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VILLAGE OF GOODFIELD
AMENDED NOTICE OF PUBLIC HEARING OF THE BOARD OF
APPEALS REGARDING APPEAL OF BUILDING PERMIT DENIAL, or
ALTERNATIVELY, ZONING VARIANCE OR SPECIAL USE PERMIT

June 27, 2022

6:00 p.m.

Goodfield State Bank Conference Room

201 South Eureka Street, Goodfield, Illinois

MR. KUNTZ: My name is Jack Kuntz, Jr. I'm
the chair of the Board of Appeals. We're going to go
ahead and call this meeting to order.

Do I have a motion to do so and second?

MR. PETTY: Harv Petty. So moved.

MR. BAUMAN: Second. Andy Bauman.

MR. KUNTZ: This meeting is in order. Go
ahead and call roll, make sure there's a quorum.

MS. MARTIN: Kuntz.

MR. KUNTZ: Here.

MS. MARTIN: Bauman.

MR. BAUMAN: Here.

1 MS. MARTIN: Wagner.

2 MR. WAGNER: Here.

3 MS. MARTIN: Hohulin.

4 MR. HOHULIN: Here.

5 MS. MARTIN: Herrmann.

6 MR. GIFFORD: Not here.

7 MS. MARTIN: Petty.

8 MR. PETTY: Here.

9 MS. MARTIN: And that's it.

10 MR. KUNTZ: Because of the importance of
11 this hearing, we are -- I'm going to look for a motion
12 to designate a hearing officer to make sure we follow
13 all the rules and regulations so everybody gets a fair
14 and even chance to participate in this.

15 So I will entertain a motion to designate
16 Michael Gifford as the hearing officer.

17 MR. WAGNER: Greg Wagner. So moved.

18 MR. KUNTZ: Do I have a second?

19 MR. PETTY: Harv Petty. I second.

20 MS. MARTIN: Kuntz.

21 MR. KUNTZ: Yes.

22 MS. MARTIN: Bauman.

23 MR. BAUMAN: Yes.

1 MS. MARTIN: Wagner.

2 MR. WAGNER: Yes.

3 MS. MARTIN: Hohulin.

4 MR. HOHULIN: Yes.

5 MS. MARTIN: And Petty.

6 MR. PETTY: Yes.

7 MR. KUNTZ: I'll move it over to you.

8 MR. GIFFORD: Attached to the agenda are
9 proposed rules and procedures for the public hearing.
10 If you were here last week for the DSI hearing, these
11 are the same, except we don't have the same identity
12 of parties, and the board is only the zoning board of
13 appeals and not a combined meeting with the planning
14 commission.

15 I think it's appropriate for one of the
16 members to make a motion to adopt those rules and
17 procedures.

18 MR. KUNTZ: I'll make that motion.

19 MR. BAUMAN: Second.

20 MS. MARTIN: Kuntz.

21 MR. KUNTZ: Yes.

22 MS. MARTIN: Bauman.

23 MR. BAUMAN: Yes.

1 MS. MARTIN: Wagner.

2 MR. WAGNER: Yes.

3 MS. MARTIN: Hohulin.

4 MR. HOHULIN: Yes.

5 MS. MARTIN: And Petty.

6 MR. PETTY: Yes.

7 MR. GIFFORD: Okay. If you were here last
8 week for the DSI hearing, this is going to be very
9 very similar, hopefully will be a little bit shorter.

10 For the purposes of the transcript that the
11 court reporter is going to make for us, she's going to
12 generate afterwards a verbatim transcript of hopefully
13 everything that's said in the room, any comments, any
14 evidence, any testimony, so she needs to know who you
15 are because she doesn't know all of us. She barely
16 knows who I am sometimes, but that was a joke. I got
17 to have feedback on my jokes.

18 It is important that you talk to be heard.
19 That lady sitting over there is the most important
20 person in the room because she has to hear everything.

21 If you are going to give public comment
22 only, it is not necessary for you to have registered
23 as a party. If you were here last week for the DSI

1 hearing, the homeowners association registered, it has
2 counsel here and it participated as a formal party
3 opposite to Mr. Dietrich's petition. No formal party
4 has registered for the opposite side.

5 Mr. Stout?

6 MR. STOUT: Yes, sir.

7 MR. GIFFORD: You registered with the
8 Village. You're the only person who did register, and
9 I believe you and I talked last week and I talked with
10 Mr. Gaster well.

11 I need to clarify for the record is it your
12 intent that you will participate only by giving public
13 comment, or do you intend to participate as if you
14 were an attorney, cross-examining witnesses,
15 presenting evidence, or anything?

16 MR. STOUT: No, sir. I intend to only offer
17 public comment. Two minutes will do it for me.

18 MR. GIFFORD: Thank you. That means that
19 there is not a register party on the opposite side.
20 So the procedure is going to be that the petitioner,
21 Legacy Apartments, gets one hour to present their
22 case.

23 They are represented by counsel,

1 Mr. Jording, sitting over here, and he will be able to
2 ask questions of people that give public comment as
3 well. If you have a question of one of their
4 witnesses, please let me know, and we will determine
5 if it's appropriate to ask that question in that
6 context.

7 Anybody who's planning to testify or to give
8 public comment, last week we did it that it wasn't
9 sworn because we had formal parties on both sides, and
10 they agreed to that procedure. Because we do not have
11 that set up this time, I'm going to ask anybody who
12 plans to testify or give comment to stand up and take
13 an oath.

14 Understand that if you are planning to give
15 comment you have to be sworn. So anybody who is not
16 being sworn at this point won't be able to give
17 comment unless they're sworn later.

18 Anybody else want to participate? All right
19 repeat after me.

20 (Oath given to members of the public.)

