



MINUTES

President and Board of Trustees
Village of Arlington Heights
Board Room
Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005
February 5, 2024
7:30 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL OF MEMBERS

President Hayes and the following Trustees responded to roll: Grasse, LaBedz, Schwingbeck, Baldino, Bertucci, Dunnington, Shirley and Tinaglia.

Also present were: Randy Recklaus, Diana Mikula, Greg Smith, Charles Perkins and Becky Hume.

IV. APPROVAL OF MINUTES

A. Committee of the Whole 1/16/2024 Approved

Trustee Nicolle Grasse moved to approve. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

B. Village Board 1/16/2024 Approved

Trustee Tom Schwingbeck moved to approve. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

C. Village Board 1/16/2024 Closed Session

Approved

Trustee Nicolle Grasse moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

V. APPROVAL OF ACCOUNTS PAYABLE

A. Warrant Register 1/30/2024

Approved

Trustee James Bertucci moved to approve in the amount of \$3,394,945.92. Trustee Tom Schwingbeck Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

VI. RECOGNITIONS AND PRESENTATIONS

A. Recognition of Thomas Middle School Girls Cross Country Team

President Hayes announced that the School District 25 Board was recognized as one of 45 school boards to earn the Illinois Association of School Board Governance Recognition by modeling behaviors that lead to excellence in governance.

Honoring the State Champion Girls Cross Country Team from Thomas, President Hayes presented each Coach and Runner with a certificate from the Village Board. He noted that the Thomas Boys Cross Country Team placed second in the State, and the South Middle School teams were in the top 10 as well.

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

Ron Stolberg spoke about energy and the environment. He was against the banning of natural gas saying it takes less energy to push gas through a tube than it does to push electricity through a wire. Nuclear energy is more

expensive and the waste is a threat.

Nestor Reina is the property owner of 717 S. Arlington Heights Road which is vacant right now. He would like to bring sanitary sewer to the lot and has requested permission from the Village. He has his IDOT permit and must connect within 6 months. The Village requires architectural plans ahead of time. He would like to bring the sewer line in first and then design the house. Mr. Recklaus said he would follow up so staff could provide the most efficient process possible.

IX. OLD BUSINESS

- A. Report of the Committee of the Whole Meeting Approved
from February 5, 2024

President Hayes administered the Oath of Office to Mr. Poulos.

Trustee James Bertucci moved to concur in the Mayor's appointment.

Trustee Tom Schwingbeck Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz,
Schwingbeck, Shirley, Tinaglia

X. CONSENT AGENDA

CONSENT APPROVAL OF BIDS

Trustee Jim Tinaglia moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz,
Schwingbeck, Shirley, Tinaglia

- A. Construction Inspection Reconstruction Services Approved
- Contract Extension 2024
- B. Resident Engineer & Construction Inspection Approved
Services for Rockwell/Beverly/Ridge Project -
Contract Award
- C. Asphalt Patching - Contract Extension 2024 Approved

- D. Leak Detection Surveying - Contract Extension 2024 Approved
- E. Motorcycles Purchase for Police Department 2024 Approved
- F. Parkway Tree Removal & Emergency Tree Work - Contract Award 2024 Approved
- G. Stump Removal and Landscape Restoration - Contract Award 2024 Approved
- H. Concrete Flatwork - MPI Contract Award 2024 Approved

CONSENT LEGAL

- A. IDOT Resolution for Motor Fuel Tax (MFT) Maintenance Funds - 2024 Traffic Signal Maintenance Approved

Trustee Jim Tinaglia moved to approve R2024-01. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

- B. Ordinance - Christian Pre-K Daycare - 308 N. Evergreen Ave. Approved

Trustee Jim Tinaglia moved to approve 2024-06. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

- C. Ordinance - Chase Bank - 585 E. Palatine Rd. Approved

Trustee Jim Tinaglia moved to approve 2024-07. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz,

CONSENT REPORT OF THE VILLAGE MANAGER

XI. APPROVAL OF BIDS

XII. NEW BUSINESS

- A. Verizon Wireless Cell Tower - 1500 W. Shure Dr. Approved
- PC#23-017
Special Use Permit(s) to allow a permanent Commercial Antenna on the principal building facade and a temporary Commercial Antenna in the parking lot, Variation from landscaping requirement

Verizon Wireless had an antenna on a communications tower in Palatine to cover cell phone service in the area. The property owner did not renew their lease. Verizon needs to relocate this antenna or they will not be able to provide cell phone coverage in the area. They are requesting to locate antennas on the building at 1500 W. Shure Drive. While the approvals for this move forward, they are asking to install a temporary commercial antenna in the parking lot of the building. It will be removed once their permanent antenna is constructed. Verizon representative Christopher Lee described the permanent antenna structures Verizon is planning to install.

