functions properly that way. If
7 it doesn't, our hands are somewhat tied. We would
8 have to follow the existing drainage patterns. So
9 for that reason we would have to discharge that
10 water in that area.

11 Now, in doing that, I would like to say
12 one more thing. It's about 4.3 acres existing
13 runoff from the site. During peak storm events,
14 it's going to be roughly five cubic feet per
15 second. And I know that doesn't mean a lot for a
16 lot of people.

17 But under the proposed condition, we're
18 going to be controlling that water and releasing it
19 with a 2.9-inch restrictor. So it's a very small
20 hole opening in the pipe. So we're going to be
21 bringing the peak discharges from this site
22 currently from 5 CFS down to .43 CFS. So it's a

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1 significant reduction in peak flows off the
2 property, which is the purpose for providing the
3 detention in the first place, to accommodate the
4 additional purchased surfaces that cause additional
5 surfaces -- it causes more water to run off.

6 The detention pond in and of itself
7 stores that water and releases it at a controlled
8 rate, so they don't see a big flush of water down
9 the street and increase flows down the street.

10 So that's kind of the -- that's really
11 the whole thing. If anyone has questions on it, I
12 would be more than happy to clarify anything or
13 answer questions as the night goes on.

14 CHAIRMAN KOPP: That answers my question.

15 Do any of the commissioners have any
16 questions of this gentleman or the applicant.

17 COMMISSIONER KAUCKY: I do have a
18 question on the -- As far as the sump pump
19 discharge for all nine or ten properties, which
20 direction does that go in?

21 MR. SCHREINER: So all sump pumps would
22 discharge eventually into the stormwater facility.

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1 They would all be directed towards the detention
2 facility. So we do have some proposed storm sewers
3 that we will be installing within the right-of-way
4 at 61st Street to collect the runoff from the
5 roadway.

6 Those storm sewers will all be directed
7 into the detention basin. And then our sump pumps
8 where we're adjacent to that storm sewer will tie
9 into it so they flow directly into the basin. Or
10 they will be what we call bubbled. So there will
11 be pipes slightly away from the house, and then
12 they will bubble up through a PVC cap. And they
13 will bubble up and run through the swales that
14 we'll create with the lots which then get into the
15 detention basin.

16 COMMISSIONER KAUCKY: And those swales,
17 are they corrugated pipes that run through a
18 ravine? Are you going to have driveways in this
19 ravine? I'm trying to understand the setup. I'm
20 sorry.

21 MR. SCHREINER: Culvert pipes?

22 COMMISSIONER KAUCKY: Yes, is that part

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1 of this?

2 MR. SCHREINER: So we will not have
3 culvert pipes. The way we were able to grade the
4 frontage of the road by setting inlets along the
5 frontage of the road, we will be able to drain from
6 the driveways into the swale or ditch line along
7 the road and then we'll pick those up at various
8 points and direct that flow to the detention basin.

9 COMMISSIONER KAUCKY: Thank you.

10 MR. SCHREINER: You're welcome.

11 VICE-CHAIRMAN WAGNER: I have a question
12 concerning the east side of lot one. There appears
13 to be a six-foot wide something or other, which I
14 can't really read on my drawing. It's shown with
15 hatch lines. What is right there?

16 MR. SCHREINER: So these six feet from
17 the -- we hatched that because that area there with
18 the topo information we're using at the moment,
19 which is the County's GIS topography. So we
20 haven't done -- cleaned the site yet because of the
21 tree and shrub cover. Our client didn't want to
22 clear the site at this time until we got through

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1 some of these preliminary processes.

2 We need that site -- the undergrowth on
3 that site cleared in order to shoot the topography
4 there.

5 So what we have done for the concept
6 level drawings that you are looking at now is that
7 we've used the County GIS topography. We don't
8 have a lot of detailed information, ground shots
9 with that. We have found, it's been our
10 experience, that the GIS topography is very
11 accurate when it comes to the county foot lines,
12 the one-foot elevation intervals.

