VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
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Meeting Minutes

Tuesday, August 12, 2014

7:00 PM

Village Hall

Plan Commission

Louis Stephens, Chairman
Commissioners: Judith Jacobs, Paul Aubin, Steve Dzierwa,
Nick Parisi, John J. Paul and Laura Murphy

CALLED TO ORDER/ROLL CALL

The meeting was called to order by the Plan Commission Chairman, Mr. Lou Stephens, at 7:00 p.m.

Present: 5 - Chairman Stephens; Member Dzierwa; Member Parisi; Member Paul, Member Murphy

Absent: 2 - Member Jacobs, Member Aubin

APPROVAL OF MINUTES

2014-0277 Minutes of the August 12, 2014 Plan Commission Meeting

A motion was made by Commissioner Dzierwa, seconded by Commissioner Murphy; to approve the minutes of the July 8, 2014 Plan Commission with the following change:

PAGE 6: During the testimony of JAYCOX, change “that” to “than”.
APPROVED

Aye: 5 - Chairman Stephens, Member Dzierwa, Member Parisi, Member Paul and Member Murphy

Nay: 0

Absent: 2 - Member Jacobs and Member Aubin

2014-0463 Minutes of the August 26, 2014 Plan Commission Meeting

A motion was made by Commissioner Dzierwa, seconded by Commissioner Murphy; to approve the minutes of the July 22, 2014 Plan Commission.
APPROVED

Aye: 4 - Chairman Stephens, Member Dzierwa, Member Parisi and Member Murphy

Nay: 0

Abstain: 1 - Member Paul

Absent: 2 - Member Jacobs and Member Aubin

PUBLIC HEARINGS

2014-0083 Brija Estates - Subdivision Review

PITTOS: Staff presentation made in accordance with written staff report dated August 12, 2014.

STEPHENS: Thank you, Mr. Pittos. Is the petitioner present and would he or she like to make a comment in regards to the petition?

DZIERWA: Swore in John O’Donnell, 7848 Marquette Drive North, Tinley Park.

O'DONNELL: I am the attorney that represents the owner of the property, Susan Aurella, the successor trustee of the Brija family. This parcel of property is the remainder of what has been a family farm for the Brija family for over 60 years. This is the property that is left and it is time for them to move on. This property should be developed. Terry did a great job explaining to the Board exactly what we are looking to do. It is pretty straight forward. It is a 3 lot subdivision, one lot being a detention area, the other a single family home and the remainder has yet to be determined. Though there are no specific plans at this point, we do have parties that are interested in purchasing both lots. That will be up to them to present their plans to the Board. It is my understanding that they are recommending up to a maximum of five lots. It has always been my impression that they are only planning on four lots. So they will be a little larger and the plan provides for sufficient detention that would cover any future development. As I said, this is pretty straightforward and we appreciate any consideration that the Board members would give and we ask that you recommend approval of our petition.

STEPHENS: This is a public hearing, if anyone would like to comment on this particular petition, please step up to the microphone.

DZIERWA: Swore in Bruce Johnson, 11103 Woodstock Drive, Orland Park.

JOHNSON: I just wanted to let everyone know that I am for this. Most of their drainage problems are going to be solved by this and the people that want to purchase this seem like they really care and they want to be good neighbors. We want to have input and this person is allowing us to do so. Being in the Sandburg district, all the lots are meant to be open and large. That is exactly what this person is doing. I think it is going to be a benefit to our neighborhoods, both north and south of us. What they are showing right here, they are using up a lot of land and they are going to solve a lot of our drainage issues. Again, we are getting the opportunity to have input and this person is really willing to listen. I think this is a great plan and I hope the neighbors agree with this.

STEPHENS: Thank you.

DZIERWA: Swore in Jackie Copple, 11153 Woodstock Drive, Orland Park.

COPPLE: My backyard backs up to the northwest corner of the Brija Farm. My major concern with the development is the water problem that exists today. Whenever there is a heavy rain, the sewers back up and I cannot take on any more water in my backyard and the backyards of my neighbors flood. Currently the area of my yard that retains water is approximately 140' by 40'. It is a pretty large parcel. I figure it is about 10,000 gallons and I fear that if care isn't taken with this development, it may get worse. The water takes hours to days to subside and leaves behind a large mess. The mulch is lifted and carried to the edge of the

water and deposited on the lawn. Vegetation is covered with mud and requires rinsing off. I am certain many of our plants and trees have died due to the extreme moisture. I just want to restate what the current layout is. There are two sewers within 100' of my backyard and there is one in my backyard. During a heavy rain, the retention pond on the northwest corner of Countryside subdivision fills completely, the sewers in the area no longer drain and the backyard floods. Orland Park Public Works Department has come out at least a dozen times over the last 20 years and hasn't provided any results. When we were unincorporated Cook County at the beginning of our subdivision, the County came out but they could not fix the problem because the Brija Family would not allow them on their land, which was in unincorporated Orland Township. Since this development will be in Orland Park, I want to make sure that the Plan Commission is aware of the water problem so that Public Works and this subdivision can take care of this before the development proceeds. After reviewing the plan tonight, I am concerned that Lot 2, which the sewer is supposed to go into the sewer in our backyard and our backyard sewer is actually a dead end sewer that runs to our next door neighbor and then under the subdivision and into the retention pond. I just want to make sure that you are aware of the issue.

