



**MINUTES OF THE REGULAR MEETING OF THE  
PLAN COMMISSION, VILLAGE OF TINLEY PARK,  
COOK AND WILL COUNTIES, ILLINOIS**

**DECEMBER 21, 2017**

The Regular Meeting of the Plan Commission was held in the Council Chambers of Village Hall on December 21, 2017 at 7:00p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Plan Commissioners: Ken Shaw, Chairman  
Lucas Engel  
Eduardo Mani  
Garrett Gray  
Tim Stanton  
Angela Gatto  
Peter Kroner  
John Curran  
Chuck Augustyniak

Absent Plan Commissioner(s): None

Village Officials and Staff: Paula Wallrich, Interim Community Development Director  
Stephanie Malmborg, Planner I  
Barbara Bennett, Commission Secretary

Guest(s): James Gaskill Sr., Zoning Board of Appeals

**CALL TO ORDER**

PLAN COMMISSION CHAIRMAN SHAW called to order the Regular Meeting of the Plan Commission for December 21, 2017 at 7:05 p.m.

**COMMUNICATIONS**

No communications at this time.

**APPROVAL OF MINUTES**

Minutes of the November 2, 2017 Regular Meeting of the Plan Commission were presented for approval. A Motion was made by COMMISSIONER AUGUSTYNIK, seconded by COMMISSIONER GATTO, to approve the Minutes as presented. The Motion was approved by voice call. CHAIRMAN SHAW declared the Motion approved.

**TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES**  
**FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION**  
**SUBJECT: MINUTES OF THE DECEMBER 21, 2017 REGULAR MEETING**

**ITEM #1: REGULATIONS FOR TELECOMMUNICATION SERVICE FACILITIES  
WORKSHOP: TEXT AMENDMENT TO THE ZONING ORDINANCE**

Consider recommending that the Village Board approve Text Amendments to Section II (Definitions) and Section III.V. (Regulations for Personal Wireless Service Facilities) of the Zoning Ordinance related to regulations for telecommunications service facilities, including but not limited to: regulations for new freestanding cell towers, co-locations, small cell, and distributed antenna systems.

Present were the following:

Plan Commissioners: Ken Shaw, Chairman  
Lucas Engel  
Eduardo Mani  
Angela Gatto  
Garrett Gray  
Tim Stanton  
Peter Kroner  
John Curran  
Chuck Augustyniak

Village Officials and Staff: Paula Wallrich, Interim Community Development Director  
Stephanie Malmborg, Planner I  
Barbara Bennett, Commission Secretary

Guest(s): James Gaskill Sr., Zoning Board of Appeals

STEPHANIE MALMBORG, Planner I, presented the Staff Report and reviewed the Proposed Draft Text Amendments to Section II and Section III of the Zoning Ordinance for Regulations for Telecommunication Service Facilities.

MS. MALMBORG displayed photos of the different types of telecommunication service facilities, including: Freestanding Cell Towers, Co-Locations, Small Cell Antennas, and Distributed Antenna Systems as provided in the Staff Report.

MS. MALMBORG gave a summary of the Proposed Text Amendments, which include the following sections:

1. Purpose and Intent
2. Exemptions
3. General Regulations

4. Regulations for New Freestanding Cell Towers and Antenna Co-Locations on Existing Freestanding Cell Towers or Existing Structures
5. Regulations for Small Cell Wireless Facilities/Antennas
6. Regulations for Distributed Antenna Systems

MS. MALMBORG explained the Hierarchy of Locations for New Freestanding Cell Towers. This is the same as the current regulations except ORI is added at the end of the hierarchy. A new freestanding cell tower shall first attempt to locate on Village-owned property, then property owned by another taxing district, then property in the M-1 Zoning District, and then property in the ORI Zoning District.

MS. MALMBORG also explained that the Draft Text Amendments included a similar hierarchy for Small Cell Antennas. They shall first attempt to locate within Village right-of-way, then County right-of-way, then State right-of-way. She said these regulations may be unnecessary since many of the busiest streets that may need to utilize the small cell antennas are not Village streets. She recommended that the Plan Commission consider removing this from the draft.

CHAIRMAN SHAW asked for questions from the Commission.