Mr. Perkins said the Plan Commission and Staff recommend approval with the conditions that the antennas will be painted to match the building, the temporary antenna will be removed, the petitioner will remove abandoned or unused antenna from the building after the permanent antenna is installed, and the petitioner shall add the Village utility information to the engineering plans prior to the building permit issuance.

President Hayes liked the fact they are attempting to hide the antennas from the street.

Trustee Tinaglia asked how long will the temporary antenna be there. Mr. Lee said 1-3 months. He explained that the other antennas on the building are from Sprint and T-Mobile. Everyone on the building is paying rent. Some antennas are on/off periodically and may be removed in the future with the consolidation of Sprint/T-Mobile. Mr. Perkins said staff will follow up with the building owner to make sure any abandoned antennas are taken down. The temporary structure must come down by March 31 based on the previous Proceed at Your Own Risk Declaration. The new lease term is for 25 years.

Trustee Jim Tinaglia moved to approve. Trustee Tom Schwingbeck

Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

- B. Ramen USA - 926 & 928 W. Algonquin Rd. - Approved
PC#23-018
Land Use Variation for Bakery Products, Wholesale
and Production in the B-2 District

KC Kimori operates Ramen USA, a restaurant that also makes food to sell at Mitsuwa. Their sales at Mitsuwa came about during Covid as a way to augment lost in-person dining. They would like to expand their space as this partnership has evolved and is doing well. The space will be used for extended storage and packaging operations.

Mr. Perkins explained the condition which requires the petitioner, or future tenants, to keep the restaurant in order for the production facility to remain in operation. There is enough parking. Staff and the Plan Commission recommended approval. The petitioner agreed to the conditions.

Trustee Nicolle Grasse moved to approve. Trustee Tom Schwingbeck
Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

- C. 716 N. Dunton Ave. - SF/Teardown - DC#23-
051 - Appeal

Jerome Pinderski the Attorney for Mastercraft Builders said they are seeing a reversal of the Design Commission's denial of the tear down at 716 N. Dunton. He said the home is old and has no practical value. His client bought this property and neighboring lots to build new homes on. He believes the demolition permit should be granted as the proposed home is beautiful and compliments the two newly constructed homes on either side which met the design guidelines. The proposed home matches its neighbors and the neighborhood.

Mr. Pinderski suggested the existing house is not of significant historical value. It is old, but that does not make it historic. It has not served as a first of anything nor has anyone historical owned it. It is not unique. It has some exterior decorative features that were nice. There is a large addition on the back that was un-permitted that does not help the building architecturally.

The home is not the same as it was in the late 1800's. It has been modified over the years, so is not historically accurate. Mr. Pinderski said the home is falling apart and unsafe. It needs a new foundation which means it would have to be lifted to create a new one. The exterior details would have to be removed during this rebuild. It is a brick house, and they are concerned the house would be destroyed during this kind of restoration. He disagreed that Mastercraft should be required to incur the costs to restore the home.

Mr. Pinderski said in 2004 a survey was done that identified this home as exceptional and architecturally important to the Village. This report doesn't note the condition of the home. It may have been pretty back in 2004, but it does not deserve the Exceptional "E" designation. It does not have architectural integrity according to the Federal Guidelines. He suggested that the students who prepared the report may not have understood the guidelines because if they did, he thinks the home should have been categorized as a "C". He thinks the Design Commission erred in believing this property should be deemed architecturally significant. People want to live in more modern homes. He asked for the Board to reverse the vote of the Design Commission and allow them to destroy the home to build a new modern one.

