



# VILLAGE OF PALATINE

VILLAGE HALL - COUNCIL CHAMBERS 200 E. WOOD STREET  
PALATINE, IL 60067-5339 – (847) 359-9050  
<http://www.palatine.il.us>

## ZONING BOARD OF APPEALS MINUTES • MARCH 28, 2023

Village Hall - Council Chambers

Regular Meeting

7:00 PM

### I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Cindy Roth-Wurster	Commissioner	Absent	
Jan Wood	Commissioner	Present	
Jerry Luszczak	Commissioner	Absent	
Theodore McGinn	Commissioner	Present	
Kevin Cavanaugh	Commissioner	Present	
John Pirog	Commissioner	Present	

Staff present: Mr. Alex Bradshaw

### II. MINUTES APPROVAL

1. Zoning Board of Appeals - Regular Meeting - Mar 14, 2023 7:00 PM

**Mr. Cavanaugh made a motion to approve the minutes of March 14, 2023; seconded by Mr. McGinn**

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kevin Cavanaugh, Commissioner
<b>SECONDER:</b>	Theodore McGinn, Commissioner
<b>AYES:</b>	Wood, McGinn, Cavanaugh, Pirog
<b>ABSENT:</b>	Roth-Wurster, Luszczak

**III. PUBLIC HEARING**

## 1. 940 S. Mallard Court

Notice was published in the Daily Herald on March 13, 2023 and mailed to the owners of the surrounding properties.

**Petitioner's Exhibits:**

1. Application for Special Use
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Floor Plan
6. Elevations
7. Public Notice

**Sworn in staff: Mr. Alex Bradshaw****Sworn in the petitioner: Mr. Daniel O'Toole 940 S. Mallard Ct**

Mr. O'Toole stated they have been in the house for 6 years and married for 12. He stated after 5-6 years they have decided to make their forever home they want to have a 3 season porch off the side of the house and an addition off existing kitchen. Mr. O'Toole explained they will be changing the layout to update the floor plan.

Mr. McGinn asked if they spoke to the neighbors.  
Mr. O'Toole answered yes, and everyone seems to be on board.

Mr. Pirog asked if there is flooding issues.  
Mr. O'Toole answered no, not aware of any.

Mr. Cavanaugh asked if there was fencing.  
Mr. O'Toole answered yes in the back and have plans to remove because it is worn.

Ms. Wood asked if they need the size requested.  
Mr. O'Toole explained that the requested size is to accommodate the new floor plan, pointing out the new family room addition is approx. size of existing family room.

Mr. Pirog asked if the patio is existing.  
Mr. O'Toole answered no. He explained the architect included patio because they spoke about it, but the patio is not part of the project.

Ms. Wood clarified it will be a 3 season room.  
Mr. O'Toole answered yes. He stated the original home owner had one in almost the same location.

Mr. Bradshaw gave a brief overview stating the subject property is zoned R-1B single family consisting of a two story home that is legally non-conforming to the required 35ft side yard setback with an existing setback of 29ft. He stated any addition to the structure would require zoning relief. He stated both building and lot coverage are well under the maximum percentage allowed. Mr. Bradshaw pointed out the request is similar to a special use that was granted for the neighboring property at 936 S. Mallard Ct. He stated upon staff review two other lots on Mallard Ct that have comparable rear yard setbacks. Mr. Bradshaw stated Community Services and Engineering have reviewed and no issues that were identified.

**STAFF RECOMMENDATION:**

The Petitioner is proposing to construct a home addition off the rear of their existing residence. The Subject Property is existing legally non-conforming to the required side yard abutting a street setback, and could not expand the existing home in any way, without some form of zoning relief. Additionally, as comparable setback relief was recently granted to a property two lots away (936 S. Mallard Ct), and no issues were identified by either Community Services or Engineering, the proposal should not cause any substantial injury to the value of the other properties in the surrounding neighborhood. Therefore, Staff recommends approval of the requested Special Use, subject to the following condition:

1. The Special Use shall substantially conform to the Site Plan and Elevations submitted by the Petitioner, Dan O'Toole, except as such plans may be changed to conform to the Village's Codes and Ordinances.