COMMISSIONER GRAY noted on page 3 of 10, letter “*h. Structural Integrity*” of the draft a change should be made. He said the industry standard for Structural Standards for Antenna Supporting Structures and Antennas is the American National Standard Institute (ANSI) Telecommunications Industry Association TIA-222-H and should be adopted going forward. He also recommends that in addition to “prepared by a structural engineer” that Staff add: “*stamped and approved with structural calculations by a structural engineer licensed in the State of Illinois.*” He further stated it is highly recommended that a soil boring test be done. Wind is a force that has to be dealt with and the structural integrity is important to protect the Village.

PAULA WALLRICH, Interim Community Development Director, noted there is a structural engineering consultant who reviews each permit for these types of installations. It would not be necessary to change the Building Code to include the TIA standards, but it should be referenced in the Zoning Code.

COMMISSIONER KRONER noted on page 4 of 10 regarding the hierarchy, the school district and park district should be pulled out and antennas should not be placed near areas where children are.

MS. WALLRICH noted that municipalities cannot regulate these facilities based on perceived impact to health. She added that there are checks and balances in place to ensure that the districts consider the location prior to the plans being submitted to the Village for consideration of a Special Use Permit. If the ability to locate on such properties is eliminated, it would take away the right of any other taxing bodies who may want a tower for their own use.

COMMISSIONER CURRAN stated there are currently three (3) cell towers on Park District property.

CHAIRMAN SHAW asked about the rationale for the hierarchy for cell towers. MS. WALLRICH replied that it provides the opportunity for the taxing bodies to generate revenue from leasing the space for the cell towers. She noted that the revenue would be brought back to the community if the revenue went to a taxing body but a private property owner would keep the earnings if it was on private property.

COMMISSIONER AUGUSTYNIAK noted there are School District buildings that do not have children in them that would potentially be allowed to have a cell tower on them.

COMMISSIONER KRONER noted that he is comfortable with the current wording due to the fact that there are some school buildings without children. He also noted on page 6 of 10 that masonry enclosures are noted and previously it was required that PVC fencing be used.

MS. WALLRICH replied the Petitioner would be expected to provide a masonry enclosure but could request a variance at the same time as the Special Use Permit request is reviewed.

CHAIRMAN SHAW suggested removing the hierarchy for small cell antennas.

1. Structural Integrity: A TCSF, including antenna(s), other component parts, and all related equipment anchorage, shall be designed to withstand the wind force referenced in the applicable building and/or electrical codes currently adopted by the Village including loading without the use of guy wires and including the Telecommunications Industry Association Standard (TIA-222-H, as amended from time to time). As part of the permit application process, the Petitioner shall provide the Village with a structural evaluation of each specific location establishing that the proposed installation meets or exceeds the standards described herein. The evaluation shall be prepared by a structural engineer licensed in the State of Illinois with drawings sealed with a professional seal and including geotechnical verification of structural design.

CHAIRMAN SHAW asked for other questions from the Commission. None being heard, he asked for a Motion to move into a Public Hearing.

**TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES**

**FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION**

**SUBJECT: MINUTES OF THE DECEMBER 21, 2017 REGULAR MEETING**

**ITEM #2: REGULATIONS FOR TELECOMMUNICATION SERVICE FACILITIES  
PUBLIC HEARING: TEXT AMENDMENT TO THE ZONING ORDINANCE**

Consider recommending that the Village Board approve Text Amendments to Section II (Definitions) and Section III.V. (Regulations for Personal Wireless Service Facilities) of the Zoning Ordinance related to regulations for telecommunications service facilities, including but not limited to: regulations for new freestanding cell towers, co-locations, small cell, and distributed antenna systems.

Present were the following:

Plan Commissioners: Ken Shaw, Chairman  
Lucas Engel  
Eduardo Mani  
Angela Gatto  
Garrett Gray  
Tim Stanton  
Peter Kroner  
John Curran  
Chuck Augustyniak

Village Officials and Staff: Paula Wallrich, Interim Community Development Director  
Stephanie Malmborg, Planner I  
Barbara Bennett, Commission Secretary

Guest(s): James Gaskill Sr., Zoning Board of Appeals

CHAIRMAN SHAW noted that Village Staff provided confirmation that appropriate notice regarding the Public Hearing was published in the local newspaper in accordance with State law and Village requirements.