13 But we don't have individual spot
14 elevations everywhere. So our concern with that
15 and why we pointed that out on our plan was we felt
16 that that six feet of that lot may not be able to
17 make its way into the detention facility. So we
18 called it out on our plan that there's a six-foot
19 strip along the side of that property that may not
20 make it to the detention facility. Whether it
21 flows onto the adjacent lot in the north or if it
22 flows north and bypasses the detention, but the

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1 grades along that property line are too low to
2 bring it into the detention pond.

3 Now, having said that, our other
4 intention would be to pipe all of the downspots
5 from that particular lot. So all the runoff from
6 the hard surfaces would still get to the detention
7 pond. It would just strictly be that six-foot side
8 yard current swale alongside that wouldn't really
9 get there.

10 CHAIRMAN KOPP: Thank you.

11 UNIDENTIFIED SPEAKER: Can I ask a
12 question now?

13 CHAIRMAN KOPP: Not yet. Very shortly.

14 The village engineer, would you please
15 confirm that what he is -- do you agree with the
16 statements he has been making, particularly about
17 slowing the outflow as -- that there will be less
18 water flowing off the property than there is today.

19 MR. LYNCH: Sure. Thank you, Chairman
20 Kopp.

21 The purpose of the stormwater detention
22 is to slow the rate of the flow of water. So as

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1 Mr. Schreiner said, there's a certain flow rate
2 under existing conditions coming off of the
3 property. The purpose of the detention is to
4 collect that runoff, store it, and release it at a
5 slower rate, which is what they have proposed.

6 And they have got under the preliminary
7 plans 1.9 acre feet of stormwater volume to be
8 stored. So to give you just a bit of context to
9 that, one acre foot is one acre covered by one foot
10 of water. So they have got the equivalent of one
11 acre covered by 1.9 feet of water. So there's a
12 pretty substantial volume of water for the 4.3 acre
13 piece of property that's proposed to be subdivided.

14 CHAIRMAN KOPP: Okay. All right. So at
15 this point, we'll open it up to the public to ask
16 questions or make statements. Each person who
17 speaks will need to be sworn in.

18 We did have a person -- I would like to
19 have Mr. Rick Lapinski, he signed up to speak. I
20 would like to give him the opportunity to speak
21 first, but everyone will have an opportunity.

22 MR. LAPINSKI: They can go before. I

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1 don't care the order. I thought that was part of
2 the process.

3 CHAIRMAN KOPP: Okay.

4 MR. LAPINSKI: I don't care about order.
5 They may speak about what I'm going to anyway.

6 CHAIRMAN KOPP: Sir, you can go ahead,
7 and you'll need to step up to the podium and be
8 sworn in.

9 (Whereupon, Mr. O'Malley was
10 sworn in.)

11 MR. O'MALLEY: My question was is there
12 copies of this for anybody else besides the --

13 COMMISSIONER KAUCKY: You have to state
14 your name.

15 CHAIRMAN KOPP: Can you state your name
16 and let us know where you live?

17 MR. O'MALLEY: Bill O'Malley, 330 61st
18 Street. Anything else?

19 COMMISSIONER KAUCKY: No. Sorry.

20 MR. O'MALLEY: Okay. That's all right.
21 I missed it.

22 Are there copies of this that the, you

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1 know, members of the public can look at to see what
2 is going on with this?

3 CHAIRMAN KOPP: Yes, this is all
4 available on the website. Are you talking about
5 the drawings and?

6 MR. O'MALLEY: Yes. Okay.

7 CHAIRMAN KOPP: Yes, that's all -- It's
8 all available on the website.

9 MR. HOLMES: The application of the
10 reports are available as well.

11 MR. O'MALLEY: When the last gentleman
12 was up here, he was talking about well we think
13 we're going to try this and this is going to work.

14 What if it doesn't work? Is there any
15 kind of a provision for saying well we tried this
16 but it didn't really work out, so we need to fix
17 this problem? And who is going to fix the problem
18 if it comes out?

19 When they first -- When they first tried
20 to develop this property, they were going to put
21 six houses down there, not eleven. And so when
22 they came to the plan committee, they said, no, I'm

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1 sorry that's not going to work, why don't you come
2 back with another plan. And they came back with
3 five, and then the planning commission said, no,
4 that's not going to work either. And so the
5 builder just gave up on it.