Vince Deligio, owner of Mastercraft Builders, explained that his company is not in the business of tearing down homes. They bought the empty lots and this home when there were renters. The owner asked for them to buy it as they were already buying lots on the street. They got estimates to see what it would take to refurbish this home. They do not think it can be saved. In their research and title searches, the property never came up as a landmark or a tag. They have rehabbed old homes and in fact are doing one three doors down. Most homes last 75 years. This home hasn't had anything done to it since the 70's. The exterior features are held together with paint. It's a pretty box with a gabled roof. The basement floods and the foundation is caving in. There is mold, asbestos, no garage, and a non-permitted addition that they would have to tear off as it is detaching itself from the main home. It is not a viable product because it was not taken care of along the way. It looks great from the street, but no one wants to live in there. They can't rent it, can't sell it, and can't rehab it.

Mr. Perkins said the Board has the opportunity to hear this appeal as the project was denied by the Design Commission. He explained the petitioner has built a new home on two combined lots to the south in 2020. In 2021 the two lots to the north were combined and a new home is being built by the petitioner there now. The home at 716 is of the Italianate style and used to have a nice presence on the lot and on the street before the lots were combined and re-subdivided.

The house was included in a Community Preservation Report that was prepared by the School of the Art Institute of Chicago in 2004 to raise community awareness and promote the preservation of the historic character of certain neighborhoods in Arlington Heights. The existing house

is one of only 38 homes in the report rated as "Exceptional".

Mr. Perkins said the Design Commission is charged with reviewing teardown applications to determine if they meet the standards, requirements and intent of the Village's Single-Family Design Guidelines. The relevant Code sections are listed below.

Per Chapter 28, Section 13.2 Design Review-

c. For demolition in residential zoning districts and all properties in the B-5 zoning district, design review is required prior to a demolition permit being issued.

1. The development plan: The proposed development plan includes demolition of the existing historic home described in above documents.

2. The estimated time frame for demolition and subsequent redevelopment plan and timeline, including verifying that:

a. Proposed redevelopment is in character with the neighborhood and meets the criteria in the design guidelines.

b. Proposed redevelopment will not adversely affect the neighborhood.

Per Chapter 28, Section 13.7 Issuance of a Certificate of Approval the Design Commission will issue a Certificate of Approval if-

a. The applicant's plans achieve the purpose and intent of the Design Guidelines

b. The proposed design is compatible with the character of neighboring buildings contributing to a favorable environment in the Village.

c. The existing property or structure is determined not to have significant architectural, historical, aesthetic, or cultural value.

Staff and the Design Commission recommend that the existing house should remain and be preserved as it does have significant architectural, historical, aesthetic and cultural value.

The area where the home is situated has value as a neighborhood with multiple historic buildings. This particular home is also listed on the State of Illinois Historical Survey. The Village's Comprehensive Plan sets goals and policies for historic preservation in order to preserve resources and neighborhoods with historic value, and exemplify the cultural political economic or social heritage of the Village. There are criteria to be used in evaluation listed in Chapter 6:

Whenever specific land areas and/or existing structures come under review for general planning progress, or in conjunction with a specific land use

petition, consideration should be given to identify for possible preservation purposes, land areas or buildings that meet any of the following criteria:

- a. Structures that exhibit a high quality of architectural design reminiscent of the past.*
- b. Structures that exhibit unusual or distinctive design, or construction technique which contribute to the architectural interest of its environs either as an accent or a counterpoint.*
- c. Land areas that have long provided an established or familiar visual presence in Arlington Heights by virtue of: a unique location; distinctive physical characteristics; or historical association.*

Demolition of the existing historic home would be a loss to the neighborhood as well as the cultural heritage of Arlington Heights. Protecting the character and the stability of residential areas within the Village is one of the purposes of the Zoning Regulations. Preserving physical resources of historic value which exemplify the cultural heritage of Arlington Heights, and preserving and protecting existing residential neighborhoods are goals of the Village's Comprehensive Plan.

Mr. Perkins explained the Single-Family Design Guidelines which delineates what the Design Commission considered in their review. The Design Commission and Staff recommend denial of the petitioner's request per Chapter 28 Section 13.7 a., b. & c. with particular regard to the architectural design and the homes preservation for its architectural, historical aesthetic and cultural value.