Motion was made by COMMISSIONER KRONER seconded by COMMISSIONER GRAY to open the Public Hearing on Text Amendments for Regulations for Telecommunication Service Facilities. The Motion was approved unanimously by Roll Call. Chairman Shaw declared the Motion approved.

CHAIRMAN SHAW requested anyone present in the audience, who wished to give testimony, comment, engage in cross-examination or ask questions during the Hearing stand and be sworn in.

CHAIRMAN SHAW stated due to the previous agenda item (workshop) a Staff Presentation would not be necessary. He asked for any comments from the Commissioners.

CHAIRMAN SHAW asked if anyone from the public wished to speak on this matter. No one wanted to speak.

Motion was made by COMMISSIONER AUGUSTYNIAK, seconded by COMMISSIONER STANTON, to close the Public Hearing. Vote by voice call. CHAIRMAN SHAW declared the Motion approved.

Motion was made by COMMISSIONER KRONER, seconded by COMMISSIONER AUGUSTYNIAK, to recommend that the Village Board approve Text Amendments to Section II (Definitions) and Section III.V. (Regulations for Personal Wireless Service Facilities) of the Zoning Ordinance related to regulations for telecommunication service facilities, including but not limited to: regulations for new freestanding cell towers, co-locations, small cell, and distributed antenna systems as indicated in Staff's draft Text Amendments dated 12/15/2017.

With the following changes:

1. Add the following text in red on page 3 of 10, Section V.3.h. (Structural Integrity):
  - h. Structural Integrity: A TCSF, including antenna(s), other component parts, and all related equipment anchorage, shall be designed to withstand the wind force referenced in the applicable building and/or electrical codes currently adopted by the Village including loading without the use of guy wires and including the Telecommunications Industry Association Standard (TIA-222-H, as amended from time to time). As part of the permit application process, the Petitioner shall provide the Village with a structural evaluation of each specific location establishing that the proposed installation meets or exceeds the standards described herein. The evaluation shall be prepared by a structural engineer licensed in the State of Illinois with drawings sealed with a professional seal and including geotechnical verification of structural design.
  
2. Delete the hierarchy of locations for Small Cell Wireless Facilities on page 7 of 10, Section V.5.a.(2).

AYES: PLAN COMMISSIONERS KRONER, STANTON, CURRAN, ENGEL, GATTO,  
GRAY, AUGUSTYNIAK, MANI, and CHAIRMAN SHAW

NAYS: NONE

The Motion was approved unanimously by Roll Call. Chairman Shaw declared the Motion approved.

**TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES**

**FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION**

**SUBJECT: MINUTES OF THE DECEMBER 21, 2017 REGULAR MEETING**

**ITEM #3: REGULATIONS FOR FENCES**

**WORKSHOP: TEXT AMENDMENT TO THE ZONING ORDINANCE**

Consider recommending that the Village Board approve Text Amendments to Section II (Definitions) and Section III.H. (Permitted Encroachments in Required Yards) of the Zoning Ordinance related to regulations for fences.

Present were the following:

Plan Commissioners: Ken Shaw, Chairman  
Lucas Engel  
Eduardo Mani  
Angela Gatto  
Garrett Gray  
Tim Stanton  
Peter Kroner  
John Curran  
Chuck Augustyniak

Village Officials and Staff: Paula Wallrich, Interim Community Development Director  
Stephanie Malmborg, Planner I  
Barbara Bennett, Commission Secretary

Guest(s): James Gaskill Sr., Zoning Board of Appeals

CHAIRMAN SHAW stated the Workshop on the Text Amendment to the Zoning Ordinance for Regulations for Fences could be dispensed with due to previous discussions. He asked for any objections from the Commissioners. Hearing none, the Commission will move on to the Public Hearing with a full Staff presentation.

**TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES**

**FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION**

**SUBJECT: MINUTES OF THE DECEMBER 21, 2017 REGULAR MEETING**

**ITEM #4: REGULATIONS FOR FENCES**

**PUBLIC HEARING: TEXT AMENDMENT TO THE ZONING ORDINANCE**

Consider recommending that the Village Board approve Text Amendments to Section II (Definitions) and Section III.H. (Permitted Encroachments in Required Yards) of the Zoning Ordinance related to regulations for fences.

Present were the following:

Plan Commissioners: Ken Shaw, Chairman  
Lucas Engel  
Eduardo Mani  
Angela Gatto  
Garrett Gray  
Tim Stanton  
Peter Kroner  
John Curran  
Chuck Augustyniak

Village Officials and Staff: Paula Wallrich, Interim Community Development Director  
Stephanie Malmborg, Planner I  
Barbara Bennett, Commission Secretary

Guest(s): James Gaskill Sr., Zoning Board of Appeals

CHAIRMAN SHAW noted that Village Staff provided confirmation that appropriate notice regarding the Public Hearing was published in the local newspaper in accordance with State law and Village requirements.

A Motion was made by COMMISSIONER STANTON, seconded by COMMISSIONER AUGUSTYNIAK, to open the Public Hearing to consider recommending that the Village Board approve Text Amendments to Section II (Definitions) and Section III.H. (Permitted Encroachments in Required Yards) of the Zoning Ordinance related to regulations for fences. The Motion was approved unanimously by voice call. CHAIRMAN SHAW declared the Motion approved.

CHAIRMAN SHAW requested anyone present in the audience, who wished to give testimony, comment, engage in cross-examination or ask questions during the Hearing stand and be sworn in.

STEPHANIE MALMBORG, Planner I, presented the Staff Report and draft Fence Regulations. She stated there have been multiple discussions and reviews of draft Text Amendments by the Zoning Board of Appeals and the Plan Commission. The goal is to make the regulations clear to the residents and easy for the Zoning Administrator to enforce. She gave a summary of the draft regulations, nothing the following sections: permit required, regulations for all zoning districts, administrative approvals, temporary fences, nonconforming fences, and appeals and variations. She highlighted discussion on fence



materials, height regulations, and changes to the administrative approvals. She also reviewed the draft changes to Section II (Definitions) of the Zoning Ordinance.

CHAIRMAN SHAW asked for comments from the Commissioners.

COMMISSIONER STANTON noted the fee for a fence permit is \$50.00 and asked what the resident gets with the permit. He stated the final inspection is important to ensure the fence is installed properly. He asked what recourse does the resident have if the fence is not constructed correctly. He noted there have been issues with the fencing being installed with a large amount of room at the bottom of the fence between the panel and the ground.

MS. MALMBORG replied that the Community Development Department is planning to get new software soon. With the new software Staff will be able to follow up on the final inspections much better because the current software does not alert Staff when there are outstanding inspections.

COMMISSIONER GRAY suggested the homeowner and/or the contractor should be responsible to take pictures of the fences and send them to Staff to be put in the permit file.

COMMISSIONER KRONER noted there are some fences that have at least one foot (1') at the bottom of the fence between the panel and the ground; therefore adding height to the top of the fence. There should be wording added to the new regulations to restrict the bottom of the fence is a maximum of six inches (6") from grade.

COMMISSIONER MANI noted concerns regarding the definitions for Open/Decorative Fence and Privacy Fence. He asked if the word "decorative" could be removed from "open/decorative fence." He said the process for the homeowner and the Commission needs to be streamlined to make it more efficient. He stated chain-link should not be prohibited as some homeowners are unable to afford a more expensive fence. He also feels that the 50% requirement for the open fencing is too much. He said he thinks an "open fence" should be 25% open or greater as it could be considered a life safety issue to have too large of openings in the fence. He also noted some of the wording should be changed from "rail" to "panel" in the draft.

COMMISSIONER KRONER noted that on page 2 of 9 Materials (3) the allowable "Chain-Link without Slats (can be coated or uncoated)" should be changed to "coated with rust resistant covering."

CHAIRMAN SHAW noted it should be appropriately rust resistant. MS. MALMBORG replied that there are provisions for weather resistance in the beginning of the Materials section.

CHAIRMAN SHAW asked for a vote on changing the definition of "open fence" from being at least 50% open to being at least 25% open.

