



Meeting Minutes

Planning and Zoning Commission

Wednesday, May 1, 2019

7:00 PM

Council Chambers

A. CALL TO ORDER:

B. ROLL CALL:

Present 8 - Manas Athanikar, Krishna Bansal, Brett Fessler, Bruce Hanson, Anthony Losurdo, Andrew Margulies, Bianca Morin, and Bill Habel

Absent 1 - Chairperson Kamala Martinez

C. PUBLIC FORUM:

D. PUBLIC HEARINGS:

1. Conduct the public hearing to consider a variance to permit a 5' tall fence in the front yard at the subject property located at 1505 McDowell Rd (Iskcon Temple) - PZC 18-1-144

Commissioner Bansal recused himself from the dais.

Erin Venard, Planning Services Team, gave an overview of the request.

Parvathy Russell spoke on behalf of the petitioner.

The PZC inquired about the purpose of the proposed fence. Russell responded that the request to permit additional height for the fence is due to safety concerns.

Public Testimony: None

PZC closed the public hearing.

PZC supported the request, finding it to be straightforward.

A motion was made by Fessler, seconded by Losurdo to adopt the findings of fact as presented by the petitioner and approve PZC 18-1-144, a variance to permit a 5' tall fence in the front yard subject to the following conditions:

1. The fence cannot be replaced with a privacy (solid style) fence; the fence must remain decorative in style; and
2. A key box shall be mounted on the gate for the Fire Department's use; and
3. The gate should not be locked until the sprinkler system is installed. A lock box should also be installed on the building.

Aye: 7 - Athanikar, Fessler, Hanson, Losurdo, Margulies, Morin, and Habel

Absent: 1 - Chairperson Martinez

Recused: 1 - Bansal

Commissioner Bansal returned to the dais.

E. REPORTS AND RECOMMENDATIONS:

1. Approve the minutes of the March 20, 2019 Planning and Zoning Commission meeting.

A motion was made by Bansal, seconded by Fessler to approve the minutes of the March 20, 2019 Planning and Zoning Commission meeting.

Aye: 8 - Athanikar, Bansal, Fessler, Hanson, Losurdo, Margulies, Morin, and Habel

Absent: 1 - Chairperson Martinez

2. Approve the minutes of the April 17, 2019 Planning and Zoning Commission meeting.

A motion was made by Bansal, seconded by Losurdo to approve the minutes of the April 17, 2019 Planning and Zoning Commission meeting.

Aye: 8 - Athanikar, Bansal, Fessler, Hanson, Losurdo, Margulies, Morin, and Habel

Absent: 1 - Chairperson Martinez

F. OLD BUSINESS:

G. NEW BUSINESS:

H. ADJOURNMENT:

7:07PM

NAPERVILLE BOARD AND COMMISSION
DISCLOSURE OF INTEREST IN CONTRACT, BUSINESS, OR TRANSACTION

1-13-6: BOARDS AND COMMISSIONS: It shall be lawful for members of the various boards and commissions of the City, established from time to time by the ordinances of the City and the statutes of the state, to have an ownership, employment, or family interest in any contract, business, or transaction with the City, provided that said member shall file with the City Manager and with the chairman or vice chairman of the member's board or commission, the following disclosure:

Agenda Date & Item Number: 5/1/2019 19-421

Name: Krishna Bansal

Position with City: Planning and Zoning Commissioner

Name of entity contracting with City: ISKCON Temple of Greater Chicago

Proposed contract, business, or transaction: Conditional Use and Variance on Fence

I have an Ownership Employment Family Appearance of Impropriety Other interest in the proposed contract, business, or transaction as follows: Chair of Advisory Council (non-paid) with organization - responsible for community outreach and help fundraising

Dated: 05/01/2019

Signature: 

1. Said disclosure shall be filed before any board or commission (including the member's own) or the City Council considers approval of the proposed contract, business, or transaction.
2. In the event the member's own board or commission is to review or recommend upon such contract, business, or transaction, the member shall leave the chamber where deliberations take place during the discussion and vote on the interested matter and such member shall have no vote upon the matter.
3. The disclosure form filed by said member shall be attached to and made a part of the minutes of the meeting of said board or commission and shall be attached to and made a part of the report or recommendation made by said board or commission to the City Council, the City Manager, or any other board or commission of the City to whom such report or recommendation is rendered. Such disclosure shall be included with the agenda when the matter is proposed for approval by the City Council.
4. Any member of a board or commission who knowingly fails to file a disclosure required by this Section shall be subject to immediate removal from such board or commission by the City Council.