There were no further questions. The public hearing was closed.

**Mr. Cavanaugh made a motion to approve subject staff's conditions; seconded by Mr. McGinn**

**DELIBERATIONS:**

Mr. Cavanaugh pointed out the cul-de-sac has unique shaped lots and being on a corner creates new issues. He stated it is a very unique circumstance and in line with the neighborhood.

Ms. Wood stated she sees no injury to value of the surrounding properties. She stated there are similar properties and makes sense with the configuration of this property. Ms. Wood stated it is not too far into setbacks and looks like it will be done in nice way. She stated it meets the standards.

**Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 4-0. This item will tentatively go to Village Council on April 10, 2023.**

<b>RESULT:</b>	<b>RECOMMENDED TO APPROVE [UNANIMOUS]</b>
<b>MOVER:</b>	Kevin Cavanaugh, Commissioner
<b>SECONDER:</b>	Theodore McGinn, Commissioner
<b>AYES:</b>	Wood, McGinn, Cavanaugh, Pirog
<b>ABSENT:</b>	Roth-Wurster, Luszczak

2. 787 E. Dundee Road

Notice was published in the Daily Herald on March 13, 2023 and mailed to the owners of the surrounding properties.

**Petitioner's Exhibits:**

1. Application for Special Use
2. Proof of Ownership
3. Plat of Survey
4. Business Plan
5. Floor Plan
6. Public Notice

**Sworn in petitioner: Mr. Jim DeBruzzi, CFO of Bright Direction Dental, 318 W. Adams Chicago, IL**

Mr. DeBruzzi stated they have space leased to open a new concept dental facility. He explained it will be dedicated to cleaning, teeth whitening, and clear aligners. He stated it will be a state of the art facility.

Ms. Wood asked what they would do if their customers needed additional services.

Mr. DeBruzzi explained they currently operate several dental offices in the general area where they can be referred to internally.

Ms. Wood asked how many patients will be seen at one time.

Mr. DeBruzzi stated approx. seven at a time depending on scheduling.

Ms. Wood asked about hours.

Mr. DeBruzzi explained they will start of 8-5 Monday, Tuesday, Thursday, Friday and possibly Saturdays.

Mr. Pirog asked what is meant by state of the art.

Mr. DeBruzzi explained they use AI technology.

Ms. Wood read into record the exhibits.

Mr. Bradshaw gave a brief overview stating the subject property is zoned P - planned development and is located within the Deer Grove Centre. He pointed out the other tenants being mixed with Starbucks, Poke Bros, AT&T, Jersey Mikes and Chipotle. He spoke to the hours that will be finalized closer to opening. Mr. Bradshaw spoke to the business plan that includes 5 employees with plans to hire additional with needed. He stated the proposed use would be the same as when the parking variation was granted in 2014 and there is additional overflow parking available to the south. Mr. Bradshaw stated Community Services reviewed and made note to address any parking concerns employees should be encouraged to park in the adjacent shared lot to the south. He stated

Engineering reviewed and no issues were identified.

Ms. Wood asked if it was previously a dental office.

Mr. Bradshaw explained it was previously approved for a medical office that never opened.

Ms. Wood asked if staff is aware of any issues with parking.

Mr. Bradshaw answered no, and staff believes that the varying peak hours of businesses allow for plenty of parking.

**STAFF RECOMMENDATION:**

The Petitioner is proposing to open a Dental Office at the Subject Property. The tenant space was previously approved for a medical use, and there are no plans to expand the current space. Additionally, Staff believes that with the tenant mix and complementary peak hours of the different business there should be adequate parking to allow the shopping center and parking area to function properly. Ultimately, the proposed use should not cause any injury to the value of the other properties in the neighborhood. Therefore, Staff recommends approval of the Special Use, subject to the following condition:

1. The Special Use shall substantially conform to the Business Plan and Floor Plan submitted by the Petitioner, Ryan Griffith, except as such plans may be changed to conform to the Village Codes and Ordinances

There were no further questions. The public hearing was closed.