STEPHENS: Thank you. Anyone else?

DZIERWA: Swore in David Sosin, Attorney for the land purchaser, 9501 144th Place, Orland Park.

SOSIN: Our client is purchasing this property to locate their residence on Lot 1. They plan in the future and hope to be involved in the development of Lot 2. We have worked through this project along with Mr. O'Donnell and his client in a cooperative way to try and address the water problem. We are aware of the problem and I think it is multi-faceted. I know that we will help with that problem because of the way that this detention pond has been designed and how it has gone through multiple planning stages to come to this final purpose. I have never been involved in a project where a pond like this has been created for a one house subdivision. Everything has a way. Our plan in the future is to develop the remaining Lot 2 and be involved in that process. If you look at the subdivision behind it, the capacity of this land, even with the detention, would be about 10 lots. If you look at the sizes, there are actually 10 lots backing up to it. Water from our lot (Lot 1) and Lot 2 will travel straight west and empty into the pond with the berm, with the pipe and then be detained there. There is some concern, downstream, and we certainly aren't going to make that worse. Some of the water that is running onto the property in those couple houses in Countryside is certainly coming from the current property. That will improve dramatically with the detention that is going to be installed. Our intention is to come in the future and ask for some reconfiguration of that pond and to develop 4 or 5 lots on Lot 2, which will easily accommodate. Right now the only proposal will allow my clients, the purchasers, to get started on Lot 1. Thank you.

STEPHENS: Thank you, Mr. Sosin. Mr. Pittos, you've done a lot of work on this project here. How is the drainage going to affect the subdivision to the north?

PITTOS: As I stated in the presentation, the proposed detention pond is not going to make things worse. It should make things a lot better, particularly if that storm water runoff is affecting that southwest corner of the Countryside subdivision. As Mr. Sosin noted, it is multi-faceted and there are certain storm water deficiencies associated with Countryside as well and the way it was initially engineered and there are also, from what we have anecdotally observed, certain deficiencies in the Wolf Road swales, the ditches that are along the east side of Wolf Road there, which could be contributing to the flooding conditions that they are experiencing.

STEPHENS: Orland Park does not have authority over that swale?

PITTOS: Correct. That is Cook County Highway jurisdiction. So it is a multi-faceted storm water issue. From the Village's perspective, we are planning the detention facility here to control the storm water runoff for this 7-10 acre site. It should improve things. It should not make things worse.

STEPHENS: Ok. Thanks. Anyone else?

DZIERWA: Swore in Leo Deleir, 13901 Wolf Road, Orland Park.

DELEIR: I approve what is going on here. I think it looks very nice. The only thing I have a concern about is the watershed and the overflow out of Bunratty, down the east side of Wolf Road and the north half of 139th Street. When it gets a flooding rain, that ditch overflows and it comes through from Bunratty and that will all go along Wolf Road to where it is now. If that berm is there, just so that ditch is addressed to handle all of that water because there is a substantial amount of water that is washed up through there from the southeast corner across from Bunratty. We retain all that water on our land too. Demonstrates on projection flow of water down Wolf Road.

STEPHENS: As Mr. Pittos said, this will make the situation better, not worse.

DELEIR: Well, it looks like the watershed off of their property is going to be great, but how is the watershed off of my property going to be addressed?

STEPHENS: I don't think that is part of this petition.

PITTOS: I think what he means to say is that the water upstream is going to be in the Wolf Road drainage swales moving past the proposed detention facility in Brija Estates. At this point, I'm not the engineer, but what I can tell you is that the Wolf Road drainage swales are what they are. This current plan addresses storm water runoff from the subject property which has to deal with how it is affecting the downstream properties in Countryside. So upstream is another issue that we

would be happy to talk about after the Plan Commission meeting.

STEPHENS: That would be something to contact staff about. Thank you. Unfortunately, I drove back and forth on Wolf Road. That swale needs to be cut. It is all full of weeds. The other thing that I noticed is that the homeowners who back up to Wolf Road, they all have fences but what they did was they planted trees outside of the fences in that swale. Those trees that are outside of those fences are really going to block some of that water from going to the north. They may not be on the swale but they are behind the fences and it could create some blockage there as well.

COPPLE: I would just like to state that the fence was put up when the subdivision was put up. The trees were planted when the subdivision was put up by the developer. It is not our fault. There is a sidewalk along Wolf Road and the trees are at the same level as the sidewalk. I stood in front of this Commission when they were putting up Bunratty with the same complaint that I have now and was also told that this would make my situation better and it didn't make my situation better.

STEPHENS: Did it make it worse?

COPPLE: Slightly worse. There is a second part of my backyard that floods a little bit but it is not as high as the part along the Brija property.

STEPHENS: I think that all of you might want to go to Cook County and argue with the County. If it was the Village of Orland, I'm sure we would have been able to do something about it but we don't have jurisdiction over that. Thank you. Anybody else?

DELEIR: Well you said that this is the County's issue but all of this is in the Village of Orland Park except for the right of way of the road. The watershed is actually the Village of Orland Park's issue.

STEPHENS: But it is a situation that because of an old subdivision that wasn't planned properly. It was unincorporated at that time. So Orland Park had no authority over it at the time.

DELEIR: But you do now.

STEPHENS: We don't have authority over Cook County roadway.

