



**MINUTES  
VILLAGE OF GLENCOE  
ZONING COMMISSION  
REGULAR MEETING**

Village Hall Council Chamber and Videoconference  
675 Village Court  
Monday, October 4, 2021 - 6:30 PM

**1. CALL TO ORDER AND ROLL CALL**

The Regular Meeting of the Commission of the Village of Glencoe was called to order by the Chair, at 6:30p.m. on the 4th day of October 2021, held virtually via Zoom web videoconference.

Attendee Name	Title	Status
<b>Zoning Commission</b>		
Scott Novack	ZC Chairman	Present
Sara Elsasser	Commissioner	Present
David Friedman	Commissioner	Present
Alex Kaplan	Commissioner	Present
John Satter	Commissioner	Present
Debbie Ruderman	Commissioner	Present
Michael Kuppersmith	Commissioner	Present
<b>Village Staff</b>		
Andrew Fiske	Village Attorney	Present
Taylor Baxter	Development Services Manager	Present
Richard McGowan	Planner	Present

**2. CONSIDERATION OF MINUTES OF THE SEPTEMBER 13, 2021, ZONING COMMISSION MEETING**

Commissioner Alex Kaplan stated that he did not feel that the reasoning behind his vote was accurately reflected in the minutes. Commissioner Kaplan stated that the problem was not that his opinion was misrepresented, but was rather not fully included. Chairman Novack added that if Commissioner Kaplan is not ready to provide updates to the minutes, the Village Board may not have them when the case goes before them. Village Attorney Andrew Fiske stated that if the Commission did not approve minutes at this meeting, staff can make the determination whether to include the minutes in draft form or to choose not to provide them for the Village Board. Commissioner Ruderman asked if the minutes could be considered by email and Mr. Fiske responded that they could not. Commissioner Kaplan added that he tried to elaborate the arguments that residents had made and that this was the foundation for his vote. Commission

Satter asked if he could move to vote on the minutes at this point and that Commissioner Kaplan could potentially add his thoughts to the minutes at a later meeting. Commissioner Friedman asked if the Commission could have a meeting the following day and Mr. Fiske stated that it would not meet notice requirements. Commissioner Kaplan suggested that the minutes be approved, subjected to his objections related to the omission of his previous statements regarding the reasoning behind his vote. Mr. Fiske responded that this motion would work as intended.

Commissioner David Friedman stated that he had edits to the meeting minutes and provided those to the Zoning Commission and Village Staff.

Commissioner Kaplan made a motion was made and seconded to approve the meeting minutes subject to Commissioner Alex Kaplan's objection as stated above and subject to Commissioner David Friedman's edits. Commissioner Elsasser seconded the motion.

<b>RESULT:</b>	<b>ACCEPTED</b>
<b>AYES:</b>	Novack, Elsasser, Friedman, Kaplan, Satter, Ruderman, Kuppersmith
<b>NAYS:</b>	None

**3. CONSIDER A RESOLUTION REGARDING THE PROPOSED AMENDMENT TO THE ZONING MAP TO REZONE THREE PARCELS FROM THE R-C DISTRICT TO THE R-D DISTRICT AND A SPECIAL USE PERMIT TO CONSTRUCT A SIX-UNIT MULTI-FAMILY RESIDENTIAL BUILDING AT 538 GREEN BAY ROAD**

Chairman Novack stated that the Commission had received emails regarding this proposal in the hours leading up to the hearing and that they should discuss their options for moving forward. He stated that the applicant had requested that the Commission table the resolution so that they could meet with neighbors. He stated that Mr. Gallagher, the neighbor to the north, had expressed opposition to this idea. He asked that Mr. Baxter read the correspondence that was received. He did not want to give the impression that this was a public hearing. He asked if the Commission wanted to open up the floor to comments. Commissioners Friedman and Elsasser agreed that they did not want to re-open public comment. Mr. Fiske stated that consideration of the request to table consideration would not need re-opening of the public hearing. Commissioner Kaplan asked if it would be prudent to open the floor to residents, as he doesn't want to silence neighbors. Chairman Novack responded that he intended to allow everyone to speak, but after voting on the resolution, because there was no new evidence to be discussed. He did not want to hear new statements from the applicant or neighbors before voting on the resolution, as that part of the process was already done. He asked for other Commissioners' opinions. Commissioner Kaplan responded that he was not sure what they were voting on. Mr. Fiske stated that the resolution was what was on the agenda and that there was no legal obligation to re-open the hearing or take more comments, although the Commission could do that if they wanted to. He said that the Commission could also take comments that are focused on the proposal to table the resolution. Chairman Novack said that the task as a body is to vote on the resolution that the Commission asked staff to prepare, and

that there was a new request from the applicant not to vote at this meeting. Commissioner Kaplan asked whether an application withdrawn by the applicant needed a vote and Mr. Fiske responded that it would not.