6 Now, we're talking about putting ten
7 houses on eleven lots. I think that's just going
8 to add to the problem. I'm just wondering if
9 they're going to have some provision to deal with
10 this. This area of town was at one point R-1. And
11 then at some point it became R-2.

12 And then when they did this comprehensive
13 planning for the village, they stuck in this little
14 section, and they reduced this R-2 to 75 feet wide
15 so they could do this project and put all these
16 houses on there. And this water is going to be a
17 problem. And there's not a lot on there, but it
18 belongs to the person next to me. I'm at 330 61st
19 Street, so I'm one lot removed from that. But the
20 lot right next to me already collects a lot of
21 water. And it comes off of the project from the
22 last time they developed this area on 61st Street.

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1 It was Willow Way --

2 UNIDENTIFIED SPEAKER: Willow Wood.

3 MR. O'MALLEY: Willow Wood. But they
4 didn't have any kind of a water retention there, so
5 it all goes onto this lot. Now, you're going to
6 put all these ten houses -- ten houses more in this
7 area, and I just can't see that it's going to get
8 fixed. It's still going to be a problem. But how
9 about a contingency plan if it doesn't work for
10 water retention?

11 CHAIRMAN KOPP: Not -- I'm just speaking
12 for myself. I'm not necessarily for the Village.

13 But we have to trust the engineers. I'm
14 not an engineer. Both the village engineer and the
15 applicants' engineer make it sound like they have
16 over-engineered this project.

17 The reason this was -- The zoning was
18 changed -- Well, first of all, all properties in
19 Willowbrook were by default zoned R-1. The reason
20 this became R-2 is it seemed more consistent with
21 the community and several R-2 neighborhoods right
22 next to this property.

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1 Speaking -- I also -- I live just south
2 of 63rd Street. And when we first moved in, there
3 were major water problems including my side yard
4 would flood. The Village has always been very
5 aware of that. And they mainly have taken care of
6 our problem. So I can't guarantee anything, but
7 we -- well, I think this is a project that fits
8 into the neighborhood, and they are trying to
9 engineer it correctly. And the Village will
10 ultimately have to work to solve any problems if
11 anything comes up.

12 Would anybody else like to ask a question
13 or speak? You there in the back, sir?

14 (Whereupon, Mr. Jagielski
15 was sworn in.)

16 Mr. JAGIELSKI: Good evening. My name is
17 Bill Jagielski. I reside at 5875 Virginia right
18 off of Virginia Avenue and 59th Street. Okay.

19 And these gentlemen are talking about the
20 flow of water going north through this retention
21 pond that they're talking about. Do any of these
22 people here and any of you people included have any

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1 idea of the flooding that occurs on 59th Street as
2 of right now, other than that gentleman right there
3 that says he lives south of 63rd.

4 COMMISSIONER WALEC: (Indicating.)

5 MR. JAGIELSKI: You do?

6 MR. WALEC: Yes.

7 MR. JAGIELSKI: Do you live right in the
8 area --

9 COMMISSIONER WALEC: We're right in the
10 Knolls.

11 MR. JAGIELSKI: -- I'm talking about --

12 COMMISSIONER WALEC: I have to drive
13 through there.

14 MR. JAGIELSKI: There's times you can't
15 get through there.

16 COMMISSIONER WALEC: Correct.

17 MR. JAGIELSKI: My concern is they are
18 putting nine homes in this open area, which you
19 probably -- like this gentleman said there should
20 be no more than five.

21 Okay. The congestion that that's going
22 to cause, and the flooding it's going to cause in

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1 my neighborhood is going to be terrible.

2 Right now the Village of Willowbrook has
3 looked and there's a pipe that has been collapsed
4 across Virginia Avenue from one side to the other.

5 Okay. And my drain -- the drain that you guys have
6 for the village is right in front of our house.

7 That water floods so bad that if you can't handle
8 it, it comes all the way halfway up to my driveway.
9 And nothing has been done with this.

10 So my concern is this is going to cause
11 an issue in that area with all these homes being
12 put in there and the drainage is not correct the
13 first time. Thank you.