**Mr. McGinn made a motion to approve subject staff's conditions; seconded by Mr. Cavanaugh**

**DELIBERATIONS:**

Mr. McGinn stated the evidence presented is good and will be operated in a manner that won't affect the public health safety and welfare. He stated it will be a good value to neighbors. He stated his only concern was parking but that has been addressed.

Mr. Cavanaugh stated parking would be the only real issue and this use requires less than other potential uses.

Ms. Wood stated parking is always a concern but this makes sense.

**Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 4-0. This item will tentatively go to Village Council on April 10, 2023.**

<b>RESULT:</b>	<b>RECOMMENDED TO APPROVE [UNANIMOUS]</b>
<b>MOVER:</b>	Theodore McGinn, Commissioner
<b>SECONDER:</b>	Kevin Cavanaugh, Commissioner
<b>AYES:</b>	Wood, McGinn, Cavanaugh, Pirog
<b>ABSENT:</b>	Roth-Wurster, Luszczak

## 3. 415 S. Creekside Drive

Notice was published in the Daily Herald on March 13, 2023 and mailed to the owners of the surrounding properties.

**Petitioner's Exhibits:**

1. Application for Special Use
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Floor Plan
6. Business Plan
7. Parking Lease Letter of Intent
8. Public Notice

**Sworn in petitioner: Mr. Bruce Slivnick, attorney, 707 Lake Cook Road suite 316 Deerfield, IL**  
**Mr. Sergio Zabrian, owner, 2234 Langdon Pl Hoffman Estates, IL**  
**Mr. Thomas Michael, architect, 5259 W. Winona St Chicago, IL**

Mr. Michael stated the current site is B-2 general business use so needs a special use for a daycare. He stated it is well situated being adjacent to residential and close by businesses. He stated the proximity to Route 53 and Northwest Highway is good for commuting parents. Mr. Michael stated the site was developed for office use which leaves little parking possibility for on-site expansion. He stated the daycare would be categorized as assembly space requiring 41 spaces. He stated the past approved daycare projects used the 1 space per 300 sq.ft. parking schedule and is closer to the needs of a daycare which equates to 31 spaces. Mr. Michael stated with staggered pick-up and drop-off times this number is not expected to be reached at any time. He stated they foresee the max being 26 which is the proposed layout. He pointed out there will be additional parking provided at the adjacent senior center for employees, and an access gate and new concrete walkway are proposed at the northeast corner of the site parking lot providing access to offsite parking. He stated a tentative agreement with management has already been reached and they have expressed enthusiasm with potential intergenerational interaction with residents and daycare. Mr. Michael stated they believe the Bumblebee Academy will be a good positive use and a benefit to the neighborhood.

Mr. Pirog asked if they would have events where parents would stay.

Mr. Zabrian stated additional parking could be arranged with retirement home who is willing to allow use of their lot.

Ms. Wood asked what the maximum amount of children and ages is.

Mr. Zabrian stated they expect 120 children and 15 staff. He explained it will be divided into 7 groups from infants (6weeks) up to 6 years.

Ms. Wood asked about the hours.  
Mr. Zabrian stated 6:30am-6pm.

Ms. Wood asked why not have a drop-off.  
Mr. Zabrian stated there is no real reason but looking at doing a one way drive where they can stop in front parking spaces and run child to door.  
Mr. Michael explained it is more of a security issue for parents to not bring to door. They expect the parent to drop in reception area where designated staff member will be waiting to direct kids to classroom. He stated the drop-off times will be staggered.

Ms. Wood asked if there would be designated class times.  
Mr. Zabrian explained some children will not be there the full day alleviating the need for parking. He stated the peak times are addressed in the parking schedule.  
Mr. Michael stated the main drop offs will be between 6:30-8am with breakfast being around 8:30am. He stated the other main times would be after class around 3:00pm  
Mr. Zabrian peak times of drop offs is 8:15-8:30am and pickup 5:45-6:00pm

Ms. Wood asked about preschool times.  
Mr. Zabrian answered no, at this time we would be offering only all-day daycare.