DELEIR: But all of your water is going in the roadway and that is what needs to be addressed.

STEPHENS: The County needs to address that. Thank you. Seeing no other comments on this from the audience, we will go to the Commissioners.

Commissioner Parisi?

PARISI: First of all, Bunratty is a separate issue. It would be nice if when they do build retention ponds, they maintain them. If you look in there, some of these things are overgrown and probably couldn't retain the water that they were intended to. But for this particular issue, Terry did a very good presentation and I think the alternatives for the remediation for the watershed was very forward thinking because it was thought of in anticipation of there being additional lots on Lot 2. With the berm and the water rundown there should be an improvement over the current situation. The current situation is what it is and what we are planning to do over here is forward thinking and does represent an improvement so I don't particularly have any problems with it.

STEPHENS: Thank you. Commissioner Murphy?

MURPHY: Well I agree with my fellow commissioner. The matter at hand is what we are looking at and if we are going to plan for this 1.5 acre detention pond, it is a good thing and hopefully it will alleviate the issue. It certainly will not make the situation worse and we expect that it will make it better. The other issue is some of the residents can talk to with the Village after the meeting or later down the road and perhaps something can be collaborated with Cook County but it is something that is somewhat out of our control. This is good planning on staff's future plan.

STEPHENS: Thank you. Commissioner Dzierwa?

DZIERWA: I was really happy to see that detention pond. When Orland Park takes over a detention pond, their maintenance is very good. I'm not saying that Cook County doesn't do things right, it's just that Cook County is huge and we take care of our stuff. When I saw that, I knew that pond was going to be maintained by the Village and I'm thinking that it can only help the situation. It can only help a situation that was bad to begin with. If I was living in that corner, I would be very happy to see that detention pond. I have a question for staff or maybe for Mr. Sosin. R-3, what is the maximum lot coverage? If Lot 2 should happen to go to 4-5 homes, what is the maximum lot coverage?

PITTOS: So the maximum lot coverage for R-3 starts out at 35% and can top out at about 45%.

DZIERWA: Ok, so we're going to potentially have a little bit more water that is not going to be able to go into non pervious surfaces. Another question, I did not see that swale on the north end, does that swale exist now or is it going to be created?

SOSIN: It does but it is going to be modified.

DZIERWA: It is very shallow then. Seeing that swale being modified is definitely going to improve the water runoff.

SOSIN: As it gets toward Wolf Road, it's going to widen to even a larger swale to get the water in which would have a higher volume as it goes west to get it into the pond. So there will be some modification per the engineering plan.

PITTOS: One thing to note about the detention facilities is they are sized to max out lot coverages. So it's not that this detention pond is sized to 35% lot coverage on a R-3 property and then residents come along later on and build their pools and decks and then there is more lot coverage added and where does that storm water go? All of that has been factored into the size that has been proposed tonight.

DZIERWA: But what should happen if Lot 1 changes their mind and they want to build four homes there, too. We are being told that one home is going to be built there now but what if they change their mind?

PITTOS: It would have to be modified upon resubdivision.

DZIERWA: Thank you. That is all I had, Mr. Chairman. I thank staff for catching that 25' setback on that pond because I saw that line and I didn't like the way that looked because pond maintenance can't be handled unless they can get to it. Did you catch that staff?

PITTOS: Yes.

STEPHENS: Thank you. Commissioner Paul?

PAUL: I concur with my fellow commissioners. There was definitely some foresight in putting this together. To have the retention pond the way it is, it sounds like it's not going to make things worse for the people in Countryside. It's going to help. What we are going to ultimately be building there, I think it is good that we are doing it the way that we are. That is all I have.

STEPHENS: Thank you. Mr. Pittos, has the preliminary engineering been approved?

PITTOS: Yes.

STEPHENS: And the Village engineers looked at the entire parcel of land and have agreed that the size of that pond is more than adequate to cover the water flow from this development.

PITTOS: For preliminary engineering purposes, yes and then they will continue on with the review through final engineering.

STEPHENS: Ok. I can't see how this could make it worse seeing as how the land

exists now with no detention at all and it all flows from the east to the west. The land starts going up to the crest about the middle of the property. Then it flows all the way down to the west at the Wolf Road swale. So what you are getting now is all of the flow going in there. What you are going to get with this development going in is the water going into this detention pond and then slow release it into that swale. Is that correct?

PITTOS: Correct.

STEPHENS: So it can't help but make it better for the existing situation. It can't help but make it a little better. With the concerns about Wolf Road, if the Village and the County can cooperate together and maybe make that a better situation. Staff might want to take that into consideration and see if you can do anything to make that situation better.

PITTOS: Noted.

STEPHENS: At this time we will entertain a motion.

PARISI:

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated August 12, 2014.

And

I move to recommend to the Village Board approval of the preliminary engineering/ site plan titled "Brija Estates Subdivision", prepared by Spaceco Inc., sheet C-ENG, and dated 7/25/14, subject to the following conditions.

1) Upon development of Lot 1, extend the 110th Avenue sidewalk parallel to Lot 1's property lines from the north property line south to 139th Street and then west to Bunratty Drive where a crosswalk connection to Bunratty subdivision is required.
2) Submit a landscape plan for the detention pond within 60 days of final engineering approval.
3) Demolish the old wood barn at the north east corner of proposed Lot 2 upon completion of the subdivision process.
4) Move the shared lot line between Lots 2 and 3 twenty-five (25) feet east from the high water line of the detention pond.
5) Re-petition for subdivision review of Lot 2 when development is ready for the proposed subdivision.
6) Meet all final engineering and building code related items.