14 CHAIRMAN KOPP: Anyone else?

15 (Whereupon, Mr. Lapinski was
16 sworn in.)

17 MR. LAPINSKI: My name is Rick Lapinski,
18 and I live on Bentley Avenue.

19 I'm going to have to start with
20 disagreeing with the statement that this is going
21 to fit the neighborhood. It doesn't fit the
22 neighborhood. Okay.

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1 Jamming that many houses in -- and I'm
2 going to take a different angle than the water
3 angle.

4 On Bentley Avenue, there are at least --
5 I think I counted on my way over here.

6 -- 17 children. Right now no one is
7 currently living in that house, and she hasn't for
8 a very long time. The amount of traffic that is
9 going to increase on a road that does not have
10 sidewalks -- And we love it for that. Part of the
11 reason we moved there. It's a charming
12 neighborhood. Every house is different.

13 But when we come in and we're going to
14 just throw a bunch of houses in, they are going to
15 look the same, which doesn't look like the
16 neighborhood.

17 The traffic is a serious concern of mine
18 with young children. We love walking around the
19 block, as do many neighbors.

20 Bill, I never knew your name until now.
21 I see him walking every single morning. It's
22 quiet. It's peaceful. It's part of the reason

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1 that we moved here seven years ago.

2 To do something like this totally does
3 disrupt the neighborhood. Now, I'm not saying that
4 it has to stay one or two houses. I understand
5 that. But the transparency of this entire process
6 has been lacking, in my opinion. Okay.

7 And I say that because this house has
8 been on the lot -- or for sale for 176 days. I
9 checked on my way in. The rezoning -- And I talked
10 to Michael over the phone. And he said that we
11 were rezoning a bunch of -- the whole village
12 and -- we had a whole village outlay. I understand
13 that.

14 But the timing of it just seems far too
15 coincidental for a project like this to come
16 through and the maximized use of that property
17 given the lots that are available now because of
18 that R-2 rating. Okay. It just kind of seems --
19 if it smells fishy, oftentimes it feels like it is.
20 I'm not making any accusations. It just seems very
21 very coincidental that that happens to be the case.

22 So it's problematic for a number of

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1 reasons; given the traffic, given all of a sudden
2 rezoning in January when this went up to sale prior
3 to that. And everybody may not be privy to that
4 information, and I thought it was important to
5 know. Thank you.

6 CHAIRMAN KOPP: Anyone else in the
7 audience?

8 MS. NAVARRA: Yes.

9 (Whereupon, Ms. Navarra was
10 sworn in.)

11 MS. NAVARRA: My name is Lauren Navarra,
12 and I live directly next to where the Del Sartos
13 lived, so 6023 Bentley.

14 My main concern is I have water already
15 in -- my property goes back 625 feet. Way way
16 back, probably at about 400 feet or so, there's
17 always water there.

18 I mean, Sharon you have that, I think,
19 right? Always water now.

20 So how is that -- Is it called retention
21 or detention pond?

22 MR. HOLMES: Detention.

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1 MS. NAVARRA: So that will be right next
2 to me. I'm right next to this whole -- wherever
3 this starts. So it doesn't seem like -- I mean, is
4 that going to actually help that situation or not?

5 MR. HOLMES: He have --

6 MR. LYNCH: The area of the back that's
7 always wet is part of the wetlands. That's on the
8 property that's proposed to be developed, and it
9 extends onto what would be your property as well as
10 properties to the east.

11 MS. NAVARRA: And where do you access
12 that? You said there's an area with an easy
13 access? How would you access that from -- so 61st
14 Street.

15 VICE-CHAIRMAN WAGNER: Right there.
16 (Indicating.) That's a 15-foot wide access to this
17 detention area.

18 MS. NAVARRA: So where you're pointing
19 isn't that on my side -- on my property there?

20 VICE-CHAIRMAN WAGNER: I believe what
21 you're describing is your property is right there.

22 MS. NAVARRA: Yes. So you're accessing

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1 that where you have to do anything with that along
2 like my property line, right?