Mr. Bradshaw gave a brief overview stating the petitioner is proposing to open a new day care which would occupy the entire existing building. He stated they would have a fenced in outdoor play area on the south side of the existing building. He explained a special use is required for a day care to be in the B-2 zoning district and the variation is to permit 26 parking spaces instead of the minimum required 41. Mr. Bradshaw spoke to the business plan which includes 7 classrooms and indoor and outdoor play area offering childcare services for 6weeks- 6 years old and will hire fully licensed certified early educated teachers. He stated they will hire catering service instead of cooking on site and will have at least one staff with food protections handler certification. Mr. Bradshaw spoke to staffs concern of the original proposed location of the outside play area and additional parking. He stated both have been addressed in the new proposed plans with the play area being to the south and the additional parking being adjacent in the senior care facility. Mr. Bradshaw stated the drive aisle to the west will be one way going north to south. He stated staff has reviewed other day care parking usage and have determined the proposed with the additional off site parking is comparable to other sites within the village referring to the slide to show comparison to Dreamers and Children's Land. He stated Community Services and Engineering have reviewed and had no issues identified. He stated Environmental Health has reviewed and wanted the petitioner to be aware that a permanent food establishment permit will be required and any use of catering services will be reviewed during the permit review.

Ms. Wood stated it seems comparable to Children's Land not Dreamers.  
Mr. Bradshaw explained it is comparable by the way the lots are laid out than

ratio of total parking and total occupancy. He stated both were planned developments so are not adhering to a strict parking count.

Ms. Wood asked if there have been any parking complaints for the for the two existing day care facilities.

Mr. Bradshaw stated not that staff is aware in regards to parking.

Mr. Pirog pointed out most spots are across the street. He asked if pedestrian crosswalks will be added.

Mr. Bradshaw stated no parking is currently proposed across the street. He referred to site plan slide to show the proposed spaces including 26 on site spaces which will be restriped for clarity.

Ms. Wood asked how far the play area is to the residential.

Mr. Bradshaw stated the previous plan was up to the property line with no buffer. Discussion on new proposed location.

Mr. Pirog asked if the only entrance for drop-offs is on Northside.

Mr. Bradshaw stated there is two way access to the parking lot on Northside.

Discussion on maneuverability if the lot is full.

Ms. Wood asked what was in the building.

Mr. Bradshaw stated traditional office uses.

#### **STAFF RECOMMENDATION:**

The Petitioners are proposing to utilize the entire building at 415 S. Creekside for the day care facility. The Petitioners have worked extensively with Staff to address the parking short comings of the site by relocating the outdoor play area and leasing 5 additional spaces from the directly adjacent Grand at Twin Lakes Senior Living Facility. The relocated and completely fenced-in outdoor play area is not directly adjacent to the multi-family residential building to the north, and should therefore not cause substantial injury to the value of the other properties in the surrounding neighborhood.

In addition, the 5 extra parking spaces, leased from the Grand at Twin Lakes, are proposed to be utilized by employees. These additional spaces should alleviate potential parking issues during peak drop-off and pick-up hours. Ultimately, as the directly adjacent neighbor, the Grand, is amendable to leasing parking spaces and as the proposed traffic pattern and parking issues have been adequately addressed, the proposed use should not alter the essential character of the locality. Therefore, Staff recommends approval of the Special Use and Variation, subject to the following conditions:

- The Special Use and Variation shall substantially conform to the Site Plan, Business Plan, and Floor Plan submitted by the Petitioners, Raisa & Sergiu Zabrian, except as such plans may be changed to conform to Village Codes and

Ordinances.

- A lease agreement to utilize gate access to 5 off-site parking spaces located in the northern corner of The Grand at Twin Lakes' parking lot shall be submitted in a manner acceptable to the Director of Planning and Zoning and the Village Attorney.
- Any final traffic directional signage or pavement markings for the one-way drive aisle, or pick-up and drop-off locations, shall be submitted in a manner acceptable to the Village Engineer.
- The final fencing plan for the outdoor playground shall be submitted in a manner acceptable to the Director of Planning and Zoning.
- The maximum occupancy shall not exceed 135 persons. The Fire Marshal shall post the maximum occupancy.
- The final certificate of occupancy will be contingent upon approval by DCFS.

