

ZONING BOARD OF APPEALS
MINUTES OF NOVEMBER 5, 2014 – 7:00 P.M.

1. The regularly scheduled meeting of the Zoning Board of Appeals was called to order at 7:00 p.m.
2. A quorum was present. Gil Snyder, Bruce Boreson, Chairman Mark Cwik, Frank Grieshamer, Kathy Mennella, Rafael Nunez, George Snarski, Lisa Manzo (Secretary), Village Attorney Matt Welch, Eric Richard (Village Planner), Zoe Heidorn (Village Planner) and John Schneider (Director of Community Development). All members were present.
3. Member Grieshamer made a motion to accept the amended minutes of October 1, 2014. The motion was seconded by Member Mennella and approved to place them on file as presented.
4. New Business: ZBA 14-17
Energy Earth Solutions LLC
3847 Carnation
12-20-201-054-0000

Chairman Cwik stated that this hearing is for a Conditional Use for “Medical Cannabis Dispensing Organization: per 9-6A-3 of the Franklin Park Zoning Code.

Member Grieshamer made a motion to enter in any and all department reports, memos, new and revised reports and testimony into the record. Member Mennella seconded the motion. All in favor. The motion was carried.

Chairman Cwik called the petitioners up at this time. He asked if they can sign in and be sworn in. Mr. Jay Chavda and Mr. Sriraj Bhaslzara, petitioners, came forward. They signed in and were sworn in.

Mr. Chavda gave a very detailed presentation describing this type of use and the business planning involved. He stated that there is specific documentation and instruction provided to each of the members within their packets and will be part of the permanent record. Mr. Chavda stated that all information aside from financial, tax, personal info has been including with the zoning application. He continued that sections on security, inventory, management, business operations and patient education have been included. He recapped some key points to the members in his presentation. He stated that his company has a one out of a possible twelve chance in getting approval from the State to open a dispensary.

ZONING BOARD OF APPEALS

MINUTES OF NOVEMBER 5, 2014

Mr. Chavda stated that all activity in the facility will take place indoors and will not be visible to the public from the outside. They have secure, monitored, indoor parking, which employees and customers can only access. They have a parking agreement, which states if additional parking is required, Hudson Tool and Due will accommodate them. There is a small employee room and a small office, both located in the restricted area of the dispensary. Franklin Park Police will be on-site at all times of operation for security purposes, additionally they will have 25/7 access to video and facility. Parking, deliveries, and transaction will happen indoors. They will accommodate handicap customers directly in front of the building and entrance. They have only one entrance and exit for customers, and another entrance and exit for employees directly into the garage.

Mr. Chavda stated that the facility will be 250 feet from residential areas. This is the only proposed cannabis organization in Franklin Park. It is not within 500 of any other medical cannabis organization. The hours of operation will be 8 a.m. to 8 p.m., six (6) days a week. The facility will not have a drive through. All products are sealed and airtight upon receiving. Customers are not allowed to use the product on site. There will be no obnoxious odors.

He stated that there are 22 on-site parking spots with additional parking at Hudson Tool if needed. All activity will be monitored by state police, as well as the Franklin Park Police. Earth Energy Solutions will only have a sign displayed on the building. The sign will meet all requirements of the Franklin Park Zoning and State Code. There will be no other displays outside of the building except the address and an EES sign that is not directly illuminated. Finally, all parts of Earth Energy Solutions will be well lit and under surveillance 24/7 by the Franklin Park Police and State Police. They will have security guards and Franklin Park Police on site at all times of operation.

Member Boreson asked about the security cameras and wanted Mr. Chavda to walk the members through the diagram explaining where the cameras would be located. Mr. Chavda did so at this time.

Member Grieshamer asked if the petitioner had sufficient parking for this proposed use. Mr. Richard replied that Mr. Chavda meets the requirements for parking and will have 22 parking spaces.

ZONING BOARD OF APPEALS

MINUTES OF NOVEMBER 5, 2014

Chairman Cwik opened this hearing to the public at this time. Chairman Cwik stated that since no public came forward, he closed public session.

Board Discussion began at 7:27 p.m.

There was minimum discussion regarding this hearing. The members discussed this business use and stated that it is controlled by the State of Illinois. It seems as though it will have a high level of security and a large amount of police presence.

Member Grieshamer asked Mr. Richard to clarify what section of the Zoning Code this hearing will be referring to. Mr. Richard stated it is 9-6A-3.

Board Discussion ended at 7:29 p.m.

