



City of Naperville

400 S. Eagle Street
Naperville, IL 60540
<http://www.naperville.il.us/>

Meeting Minutes - Draft

Building Review Board

Thursday, April 24, 2025

3:00 PM

City Council Chambers

A. CALL TO ORDER:

B. ROLL CALL:

Present 7 - Gina Branham, Jeff Gross, Max Hoye, Erik Haugsnes, Shabbir Nulwala, Anees Rahman, and Michael Llewellyn

C. PUBLIC FORUM:

1. Ted Bourlard - NEST-Naperville Environment and Sustainability Task Force, spoke about the importance of “futureproofing” our buildings by adopting energy codes. It will save owners money, lower greenhouse gas emissions and work towards achieving climate action goals as stated in the Sustain Naperville 2036 Report. This is an opportunity to energy efficiency by adopting the 2023 Illinois Stretch Energy Code. Benefits of adopting this code include operating cost savings, improved air quality, better indoor conditions, and providing performance goals. Average homeowner annual savings of \$250 and payback of 8 to 10 years. And reduce the need for costly retrofits in the future.
2. Bruce Jones - NEST-Naperville Environment and Sustainability Task Force -Transportation Committee, spoke about electric vehicle charging stations for commercial properties. It is more cost-effective to install facilities for vehicle charging now at time of construction instead of later, saving thousands of dollars for property owners. Energy codes will save people money. People from out of town will be able to charge at local businesses. EV cars are becoming more affordable, and it makes sense to prepare now. This is regarding the 2023 Illinois Stretch Codes specifically and goes beyond the current Illinois Electric Vehicle Charging Act requirement.

D. PUBLIC HEARINGS:

E. REPORTS:

1. Approve meeting minutes from April 16, 2025.

A motion was made by Rahman, seconded by Branham. The motion carried by the following vote: 7:0

Aye: 7 - Branham, Gross, Hoye, Haugsnes, Nulwala, Rahman, and Llewellyn

2. Consider the requested variance to Section 5-1E-2 Subsection 2 of the Naperville Municipal Code (Prohibition of CPVC and PEX for domestic water supply piping) - BRB Case #112.

Consider the requested variance to Section 5-1E-2 Subsection 2 of the Naperville Municipal Code prohibiting the use of plastic domestic water supply piping, BRB Case #112. The motion to continue the discussion to the next meeting carried by the following vote: 7:0

Mark Dudash - Chief Building Official, City of Naperville, described variance request by Hines and gave recommendation to deny request to maintain current levels of quality in water distribution system.

Russ Whitaker of Rossanova and Whitaker LTD, Attorney for Petitioner, Hines. Presented the case concerning redevelopment of property at 1200 E Deihl Rd. in Naperville. Hines is an international company with over 5000 employees and operates over 90 billion dollars in real estate. The variance requested this evening is specifically for Naperville multi-family property. Details of the project were given.

Elliot Milliken, PE, Vice President of Conceptual Construction for Hines - We have built in all climate regions and showed example of buildings using CPVC and PEX. Quality is to be maintained, and installed in a neat, coordinated manner. Described diagram showing water piping of project. Nothing outside of the building will be altered. A booster pump will be used to provide necessary pressure. Main horizontal line from booster pump will be copper due to vibration and pressure. CPVC to be used vertical distribution to units. Metallic valves will be used and not plastic to maintain integrity. PEX to be used in units. Only PEX A will be used because it's the stronger product with no internal restriction at fittings, handles pressure and plenum rated. Variance requested aligns with State Plumbing, Uniform Plumbing Code and International Plumbing Code. Building code generally doesn't limit materials or test and certification. We would like the code to allow for innovation. Savings could be over \$500,000 if variance approved and would allow us to be more competitive. Advantages of PEX A and CPVC, smoother interior surfaces reducing instances of Legionnaires Disease. No pipe material is perfect as copper can have interior pitting issues. Installation is easier and does not kink, fewer fittings and potential leak points. Addressed city staff challenges to CPVC/PEX, all installation on this project will be within conditioned space and well within pressure limits. Potential chemical leaching, ICC, State of IL, and State of California have found no issues with leaching. Rodent damage, Hines has a pest control management program and has had no issues. Supporting, shall be supported per manufacturer/code requirements, at regular intervals. Lower durability, all installation will be with

envelope of building and within walls. Total install time of CPVC with solvent joints is still less than copper. Environmental concerns, manufacturing of CPVC and PEX A has less impact than copper on the environment. Embodied carbon is how much energy goes into creating products, PEX and CPVC have less embodied carbon than copper. In conclusion, we request to be allowed to use CPVC and PEX on this project because it aligns with international and state plumbing code and Hines standards. The code prohibiting PEX and CPVC lacks justification and should be able to innovate. Use of this product is an industry standard and is used all across the country. We are weighing every dollar we put into a project and have an opportunity here to have a more economical project.

Commissioner Max Hoye, will the variance allow others to use this product.

Russ Whitaker, no, this would only allow this product on this project but could be a test case to review this amendment further.