There were no further questions. The public hearing was closed.

**Mr. Pirog made a motion to approve subject staff's conditions; seconded by Mr. Cavanaugh**

**DELIBERATIONS:**

Mr. Pirog stated he was only worried about safety, but staff has worked with the petitioner to make safe. He stated it meets the standards and will be good for Palatine and looks like they have solid plan.

Mr. Cavanaugh stated his only concern was parking but thinks the petitioner and architect did a good job with the shape of the property.

Ms. Wood stated it is an overall good plan. She stated childcare is in demand and the location is good and will complement the area. She stated moving the play area and adjusting the parking was a good idea to make it a successful operation and conform to the standards to operate with the public health safety and welfare. Ms. Wood stated they addressed the variation based on the type of business that will run there.

**Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 4-0. This item will tentatively go to Village Council on April 10, 2023.**

<b>RESULT:</b>	<b>RECOMMENDED TO APPROVE [UNANIMOUS]</b>
<b>MOVER:</b>	John Pirog, Commissioner
<b>SECONDER:</b>	Kevin Cavanaugh, Commissioner
<b>AYES:</b>	Wood, McGinn, Cavanaugh, Pirog
<b>ABSENT:</b>	Roth-Wurster, Luszczak

## 4. 640 W. Colfax Street

Notice was published in the Daily Herald on March 13, 2023 and mailed to the owners of the surrounding properties.

**Petitioner's Exhibits:**

1. Application for Special Use
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Tower Structure Elevations
6. ComEd Structure Height Exhibit
7. Public Notice

**Mr. Cavanaugh recused himself.****Sworn in petitioner Mr. Joseph Turnage, external affairs for ComEd, 201 Arthur St. Mt Prospect, IL**

Mr. Turnage looking to present project to install antenna structure which is part of an overall grid enhancement designed to communicate with other distribution automation devices throughout the ComeEd service territory center and transmit the data back to distribution center. He stated the project team is here to answer any questions.

**Sworn in Mr. Will Otter, land use council for ComEd, 1 S. Dearborn Chicago, IL**

Mr. Otter presented an overview through a slide presentation. He pointed out the location is setback significantly off of Colfax Street. He stated the surrounding area is a mix of light industrial uses and residential. He spoke to the location being limited due to existing electrical infrastructure and overhead power lines. Mr. Otter spoke to the substation enhancement details being 100' with 4' lightning rod on top to communicate with sensors around Palatine. He stated it will be located close to the substation existing security building and significantly away from any neighboring uses with mature landscaping in between. He explained the special use is to increase the maximum heights from 80' to 104'. Mr. Otter spoke to the Community benefits that include enhanced electrical grid reliability and improved electrical grid efficiency. He referred to slide to show map of regional monitoring devices and sensors around substation. He stated ComEd will continue to grow the smart grid system adding more sensors in the Palatine area and these antennas will help deal with those.

Ms. Wood clarified there are no tower in the area.

Mr. Otter explained the towers go to substations that have existing control buildings. He stated they are currently located at Schaumburg, Prospect Heights, Lake Zurich and recently Barrington.

Mr. Pirog asked if all are 104' tall.

Mr. Otter stated Prospect Heights and Barrington are the same.

Mr. McGinn asked about the difference between 80' and 104'.

Mr. Otter referred to schematic drawing of antennae slide explaining they have not gone to 80' with any other substation.

Ms. Wood asked if there is any uniqueness connecting to the smart grid that would emit radiation or any environmental health concern.

Mr. Otter answered no. He explained this is different from a cell tower. He stated it would operate on a very low power radio band similar to walkie-talkies and baby monitors.

Mr. McGinn asked if there will be any flashing lights.

Mr. Otter answered no. He stated FAA determined that it will not be a hazard to air travel so no lights will be required. He stated it will blend in with other infrastructure.

Mr. Pirog stated the area has power outages. He asked if this too will lose power.

