

**ZONING BOARD OF APPEALS**  
**MINUTES OF MAY 8, 2013 – 7:00 P.M.**

1. The regularly scheduled meeting of the Zoning Board of Appeals was called to order at 7:00 p.m.
2. A quorum was present. Marzena Szubart, Kathy Mennella, Bruce Boreson, Chairman Mark Cwik, Frank Grieshamer, Aaron Jimenez, Gil Snyder, Lisa Manzo (Secretary), Village Attorney Richard Bruen, John Schneider (Director of Community Development) and Patrick Ainsworth (Planner). All members were present.
3. Member Grieshamer made a motion to accept the minutes of April 10, 2013. The motion was seconded by Member Mennella and approved to place them on file as presented.
4. New Business: ZBA 13-06  
Aaron and Kyle Goldstein  
3531 Rose Street  
12-22-316-039-0000

Chairman Cwik stated that this hearing is for a Conditional Use for a restaurant per Section 9-5A-3 of the Franklin Park Zoning Code.

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

Chairman Cwik called the petitioner(s) up at this time. He asked if they can sign in and be sworn in. Mr. Aaron Goldstein, Mr. Kyle Goldstein, petitioners, and Mr. Domenico Preiti, property owner, came forward. They signed in and were sworn in.

Mr. Goldstein gave a brief presentation on this hearing and discussed their plans for a new family southern style restaurant. Hours of operation will be 10:30 a.m. to 9:00 p.m. Monday through Friday, and Saturday and Sundays from 12:00 noon to 10:00 p.m. They will encompass two (2) store fronts. Mr. Ainsworth stated that the restaurant is highlighted on the plat of survey showing the exact location of the restaurant in question. Mr. Goldstein stated that they will have sufficient parking and they will have approximately six (6) employees at one time.

Mr. Goldstein further stated that they will also deliver and cater.

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

Board Discussion began at 7:07 p.m.

The members discussed this hearing and the sufficiency of parking for this restaurant. The members also discussed the parking lot at the corner of Addison and 25<sup>th</sup> Avenue.

Board Discussion ended at 7:09 p.m.

Member Grieshamer made a motion to “approve ZBA 13-06 for 3531 Rose Street, for the operation of a restaurant per Section 9-5A-3 of the Franklin Park Zoning Code with the following conditions: 1. that all employee vehicles park on site; 2. that the use of the property complies with all other codes and ordinances of the Village of Franklin Park.” Member Mennella seconded the motion. Roll Call Vote. Member Szubart-Yes; Member Mennella-Yes; Member Boreson-Yes; Member Snyder- Yes; Member Jimenez- Yes; Chairman Cwik-Yes; Member Grieshamer-Yes. Seven (7) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

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

Chairman Cwik thanked everyone for attending this evening.

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5. New Business: ZBA 13-08  
Cutting Edge- Larry and Lonnie Samples  
9130-34 Parklane  
12-27-213-012, 013, 014-0000

Chairman Cwik stated that this hearing is for a Conditional Use for “other manufacturing, processing, storage or commercial user” per Section 9-6A-3 of the Franklin Park Village Code.

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

Chairman Cwik called the petitioners up at this time. He asked if they can sign in and be sworn in. Mr. Larry Samples and Mr. Lonnie Samples, petitioners, came forward. They signed in and were sworn in.

Mr. Samples gave a presentation to the members stating that they are a document destruction company and have been operating for eleven (11) years serving the Chicagoland area. He continued to state that they are a AAA rated company. Mr. Samples stated that their company shreds paperwork and cardboard. He further stated that all work takes place inside the building and nothing will be stored outside the building.

Member Grieshamer asked how many trucks he will have at the location. Mr. Samples stated that the company has five (5) 24 foot box trucks. He continued that the trucks would be delivering the paperwork to the building, and pulls inside the building to drop off the product. He further continued that customers are able to view the shredding of their documents on line.

Chairman Cwik opened this hearing to the public at this time. Chairman Cwik stated that anyone wishing to speak will come forward, sign in and be sworn in before giving any testimony.

Public session began at 7:21 p.m.

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Mr. David Rodriguez of 9115 Parklane came forward at this time. Mr. Rodriguez signed in and was sworn in. He stated that he lives across the street from the property in question and is concerned about pests due to the paper storage.

Ms. Candace Lepek of 2929 Willow came forward at this time. Ms. Lepek signed in and was sworn in. She stated that she is concerned about the noise from the shredders. She further stated that she is concerned about lighting, parking, traffic congestion and asked how long the paper will be stored on site. She is worried that it will smell.

Public session ended at 7: 26 p.m.

Chairman Cwik called the petitioners back up to the front at this time. Chairman Cwik asked the petitioners to answer the concerns of the public. Mr. Samples stated that bales are collected and after approximately two and a half days, they will be shredded, baled and removed from the property. Mr. Sample stated that the paper will not sit on site. He continued to state that the machinery that they will have will not be noisy. The baler will be located to the rear of the building by the train tracks. He further stated that any lighting on the property will not be directed to the residential area. He also stated that they will not have a pest problem and also stated that drop-offs will occur in the rear of the property.

Member Grieshamer asked what the hours of operation will be. Mr. Samples stated that hours will be from 6:00 a.m. to 5:00 p.m. Monday through Friday. Mr. Samples continued that the doors will remain closed at all times and shredding won't typically start prior to 7:30-7:45 a.m. Mr. Samples stated that there will be no odor at the facility and furthermore, they intend to purchase this property not lease it. He also stated that 98% of their products are recycled.

Chairman Cwik re-opened the session to the public at 7:37 p.m.

Mr. David Rodriguez came forward and stated that he is concerned about electronics being stored and/or disposed of as well as lead product. He asked how these products will be disposed of. Mr. Rodriguez stated that all of this is concerning because he has two (2) small children and he is concerned for their well being and safety.

Public session ended at 7:41 p.m.

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Chairman Cwik asked the petitioners to come forward again. Mr. Samples stated that electronics are disposed of immediately in bins. He further stated that their company does not handle lead products at all. They do take in printers, keyboards and things of that nature.

Mr. Ainsworth asked the petitioners to please discuss with the members what types of improvements they intent to make to the property once they purchase it. Mr. Samples stated that they will be making major improvements to the building. They will be making at least \$10,000 in roof and tuckpointing repairs. They will be doing electrical work, a sprinkling system. They will be making over \$110,000 in improvements to the property.

Board Discussion began at 7:44 p.m.

The members discussed the case at this time and reviewed all the paperwork in the packets. They discussed that there should be no “drop off” boxes on the exterior of the building. They talked about signage stating that there is no drop offs after hours.

Board Discussion ended at 7:47 p.m.

Member Grieshamer made a motion to “approve ZBA 13-08, for a Conditional Use at 9130 Parklane for “other manufacturing, processing, storage or commercial user” per Section 9-6A-3 of the Franklin Park Village Code with the following conditions: 1. That no drop off boxes be placed on this property at any time for the collection of any items and 2. That the use of the property complies with all other codes and ordinances of the Village of Franklin Park.” Member Mennella seconded the motion. Roll Call Vote. Member Szubart- Yes; Member Mennella- Yes; Member Boreson- Yes; Member Snyder- Yes; Member Jimenez- Yes; Chairman Cwik- Yes; Member Grieshamer- Yes. Seven (7) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

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

Chairman Cwik thanked everyone for attending this evening.

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6. New Business: ZBA 03-09  
Village of Franklin Park  
9500 Belmont Avenue

Chairman Cwik stated that this hearing is for a Text Amendment to Section 9-1-3 and 9-5B-3 of the Franklin Park Zoning Code.

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

Chairman Cwik called the petitioner up at this time. He asked if he can sign in and be sworn in. Mr. Patrick Ainsworth, petitioner, came forward. He signed in and was sworn in.

Mr. Ainsworth gave a brief presentation on this hearing to the members. He discussed two (2) additions to the definition section of this particular part of the code. The two (2) additional definitions were: Instructional Dance Studio and Performance Art Studio or Sports Academy/School. Mr. Ainsworth then proceeded to read those definitions to the members. He continued that these two definitions are not currently in the code and should be inserted because in the C-2-1 zoning district businesses like this would exist and benefit the community by offering a place for children and adults to be involved with others and give life to the Village.

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

Board Discussion began at 7:57 p.m.

The members discussed this hearing.

Board Discussion ended at 7:58 p.m.

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Member Grieshamer made a motion to “approve ZBA 13-09 for a Text Amendment to Section 9-1-3 and 9-5B-3 of the Franklin Park Zoning Code.” Member Mennella seconded the motion. Roll Call Vote. Member Szubart-Yes; Member Mennella-Yes; Member Boreson-Yes; Member Snyder- Yes; Member Jimenez- Yes; Chairman Cwik-Yes; Member Grieshamer-Yes. Seven (7) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

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

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7. New Business: ZBA 13-10  
Nelly Salinas  
9760 Grand, Unit 1B  
12-28-230-025-0000

Chairman Cwik stated that this hearing is for a Conditional Use for an Instructional Dance Studio per Section 9-5B-3 of the Franklin Park Village Code.

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

Chairman Cwik called the petitioners up at this time. He asked if they can sign in and be sworn in. Mr. Kevin Kang, building owner, Ms. Nelly Salinas, petitioner, and Ms. Evan Acey, translator came forward. They signed in and were sworn in.

Ms. Salinas via Ms. Acey, translating, stated that she intends to open an Instructional Dance Studio at this location. She currently has a hair salon in the same building. She stated that she intends to have sixteen (16) students at any one given time.

Member Grieshamer asked how many employees there will be and how long is the lease. Ms. Salinas stated that there will be two (2) employees and currently she will have a three (3) year lease. Mr. Kang confirmed this information.

Member Boreson asked if Ms. Salinas will have sufficient parking. Ms. Salinas and Mr. Ainsworth concurred that Ms. Salinas has secured seven (7) additional parking spaces at the O'Reilly Auto Parts store on Grand Avenue, across from the prospective location. Mr. Ainsworth stated that Ms. Salinas has a verbal agreement with the manager of the O'Reilly Auto Parts. He personally verified this with the manager.

Member Grieshamer questioned the verbal agreement for the additional parking spaces and feels, along with the other members, that it is not a binding agreement. Mr. Ainsworth assured the members that she does have a verbal agreement and that the O'Reilly Auto Parts manager wouldn't sign a written one at this point and time.

The members discussed this situation at length and wouldn't want to destroy the potential of this new business coming into the Village over a verbal vs. written agreement.

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

Board Discussion began at 8:12 p.m.

The members discussed this hearing and the parking situation for this particular building. The members discussed how businesses along Grand Avenue have parking issues and it would be a shame to hold a potential business owner accountable for that, considering that she is doing everything she can to follow all the rules and comply with the Village.

The members discussed placing a condition on the conditional use addressing the verbal agreement issue.

Board Discussion ended at 8:17 p.m.

Member Grieshamer made a motion to “approve ZBA 13-10 for 9760 Grand, Unit 1B for a Conditional Use for an Instructional Dance Studio per Section 9-5B-3 of the Franklin Park Zoning Code with the following conditions: 1. that if the verbal parking commitment is lost, the petitioner shall notify the Village within five (5) working days; this will start a 90 day clock of time to find additional parking from another source; 2. That employees and/or customers shall not park on the side streets; 3. That the use of the property complies with all other codes and ordinances of the Village of Franklin Park.” Member Mennella seconded the motion. Roll Call Vote. Member Szubart-Yes; Member Mennella-Yes; Member Boreson-Yes; Member Snyder- Yes; Member Jimenez- Yes; Chairman Cwik-Yes; Member Grieshamer-Yes. Seven (7) Ayes, Zero (0) Nays, Zero (0) Absent, Zero (0) Abstain. The motion was carried.

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

Chairman Cwik thanked everyone for attending this evening.

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7. Old Business: None.

Mr. Ainsworth and Mr. Schneider updated the members on many new exciting projects and developments taking place in the Village at this time. Some topics that were discussed were the Kick-Off Meeting with the RTA to redevelop downtown Franklin Avenue, the Farmer's Market, Railroad Daze, and the new Craft Show that will be coming to the Village on June 8, 2013.

Mr. Schneider discussed many new businesses in the Village that are expanding and adding more jobs. It is a promising time in the Village and more is to come.

8. Public Comment: None.

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

The meeting adjourned at 8:42 p.m.

Respectfully Submitted,

Lisa M. Manzo  
Secretary