

HIGHLAND PLAN COMMISSION

Minutes of the Meeting of
Wednesday, June 15, 2022

The Highland Plan Commission met in regular session on June 15, 2022. The Pledge of Allegiance was led by Commissioner Zemen. The meeting opened at 7:00 P.M. led by Commissioner Turich.

ROLL CALL: Present on roll call: Commissioners Turich, Grzyski, Kisse, Martini, Balczon, Zemen and Briseno. Also present Ken Mika, Building Commissioner/Zoning Administrator, Plan Commission Attorney John Reed and Town Engineer Derek Snyder.

MINUTES: Are there any deletions, additions or corrections to the minutes of January 19, 2022 regular meeting? If none, they will stand approved as posted.

ANNOUNCEMENTS: The next study session will be held on July 6, 2022 at 6:30 P.M. The next business meeting will be held on July 20, 2022 at 7:00 P.M.

COMMUNICATION: Letter received from Attorney James Wieser to be read prior to second shown agenda item.

NEW BUSINESS: Docket 2022-01 Preliminary Hearing for Rich Clousing of R & T Industries to request a Public Hearing for next month concerning a proposed major modification to an existing PUD at the Nevers Cove Subdivision located at 2515-2525 Longwood Dr. The petitioner has filed a petition to change the original PUD from (4) eight unit Condominium buildings to (2) four unit Townhomes with attached garage on the two remaining lots.

Rich Clousing of R & T Industries was present to request a Public Hearing for the July 20, 2022 Plan Commission meeting regarding his proposed major modification to an existing PUD. That modification would entail a change from original PUD plan of (4) eight unit condominiums to his proposed (2) four unit Townhomes with attached garages, staying within the exact same foot print.

Commissioner Zemen commented that he liked Mr. Clousing's presentation at the previous Plan Commission study session and how improved it was over the first presentation. Commissioner Zemen was happy to see that Mr. Clousing had an attorney and an engineer present at the last study session.

Commissioner Kisse commented that he is looking forward to the changes that will transpire to make Nevers Cove more appealing, compared to what it looks like presently.

Commissioner Turich asked for a motion.

Commissioner Grzymski motioned to approve the Public Hearing request for the proposed major modification at the Nevers Cove Subdivision. Commissioner Briseno seconded and unanimously passed with a roll call vote of 7 – 0.

New Business: Attorney James Wieser representing S.J. Highland, LLC has requested to be placed on the meeting agenda to ask the Plan Commission for a 180-day extension from the June 15th date to allow for the recording of the Russell's First Addition to the Town of Highland Plat of Subdivision. The Town of Highland Subdivision Control Ordinance 17.25.020 Certification and Recording of plat (B) Recording Procedures states that this be accomplished within -1-year of Secondary Plat Approval which the Plan Commission granted the petitioner on June 16, 2021.

Commissioner Martini read a letter that was presented prior to the Plan Commission members from Attorney Jim Wieser asking for a 180 day extension to file and record the Plat of Subdivision. The extension date being requested would start on June 15, 2022.

Attorney Wieser was present at the meeting and spoke in more detail as to why he was requesting the extension. Mr. Wieser spoke to different matters as to why he was requesting the extension, the first being that around March 15 of 2022 he and the Russell Group received a letter from legal counsel from Griffland that raised two issues that had never been raised prior to the receipt of the letter. This letter changed the dynamics of the negotiations. He said they are making progress in getting those issues resolved. Attorney Wieser furthered that on May 15 of 2022, he came down with COVID and was severely sick, despite having been vaccinated and boosted and put him out of commission for around ten days. Mr. Wieser then spoke to his wife's health. She had been diagnosed with brain cancer three years ago and unfortunately, his wife's brain cancer returned and had discovered another tumor in her brain. There have been numerous doctor's visits regarding his wife's health which took Mr. Wieser's time from being able to focus on the matter at hand. He said in fact, his wife had a four hour surgery this morning. He said these are the issues which created the hardship. He stated that this is a significant matter, but that it is an administrative extension request. He continued he does not think it will take 180 days to gets these issues resolved, but wants to make sure they get resolved and that is why he is asking for that amount of time.

Commissioner Turich asked for a motion.

Commissioner Martini motioned to approve the 180 day extension request from the date of June 15, 2022 to allow for the recording of the Russell's First Addition Plat of Subdivision. Commissioner Zemen seconded.

Commissioner Turich asked if there was any discussion.

Commissioner Briseno spoke to say that she is new to the Plan Commission and has read about this project in the newspapers, but that she had some questions regarding the drainage issues and what the problems have been regarding the drainage.

Mr. Snyder, the Town's Engineer, spoke to Ms. Briseno's questions/concerns. He said that regarding the drainage calculations with typical developments, the ordinance states that you are

limited to 0.2 cubic feet per second per acre for the flow of release of storm water drainage. He states that on this project they accommodated that calculation plus some additional acreage and also provided detention for that, and have gone above and beyond for what is required for drainage for this development.

Mr. Mika stated that if those drainage requirements had not been met, the Plan Commission would not have granted the Primary or Secondary Plat approval.

At this point, Commissioner Turich asked for a roll call vote which unanimously passed with a roll call vote of 7 – 0.

BUSINESS FROM THE FLOOR:

Mr. Larry Kondrat of 8115 4th Pl said he thought the hardship Mr. Wieser spoke of was exaggerated.