3 MR. KROL: It's along the property line.

4 It's not over your property line.

5 MS. NAVARRA: And also the property
6 that's right next door where there's the existing
7 home, there's a huge pond there that is just pretty
8 much a mosquito factory. So what is going to
9 happen with that pond?

10 MR. SCHREINER: That will be filled.

11 MS. NAVARRA: Filled. Because it
12 seems -- It's just there for no apparent reason
13 right now; isn't it? I mean, I'm -- the main
14 concern is all the water and what's going to happen
15 to -- how many?

16 -- seven across their homes is where it
17 all goes. I don't know, this seems a little much.

18 Like Rick was saying, I agree with
19 everything he was saying too. But that was my main
20 comments about how is that pond in the newer
21 development going to help the situation. So I
22 don't know if you have any answers to that.

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1 MR. LYNCH: Well, with respect to the
2 existing pond, that's, as Mr. Schreiner said, would
3 be filled in. And that will become part of their
4 detention area. And the existing wetland is to be
5 maintained as it is under environmental regulations
6 overseen by DuPage County.

7 MS. NAVARRA: I see.

8 MR. LYNCH: We as a Village are bound to
9 follow those regulations.

10 MS. NAVARRA: All right. Thank you very
11 much.

12 CHAIRMAN KOPP: Was there a gentleman
13 over here?

14 (Whereupon, Mr. Laniosz
15 was sworn in.)

16 MR. LANIOSZ: I'm Peter Laniosz, 6038
17 Bentley Avenue. I'm right across the street of
18 Bentley's corner house.

19 Does this all fit within the R-2 zoning?

20 MR. KROL: Yes, it does.

21 MR. LANIOSZ: There's no variances on
22 this?

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1 MR. KROL: Not -- the only variation
2 requested is that the lot eleven stormwater
3 management is -- doesn't front a street. It's just
4 an access easement, but there's no variation to any
5 of the setbacks, lot sizes, etc.

6 MR. LANIOSZ: Is it true that a variance
7 cannot be caused by the homeowner; you can't create
8 your own hardship?

9 MR. KROL: No.

10 CHAIRMAN KOPP: Correct.

11 MR. HOLMES: That is true.

12 MR. KROL: That is standard for the plan
13 commission to consider.

14 MR. LANIOSZ: Okay.

15 CHAIRMAN KOPP: Anyone else?

16 Michael, is there anyone on Zoom?

17 MR. KROL: There is. I will check right
18 now. There is Margaret's iPad. If you are willing
19 to make a statement, now is your opportunity. You
20 could unmute yourself.

21 CHAIRMAN KOPP: All right.

22 MR. KROL: I'm sharing the screen.

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1 CHAIRMAN KOPP: Okay, next.

2 (Whereupon, Mr. Lenc
3 was sworn in.)

4 MR. LENC: Joe Lenc, 6001 Bentley. I
5 live to the north. And the question I had is when
6 we built our houses, we went through our one --
7 R-1A. And we had to get variances and pay for
8 variances to get to R-1A off of R-1. R-1 was a
9 minimum lot width of a hundred feet.

10 So why did it go to R-2 and with no
11 meeting, no zoning, no asking of the neighbors of
12 what's going on.

13 VICE-CHAIRMAN WAGNER: Sir, the Village
14 of Willowbrook undertook a rewrite of our entire
15 zoning ordinance. It took approximately a year.

16 There were multiple public meetings. I
17 was the liaison from the plan commission to work
18 with the committee, and we had multiple meetings of
19 the plan commission and the full board. They were
20 all public meetings.

21 And we went through this entire ordinance
22 word by word for over a year working with the

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1 staff, working with the people that wrote the
2 ordinance. And so there's nothing that has
3 changed, if you will, out of sight of the public.
4 This has been public meetings for months.

5 MR. LENCI: Has anyone gotten a letter
6 saying my zoning changed from R-1A to R-2? I never
7 got a letter saying it.

8 VICE-CHAIRMAN WAGNER: I don't believe
9 there were individual letters. The attorney could
10 probably answer that question, but it was certainly
11 public notice.

