

**VILLAGE OF HINSDALE  
ZONING BOARD OF APPEALS  
MINUTES OF THE MEETING  
April 15, 2009**

**1. Call to Order**

Chairman Anglin called the regularly scheduled meeting of the Zoning Board of Appeals to order on Wednesday, April 15, 2009 at 7:30 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois.

**2. Roll Call**

Present: Chairman Paul V. Anglin, Members William Haarlow, Kim Angelo, John Richter, and Bob Saigh

Absent: Members John Callahan and Marc Connelly

Also Present: Village Attorney Ken Florey, Building Commissioner Robb McGinnis, Staff Secretary Christine Bruton and Court Reporters Tara Zeno and Kathy Bono

**3. Approval of Minutes –**

a) Closed Session of February 18, 2009

Member Richter moved to **approve the minutes of the closed session of February 18, 2009**. Member Saigh seconded the motion.

**AYES:** Members Haarlow, Angelo, Richter, Saigh, Chairman Anglin

**NAYS:** None

**ABSENT:** Members Callahan and Connelly

Motion carried.

b) Regular Meeting of March 18, 2009

Member Saigh moved to approve the minutes of the Regular Meeting of March 18, 2009, as amended. Member Haarlow seconded the motion.

**AYES:** Members Haarlow, Angelo, Richter, Saigh, Chairman Anglin

**NAYS:** None

**ABSENT:** Members Callahan and Connelly

Motion carried.

**4. Receipt of Appearances**

Mr. Daniel present for APP-03-08 and Mr. Mark Irpino present for V-01-09.

**5. Receipt of Requests, Motions, Pleadings, or Requests to make Public Comment of a General Nature - None**

**6. Pre-Hearing and Agenda Setting**

**a) 245 E. Chicago Avenue, V-01-09**

Mr. Mark Irpino, homeowner and applicant was present. Chairman Anglin stated that new facts have developed regarding the survey; the lot lines were not where they should be. There were no additional questions from the Board at this time. The Public Hearing was scheduled for May 20, 2009.

**7. Public Hearings**

**a) 540 W. Ogden Avenue, APP-03-08, continued from March 18, 2009**

Attorney Daniel was cautioned by Chairman Anglin that no further testimony would be heard; the hearing is closed. The Board will only consider the decision.

Mr. Daniel thanked the Board and commented that this is a serious issue, he objected to the continuances and the settlement discussions were fruitless. He asked that each member be mindful that they are the final check before MIH, LLC. moves forward in the legal process. He asked the Board to consider prior objections and stated that he believes Mr. Cook's letter should be overturned. He reiterated his thanks. Member Saigh asked Village Attorney Florey if negotiations are at a conclusion for a settlement. Mr. Florey stated that after several meetings with the developer and Mr. Daniel, parties could not reach an agreement. Mr. Florey thanked all parties for their cooperation in this effort and stated his door is always open to any opportunity for settlement.

The public hearing was closed.

**b) 550 Walnut Street, APP-01-09, rescheduled for May 20, 2009**

Chairman Anglin explained that since notice was not published in adequate time the public hearing on this matter will take place in May. The applicants have been advised of the change in schedule.

### **Deliberations - APP-03-08**

Mr. Florey pointed out that the copy of the final decision before the Board tonight has been corrected: there were some typographical errors, some rewording for clarification and the date of ownership has been completed. **Member Saigh moved to approve the Final Decision for APP-03-08, as amended.** Member Angelo seconded the motion.

**AYES:** Members Haarlow, Angelo, Saigh, Chairman Anglin

**NAYS:** Member Richter

**ABSENT:** Members Callahan and Connelly

Motion carried.

#### **8. New Business**

##### **a) Approve Final Decision – 522 W. Hickory, V-10-08**

Chairman Anglin asked if there were any changes to the Final Decision as presented. There being none, Member Angelo moved to approve the Final Decision for V-10-08. Member Richter seconded the motion.

**AYES:** Members Haarlow, Angelo, Richter, Saigh, Chairman Anglin

**NAYS:** None

**ABSENT:** Members Callahan and Connelly

Motion carried.

#### **9. Unfinished Business**

Member Angelo asked Mr. Florey to explain an email he received on March 11<sup>th</sup> regarding the Garfield appeal. He wanted to know why it was sent; what was the purpose. It was a summary of the Wheaton proceeding, Chairman Anglin remarked, and it seemed appropriate to send to keep members informed and that another one was sent after the March meetings. Mr. Florey confirmed that it was sent to keep everyone informed, and the 11th was right after the decision of the court. Member Angelo referenced an article in The Doings dated March 12<sup>th</sup> wherein Mr. Florey was quoted as making comments about a pending case and how the ZBA should respond. Mr. Florey stated that the newspapers regularly contact him for comment on outstanding matters, but he was sorry if his remarks offended Member Angelo. Member Angelo reiterated that he does not appreciate communications of this nature on a pending case before the ZBA.

**10. Adjournment**

With no further business coming before the Zoning Board of Appeals, Member Angelo made a motion to **adjourn the meeting of the Zoning Board of Appeals of April 15, 2009**. Member Richter seconded the motion. Voice vote taken, all in favor, motion carried.

Chairman Anglin declared the meeting adjourned at 7:59 p.m.

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Christine M. Bruton  
ZBA Staff Secretary

Approved: \_\_\_\_\_