COMMISSIONERS KRONER, STANTON, CURRAN, ENGEL, GATTO, GRAY AUGUSTYNIAK, SHAW voted that an open fence be at least 50% open.

COMMISSIONER MANI voted that an open fence be at least 25% open.

CHAIRMAN SHAW asked if anyone from the public wished to speak on this matter.

JAMES GASKILL SR., Zoning Board of Appeals, asked about the 50% open regulation and how it relates to premanufactured fences. He noted decorative fences should be something like wrought iron. He has concerns about limiting pre-built fences and thinks that some people would have to have a custom fence.

MS. MALMBORG noted people should be getting their permit prior to purchasing a fence so they would know that they need a certain type of fence in the secondary front yard. She reminded the Commissioners that the open style fence is only required when someone on a corner lot would like the “administrative bonus” of encroaching ten feet (10’) into the required front yard setback. Residents would be allowed to erect a privacy fence in compliance with the required front yard setbacks. She noted the definitions in the American Planning Association’s (APA) Planner’s Dictionary say that an open fence is at least 50% open but also has other communities that regulate open fences as 75% and 90% open. None of the APA definitions for “open fence” provide less than 50% open space between the rails.

CHAIRMAN SHAW asked if there were any additional comments. There were none.

Motion was made by COMMISSIONER STANTON, seconded by COMMISSIONER GATTO, to close the Public Hearing. Vote by voice. CHAIRMAN SHAW declared the Motion approved.

Motion was made by PLAN COMMISSIONER STANTON, seconded by PLAN COMMISSIONER KRONER, to recommend that the Village Board approve Text Amendments to Section II (Definitions) and Section III.H. (Permitted Encroachments in Required Yards) of the Zoning Ordinance related to regulations for fences as indicated in Staff’s draft Text Amendments dated 12/15/2017 with the following changes:

1. Add “Glass/Reflective Materials” to the list of prohibited fence materials;
2. Add a regulation for the maximum spacing between the bottom of the fence panel and grade to be six inches (6”);
3. Remove the word “Decorative” – Only use “Open Fence”; and
4. Replace the word “rails” with “panel”.

AYES: PLAN COMMISSIONERS KRONER, STANTON, CURRAN, ENGEL, GATTO,  
GRAY, AUGUSTYNIK, and CHAIRMAN SHAW

NAYS: PLAN COMMISSIONER MANI

CHAIRMAN SHAW declared the Motion approved.

**GOOD OF THE ORDER**

MS. MALMBORG stated she accepted a Senior Planner/Project Manager position at the Village of Orland Park. She stated her last day at the Village of Tinley Park will be Friday, January 5, 2018. She said it has been a great experience working for the Village and a pleasure to work with the Commissioners.

MS. WALLRICH gave an update on projects:

1. South Street Boulevard project is dead.
2. Working with Lakota on plans for the Downtown Plaza.
3. North Street has been re-energized.
4. Bremen Cash Store re-energized – meeting after the New Year.
5. Doing interviews for the Wayfinding RFQ.
6. Received 9 responses for the Software RFQ – Doing interviews after New Year.
7. Had 3 interviews today for a Building Official – 1 more to interview.
8. The candidate offered the Community Development Director position did not accept
9. The Residents of Brookside Glen and Studio Q were approved at the 12/5 Village Board Meeting.
10. Another McDonald’s project is coming up – similar to the previous McDonald’s project at 17171 Harlem Avenue.
11. Working on Long Range Planning Projects.

CHAIRMAN SHAW stated Stephanie will be missed and wished her good luck in her new position. He also noted that he is very disappointed about the loss of the South Street project. He hopes the gap between the Village and the Developer was not narrow.

All COMMISSIONERS wished Stephanie good luck!

**ADJOURNMENT**

There being no further business, a Motion was made by PLAN COMMISSIONER AUGUSTYNIAK, seconded by PLAN COMMISSIONER CURRAN, to adjourn the Regular Meeting of the Plan Commission of December 21, 2017 at 9:25 p.m. The Motion was unanimously approved by voice call. PLAN COMMISSION CHAIRMAN SHAW declared the meeting adjourned.