And

I move to recommend to the Village Board approval of a subdivision from one lot to three lots as depicted on the preliminary plat titled “Brija Estates Subdivision”, prepared by Spaceco Inc., sheet 1 of 2, dated 7/23/14, subject to the same conditions outlined above and the following condition:

7) Submit a Record Plat of Subdivision to the Village for recording.

All changes must be made prior to the Board meeting.

MURPHY: Second.
RECOMMENDED FOR APPROVAL

Aye: 5 - Chairman Stephens, Member Dzierwa, Member Parisi, Member Paul and Member Murphy

Nay: 0

Absent: 2 - Member Jacobs and Member Aubin

2014-0337 Police Communications Tower - Schumack Farm

TURLEY: Staff presentation made in accordance with written staff report dated August 12, 2014.

STEPHENS: Thank you, Mrs. Turley. Would the police department care to come up and make any comments regarding this tower?

DZIERWA: Swore in Tim McCarthy, Chief of Police for Orland Park, 15100 Ravinia Avenue.

MCCARTHY: The purpose of this proposed monopole is to enhance portable radio communication between our police officers, community service officers, animal control and firefighters back to our base station. Our officers during traffic stops as well any service calls to the community and to the homes rely upon their portable radios for communication. The traffic stops and assisting other departments occur not just within the Village limits but outside as well. Traffic stops, many times, go outside of the Village limits. It is for public safety and it is for officer safety. In 2013, as Mrs. Turley already said, the FCC with no regard for public safety, narrow banded and took our 25 kHz VHF frequency down to 12.5 kHz. I am not an expert in communications but we knew with the results that took place, we lost about 30% of the range that we had with portable and mobile radios. The proposed monopole is a receiver site for portable and mobile radios. As a result of this narrow banding, we had to go out to Mokena and we put an antenna on a water tower. We put additional antennae and receivers at 135th and Cherry at the northeast part of town and we put a bi-directional amplifier in Orland Square Mall because we lost so much coverage in there that our officers couldn’t get out with their portable radios. We did look at other locations. We looked at going on the Com Ed towers and they simply refused to talk to us and have no interest in having a single user on their tower. We talked to AT&T to use their

tower at 143rd Street & Wolf Road. They preliminary wanted $2,500 for an application and $18,000 per year. In the meantime AT&T, has sold all of their towers to private companies and I believe the owner now is Crown Castle. The other issue we have in that northwest corner is redundancy. Most of our communications go through our receiver at the Andrew site at 153rd & 104th Avenue. When that goes offline, whether for service or off from being hit by lightning or other technical services, we have no portable communication from the northwest sector when an officer gets out of the car at a service call at a residence or a traffic stop. We have no communication with them when that happens. We do have a tower receiver at Carl Sandburg High school. This one has been slightly modified to be a low gain receiver with the idea being that it picks up more communication from below it. We are emphasizing Carl Sandburg High school. If we have an event there, we want the best communication that we can possibly have. Also, we do have a police officer in the school throughout the school year. Again, it is for public safety. We have spotty coverage throughout that northwest area. In particular we have Centennial School there. It is important for us to go into that school with the best possible communications we have in the event that anything takes place there. The Orland Fire Protection District has asked to collocate on the tower. The tower that we are proposing, though it is approved for 150', is 120'. All of our communications are typically on our water towers. This is an exception, there's no doubt about that. The elevation is 840', the proposed location elevation is 720' so the tower would be 120' which would put it at the same height throughout the village. Thank you.

STEPHENS: Thank you. This is a public hearing.

DZIERWA: Swore in Vince Slisz, 13721 Mayflower Lane, Orland Park.

SLISZ: I believe that this cell tower is going to create a huge eyesore to one of the most beautiful places in Orland Park. If you look behind you, those trees are probably 85' tall and this is going to be twice that height. It will probably have to have a flashing light on top to warn air crafts that it is there. I propose that a 153rd and Wolf Road would be a better place to locate this. Thank you.

STEPHENS: Thank you.

DZIERWA: Swore in Jackie Ringbauer, 11031 Woodstock Drive, Orland Park.

RINGBAUER: I have two concerns to address. One is the use of Open Lands for this tower. Also, its close proximity to the residents and a playground. The park you mentioned earlier is not exactly at the southwest corner, it is in the middle. It is more in the entrance to our Countryside subdivision. I do respect our police department. I don't deny that the police department needs it but we do have concerns about the area. Regarding Open Lands, as stated on the Village website, the Mayor and the Board of Trustees created the Open Lands Fund with the goal of improving the quality of life in our Village by increasing the amount of