Member Grieshamer made a motion to “approve ZBA 14-17 for a Conditional Use for “Medical Cannabis Dispensing Organization: per 9-6A-3 of the Franklin Park Zoning Code with a condition that this proposed use complies with all applicable regulations at all times.” Member Mennella seconded the motion. Roll Call Vote. Member Boreson-Yes; Member Nunez-Yes; Member Mennella-Yes; Member Snarski-Yes; Member Snyder-Yes; Chairman Cwik-Yes; Member Grieshamer-Abstain. Six (6) Ayes, Zero (0) Nays, Zero (0) Absent, One (1) Abstain. The motion was carried.

Chairman Cwik reminded the applicant that this is a recommending body and all final decisions will be made by the Village Board of Trustees.

Chairman Cwik thanked everyone for attending this evening.

ZONING BOARD OF APPEALS

MINUTES OF NOVEMBER 5, 2014

5. New Business: ZBA 14-18
Husar Abatement Ltd. (Janina Stogowska)
10215 Franklin Avenue
12-21-317-004-0000

Chairman Cwik stated that this hearing is for a Conditional Use for Contractor and Construction Yards and Offices per Section 9-5D-3 of the Franklin Park Zoning Code in the CM Commercial Manufacturing District.

Member Grieshamer made a motion to enter in any and all department reports, memos, new and revised reports and testimony into the record. Member Mennella seconded the motion. All in favor. The motion was carried.

Chairman Cwik called the petitioners up at this time. He asked if they can sign in and be sworn in. Mr. Tomasz Stogowski, petitioner and Jeffery Camplin of Camplin Environmental, came forward. They signed in and were sworn in.

Mr. Camplin gave a presentation to the members on this prospective business. Husar's operations and tasks include interior demolition, general construction and asbestos removal. Their operations typically take place in residential, institutional, industrial or commercial buildings. Their demolition includes the tearing down of walls and floors, removal of interior parts and objects, such as doors, door frames, bathroom and kitchen appliances and fixtures, as well as other debris left post demo.

Husar's construction work consists of installation of plywood, drywall, flooring, installation of new appliances and fixtures, such as those in kitchens and bathrooms as well as roofing repair. Their asbestos abatement consists of removing hazardous or regulated material, obtaining necessary permits and developing site specific safety and work plans.

Member Boreson asked where is the equipment decontaminated after a job. Mr. Camplin stated that all of the decontamination is performed on the job site per State Regulations. He stated that most of the supplies (i.e. equipment, tools, mops, etc.) get disposed of after that particular job.

ZONING BOARD OF APPEALS MINUTES OF NOVEMBER 5, 2014

Member Grieshamer asked if there will be any repairs performed on the site on Franklin Avenue. Mr. Camplin stated that only minor repairs to their equipment will take place, such as pump repairs, fan replacement, etc.

Member Grieshamer asked if there will be any business vehicles at the location. Mr. Camplin stated that there will be only one (1) large van on site. He continued that most of the work is performed at the job site.

Mr. Camplin stated that their hours of operation will be from 9 a.m. to 4 p.m. Monday through Friday. The area behind the building is an asphalt lot, which will be used by the employees during work hours to load and unload tools and equipment. It will also be utilized to house parking spaces for three (3) cars for the employees that will be working in the office. All work and materials stored at this location will be related to the business of Asbestos removal.

Member Snyder asked where the company van will be parked. Mr. Camplin stated that the van will be parked inside the building. Member Snyder asked the petitioner how many employees there will be and where will they park. Mr. Stogowski stated that there will possibly be ten (10) employees. There was discussion as to the parking spaces in front of the building that employees and customers will be able to park there. The members as well as the Village Attorney stated that the parking spaces at the front of the building are located on Village Property and employee vehicles will not be able to park there. The members stated that the testimony this evening varies from the information located within the packets that the members have reviewed.

There was discussion between the petitioner and the member on the amount of parking spaces needed for ten (10) employees and prospective customers. Mr. Welch stated that for the sake of argument if would be best of the petitioner submitted a detailed parking plan to the members so that it may be added into the permanent record.

Chairman Cwik entertained a motion to continue this hearing so that the petitioner can submit a site plan and a detailed parking plan into the record and this can be discussed further.

Chairman Cwik opened this hearing to the public. He stated anyone wishing to come forward to please sign in and be sworn in before speaking.

ZONING BOARD OF APPEALS MINUTES OF NOVEMBER 5, 2014

Public session opened at 7:45 p.m.