12 MR. KROL: If I could, Vice-Chairman
13 Wagner, anyone's -- any single property that was
14 rezoned as part of this zoning code update, a
15 mailer was sent out.

16 MR. LENCI: Are you telling me I'm R-2
17 right now, but I never got a letter, I never got a
18 statement.

19 MR. KROL: I would have to look.

20 MR. LENCI: Did anybody get a letter
21 saying they were R-2?

22 UNIDENTIFIED SPEAKER: No.

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1 UNIDENTIFIED SPEAKER: No.

2 MR. O'MALLEY: I got one.

3 UNIDENTIFIED SPEAKER: I didn't get one.

4 I would have gone to it.

5 MR. LENC: And the whole reason for our
6 block living there is we went from R-1, which is
7 100 lot minimum width, to R-1A with the side
8 setbacks and had variances there. Which when we
9 built, we all had to pay for that and get the
10 variances to do that and see how it fit because the
11 lot sizes are odd. They're basically 80 by 630.
12 So they're all basically bowling alley lots.

13 So that's all. I just never got anything
14 saying that I'm now R-2. Thank you.

15 MR. O'MALLEY: It's a new way of doing
16 business.

17 CHAIRMAN KOPP: All right. Anybody else?
18 Way in the back there.

19 (Whereupon, Mr. Lawrence was
20 sworn in.)

21 MR. LAWRENCE: Justin Paul Lawrence,
22 324 61st Street, three doors down from the

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1 property.

2 At the risk of alienating any of my
3 neighbors, I wanted to say that I'm pretty
4 impressed that there's all this stormwater
5 management. My fears when I heard that there was
6 not going to be -- one lot that was going to be no
7 access, it was going to be a cul-de-sac. And
8 it's -- the stormwater management looks, though,
9 scary because that's a lot of water, it does look
10 adequate. And I appreciate the engineer talking
11 about how -- on the flow rate changing. And I
12 would hope especially with the prairie plants that
13 it will add to the character of the neighborhood.
14 I wouldn't mind some of the prairie blowing in my
15 own lawn. I think that's very helpful. I
16 appreciate the work that has gone into this. I
17 really hope that the engineers are correct, and it
18 doesn't cause the problems for our neighborhood.

19 I thank you, Plan Commission, for putting
20 together what you've done for this. I just want to
21 say I'm trusting you all, so I hope that it goes
22 well. But I really enjoyed this discussion

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1 tonight, and I'm very excited that there's an
2 adequate stormwater plan. So thank you.

3 CHAIRMAN KOPP: All right. Is that it?
4 So the applicant now has the chance if they would
5 like to respond to any of the questions or to make
6 any final statement.

7 MR. HARDEK: Subject to any further
8 questions, the only thing on behalf of the
9 applicant that I want to be clear about is that
10 this is in your R-2 District.

11 The lots themselves meet all the
12 requirements of the R-2 District. And I think the
13 existing home there would be renovated, and I think
14 that gives rise to the need to bring access to the
15 stormwater area, which is significant there and
16 will have natural grasses. So at times when we
17 don't have storms, it should flow into the
18 wetlands.

19 But we believe under your code and with
20 the consultation with your engineers along with the
21 County, that we met all the requirements and hope
22 that you'll approve the Preliminary Plat of

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1 Subdivision that has been applied for. Subject to
2 any other questions, we're here to answer them, we
3 thank you for your time.

4 CHAIRMAN KOPP: Would someone make a
5 motion to close the public hearing, the Zoning Case
6 23-01.

7 COMMISSIONER WALEC: I'll make that
8 motion.

9 COMMISSIONER KACZMAREK: I'll second it.

10 CHAIRMAN KOPP: I'll ask the plan
11 commission secretary to call a vote.

12 MR. KROL: Commissioner Kanaverskis?

13 COMMISSIONER KANAVERSKIS: Yes.

14 MR. KROL: Commissioner Kaczmarek?

15 COMMISSIONER KACZMAREK: Yes.

16 MR. KROL: Commissioner Kaucky?

17 COMMISSIONER KAUCKY: Yes.

18 MR. KROL: Commissioner Walec?

19 COMMISSIONER WALEC: Yes.

20 MR. KROL: Vice-Chairman Wagner?

21 VICE-CHAIRMAN WAGNER: Yes.

22 MR. KROL: Chairman Kopp?

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1 | CHAIRMAN KOPP: Yes.