open space for present and future generations. It goes on to describe Open Lands as land that is protected in perpetuity from development. The residents of Orland Park, whole heartedly approved this venture by voter referendum. Having good faith and confidence that Orland Park would uphold their commitment to protect this land from development. Some of the objectives of Open Lands that the Village lists on the website are: to preserve critical and sensitive environmental areas, to provide wildlife habitat, to improve aesthetic benefits, to preserve landscape vistas. How does placing this unsightly tower comply with any of these objectives? Does it preserve critical and sensitive areas? This is dedicated Open Lands which connects to the green way forming the McGinnis-Tampier Lake. The second objective is to provide wildlife habitat. I have done a lot of research in the last few weeks. Studies show that wildlife may be affected not just by running into the tower but by the emissions or sometimes called the radiation of the tower. I also have here a letter that was dated this past March and sent from the Director of the Office of Environmental Policy & Compliance to the FCC stating that their standards are 30 years out of date. More research needs to be conducted on the adverse impact on wildlife from the radiation from towers. It states the study in Europe on the adverse effects on birds, affected by radiation from towers resulting in injury, nest abandonment, locomotion problems and death. We may have only one antenna now but you also stated that you have room for four additional antennae. Rental of these towers is lucrative but that is also 4 times the amount of radiation. All of this on Open Lands, adjoining the green way where even some endangered species exist. To create this space for wildlife and then to turn around and add a tower that is detrimental to their existence is unacceptable. To address the objectives of improving aesthetic benefits and preserving landscape vistas, these towers are eyesores, visible for miles, tarnishing cherished views. You can plant a few trees around the base but what about the rest? What about the 7 months that the trees you're going to plant don't have leaves on them. This tower would adversely affect three subdivisions: Countryside, Bunratty and Persimmon. Since this tower would be placed near the only entrance to the Countryside subdivision, everyone entering that subdivision will see this tower, including future potential buyers. Thus it would adversely affect all 60 homes in this subdivision. Towers have been known to lower property values and no one wants to live near them. We have concerns about the wildlife which is rather abundant in our area but what about our children and our residents, that is a much larger concern. I have also studied Dr. Joe Moskowitz, who was the Director of the Center for Family and Community Health out of Berkley University and he is very involved in this type of research. He reports that the emissions from these towers increase the risk of health problems that are usually neurological in nature: headaches, memory loss, sleeplessness, even in worse case seizures. He also concludes that the FCC has not conducted enough research to either prove or disprove this. Granted their specifications are within the law but it is documented that the United States and Canada are most lax on the regulations of these towers. The communications industry is a multi-billion dollar industry and most likely they have the FCC in their pockets. Most other countries do not allow towers anywhere near schools, parks or residential areas. Remember our Federal Government once said that

asbestos, cigarettes, thalidomide, and our blood supply were safe. Just as it happened with the cigarette research, it took years to defeat the tobacco industry and this is a similar problem. Over 100 physicians and scientists that the Harvard and Boston University of Public Health have called these towers a radiation hazard, especially to children and teens. A study by the Mayo Clinic simply reports that not enough time has elapsed to either prove or disprove the harmful effects. Even if this tower was not on dedicated Open Lands, should it be so close to these residential areas? I also researched the website, antennaesearch.com, which will show you where every antennae in the area is located, within a 4 mile radius. I looked at a 2 mile radius because it took a long time to research all of this. Only one and that's this one is as close as we would be to a residential area. Most of them are in industrial areas and not by homes. On the Village website is a list of standards that are to be considered when granting a special use. A partial list of these standards is: the special use shall be consistent with the standards of the Comprehensive Plan, it shall be consistent with the community character of the immediate vicinity. The design will minimize adverse effect including visual impact on adjacent properties. It will not have an adverse effect on the values of adjacent properties. Those standards don't include health effects on humans and wildlife but in this case I think it should be considered. Any financial gain the Village may hope to receive in return for lease of additional antennae would clearly not be worth risking lives. Please take a good hard look at the beauty of this area, the Open Lands objectives and the repercussions that may follow if you allow one item on Open Lands, what may come next? Most importantly, please consider the well-being of the residents and the children of the area. Thank you.

STEPHENS: Very well spoken. Thank you.

DZIERWA: Swore in Greg Sensmeier, 10931 Persimmon Court, Orland Park.

SENSMEIER: She covered in part the Comprehensive Plan of Orland Park. I spent some time looking through that. I pulled it up. It is an impressive document and it has a lot of the forward thinking of the Village and it has a lot in it. I'd like to point out a couple of things that are in it. Page 110, for open space and recreation, under the land uses and specifically not appropriated states all land uses not accessory to open space. Now the previous speaker covered some very important parts on page 184 about Open Lands. These were all objectives and the one that really stood out for me was to preserve landscape vistas. She said it better than I can say it: What does a tower do for landscape vistas? Page 194, objective 2.3 there are action items listed. Among many other action items that are in this section, there are two that stand out with regard to the tower: preserve and enhance scenic views and vistas; and consider guidelines for bird friendly architecture to protect flying birds. What is 150' cell tower do for birds? So in the site plan and special use permit that has been presented, the special use standards document itself. Paragraph 1, it talks about the Village of Orland Park Land Development Code, Section 5, 110, the last sentence says Section 6-213 protects and preserves the Village's natural areas and that is what is in the code