Ms. Jan Dudzik of 3310 Dora, came forward at this time. Ms. Dudzik signed in and was sworn in. Ms. Dudzik lives near the proposed business in question and she is very concerned about the business. She states that she looked up the business on the internet under the Better Business Bureau and it shows that the company was not in good standing. She wondered if the Village was aware of this. Ms. Dudzik stated that she is also concerned about the truck traffic in the area as that it affects her neighborhood.

Mr. Welch stated that there will be a motion made to continue this hearing to enter more evidence into the record. He asked Ms. Dudzik if it would be possible for her to print out the information that she has acquired about Husar Abatement's Better Business Bureau status, and be kind enough to bring it to the next meeting. She stated that she will try to do so.

Mr. Camplin responded to Ms. Dudzik and stated that this company is approved and licensed by the Illinois EPA; OSHA approved and follows all the Illinois Department of Public Health codes.

Mr. Mike, D, another member of the public came forward and stated that the streets in this neighborhood are currently full and he has some major parking concerns as well.

Public session ended at 7:55 p.m.

Member Grieshamer made a motion to continue ZBA 14-18 to the next regularly scheduled hearing on Wednesday, December 3, 2014 at 7:00 p.m. in the Community Room at the New Police Station located at 9451 Belmont Avenue so that the petitioner can submit a site plan and a detailed parking plan into the record and this can be addressed. Member Mennella seconded the motion. The motion was carried.

Chairman Cwik thanked everyone for attending this evening.

ZONING BOARD OF APPEALS

MINUTES OF NOVEMBER 5, 2014

6. New Business: ZBA 14-19
The Kraig Corporation (Dennis Fontecchia)
10253 Franklin Avenue
12-21-316-011-0000

Chairman Cwik stated that this hearing is for a Conditional Use of “Small Metal Products, Design, Fabricating and Manufacturing” per Section 9-5D-3 of the Franklin Park Zoning Code in the CM, Commercial Manufacturing District.

Member Grieshamer made a motion to enter in any and all department reports, memos, new and revised reports and testimony into the record. Member Mennella seconded the motion. All in favor. The motion was carried.

Chairman Cwik called the petitioner up at this time. He asked if he can sign in and be sworn in. Mr. Dennis Fontecchia, petitioner of The Kraig Corporation, came forward. He signed in and was sworn in.

Mr. Fontecchia gave a brief presentation that he is currently located at 9812 Franklin Avenue, Franklin Park. He has been in Franklin Park for 12 years and he is looking to move into a smaller building. His business is a producer of custom metal castings using a non-toxic zinc alloy metal. He specializes in hand crafted parts which are casted as per customer requirements for a variety of industries including trophies, lighting, automotive and religious.

He stated that customers order size ranges from 25 to 1,000 pieces providing a customer with small order production avoiding large order inventory. All scrap metal is recycled and returned to the smelter for re-use. He stated that he has one (1) full time and one (1) part time employee.

Mr. Fontecchia stated that his hours of operation are from 7 a.m. to 3 p.m.

Chairman Cwik opened this hearing to the public at this time. Chairman Cwik stated that since no public came forward, he closed public session.

Board Discussion began at 8:04 p.m.

ZONING BOARD OF APPEALS

MINUTES OF NOVEMBER 5, 2014

There was minimum discussion regarding this hearing. The members discussed this business use at this time.

Board Discussion ended at 8:07 p.m.

Member Grieshamer made a motion to “approve ZBA 14-19 for a Conditional Use of “Small Metal Products, Design, Fabricating and Manufacturing” per Section 9-5D-3 of the Franklin Park Zoning Code in the CM, Commercial Manufacturing District with a condition that this proposed use complies with all applicable regulations at all times.” Member Mennella seconded the motion. Roll Call Vote. Member Boreson-Yes; Member Nunez-Yes; Member Mennella-Yes; Member Snarski-Yes; Member Snyder-Yes; Chairman Cwik-Yes; Member Grieshamer-Yes. Seven (7) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

Chairman Cwik reminded the applicant that this is a recommending body and all final decisions will be made by the Village Board of Trustees.

Chairman Cwik thanked everyone for attending this evening.

7. Staff Update: None

8. Public Comment: None.

9. A motion was made by Member Grieshamer to adjourn the meeting of the Zoning Board of Appeals. It was seconded by Member Boreson. All in favor. Motion carried.

The meeting adjourned at 8:12 p.m.

Respectfully Submitted,

Lisa M. Manzo
Secretary