2 So as far as the discussion on this
3 matter, I am in favor of this project. I do trust
4 the engineers. This is now zoned R-2. That's
5 within the R-2. The variation is really meant to
6 create a benefit, it seems to me, to have this
7 pretty large lot behind the smaller lots.

8 So that's my point of discussion about
9 this project. I don't know if any of the other
10 commissioners would like to make any statements.

16 CHAIRMAN KOPP: All right. If no more
17 commissioners have anything else to say?

18 (No response.)

19 Will someone make a motion that based on
20 the submitted petition and testimony presented, I
21 move that the Plan Commission recommend to the
22 Village Board approval of the proposed Preliminary

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1 Plat for 6031 and 6037 Bentley Avenue in
2 Willowbrook, Illinois, for a major subdivision for
3 a lot line adjustment to re-subdivide two single
4 family residential vacant parcels into eleven
5 parcels, ten single family residential buildable
6 lots and one stormwater and wetland easement lot
7 and the approval of the variation from
8 Section 9-11-11 "L" Definitions of the Village of
9 Willowbrook Unified Development Ordinance to allow
10 a lot with no street frontage.

11 Would someone make that motion?

12 COMMISSIONER KAUCKY: So moved.

13 CHAIRMAN KOPP: Will someone second?

14 COMMISSIONER KANAVERSKIS: I'll second

15 that.

16 CHAIRMAN KOPP: I would ask the plan
17 commission secretary to call the vote.

18 MR. KROL: Commissioner Kanaverskis?

19 COMMISSIONER KANAVERSKIS: Yes.

20 MR. KROL: Commissioner Kaczmarek?

21 COMMISSIONER KACZMAREK: Yes.

22 MR. KROL: Commissioner Kaucky?

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1 COMMISSIONER KAUCKY: Yes.

2 MR. KROL: Commissioner Walec?

3 COMMISSIONER WALEC: Yes.

4 MR. KROL: Vice-Chairman Wagner?

5 VICE-CHAIRMAN WAGNER: Yes.

6 MR. KROL: Chairman Kopp?

7 CHAIRMAN KOPP: Yes.

8 So that concludes that matter in that
9 case.

10 The next item you all are free to leave.

11 CHAIRMAN KOPP: Is there any other
12 business?

13 (No response.)

14 CHAIRMAN KOPP: Not hearing anything.

15 All right. Would someone make a motion to adjourn?

16 VICE-CHAIRMAN WAGNER: So moved.

17 COMMISSIONER WALEC: Second.

18 CHAIRMAN KOPP: Would the plan commission
19 secretary call the vote.

20 MR. KROL: Commissioner Kanaverskis?

21 COMMISSIONER KANAVERSKIS: Yes.

22 MR. KROL: Commissioner Kaczmarek?

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1 COMMISSIONER KACZMAREK: Yes.

2 MR. KROL: Commissioner Kaucky.

3 COMMISSIONER KAUCKY: Yes.

4 MR. KROL: Commissioner Walec?

5 COMMISSIONER WALEC: Yes.

6 MR. KROL: Vice-Chairman Wagner?

7 VICE-CHAIRMAN WAGNER: Yes.

8 MR. KROL: Chairman Kopp?

9 CHAIRMAN KOPP: Yes.

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1 STATE OF ILLINOIS)
2) SS.
COUNTY OF K A N E)

3

4 I, DONNA L. WATWOOD, being first duly
5 sworn on oath says that she is a certified
6 shorthand reporter doing business in the County of
7 Kane and State of Illinois; that she reported in
8 shorthand the testimony given at said hearing
9 aforesaid; that the foregoing is a true and correct
10 transcript of her shorthand notes so taken as
11 aforesaid, and contains all the testimony so given
12 at said hearing.

Donna L. Watwood



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14

15

16

Donna L. Watwood
Kane County, Illinois
CSR# 084-003686.

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