President Hayes said the Board is very familiar with the property and lot, as it's on the parade route. It is well known. It is rare that a decision is appealed from a Board or Commission to the Village Board. The Design Commission deserves deference and respect, as they work hard to stay within the Codes and Guidelines.

Trustee Baldino moved to deny the appeal. Trustee Tinaglia seconded the motion.

Trustee Tinaglia said there are too many things that were ignored in the attorney's presentation. We don't have a Historic Preservation Committee, but we have a lot of historic homes, and if any of them are torn down, it would be a horrible loss. This is cultural, this is what Arlington Heights is, if you are going to invest in the Village, and take a chance on buying empty lots and purchasing another home from another investor, get educated fast. He said he feels terrible for someone who runs into this scenario. This is a fact and who we are. He does not want to see it torn down. He asked if our staff had any communication with the developer or express concerns early on.

Mr. Perkins said Steve Hautzinger, the Design Commission Liaison, had a conversation in May 23 of 2023 last year. When they filed their application they were a contract purchaser. In August of 2023, staff sent a letter to them that expressed that staff would not support a teardown of the home.

After that correspondence, they applied to demolish the home. The petitioner said tonight that they own the property, staff was not aware of that until now. Trustee Tinaglia reiterated that if you are going to buy something like this in our town, you should get educated. Communication with the developer happened prior to the purchase of the property.

Trustee LaBedz took issue with the petitioner's attorney who kept saying there is nothing significant or historical. She referenced Section 13.7 regarding the significant architectural, historical, aesthetic or cultural value. This is our history. To be significant doesn't have to have a dignitary connection. Common people make history too. This does meet those criteria. It is significant to us. The other historical houses in the Village don't have a famous connection either. This little house has gotten swallowed. She is in support of the motion.

Trustee Grasse said she loves the character of older homes. There may be no 'firsts' in this house, but she heard this home may have had one of the first indoor commodes. In regards to the 13.7, in #2, the attorney mentioned the new homes complement each other and the plot; but the home needs to compliment the other historical homes in the area too, so standard #2 was not met. For #3, just because students collected the data does not mean the value or accuracy of the data is compromised. She has she heard from residents that supported the existing structure's historical aesthetic value. Only one standard needs to be met, and she believes more than one has. This home has value for her, she will go along with the motion.

Trustee Schwingbeck asked if the Village had been able to survey the home to concur with the builder on its condition. Mr. Perkins said no, although it was attempted by the Building Department. Trustee Schwingbeck asked how long the petitioner has owned the property. Cathleen Deligio said since December of 2018. They remodeled it to return it to a single family home then, it had been a two flat. She said the house is unsafe, there is mold. They asked the tenant asked to move out last year when they started building 720. Mr. Deligio said they took out the garage and they didn't want the liability as they were building the house next door. The renter communicated some issues over the years so they had professional evaluation after they moved out and that is when the numbers came together and they learned it wouldn't work.

Trustee Dunnington challenged the attorney's perspective on the Art Institute Study of 2004. This project was part of a Master's Degree historic preservation program, this was a graduate level class with 15 students of many expertise's (archeology, legal, architecture, history, interior design) who spent the whole semester preparing this architectural guide with months of intense field research including census records, reference resources, and historical study. She said she supports the Staff and Design Commission; demolition would have an adverse effect on the neighborhood due to the loss of this historic home. The Design Commission noted in their minutes the proposed home does not relate to the homes on either side.

Trustee Baldino said until late this afternoon he waffled back and forth. Then, he learned there are only 3 Italianate homes in the Village. One of them has been classified as architecturally significant, the other has a bicentennial plaque. The home is rare and historically significant.

Trustee Bertucci recalled that Design Commissioner Eckhart, an architect, said he wouldn't sleep at night if he allowed this home to be torn down. As a Historical Society member, Trustee Bertucci said he would have a tough time sleeping if it were torn down. He hopes the developer can find the right owner to bring it back to its luster.

Trustee Shirley said this is really about Sections 13.7 c., the other sections are about the plans for a house which can be changed. The point is the architectural, historical aesthetic or cultural value.