relative to the permit use application that is addressing those issues. In the Code for Section 6-213 for Open Lands District under Section B for permitted uses one of the things that are addressed in the special use permit is a citation that the code lists a collocated wireless communication facility as a permitted use in the Open Lands district. That is not exactly what the code says. In paragraph 5, ComEd transmission towers and lines, substations and related facilities and goes on to say within established easements. So the easements of the transmission lines, towers, substations and related facilities on private and publicly owned lands. Clearly, this cell tower is not being proposed on an easement that ComEd has running through that land. As I said, this proposed location is not collocated on the ComEd easement lines running through that land and is unacceptable. But this does point up the alternate location and Chief McCarthy did address that and I have to commend the police department and fire district for the excellent job that they do in Orland Park. I have no qualms. My wife and I have lived in Persimmon Ridge for 21 years now and in every case that there has been a situation, they have responded: admirably, quickly and done their jobs very professionally. It seems that the ComEd tower is the perfect place to locate this. It already has cell equipment with collocations at the base. I don't know who the carriers are or what is going on with that. It has been done right in that area. I don't know why they are being negative in this particular case but it seems like a better solution. Perhaps not a good solution for Countryside because they are closer to that transmission lines already and they are dealing with that on an everyday basis but I guess they knew that from the beginning. But still it is something that I feel that the Village owes the residents a very good explanation as to why and whether or not that can be done as an alternate. Paragraph 3 in the special use application talks about the design of the tower and its location. Even if the proposed cell tower is 500' away from the nearby homes, the 150' tower will still be visible by residents living in the area. That is true for Countryside, Persimmon Ridge and Bunratty Estates. Paragraph 4 states that the distancing of the proposed cell tower from the homes will minimize impact on property values, which are already adjacent to high tension wires in the ComEd easement to the north. This cannot be known. It should be noted that not all homes are adjacent to the ComEd transmission lines. My wife and I feel that there should be some expert testimony that discusses the cell tower and the fact that it will have no negative property values as stated in the application. Just for the record at our home in the Persimmon Ridge subdivision, from our front porch and the rooms that face north, the proposed cell tower will be in full view and a detriment to our property and the surrounding vistas. Some other issues that the previous speaker talked about: the RFI/EMI impacts. Of course that is a very significant concern. It is stated that an 8' wall and that doesn't do much for the 142' above it. The cell tower elevation drawing, Sheet L-4 "Tower Elevation" details future carrier antennas located at a future carrier antenna platform. That is a pretty good indication that the Village is going to do something there. How that gets approved, is not clear. In our opinion, any attempt to turn this tower into a "money maker" is unacceptable and repulsive given the situation and really foreshadows a negative future for such an installation. It is just not reasonable. There is one other question that is floating around and I couldn't find any

information on it. Has this cell tower or a similar tower and location among residences been proposed in that same area? If so what is the history of this Special Use Standard application. Thank you.

STEPHENS: Thank you.

JOHNSON: On the Open Lands ordinance, sub paragraph C, our own ordinance states that we are unable to build any public facilities unrelated to the operation of the parks. That applies in this situation so I wanted to bring that up. As far as public safety and police safety, who can argue with that? My son is a police officer so I understand that fully. That is why I had this other question. When I started to ask about this, the first thing that I asked for was for a wireless communication survey to be performed. I was told no. I was told that we walked around with the antennas and pinged signals with the handheld communicators. That is similar to that Verizon commercial with that guy that walks around the country asking “can you hear me now? Can you hear me now?” It was funny there but it’s not really funny now. I think it is important that we look into this. This is not just a matter of this little area. We look to the west and we don’t have enough coverage to the west. This certainly may not be the best location. It may work because they thought it was easy to put it in but that doesn’t make it the best location. I also had asked the town if they had taken the survey and plotted it out on a map to show where these coverage gaps where and the answer was no. So to say that this is the best location, that is somebody’s opinion and they may be a bright and honest person but that doesn’t make it so, without having somebody qualified to make those decisions. I asked if they had looked at alternate sites to the west and the answer was no, not really. So they kind of found this site and stopped. Well I started to look into this a little bit. This plan shows different sites. When they had said that ComEd wasn’t interested in collocating. I can understand that because the towers to the north of Countryside are not part of Orland Park. So there is no reason to negotiate with us, technically. But the property to the west of us, it encompasses the existing ComEd towers and there is a pole there now. According to our own map in the Comprehensive Plan, it is in green space and the ordinance that was spoken about previously absolutely fits that tower. It had to have been written to include that tower. Ideally, that would be the place to locate the tower. Municipalities negotiate with utilities all the time. They have to because if they want a permit from us in the future, they need to negotiate better. Also this land to the west is part of the municipality, there is future expansion, and we are talking about taking an acre of this land and donating it to the forest preserve. Well if we are going to give this land to the forest preserve, I don’t see why we can’t acquire an easement. Before donating this land to the forest preserve, we can donate an easement and locate this tower within the municipality and within the easement. It is going to be surrounded and never going to be developed. It is a greater distance away from what is being proposed right now. I went ahead and looked at it and downloaded some information and just by moving this tower from its proposed location, 2,500’ is going to move this far greater than the 500’ that is currently proposed. This is already going to be Forest Preserve land and there is