1-13-1: - DEFINITIONS: The following definitions shall apply to this Chapter:

BUSINESS OR TRANSACTION:	Licenses, permits, approvals, and benefits granted, given, or entered into by the City. Business or transaction restrictions shall not apply to those applicants exempted under Section 1-12-5 of this Title, unless specifically hereinafter provided.
CONTRACT:	Any agreement between the City of Naperville and any person, firm, corporation, or entity for the purchase of materials, goods, or services or real estate from the entity. Contract shall also mean any agreement whereby real estate, materials, goods, or services are sold by the City to the entity. Contract shall also mean a deposit of monies, loans, or other financial services provided to the City by banks and other thrift institutions. Contract shall include employment by the City.
EMPLOYMENT INTEREST:	An employment interest exists where a person is an employee or agent of the entity contracting or having any business or transaction with the City, and: 1. The person is compensated in a manner so that he would receive a commission, bonus, or profit sharing distribution based in whole, or in part, on the contract, business, or transaction with the City, or 2. The total of all contracts, business, or transactions between the City and the entity, in any calendar year, amount to more than twenty-five thousand dollars (\$25,000.00). An employment interest shall not include employment by another unit of government.
FAMILY INTEREST:	A family interest exists where a person has a wife, husband, son, daughter, father, mother, brother, or sister who has an ownership or employment interest in a contract, business, or transaction with the City.
OWNERSHIP INTEREST:	An ownership interest exists where a person is the sole proprietor, owner, partner, stockholder, or joint venturer of the entity contracting, or having any business or transaction with the City.

1-12-5: - EXEMPTIONS:

1. Disclosures in accordance with the provisions of this Chapter shall not be required of applicants for the following described contracts, permits, licenses, approvals or benefits:

<ol style="list-style-type: none"> 1.1. Vehicle Stickers. 1.2. Parking Permits. 1.3. Bicycles licenses. 1.4. Dog licenses. 1.5. Electrical contractor’s licenses. 1.6. Plumbing contractor’s licenses. 1.7. Sidewalk contractor’s licenses. 1.8. Alarm permits. 1.9. Amplifier permits. 1.10. Taxicab, liver, limousine and carriage licenses. 1.11. Block party permits. 	<ol style="list-style-type: none"> 1.12. Going out of business permits. 1.13. House moving permits. 1.14. Parade permits. 1.15. Peddlers' and solicitors' permits. 1.16. Raffle permits. 1.17. Purchase orders or contracts involving amounts less than ten thousand dollars (\$10,000.00). 1.18. Sign permits (if no variation is requested). 1.19. Applications for historic preservation district designation. 1.20. Applications for landmark designation. 1.21. Applications for utility service.
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2. Disclosures in accordance with the provisions of this Chapter shall not be required to be under oath for building permits for the following structures:

<ol style="list-style-type: none"> 2.1 Decks. 2.2. Patios. 2.3. Room Additions. 2.4. Garages. 2.5. Temporary electric service changes. 	<ol style="list-style-type: none"> 2.6. Swim pools. 2.7. Lawn sprinklers. 2.8. Construction trailers. 2.9. Gazebos. 2.10. Sheds.
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1-13-8: - NO DISCLOSURE REQUIRED: Notwithstanding any other provision of this Chapter, no disclosure is required under Sections 1-13-6 and 1-13-7 of this Chapter where the only interest is five percent (5%) or less ownership of shares of a publicly held corporation traded on a stock exchange.