Chairman Novack stated that he did not see what the benefit of tabling the application would be. He asked if a changed proposal would need a new application. Mr. Fiske said that depended on the nature of the changes. Commissioner Kaplan asked what the applicant is asking for. Commissioner KupperSmith stated that the applicant is not asking to withdraw the application. Commissioner Kaplan asked if the Commission could vote on a substantively changed application and Mr. Fiske responded that the application had not been changed. Commissioner Friedman said that the Commission should vote and send the matter to the Village Board. Commissioners Elsassner and Ruderman stated that they agree. Chairman Novack added that he didn't see any benefits to tabling the matter and Commissioner Kaplan agreed. Commissioner Kaplan said that he didn't know if the Commission could vote on an application that is being withdrawn. Commissioner Elsassner and Chairman Novack said that there was no request for withdrawal.

Commissioner KupperSmith asked Mr. Fiske what would happen if the Commission approves the resolution. Mr. Fiske responded that it would go to the Village Board and that it would be a public meeting, not a public hearing, but comments could be taken.

Commissioner Ruderman said that in her opinion the Commission should vote on the resolution. If the applicant were to change the proposal, the Commission could consider the new proposal at a later date. Chairman Novack agreed and said that the Commission has a 45-day time limit to get a resolution to the Village Board once the public hearing closes.

Chairman Novack invited Chris Canning, the applicant's representative, to speak. Mr. Canning said that the property owner had provided a statement and that they had been told that they would be able to speak at this meeting. It was only earlier in the day that they were informed that the applicant would not be able to speak, so they were requesting that the statement be part of the record, whether read or not. The second request was to request more time to speak with the neighbors. He said that Peter Cummins, representative for the applicant, would provide more information on that request.

Mr. Cummins said that there were two requests: a rezoning and a proposed building. He said that the applicant had a meeting scheduled with the applicant. He said that he wanted to put a hold on the resolution because the rezoning request should be considered separately from the proposed building. He said that the proposed building was not going to get approved, but they are not withdrawing the application. He was planning on looking for ways to keep the rezoning request alive so that other plans could work. He said that the property should have consideration for rezoning and that what should happen after rezoning is a different conversation. The rezoning is a separate action than the SUP for the building.

Chairman Novack said that the applicant's comments did not change his position on the matter. The Commission already requested a resolution recommending denial of the rezoning request

and there was nothing new presented. He did not see a reason to extend the process. Commissioner Kaplan said that he agreed with Chairman Novack.

Commissioner Friedman stated that he had a comment on the resolution. He wanted to add "among others" to the end of paragraph 1A under "findings".

Chairman Novack proposed his changes to the resolution. Under "Findings" section B.1., he proposed substitution "are incompatible" with "may be incompatible". He proposed that in B.2., "will be substantially" be substituted by "could be". He proposed striking B.3 altogether. Under "Special Permit" C.1 and C.2, he proposed substituting "would" with "could". He proposed striking C.3. He proposed changing "does" to "may" under C.4. He stated that he didn't agree with the appraisal and some comments and that from an overall land use perspective, with acknowledgement that there are many concerned neighbors, he is not convinced that the stronger language in the resolution is warranted. Commissioner Elsasser stated that she had a similar opinion. She said that some of the statements made during the public hearing were validated and she would not want them stated as facts. With that said, she still supports the resolution. Commissioner Kaplan agreed with the proposed changes. He said that statement C.3 is a subjective statement that he agrees with, but that the testimony provided by the public was also subjective and supports this statement. He suggested that it be kept in the resolution.

Commissioner Friedman asked Mr. Fiske if the resolution need to include the "findings" section and Mr. Fiske responded that it is needed.

Chairman Novack said that he was open to Commissioner Kaplan's suggestion about section C.3. Commissioner Elsasser added that she did not want the resolution to imply that condos or mixed-use housing was undesirable in Glencoe. Mr. Fiske stated that the intent of C.3 is to provide direction to the Village Board and that the resolution should express the Commission's feelings. Chairman Novack said that the rest of the comments accurately reflect the neighbor's concerns and that C.3 is not needed. Commissioner Kaplan suggested adding language tying C.3 to testimony provided at the September public hearing rather than implying that multifamily housing in general is inappropriate. Chairman Novack agreed and Commissioner Kaplan stated that "based on the testimony before the Commission on September 13, 2021" should be added to the end of C.3.

Commissioner Satter asked if he could comment and Mr. Fiske responded that he should not participate in the discussion due to his recusal at the prior meeting.

Mr. Baxter asked if he should read the recently received letters. Commissioner Elsasser asked if they are already part of the record and Mr. Baxter responded that they are and he did not think they needed to be read. Mr. Fiske agreed that they did not necessarily need to be read.

Chairman Novack asked if the applicant would like to withdraw. Mr. Canning responded that they do not want to withdraw.

Commissioner Ruderman moved to approved the resolution with the changes as previously noted. Commissioner Kaplan seconded the motion.

<b>RESULT:</b>	<b>ACCEPTED</b>
<b>AYES:</b>	Novack, Elsasser, Friedman, Kaplan, Ruderman, Koppersmith
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>RECUSED:</b>	Satter

**5. PUBLIC COMMENT ON NON-AGENDA ITEMS**

There were no public comments.

**6. MOTION TO ADJOURN.**

Commissioner Ruderman made a motion to adjourn and Commissioner Elsasser seconded the motion. The motion passed unanimously and the meeting adjourned at 7:57pm