Ms. Worley of 10390 Timberidge Lane mentioned that she once lived by the project site and referenced flooding issues with that area and questioned this causing more flooding issues.

Commissioner Turich responded that the Town engineer is responsible for engineering calculations, specifically regarding the drainage, and that they did a tremendous job in verifying information that was needed and that as the experts Commissioner Turich was completely satisfied with their reportings.

Ms. Worley thought that the current flooding issues should be resolved prior to this project beginning. Commissioner Turich replied that issue would be something that would have to be taken up with the Town Council.

Ms. Worley stated that she wasn't too familiar with reasons as to why the Plan Commission approved this project, and had concerns as to why the project was approved when she thought or felt that most of the Town's residents did not want the project to be approved.

Commissioner Turich responded that for himself, he looks to seeing what the opportunities are and what it could bring to the Town's future. He continued that in the short term there are concerns about what happens to the green space and what happens to the funds supporting that area. However he is looking for long term concerns that will attract additional business to the area that could help the future of Highland.

Ms. Worley asked about Cardinal Campus and believed there to be many unoccupied spaces. Commissioner Turich responded that it was his understanding that the complex and the businesses were doing very well and exceeding expectations. He continued that the complex has done tremendous things for the Town and future growth.

Commissioner Turich asked if he was speaking out of turn on this issue to Mr. Mika.

Mr. Mika replied, not at all. As a matter of fact each of the existing buildings have all the spaces occupied and within a week or two, the Cardinal Campus Group will be before Redevelopment and their plans are to finish the development starting this year with the remaining buildings.

Ms. Worley responded that she hardly sees any cars at Cardinal Campus. Mr. Mika replied that he goes by Cardinal Campus almost on a daily basis to check on an ongoing issue on Main St. and he said that each of those lot's for the Physicians are full. He furthered that when he goes there for inspections it is hard to find a parking space.

Mr. Rick Volbrecht of 9221 Parkway spoke that he was opposed to the Senior Living Facility from the very beginning and is still opposed to it. He favors the Scheeringa Farm staying in place and believes the Farm benefits would outweigh the benefits from the Senior Living Facility.

Ms. Jennifer Vanek of 9438 Cline said she had hoped that there was a discussion before the Plan Commission voted on the extension. She thought this was a great opportunity to get out of having the Senior Living Facility project. She spoke to a decrease in Farmers and the need for them to supply food for the populations and how important they are.

Attorney Reed spoke to the fact that the extension of what was being asked for tonight was for the Subdivision and approval of the drawn Plat. He continued that if the Plat, which is a Mylar that have building lines and utility lines, etc. on it, that if it meets the code, it is mandatory that it be approved it. He furthered that when it was presented before it did meet the code. He spoke to Ms. Vanek and stated he thought that the issues she was concerned about was Zoning and whether she wanted this particular Use there or not, and that was a subject for a different day. He continued that the subject tonight was an administrative issue and that everything meets the code and that the Plan Commission cannot be stopped on this particular issue.

Ms. Peggy Phillips of 2848 38th St said she has not heard one other person being in favor of this besides the Town Council. She believes the residents don't have any say on this issue.

Mr. Jeff Rosignol of 8951 Highland St. said he is a little late to the party regarding the Senior Living Facility. He said that the Town Council has three people on the Council who did not grow up in Highland. He said one member came from California, one came from Naperville and he said he doesn't know where Toya came from, probably Hammond or Gary. He brought up the vote that approved the senior living facility from the Town Council, he said it was 4-1 or 5-0, he didn't know. He said he was at the meeting tonight because he is a small business owner and he believes that what is being done to the folks at Scheeringa's Farm is atrocious. He asked if the Plan Commissioners were from the Town of Highland and that if you're not from here, you would not know what the Scheeringa Farm means to the Town. He's concerned as a small business owner that maybe you could run over him like he believes the Town has run over the Scheeringa's. He said he just wanted to express his thoughts.

Commissioner Turich responded that he has lived his entire life in Highland. He said his father was in the Marine Corp. and spent six months in Virginia when Commissioner Turich was born and after that he has been here his entire life. He has dedicated a lot of years to the Town with his community service as a member of the Fire Dept. and he does see the value in and understands

Mr. Rosignol concerns.

Commissioner Kisse said he has been a resident of Highland for 58 years. His parents too have volunteered and early on his life they have given to this community endlessly throughout the years for children, for sports and for coaching. He said he has been here for 58 of his 62 years and he feels he is looking out for the best interest of Highland regarding all things, not just the Senior Living Facility.

Commissioner Briseno said she is the newest one on the Board and knew about this issue primarily from facebook and sometimes in the paper. She continued that she has approached people she knows with her concerns and was made aware of facts she didn't know. She continued she was informed that the Scheeringa's don't own that property and have not owned it all these years. She felt that they may have had the opportunity to buy the property and didn't. She continued that it's the Plan Commissions responsibility to look at what is the best benefit to Highland and this needs to be looked at through a technical perspective.

Ms. Vanek noted that the property was not for sale until there was interest from the Town perhaps wanting to put Public Works on that site. Commissioner Zemen noted that was around 2013 or 2014 and it was too expensive.

ADJOURNMENT: There being no further business to come before the Board, Commissioner Briseno moved to adjourn. Commissioner Martini seconded. Meeting adjourned at 7:34 P.M.