



The regular Plan Commission meeting was called to order in the Village Hall at 7:30 p.m. on October 27, 2008 by Chairman Bob Smith. Roll Call was taken showing the following as being present: Commissioners Jim Tilley, Mac Sutton, Bill Grant, Joshua Cossiboon, Mike Torres and Charles Jackson. Also present were President Carey and Trustees Richard Stramaglia, Stephanie Mette, and Greg Marston; Scott Hartman, Village Manager; Dean Frieders, Village Attorney; Jeremy Lin, Village Engineer; Michelle Figuerola, Village Clerk and Chief Lussky of the Pingree Grove Police Department. A quorum was present.

***Approval of the Minutes:***

Motion: To approve the June 23<sup>rd</sup>, June 30<sup>th</sup>, July 7<sup>th</sup>, August 18<sup>th</sup> and October 20<sup>th</sup>, 2008 Special Plan Commission minutes.  
Maker: Bill Grant, second by Charles Jackson  
Vote: All in favor, none opposed, motion passed

***Public Hearing:***

Chairman Smith opened the public hearing regarding the application for a zoning variance regarding NKEC. All people that spoke were sworn in to tell the truth. Attorney Frieders spoke about the variance request, and the factors that affect the decision. Mr. Hartman stated that NKEC was being represented by Stacey Ruiz. NKEC was seeking a variation to the ordinance allowing three temporary storage units on site. Ms. Ruiz apologized that Mr. Fuhrer was out of town, and could not make the meeting. Ken Cameron from the ROE should have sent out a letter in support of the containers, however, the Village staff did not receive that letter. The storage containers are being used to store tables, chairs, school supplies, Science items, lawn care items and sports and recreation equipment. Ms. Ruiz stated the containers are needed during the construction period. Mr. Hartman stated that there were no letters received in support or opposition regarding the zoning variance.

Motion: To close the public hearing regarding the application for a zoning variance for NKEC  
Maker: Mac Sutton, second by Mike Torres  
Vote: All in favor, none opposed, motion passed

Commissioner Jackson stated that the variance, if approved, would be for 2 years. He asked if there is a concrete plan to continue construction, so that they avoid coming back to the Plan Commission requesting the same variance in two years. Ms. Ruiz stated that there is a concrete plan, however the housing market has slowed progress down and delays the construction. Mr. Hartman asked if there is an estimated time schedule. Ms. Ruiz stated that she hoped that they would be able to move forward with the construction. Commissioner Torres would have liked to have seen this taken care of earlier in the planning stage. He liked the idea of the containers being fenced in as long as it is aesthetically pleasing. Attorney Frieders stated the petitioner has not agreed to fencing, however, the Village staff can recommend that in the findings of fact. Commissioner Jackson asked Ms. Ruiz if she knew that this variance existed, however, she could not answer for Mr. Fuhrer. Mr. Hartman spoke with Mr. Fuhrer in July, however, the application was not completed in time for the August meeting, which is the reason it came before the Plan Commission in October. Commissioner Tilley asked if the storage units were locked, Ms. Ruiz said yes. Commissioner Tilley stated that the homeowners association does not allow sheds, and it may not be appropriate to change the rules for anyone else. Commissioner Grant stated that the type of screening needed for the units would be too large.

**Motion:** To adopt the report and findings of fact and recommendation to permit three temporary storage units subject to fencing or screening requirements to remain on site for a period of two years subject to certain conditions and approval of the findings of fact to be authorized at a later date consistent with the commission's findings

**Maker:** Mike Torres, second by Mac Sutton

**Vote:** M. Torres, aye; M. Sutton, aye; B. Smith, aye; J. Tilley, nay; B. Grant, nay; C. Jackson, nay; J. Cossiboon, nay  
3 ayes, 4 nay, motion failed

**Motion:** To recommend denial of the application to be offered by the Plan Commission Chairman from the findings of fact as presented

**Maker:** Charles Jackson, second by Bill Grant

**Vote:** C. Jackson, aye; B. Grant, aye; B. Smith, nay; M. Sutton, nay; J. Tilley, aye; M. Torres, nay; J. Cossiboon, nay  
3 ayes, 4 nay, motion failed

***Adjournment of the Plan Commission Meeting:***

**Motion:** To adjourn the regular meeting at 8:05 p.m.

**Maker:** Charles Jackson, second by Mac Sutton

**Vote:** All in favor, none opposed, motion passed

**Motion:** To reconvene the regular Plan Commission meeting at 8:07 p.m.  
**Maker:** Charles Jackson, second by Joshua Cossiboon  
**Vote:** All in favor, none opposed, motion passed

Attorney Frieders stated that the Plan Commission could authorize the Chairman to approve the findings of fact from the hearing to give the Board an understanding of what had occurred.

**Motion:** To approve the findings of fact with no recommendation to the Village Board  
**Maker:** Mike Torres, second by Charles Jackson  
**Vote:** M. Torres, aye; Charles Jackson, aye; B. Smith, aye; M. Sutton, aye; J. Tilley, nay; B. Grant, nay; J. Cossiboon, aye  
5 ayes, 2 nay, motion passed

***Adjournment of the Plan Commission Meeting:***

**Motion:** To adjourn the regular meeting at 8:05 p.m.  
**Maker:** Mac Sutton second by Charles Jackson  
**Vote:** All in favor, none opposed, motion passed

Respectfully Submitted:

*Michelle Figuerola*

Michelle Figuerola, Village Clerk