Commissioner Erik Haugsnes, can you explain the solvent weld of the CPVC joints further

Elliot Milliken, it's a chemical process to create the bond.

Commissioner Erik Haugsnes, how will the valves be connected

Elliot Milliken, some valves have CPVC connections, some connections are determined by the contractor.

Russ Whitaker, the union contractors have submitted bids and this is how the \$600,000 savings were determined.

Commissioner Jeff Gross, will the proposed piping scheme be what is submitted and built.

Elliot Milliken, yes.

Commissioner Jeff Gross, did the Oak Brook Tower referenced use PEX

Elliot Milliken, no, we stuck with industry standards.

Russ Whitaker, we would not be able to duplicate Oak Brook in today's economic environment.

Commissioner Jeff Gross, do you have any other projects using the Chicago water source that have PEX. With concerns of microbial growth and Legionaries.

Elliot Milliken, all of Chicago projects are metallic 100 percent.

Russ Whitaker, Naperville will be the new footprint for Hines. Other markets have instituted this type of product with no problems.

Chair Anees Rahman, the main header of the piping schematic proposed shows copper. In other areas are we getting less than if copper.

Elliot Milliken, no, it's rated for this application and for it's use.

Russ Whitaker, the industry standard is below copper, and Hines is going above this standard.

Chair Anees Rahman, with coppers ability to be recycled how is it more economical to use PVC.

Elliot Milliken, it's the embodied carbon from manufacturing.

Chair Anees Rahman, are there any water hammer issues with PEX/CPVC

Elliot Milliken, not with proper support and installation of water hammer arrestors.

Chair Anees Rahman, would it be better to have your house in CPVC or copper if subject to freezing.

Elliot Milliken, any pipe material exposed to freezing temperatures will have problems.

Chair Anees Rahman, any issues with dissimilar materials, with copper/PEX/CPVC.

Elliot Milliken, no, PEX and PVC are inert.

Commissioner Michael Llewellyn, this material not being typical to the Chicago area, are your contractors qualified and trained to install this material.

Elliot Milliken, this material does require training and all manufacturers provide training.

Russ Whitaker, we are hiring a union shop to do this work, and this material is permitted under the state code. If this wasn't prohibited in Naperville, we would be building with PEX/CPVC.

Commissioner Max Hoye, what is the main benefit of using copper versus CPVC in the main header.

Elliot Milliken, downstream of the booster pump is exposed to vibration and copper is needed to maintain the integrity of that main header.

Public Testimony:

Bruce Jones, are there any health concerns with using plastic water piping

Russ Whitaker, based on studies that have done and international codes and the state of California, this product is safe.

Paul Hinterlong, 38-year plumber, Naperville has high standards. This is about money. A variance is meant for unforeseen circumstances, this does not meet that requirement. This would set a precedent. We build things right in the Midwest and should not approve of this variance.

Jim Mansfield, worked in this town for the last 33 years, licensed plumber, RPZ, and licensed inspector. Naperville has a higher standard. Cost should not be a factor. PVC is not recyclable. Protection of the residents should be a priority, and we should not approve this variance.

Jim Majerowicz, licensed plumber State of Illinois, Indiana, City of Chicago, certified in plumbing engineering and sit on the IPC, UPC and Illinois Plumbing codes. The "code" is the minimum code of standards to protect the public safety and health. History of this material developing leaks in California and Texas. There are currently concerns with PFAS.

Russ Whitaker, this developer has global experience and has used this product for the last 10 years and is allowed under the current codes. The IEPA has not made any connection to PFAS and this product. This is private property in this 100-million-dollar investment and would not use this product if it wasn't safe and durable. Building across the region use this product and they are quality building. This is 2025 and we are changing everything, I-88 corridor is changing. Naperville innovates and we have a housing crisis. Hines is trying to innovate and help solve this problem. We have addressed staff concerns and proven this is safe and allow this as a test case. There will be no precedent by approving this variance.

Chair Anees Rahman, how long is this "test case"

Russ Whitaker, Hines bears 100 percent of the risk, there is nothing the city is going to own and is the only one at risk. This is a standard that has been adopted across the country.

Chair Anees Rahman, what are the ramifications if this variance is not approved.

Russ Whitaker, the project will most likely continue. New regulations are adding costs, for example the requirement for electrical vehicle charging by the state. We must find cost savings such as this.

Elliot Milliken, two things every property owner fears, fire and water. We are not taking this lightly and compromising quality with this request.

Jim Majerowicz, plastic piping doesn't have the track record of copper.

**Chair Anees Rahman, made motion to table agenda item until next meeting.
Motion Rahman, Second Brahman**

Aye: 7 - Branham, Gross, Hoye, Haugsnes, Nulwala, Rahman, and Llewellyn

F. OLD BUSINESS:

None

G. NEW BUSINESS:

None

H. ADJOURNMENT:

A motion was made by Rahman, seconded by Gross, approved. The motion carried by the following vote:

Aye: 7 - Branham, Gross, Hoye, Haugsnes, Nulwala, Rahman, and Llewellyn