already a tower there and it is already an eyesore. So to add one more monopole there is not going to make much of a difference. It is going to put it away from future development and all those concerns of health, safety, property values, and stuff is somewhat going to be alleviated. Even if we move this into the ComEd easement and ComEd does charge us for it; there is a cost to the quality of life. Orland Park was not created to make money. We pay a lot of money in property tax and there is a reason for that. We want to live where we live. I don't think that should be a factor because we may have to pay $18,000 a year if that's the number but I don't believe it would be that high because again that ordinance had to be created for that particular land where our boundaries are to the west of Wolf Road and totally encompasses the ComEd easement. In our municipality, we have regulations that they have to follow. We negotiate with utility companies all the time. If we didn't have a survey done, and didn't have it done professionally, I don't think that is the right way to do this. We need to find out if this is the ultimate location because what happens in the future if there is not enough coverage to the west? The Village already has plans of developing all the way down to Will-Cook Road. So we don't even know if we have the right coverage. What if something should happen in the future and it turns out that wasn't the right place? That puts this town in jeopardy. Not only is the officer's life in jeopardy but it places the town in financial jeopardy because we never proved that there isn't a better location. So I think it is important to look at this fully. Maybe to build it here is the easiest because you already own the land but maybe the town owns the land but you really don't, we own the land. I donate money to Open Lands, so does many other people in this town and that was because we thought it was going to be open and be parks. Your own ordinances say that you will not build any public facilities. This public safety thing, yes it's true, but we throw it around whenever it suits our needs. This is not your land, it is our land. Your own laws say you can't build there and public safety said that this is truly what it is. I think we need to hire someone if we are going to do that and investigate where it should be. I believe it needs to be moved to the west and even if it is in Forest Preserve land, if we take the easement before we give it to them, it won't be a detriment to anyone. This will be a detriment to all of the surrounding subdivisions and we don't want our values going down and I don't think you want it either because our property taxes are based upon property values. This is a benefit and a detriment to everyone so I really wish that the Board and the Village will take all of this into consideration and ask them if they can possibly take a look to the west. If this is the only place that they can go, then ok. But we don't know that and no one in this room can tell me that this is the only place that it can go. I don't want the officers to be in jeopardy and I don't want the town to be in jeopardy because ultimately we will be responsible for that. That is really all I have to say but I hope you take that into consideration when you vote this down tonight.

STEPHENS: Mr. Johnson, very well spoken. Thank you.

DZIERWA: Swore in Henry Coyle, 10551 Stonehill Drive, Orland Park.

COYLE: We are the owners of the proposed Alder Ridge single family subdivision and a lot of good talk here today. But that subdivision would have been developed a long time ago if it hadn't been the downturn in the economy. Our plans are to develop that in the spring. I have already communicated with the Village of Orland Park building department and the engineering department also. You can see where it is at and that is a major detriment to our home values. There is no buffer at all. You can see the tree line that is along the side. That is all wide open and I don't think there is a person here who would like to sit in their back yard and have to look at it. I have the utmost respect for the Orland Park police department and fire district but that is a big investment that we made and would have been developed by now if it hadn't been for the economy. Thank you.

STEPHENS: So you think it is too close to your potential new subdivision?

COYLE: Most definitely.

STEPHENS: It is not in compliance if it has to be 500' away. I don't disagree with you. Thank you, Mr. Coyle. It has been pretty well spoken, is there anyone else that would like to say anything?

MCCARTHY: I would like to add one thing. I appreciate all of the remarks made by all of our residents. We are here to serve and protect our residents so we are going to do it the best way that we can. I only take exception with one thing. We have had our radio experts out to look at that site to ensure from that site we would have the proper coverage not only to Will-Cook Road but west of it. Now what we did after that, because we have been down this road before when we attempted to put a 900mHz system and the experts told us that we would get the coverage but we go out with the radios to check and to verify that is true so that is why we do both and we do it all over the Village to verify that we have the coverage that we do. It is the only way to tell ahead of time before our officer gets there on a call. But that was checked and I just wanted to make sure that you are aware of that. J&L has been our radio contractor for 30 years and their engineer has been out to check that. It is our A location but we are happy to look at any location that will solve the problem that we have in that area. We have a couple of others that we could look at and we are open to any suggestions.

STEPHENS: So it is not necessarily the only location that you can put it in?

MCCARTHY: At this time, it is the only location that we can get that amount of height but we have other locations that we can look at that our radio engineer thinks will largely solve the problem.

STEPHENS: Ok, thank you.

DZIERWA: Swore in John Atkinson, 11041 Woodstock Drive, Orland Park.

ATKINSON: I know there is the tower at 143rd Street and Wolf Road and they mentioned $18,000 to annually collocate there. Obviously everything can be negotiated, when you add the cost of the tower, the lighting, the paving, the fence where does that put you relative to that $18,000 compounded with the fact all of the objections that were raised relative to the intent of the Open Lands. It seems like a no brainer decision that this should not be here. That is all I wanted to say. Thank you.

STEPHENS: Thank you. We will now go to our Commissioners. Commissioner Paul?

PAUL: Thank you, Mr. Chairman. My first question is to the Chief. How quickly do we have to move on this?

MCCARTHY: We have been dealing with this problem for quite some time and we don't have to move on it this evening.

PAUL: Here is the thing. The subject of cell towers comes up from time to time. There is nothing pretty about these things. In the olden days we used to have big wooden poles with wires that crisscrossed everything and if we wanted to talk on the phone that is what we had to do. Nobody likes cell towers until we are on the phone and our call cuts out then we wish we had more cell towers. When we are talking about police and fire, it is more important. These things have to go somewhere. When we call the police, we want them to be there. We have to be able to communicate. I don't know how you can do that without putting these towers up. That is my point. We want communication and we have to put these things some place. That is all I have Mr. Chairman.

STEPHENS: Thank you. Commissioner Dzierwa?