President Hayes said although the attorney did an excellent job, he disagreed with one point, that this home does not tell a compelling story. He believes it does. According to the survey of 38 homes this is one of only 11 that were built prior to 1890. That is compelling, many individuals lived in that home for 140 years. He wants to preserve this kind of homes in the neighborhood and the community; its destruction would alter the character of the neighborhood, 13.7 c. is important, b. is important as well.

The following residents spoke in support of denying the demolition: Mary Ann Crosby-Anderson, Kurt Skrudland, Vivian Menzies, Susan Skrudland, Tom Gaynor, Gregg Menzies, Joe Spinoso, John Baruch, Ann Musolf, Charles Craig, Katherine Grubba

Their reasons were as follows:

- The Design Commission are the experts and authority and their determination should stand. They have the authority per the Code to make this decision.
- No new evidence was presented tonight
- The home can be updated to a modern plan after survey, and it's design lends itself to it.
- The issues are nothing unusual or surprising, and are common in homes like this.
- The exterior is overall in excellent shape, there is nothing preventing it from being kept for another 100 years.
- The details are cannot be replicated and special.
- Nothing like it could be built again
- There were only 30 years where this kind of home was built which it is why it is historic and special
- It is significant because of its Italianate style.
- Many homes of this vintage have been rehabbed without raising it up for a new foundation
- Restoration is feasible for a homeowner, maybe not for a developer
- The State Historic Preservation Office said it believed the property meets the criteria for National Registry status because of its

architecture.

- The HANA Board supports the Design Commissions decision
- It retains sufficient material integrity for preservation.
- Tearing it down creates more waste.
- The Village stayed true to our Codes and process.
- Tearing it down creates more homogenization.
- Preserve the fabric of the community.

Kendra Parzen, an architectural historian with Landmarks Illinois, said the Illinois State Historic Preservation Organization would like to formally evaluate the home. It's a beautiful and intact example of Italianate style. She received a positive opinion that they felt this property would meet the criteria for historical preservation. Previous changes have not compromised it's standing as historic. Her organization can offer experts if further review is required.

Martin Bauer said not everything old or historic is worth preserving. We should encourage preservation when it is possible, but should not mandate it on a single-family home. Preservation shouldn't exist in isolation and treated as an absolute. We should protect the right of private owners to do with their property as they see fit and what they say is appropriate. We should not ignore rights of property owners or force a non-viable rehab which puts owners at a significant hardship. He urged the Board to uphold the appeal. He didn't think the Village should take away the private owner's rights.

Justin Walsh asked what happens next considering its current condition. He has 3 young children living next to a dilapidated property. What can we do?

Mike Landuyt who lives next door said it is a slippery slope to mandate onto a property owner. Mastercraft bought it in 2018 and a couple years later it becomes important? Should we look at clarifying a way for a search that people know what they are getting into? A new house would look better. It is dangerous in its current state.

Gary Lira said he loves old buildings and renovating them, but there is subjectivity in the Code. We are leaning on a report done by grad students. The report recommended identifying structures that should be preserved but we waited until now to say they can't do something with it when we've had the report since 2004? We need more objectivity. It's not fair to them to say you can't tear it down after you bought it.

Mr. Pinderski said there is a lot of objectivity here. He worried that what you're staying is that old equals historic. That is not what historical preservation means. He did not believe the comments were of significance from the State as they were based on photos, not inspections. Based on the changes prior owner have made, he believes it would not qualify for National Historic Preservation classification. He said to rethink your ordinance and continue the conversation.

President Hayes agreed with some of Mr. Bauer's comments. He has concern that the rights of property owners are being infringed upon, but there are limits. He does not want to watch something fall apart and hopes the publicity will attract an owner who is interested in rehabbing this home.

Trustee Tinaglia said the home was purchased during the estate sale. The decision to separate the lots, and then find out the expense is not worth it is a tough nut to handle, but that is the road they chose. He suggested the Village take the next step to try and protect the homes deemed historic from the 2004 Art Institute Report.

Trustee Richard Baldino moved to deny the appeal of 716 N. Dunton Avenue. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

XIII. LEGAL

XIV. REPORT OF THE VILLAGE MANAGER

XV. APPOINTMENTS

XVI. PETITIONS AND COMMUNICATIONS

XVII. ADJOURNMENT

Trustee Richard Baldino moved to adjourn at 10:04 p.m. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia