

Village of Justice
Zoning & Planning Commission
Minutes of Monthly Meeting
October 15, 2012

CALL TO ORDER:

Meeting was called to order at 7:02pm by Chairman John Bruce.

ROLL CALL:

Roll call was taken. Present at meeting were: Henry Oszakiewski, Rich Berkowicz, Charlene Carter, Jack Kennedy, Jim Brock, Bogdan Ogorek, Chairman John Bruce, and Secretary Shirley Shilka.

READING AND APPROVAL OF MINUTES FROM: September 17, 2012

Chairman John Bruce entertains a MOTION to approve the Minutes from the September 17, 2012, meeting, as amended

MOTION: To accept Minutes from September 17, 2012 meeting as amended.

Jack Kennedy: SO MOVED

SECOND: Jim Brock

VOTE: All Ayes.

Henry Oszakiewski: When you read thru the minutes there are some "to do" items there that need to be notated. I recommend that we add a "to do list" to our report.

John Bruce: We can run a current "to do list", just take a separate page and include that as an addendum to the minutes. If it applies to the Building Department or Public Works Department they can then handle it.

WENT OVER "TO DO LIST" FOR September 17, 2012.

John Bruce: Property at 8455 S. Roberts, information being turned over to the Building Department as discussed at the last meeting.

Henry Oszakiewski: Jim Lurquin was talking about a restaurant and a 9-hole golf course. Also, the New Bridges came to us for a banquet room and to extend their kitchen. What is the seating capacity?

Trustee Sparr: They are going ahead with their remodeling, I have no idea how many it will seat.

John Bruce to Trustee Rusch: Would the New Bridges have to get a separate business license for the banquet facility or would they have to modify their existing business license?

Trustee Rusch: No, they are going to cut thru the walls and it is one business.

John Bruce: So it will be the same business; I would hope they are going to have some sort of grand opening on that.

Henry Oszakiewski: We should include on the "to do list" to be aware of when the New Bridges has a grand opening. It would be an opportunity for the Zoning Board and the Chamber of Commerce to attend this opening as a group to welcome their expansion and also to talk to them to become a member of the Chamber of Commerce.

John Bruce: Da Mar is also going to be remodeling correct? Is it going to be such that they are going to have a grand re-opening?

Shirley Shilka: I have not heard anything in regards to a grand-re-opening. They are adding an animal crematorium and also remodeling to the 2nd floor to add an apartment.

Henry Oszakiewski: If they should decide to have a grand re-opening, we could attend along with the Chamber of Commerce.

Henry Oszakiewski to Orley Betcher: Do we ever survey the new businesses that come into town, about what 3 things that we as the Village, Zoning & Planning Board and the Trustees can possibly do for them?

Orley Betcher: A couple times I have had some inquiries and I refer them to the Building Department. The Building Department is familiar with vacant property and square footage.

Henry Oszakiewski: The survey could have about 2 or 3 questions regarding something that our organization can help them with. When we get the survey back, we can take a look at it and see if there are any items there that we can help them with. If we cannot help them, we could then go to the Mayor and the Trustee's.

Trustee Small: Could that survey be done at the time of their business license?

Henry Oszakiewski: We could do a survey then or after 1 year or even after 10 years.

John Bruce: We could also make the survey a part of their business re-licensing.

Henry Oszakiewski: You might also want to do the survey as part of the licensing packet. Orley had some good ideas that we could ask the businesses, such as what would make it better for them in the Village, and how could we help them out. We don't know these things unless we ask them.

Trustee Small: Would it make sense if we hand out the survey when they get their application for permits? If the Chamber of Commerce had some sort of a welcome packet that could also be handed out at that time, the

packet could include a sign-up sheet for them to join the Chamber of Commerce, that would help the Chamber grow.

Henry Oszakiewski: This is something to think about for our next meeting.

John Bruce: The survey should be assigned to the Chamber of Commerce or the Village. I would think that the businesses would have to be in the village for 6 months to a year, before they really know what to suggest for improvements. There could be a survey as part of the package with questions and answers as to what; you as the business owner would expect from the village.

Henry Oszakiewski: For example they might have two shops, one in Countryside and one in Justice; they might have a different experience in Countryside than they do in Justice. That experience might be better in Justice or better in Countryside. We will get that information from them and then we can see if we can make any changes in what we are doing to increase business in town., the Chamber could also grow from this.

John Bruce: How often do we send out the Village newsletter and how much does it cost?

Trustee Small: The newsletter goes out quarterly and the cost is between \$800.00 and \$1200.00.

John Bruce: Maybe we could add a couple pages with a snapshot of the business cards from the different businesses. Something could also be done in conjunction with the Chamber of Commerce, where all the businesses can get a business card size add. If they want something bigger they can get that also. We could also add a stuffer to include a list of the businesses and what type of business they are or also have a refrigerator magnet attached to it somehow.

Trustee Small: We can certainly discuss that at a committee meeting.

Orley Betcher: Just for a point of information, the Chamber of Commerce will be putting up 2 welcome signs; we are only starting with 2 at this time. We have them already made up and are in the process of trying to pick out the sites where they will be installed. All they will say is "Justice Chamber of Commerce Welcomes You" and will be installed behind the Village sign.

We felt this would be a good incentive to businesses coming in that they would know there is a Chamber of Commerce and would feel more secure about coming to our village.

Henry Oszakiewski: Jack Kennedy mentions on page 5; What if we found out from the last business owner that came into the village, what made them come here? Then that could be added to the survey. We could survey the new businesses at the time they come in and then annually.

Henry Oszakiewski to Trustee Rusch: Ed would you want us to come up with some questions for the survey, then send them to you? Then the questions could come back to the Zoning Board or you could give them to the Trustee's.

John Bruce: This is planning, but it is more Economic Development, so we should make sure they get to Jim Lurquin.

Henry Oszakiewski: Orley Betcher mentioned that the Chamber of Commerce meetings are the second Thursday of the month, in the Library at 6:00pm. On a rotating basis we could have at least one member of the Zoning Board attend that meeting, or as many of us that could come could also be there on a regular basis, we should talk about that.

Trustee Small: Are those meetings open to just members of the Chamber or are they open to anyone?

Orley Betcher: They are open to members, but you are surely welcome to come. We can't have everybody coming in.

Trustee Small: Do you want that date on our calendar on the village web site?

John Bruce: Maybe we could put it on the calendar that the Chamber of Commerce meetings are every 2nd Thursday and please contact the Chamber of Commerce, then give a name and phone number for further information. At least anyone interested in joining or meeting with the businesses or the Chamber of Commerce would have the contact information.

John Bruce: Since you are going into Economic Development that would have to be discussed with the person in charge of Economic Development, so that we are not speaking out of turn or volunteering the wrong information.

Trustee Sparr: We should not have any problem with you attending at all. I am glad to hear that someone would be willing to do that.

Henry Oszakiewski: to John Bruce: I marked on my calendar, I am going to go to the Chamber of Commerce meeting in November, so you know, in case anyone else would like to attend.

Trustee Sparr to Orley Betcher: Orley as president of the Chamber of Commerce would you mind if our Zoning Board members attend your meeting?

Orley Betcher: We should have a liaison between the Village and the Chamber, that way they can get input from one another. I thought, a long time ago, that this should be a two way deal so both sides know what the other side is recommending.

John Bruce: We will make Henry Oszakiewski the liaison, so anyone who is available can let Henry Oszakiewski know. The next meeting is November 8th at 6:00pm.

Henry Oszakiewski: There is a lot of dialogue on page 7 regarding the Bedford Park & Willow Springs bike trail.

John Bruce: North of the Railroad tracks is zoned R-1.

Henry Oszakiewski to John Bruce: What has to happen is that you, John, would have to speak with Trustee Sparr and talk about; what are the tasks necessary for us to work on for them.

John Bruce to Trustee Sparr: The concept for the area north of the tracks is business, correct?

Trustee Sparr: I am not sure what the concept is, I just made myself a note to check and see.

I know there are multiple owners behind there, the MWRD, the Cook County Forest Preserve, and I believe some of it is DNR. I have to get with the Trustee's in Bedford Park to find out.

Henry Oszakiewski: I also would imagine the board would want to do some sort of enterprise zone, like we did with the comprehensive plan, where the property is pre-zoned ahead of time.

John Bruce: We need to have authorization from the village board all I need is to make a motion to include that as phase 4 of the comprehensive plan. Then we could do the research that I need to do as far as property owners and plats.

Shirley Shilka: Who will get the information to you regarding the enterprise zone?

John Bruce: Trustee Sparr is in charge of us; as far as the board is concerned, he is the one that has to tell me to do what I need to do for a public hearing. Basically they need to submit an application from the village.

Henry Oszakiewski: We need to take a really close look at that area.

John Bruce: The Shell Oil property, does the street end at 86th Avenue or 86th Court? Where is the technical end of the street?

Trustee Rusch: It has always been a discussion as to who owns the street. Shell Oil plows it, salts it and maintains it. As far as they are concerned it is their street. That is in Bedford Park anyway.

Orley Betcher: The 100 acres you are talking about, if some of that is Forest Preserve property it would be next to impossible to develop anything there.

John Bruce: I don't think any of that is Forest Preserve property.

Trustee Sparr: About 300 feet west of La Grange Road belongs to the Forest Preserve and some of it is DNR. Alsip has the same thing and they were granted a 100 year lease on the property.

John Bruce: From what I understand, back in the 80's, Justice went to the center of the Des Plaines River. Hodgkins was north of that, but the DNR owned property along the sanitary canal for maintenance.

Trustee Sparr: They owned property along the old I & M, MWRD owns everything west of the old I & M.

Charlene Carter: Jim Lurquin said MWRD does not have anything to do with that property.

John Bruce: Maybe we can get Jim to qualify that. If we have a lease there has to be some type of documentation on that.

Trustee Rusch: I went to the Southwest Conference of Mayors meeting back in the 90's. They had representatives there and they said that all of this property is in Justice. I don't know exactly how or if they purchased it from Justice.

John Bruce: What about the north side of the sanitary canal, between the canal and the Des Plaines River? From what Ed Sala told me, Justice boundaries go to the middle of the Des Plaines River and Hodgkins has the other side. I will see if I can get a plat.

Trustee Rusch: Documentation goes back to the late 40's or early 50's.

John Bruce: Rich Jalovec was the attorney then wasn't he?

Trustee Kuban: Do you need information from Rich Jalovec? I will ask him if he has any documentation on that property.

John Bruce: We also have tours that Rich Berkowicz and Jim Brock went on. First; 88th Avenue next to Canterbury. Has anyone heard about what they are doing on the property next to Canterbury with the house on it?

Shirley Shilka: The house at 8811 W. 83rd Pl. has been demolished.

John Bruce: The vacant lot at that address of 8811 W. 83rd Pl. is gravel and just used for overflow parking from Canterbury Inn. Next on the tour was the old gas station at 8801 84th Pl.

Rich Berkowicz: The question on the gas station at 8801 84th Pl. is that it takes about 1.2 million dollars to get all the ground taken care of and the tanks out of there. The bank is now moving ahead on anything.

John Bruce: The bank will sell as is; they are not going to be responsible for doing anything to it. I don't know if there is anything the village can do about that.

Jim Brock: If the EPA has failed the grade they cannot sell off this property knowing it is contaminated. Once it is declared contaminated it is up to the owner of the property to clean it up.

John Bruce to Shirley Shilka: Has there been a formal declaration of contamination?

Shirley Shilka: That I do not know, however there was a company that called Jim Lurquin about 2 weeks ago regarding the removal of the tanks. I don't know if he talked to Trustee Sparr about that or not.

Trustee Sparr: I know they have called on it but I don't know if they are going to pick up the tab on that clean up.

John Bruce: So they cannot sell it as is, even if the buyers know about the contamination?

Jim Brock: That is correct, they cannot assume the liability.

Trustee Small: Is there a limit on the number of years it can go without being cleaned up?

John Bruce: That I do not know.

Trustee Sparr: Unfortunately it's the same thing we had with the old Anthony Oil property on Archer.

It sat almost 20 years before we got the assessment Brownfield Grant.

Jim Brock: If somebody comes along and they are willing to sign a contract with the owner to clean up the business it is still the responsibility of the original owner. They cannot take ownership until it is cleaned up.

Trustee Kuban: There is no limit on time; we are stuck with it as is until somebody cleans it up.

Trustee Rusch: How did we get to 1.2 million dollars? Have there been core samples done to find out what is in there? How do we know how bad the contamination is?

Rich Berkowicz: I am going by what Jim Lurquin has told me, via the bank.

John Small: Sometimes you get a surprise and there are tanks underneath it or other things you don't know about.

John Bruce: I would imagine there was some sort of samples taken when the county was digging up 88th Avenue.

Trustee Rusch: The tanks are probably full of water and fuel.

Rich Berkowicz: The property in the back could also be contaminated.

John Bruce: They used to dump used engine oil back there.

Orley Betcher: I thought every gas station contributed a certain amount of money into a government fund that took care of when a gas station is abandoned.

John Bruce: I think that is only for oil companies.

Trustee Rusch: That was for major companies, you're talking pipe lines and oil refineries.

Jack Kennedy: How do we prevent the other gas stations that we have now from closing down and leaving the same problem. Is there anything to guarantee us that they will not let this happen again?

Trustee Small: Such as an escrow account or something?

John Bruce: Doesn't the state Fire Marshall do quarterly inspections?

Trustee Sparr: They do inspections on safety. They don't do inspections on soil at the time the new station is in, they do a pressure test. It's only for the safety and confinement of the tank.

Trustee Rusch: Another thing is, if they don't disturb the ground and they just layer over it, they can do something else.

Henry Oszakiewski: What if the village, thru their attorney was to contact the bank and tell them this is an eyesore, take it down, don't disturb the ground, and go put some trees and bushes or grass in there.

Trustee Rusch: If the bank would authorize core samples, and you don't find any product, you are good.

John Bruce: I don't think they could knock it down without disturbing the ground.

Trustee Rusch: We could contact the IEPA and also the village attorney, and explain the type of property we have and ask; how do we proceed to see if there is a problem there or if there isn't. We are assuming that there is product in the ground. I am sure there is something there, the questions is, how bad is it? My first guess is that they are going to say to get a core sample.

Trustee Small: Isn't that what they did with the property at 86th Avenue and Archer. Where we have been trying to get the Brownfield Grant, that whoever owns that just deed it to the village. Is that what the bank wants to do with the property on 88th Avenue? Then we could apply for a grant to get rid of the tanks.

Bogdan Ogorek: Was there a soil sample done when they did the road project on 88th Avenue?

John Bruce: They did a sample at Beahan's gas station when they did the remodeling. When they widened 88th Avenue, they might have taken some core samples, but they wouldn't have taken them very deep.

Jack Kennedy: They also didn't go back far enough when they widened the road.

Trustee Rusch: Once you get the core samples you'll know whether contamination is confined or not, and how far it spread. We are guessing 1.2 million dollars but we don't really know for sure. Once you get core samples you'll know what the costs will be. It's not as expensive as you might think.

If the IEPA can prove that there is a health hazard or there is infiltration to the water table they are going to (could not hear the rest of this comment).

Trustee Rusch: They can at least give us direction. The village attorney will have a good idea what we can do. The bank certainly is not going to authorize anything, but if we raise an issue that we are concerned, that it has been there so long, what is it doing to the water table and it also has a chance to get into the storm water sewer that is running down Cork Avenue. We might have enough smoke to tell the bank; you are going to do a core sample, we need to know what's going on there or at least give us permission to do it ourselves. Again it's a start to contact them.

Rich Berkowicz: What we then looked at was the property north of 83rd Street behind Asbury Condo's. The original thought was a park back there. We removed so many loads of dirt and all of a sudden nothing else is going on. Are there any plans for that property?

John Bruce: The village owns that property correct?

Trustee Sparr: Yes. I know there was a plan of possibly trying to sell off a piece of the property to allow a few more buildings to be built.

Trustee Rusch: I would put that piece of property on the back burner for now.

Rich Berkowicz: Another address we went to was at 8820 85th Place. The house needs to be cleaned up of boards, weeds, and cars.

John Bruce: That is a code violation, which should go to the Building Department, Ed Shilka:

Rich Berkowicz: Next we went to the Justice Mall on 88th Avenue. There are possibilities in there.

John Bruce: How many spaces are open in there?

Rich Berkowicz: I would say about 4 small businesses.

Henry Oszakiewski to Orley Betcher: Are any of the businesses in there part of the Chamber of Commerce?

Orley Betcher: JJ Fish is the only one.

Jim Brock: I have one more thing; the property north of the tracks, Bedford Park is trying to get some kind of access road back there, is what I'm hearing. What about Summit? There is a lot of property between 71st Street and La Grange Road. That would benefit 3 villages.

Trustee Sparr: That's the enterprise zone.

John Bruce: For as far as this end of it you would have to have at least one if not 2 access points; ingress, egress points to make it really feasible. Could 71st Street go all the way thru?

Trustee Rusch: There is a water main in there and right across from the last house there is a large vault.

Henry Oszakiewski: I will add these tours to the observation log. If you have any comments or additions to this, get them to me or email them to me.

Charlene Carter: I have a comment on the dumpsters at the Trace. They are very unsightly, they built slabs to put them on, don't we have an ordinance in town that says they dumpsters need to be enclosed?

Trustee Sparr: The reason they cannot put an enclosure on the dumpsters is that the trucks cannot get in there then to empty them. So they have always been exempt from the rule due to that fact and also because of the parking in there.

Orley Betcher: I think another reason is that the residents were filling up the enclosure and all around it.

Charlene Carter: Can they get more dumpsters in there?

John Bruce: That is something that the Building Department can check into, as far as if they have sufficient dumpsters for the property.

Henry Oszakiewski: Maybe if they had a wooden fence, not on all sides, only on one side so that when you are driving on 83rd Street you don't have to see it. We can present this to the Building Department and see what they can offer as an option.

Jim Brock: Not the whole run, just by the dumpsters.

John Bruce: The problem is you are possibly going to still see it because they park the dumpsters on an angle, so the trucks can get to them.

Charlene Carter: Is there something that the garbage company can do and possibly put the dumpsters back where they are supposed to be.

John Bruce: I've been told by people that live there, that because of parking, there are dumpsters that have not even been picked up because the truck cannot get to it. That is why they park them out like that.

Charlene Carter: Also 8600 83rd Street and 86th Avenue, is a junk yard back there.

John Bruce: That is also for the Code Enforcement Officer.

Henry Oszakiewski: What I attempted to do was take the tours we went on and categorized them. Also made notes to contact the property owners, Real Estate agents, and banks, maybe it is beautification or maybe it's talking to Jim Lurquin and Ed Shilka.

We can then identify with these and code them, then I will re-send this to you and if you could work it over then at our next meeting we can talk about it.

I would be a good time in the spring to take care of a lot of this stuff.

Trustee Rusch: I noticed Gibby's Plumbing is for sale, is the gas station for sale as well?

Shirley Shilka: He has just put in a lot of work to clean it up.

John Bruce: There is no attendant there, how can they have a 24/7 gas station when there is no one physically there?

Trustee Small: It doesn't have to be attended. He was made to clean it up and make it presentable, and the Fire Marshall has been there.

Shirley Shilka: The Fire Marshall has been there and they also have emergency shut offs to the tanks.

John Bruce: When is the meeting with The Lakota Group?

Henry Oszakiewski: The Mayor reported that at one of the meetings and I also think Ed and Jim were there, that they have new development proposals that were added to their report and the Lakota Group is to meet with the Committee next.

John Bruce: Do you know if there is a date on that yet for next month?

Trustee Small: The Mayor had talked about having that on a Wednesday night during a regular Committee Meeting. However, the date has not been set.

John Bruce: Maybe we could combine that meeting with our meeting next month. Our meeting should be brief and then we would all be there to hear what is going on with the Lakota Group.

Henry Oszakiewski: So you are recommending that you will speak with Jim Lurquin and the Mayor to get a meeting date, that way we can all be there?

John Bruce: I will get back to you specifically as to when the date is and how we will arrange people to come in here ½ hour earlier, something like that.

Trustee Sparr: I would suggest we have the Lakota Group in first.

Henry Oszakiewski: We would like to thank the 4 Trustees who come to these meetings on a regular basis.

Trustee Small: I would like a copy of the "to do list" so that we can include it as a report as the Committee Meeting.

John Bruce: The next Zoning Board meeting is tentatively scheduled for November 19, 2012.

Chair entertains motion to ADJOURN:

Henry Oszakiewski: SO MOVED

SECOND: Jack Kennedy

VOTE: All ayes

Respectfully submitted

SHIRLEY SHILKA, SECRETARY

John W. Bruce

John W. Bruce, Chairman