**Sworn in Mr. David Blackmore, IT project manager, 303 Fairmont Ct St. Charles, IL**

Mr. Blackmore explained they have to put the poles near the control building that have battery backup. He stated the antennas are connected to it rack of equipment that also have batteries.

Mr. Pirog asked if there will be generators.

Mr. Blackmore stated they have large battery banks and is unsure if station has generators on site.

Ms. Wood asked if they will emit noise.

Mr. Blackmore answered no.

Ms. Wood asked about the voltage or harmful effects that will be emitted.

Mr. Blackmore explained it is on an open band like walkie-talkies and baby monitors. He stated it will have secure communication with the other devices that are communicating with it. He referred to slide to show similar structures on lot blending in to site.

Ms. Wood asked if there has been any other issues with other towns' towers.

Mr. Blackmore answered no. He stated they have more than 130 poles referring to slide to show locations of other poles.

Will spoke to co-locating on existing towers when possible.

Mr. Pirog asked if they considered a cellular network.

Mr. Blackmore explained they are using a technology that works on 900 MHz system

Ms. Wood asked if there is a benefit to the immediate area.

Mr. Blackmore explained ComEd is putting up close to 4500 devices throughout the service territory on a yearly basis. He explained they are re-closures and the more that are out there the fewer residents go out of service and the smaller the outages. He stated the other sensors (fault indicators) is to quickly determine outages and give the ability to send crews out to exact locations. Mr. Blackmore stated the more devices the better the grid.

Mr. Bradshaw gave a brief overview stating in October 2017 a variation for a 12' barbed wire fence around the property. He referred to the existing conditions slide to show the location of the proposed tower being inside the existing fence. He stated there is also a buffer of densely planted trees and shrubs between the subject property and the residential properties to the west. Alex referred to the slides to show the existing structures on the site pointing out there is approx. 5 structures that exceed the maximum 80' height with a few exceeding the proposed. He stated Community Services and Engineering have reviewed and no issues were identified.

Ms. Wood asked what the 107' is.

Mr. Bradshaw unsure but looks like transmission tower being clunkier and more substantial than what is being proposed.

**Sworn in Mr. Philip Solzam 608 N. Deer Run Drive**

Mr. Solzam stated he previous spoke to Mr. Turnage about the project expressing his concern about interference with over air television and FM reception. He stated he has cable service so may affect his system. He stated he was told there would be no interference but wants the technical department to confirm. Mr. Solzam clarified the number of towers existing is 5.

Mr. Bradshaw stated there are more than 5. He explained there are 5 at 80' or exceeding 80'.

Mr. Solzam asked if they plan on adding more and how many more could they add. He expressed concern with the location of the proposed antennae being directly behind residential properties and the proximity to their homes. He asked why not place further from residential on property. Mr. Solzam pointed out there is a large wetland to the west and asked if the towers would affect the wildlife or any environmental in the area.

**Sworn in Mr. Brian Anderson 549 N. Stephen Drive**

Mr. Anderson stated he has lived there for 23 years. He stated within the last 5 years ComEd added large towers that they view from their backyards. He stated in the last 10 years they have used the access road as a parking lot for trucks sitting idle which is a nuisance to the neighborhood. Mr. Anderson stated his neighbor could not sell their house because it backs up to station. He stated it is not well landscaped and can see from every angle walking down Stephen Dr.

**Sworn in Mr. Anthony Russo 525 N. Walden Drive**

Mr. Russo stated he lives pretty close and has lived there for 30 years. He

stated he has seen no problem with wildlife. He stated it is part of the utility system. He stated the existing towers are taller than the proposed antennae and some towers have been there before the houses. Mr. Russo stated the area has not lost money and none of the townhomes have gone down in property value He stated ComEd is doing because they need it.

Ms. Wood asked if he has seen trucks idling  
Mr. Russo stated the only time he has heard was during storm trouble. He stated he is a little farther away and there is a buffer between. He stated the station has been there before the homes on Stephen were built.

Ms. Wood asked staff about the truck parking concerns.  
Mr. Bradshaw stated staff is not aware of any truck concerns or issues.

Mr. Blackmore addressed the concerns explaining the frequency is 906-928 which is not for television so has never had any complaints or issues. He stated he is unsure how long the other towers have been there explaining they are part of the transmission that carries the power and the proposed is not to carry lines. Mr. Blackmore stated the wild life area is a very wide right of way that towers are bringing power from far away. He explained the proposed is a communication towers to talk to devices in distribution.

Mr. McGinn asked if Mr. Blackmore can address the location.  
Mr. Blackmore explained the antennae needs to be next to control building that holds the IT equipment. He explained there are underground cable trays that come back to control building so location is limited.

Ms. Wood asked if there are any plans for additional towers be needed.  
Mr. Blackmore stated that is unknown.

Ms. Wood asked if there is any transmission to affect wildlife.  
Mr. Blackmore stated the poles are 24 inches at base 12 inches at top. He stated they have had issues with birds nesting on them on bigger structures.

Mr. Pirog asked about shrubbery to screen in.  
Mr. Turnage stated there is no landscaping associated with this project being it is inside the substation.

Ms. Wood suggested they speak to the neighbors to address concerns with trucks.  
Mr. Turnage stated they are always willing to work direct and close with staff and willing to address any compliance issues.

Mr. Otter stated there is an environmental site review that is required by the FCC in connections with NEPA. He stated they have determined this structure within the substation is categorically excluded from that review.

**STAFF RECOMMENDATION:**

The Petitioner is proposing to construct a new tower structure that would exceed the maximum permitted height by 24 feet. The proposed tower structure would set back 133 feet from the closest adjacent residential properties to the west, which are also buffered by a line of trees and shrubs. In addition, there are multiple existing tower structures in, and around, the enclosed substation that exceed the maximum height of 80 feet. Ultimately, the new tower structure should not cause substantial injury to the value of other properties in the surrounding neighborhood. Therefore, Staff recommends approval of the Special Use, subject to the following condition:

1. The Special Use shall substantially conform to the Site Plan and Structure Elevation submitted by the Petitioner, Commonwealth Edison Company, "ComEd", except as such plans may be changed to conform to Village Codes and Ordinances.

There were no further questions. The public hearing was closed.

**Mr. Pirog made a motion to approve subject staff's conditions; seconded by Mr. McGinn**

**DELIBERATIONS:**

Mr. Pirog stated he wished things like this were not needed but with the storms and winds they are needed. He stated it meets the standards being that it won't cause substantial injury to property and extensive cautions has been taken. He stated there are many in other areas.

Mr. McGinn stated they can do it within 80 ft. to be within ordinance and the additional height is needed to enhance the efficiency. He stated the standards have been met.

Ms. Wood agreed. She pointed out the towers and substation is already there and can add a shorter tower. She stated she understands the residents' concerns but doesn't think the addition will make much difference. She stated she hopes the residents can communicate with staff on their concerns but thinks it has met the standards.

**Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 3-0. This item will tentatively go to Village Council on April 10, 2023.**

<b>RESULT:</b>	<b>RECOMMENDED TO APPROVE [3 TO 0]</b>
<b>MOVER:</b>	John Pirog, Commissioner
<b>SECONDER:</b>	Theodore McGinn, Commissioner
<b>AYES:</b>	Wood, McGinn, Pirog
<b>ABSENT:</b>	Roth-Wurster, Luszczak
<b>RECUSED:</b>	Cavanaugh

**IV. COMMUNICATIONS**

**V. ADJOURNMENT**

1. Motion to Adjourn

**Mr. McGinn made a motion to adjourn; seconded by Mr. Cavanaugh**

<b>RESULT:</b>	<b>MOTION CARRIED BY VOICE VOTE [UNANIMOUS]</b>
<b>MOVER:</b>	Theodore McGinn, Commissioner
<b>SECONDER:</b>	Kevin Cavanaugh, Commissioner
<b>AYES:</b>	Wood, McGinn, Cavanaugh, Pirog
<b>ABSENT:</b>	Roth-Wurster, Luszczak