DZIERWA: Thank you, Mr. Chairman. The first thing that I thought of when I saw this was can't we put this thing somewhere else? If I was living there I would be saying the same thing that you guys are. After hearing Mrs. Ringbauer speak about all of the negative impacts, I was ready to throw my cell phone in the garbage. We all know the risks yet we still have them. But my plea to the chief would be to find that alternate spot where our Comprehensive Plan allows us to put this tower. Let's work with ComEd. Make them work with us. Everyone that lives in that area, that is here right now, don't pay your ComEd bill, just out of protest. I am being silly about it but there is strength in numbers. I feel for everyone that has to look out their back door or front door or pass by it every day and look at it. It's not something that I would want. If there was a way we could locate this in a different spot, I would probably be a bit more negotiable. Believe me, I have been a resident for 31 years, we all live here too. This is just something that if it affects you, it affects me too. We are neighbors. We might not live in the same subdivision but we are neighbors. If there was a way to not make a formal decision tonight and get the experts on it, and come up with an alternative site;

that is what I would recommend. That is all, Mr. Chairman.

STEPHENS: Thank you. Commissioner Murphy?

MURPHY: I would like to thank Chief McCarthy and all of the residents for their thoughtful and researched information. Clearly public safety and officer safety are very important issues. Based on the Open Lands concerns and all of the valid health concerns, I feel that we have no other choice than to look at alternative locations. I think it is obvious that the police department is willing and able to collaborate with the residents and with staff. To me it is somewhat of an obvious decision and an important one.

STEPHENS: Thank you. Commissioner Parisi?

PARISI: Well most of what I was going to say has been said more eloquently than how I would have phrased it. Right from the get go, I agreed with Jackie on the purpose of Open Lands. We were told in 1996 that it was to provide wildlife habitat, environmental area, enjoyment and all of you were very articulate. You went above and beyond. Certainly, like everyone else, I believe that we have phenomenal police protection in the area. I am glad to see that you are open to other locations because a lot of very well spoken points were made. Everyone was told that we have an Open Lands program and what the boundaries were. To do something like this, you set a dangerous precedent. What will be next? Are we going to put a storage facility on one? I don't think it is a good thing to do. I stand with you on that.

STEPHENS: I think you have made a great case on your Open Lands definitions. If we were to move forward, it is going to set a precedent allowing us to put things in Open Lands and I don't like that either. I think we do need police and fire protection. There are alternate sites that could be looked at. I don't want to close their petition tonight but what I would like to do is to make a motion to continue this project to the November 11, 2014 Plan Commission and to come back with another location.

I move to continue the public hearing for the Police Tower, case number 2014-0337, to the November 11, 2014 Plan Commission meeting.

DZIERWA: Second.
CONTINUED

Aye: 5 - Chairman Stephens, Member Dzierwa, Member Parisi, Member Paul and Member Murphy

Nay: 0

Absent: 2 - Member Jacobs and Member Aubin

2014-0309 2014 Land Development Code Amendments I

PITTOS: Presentation made in accordance with written staff report dated August 12, 2014.

STEPHENS: R-3 lots are 10,000 sq. ft.?

PITTOS: Right.

STEPHENS: So you are saying you can build an additional 300 sq. ft. then?

PITTOS: In the R-3 district.

STEPHENS: With a 3% increase?

PITTOS: Correct. Continues with presentation.

STEPHENS: This means it's ok if the location of these fences is 6 ft. inside the property line? That is your intention?

PITTOS: Correct. Yes. Continues with presentation.

STEPHENS: I think that is a lot of work you did. Pretty detailed and time consuming.

PITTOS: These amendments have taken a long time. This is the first round and we're already in August. Typically by now, we would be on the second.

STEPHENS: Are we going to continually get these amendment changes all the time? Are you just bringing everything together now?

PITTOS: Our schedule has been to update the code and reform it twice a year so typically every six months we come forward with these amendments.

STEPHENS: Does anyone have any questions? We will now make a motion.

PAUL:

I move to continue the public hearing for 2014 Land Development Code Amendments I, case number 2014-0309, to the July 8, 2014 Plan Commission.

PARISI: Second.
RECOMMENDED FOR APPROVAL

Aye: 5 - Chairman Stephens, Member Dzierwa, Member Parisi, Member Paul and Member Murphy

Nay: 0

Absent: 2 - Member Jacobs and Member Aubin

2014-0412 2014 Land Development Code Amendments II

A motion was made by Commissioner Parisi, seconded by Commissioner Murphy to continue the 2014 Land Development Code Amendments II to the August 26, 2014 Plan Commission Meeting.

PARISI:

I move to continue the public hearing for 2014 Land Development Code Amendments II, case number 2014-0412, to the August 26, 2014 Plan Commission meeting.
MURPHY: Second.
CONTINUED

NON-PUBLIC HEARINGS

OTHER BUSINESS

2014-0024 Memo: New Petitions & Appearance Review

2014-0024 Memo: New Petitions & Appearance Review

STEPHENS: Introduces Mike Kowski, Assistant Director of Development Services.

KOWSKI: Provides background information on self and position with the Village of Orland Park.

ADJOURNMENT

There being no further business before the Plan Commission, the Chairman adjourned the meeting.

STEPHENS: This meeting is adjourned at 9:24 p.m.

Respectfully submitted,

Heather Zorena
Recording Secretary