21 MR. KUNTZ: Do we need to enter in the
22 record another board member showed up.

23 MS. MARTIN: Ross Herrmann came in at 6:04.

1 MR. GIFFORD: Are there any questions before
2 we begin? As I encouraged everyone last week, I
3 thought the meeting, although it was very passionate,
4 was very civil, and I hope we can conduct ourselves
5 the same way tonight.

6 So, counsel, you're on the clock.

7 MR. JORDING: Jason Jording, J-o-r-d-i-n-g,
8 for the petitioner.

9 Board, thank you for giving me this
10 opportunity tonight --

11 MR. GIFFORD: I'm going to have everybody
12 testify or give comment from the podium --

13 MR. JORDING: Absolutely.

14 MR. GIFFORD: -- so that everybody can hear.
15 Thank you.

16 MR. JORDING: Better? Thank you for the
17 opportunity tonight. I'm going to keep my opening
18 comments short because our intention tonight is to put
19 witnesses up here to give you all the information you
20 need for what we're going to ask.

21 We're going to make a twofold ask tonight.
22 First, we're going to ask that the administrative
23 decision, and everyone probably remembers the

1 excellent primer on zoning law that was given to the
2 board a month or so ago, you know, you have powers
3 that are administrative review. That's your power.

4 You also have the power, the alternative
5 relief we're going to ask for is a special use.
6 That's a recommendation. So we're going to ask that
7 the administrative decision be reversed because we
8 believe it's inconsistent with the law.

9 Alternatively, we're going to ask, and we
10 filed for a special use, to where the board can make a
11 recommendation that, if you don't agree that the
12 administrative decision was wrong, you can approve --
13 or you can recommend a special use for the Village.

14 So those are the two things. We're going to
15 present the evidence from our experts as to what the
16 project is, what it's going to do for the Village and
17 you, as the board, obviously, have the opportunity to
18 ask questions.

19 So if for some reason I don't -- it will be
20 my failing if I don't elucidate for you all of the
21 information that the witness has to offer you; if I
22 fail to do that, ask the question, because we've
23 brought an expert from many different fields to, in

1 essence, you know, for your benefit tonight. That way
2 there are no questions in your mind left unanswered.

3 Thanks. I guess I'll stand up here. I'll
4 call Alan Zimmerman for the first witness.

5 Alan, can you state and spell your full name
6 for the record.

7 MR. ZIMMERMAN: Alan Zimmerman. A-l-a-n;
8 Z-i-m-m-e-r-m-a-n.

9 MR. JORDING: Alan, where do you live?

10 MR. ZIMMERMAN: I live at 1598 Sugar Hill
11 Lane, Congerville, Illinois.

12 MR. JORDING: And what do you do for a
13 living?

14 MR. ZIMMERMAN: I run a detail shop in
15 Goodfield and also a real estate business with my
16 partner, Travis Dietrich.

17 MR. JORDING: And we're here tonight to talk
18 about Legacy Apartments. That's a project that you're
19 pursuing?

20 MR. ZIMMERMAN: Correct.

21 MR. JORDING: Tell us about the project.

22 MR. ZIMMERMAN: So Travis and I grew up in
23 the local area, and we have kind of always dreamed of

1 doing something in our own hometown and doing
2 something that brings something of good to our
3 hometown, our small town, and over the course of the
4 years we had -- we've been blessed to run a business
5 here and have a lot of the community rally around us.

6 And we've recently come across that there is
7 a need for housing in our community and also we'd like
8 to see good businesses grow in this community, and so
9 we reached out and talked to some -- some other
10 stakeholders locally and are seeing a good opportunity
11 for it and also a chance that -- I know we all talk
12 about we want -- what we want in our community or how
13 we want to maybe preserve our community in a way that
14 upholds our values.

15 I know almost everybody here tonight, and I
16 know a lot in this community hold the same values.
17 And so rather than just talk about that, we said we're
18 going to put our money where our mouth was, and we're
19 going to invest in this community to do a project that
20 upheld those values to maybe prevent some large
21 corporation or somebody coming in that don't hold
22 those. And we'll be here raising our families through
23 the entirety of this project and many many years to

1 come, so we want to effectuate change that way.

2 MR. JORDING: You mentioned that you and
3 Travis are local. Tell me a little bit about the
4 people that you've brought on board with this project.
5 Are they local as well?

6 MR. ZIMMERMAN: Yeah. So in choosing a
7 project, especially of this magnitude, we knew that we
8 wanted to keep as much of the work local as possible,
9 and we've been very blessed to actually keep all of
10 the work with companies that are local and employ
11 local families.

12 So Homeway Homes out of Deer Creek, I'm sure
13 everybody is familiar with, and the Schielers have
14 been helping us along with the build side of the
15 project. Farnsworth Group out of Peoria and actually
16 a connection through Ken Silverthorn locally here in
17 Eureka were able to make that connection and help us
18 with the engineering.

19 And we've been able to work with the Parsons
20 family, another family that we've been blessed to get
21 to know through this project that's local here.

22 And, yeah, we're just -- one of the things
23 that I think we want to champion with a project of

1 this scale is that we can do it with the people, the
2 very people that we go to church with, that we -- our
3 kids go to school with and so on and so forth.

4 MR. JORDING: When you talk about the
5 community, I know that you've done some outreach to
6 different folks to address concerns. Can you tell me
7 about some of the, you know, stakeholders in the
8 community such as school, EMS, fire, that you
9 addressed through your process.

10 MR. ZIMMERMAN: Yeah. So, obviously,
11 there's a lot at stake here, and there's -- also this
12 is a big change for our community. So in doing so, we
13 reached out, for example, like to Chief Neal with
14 Goodfield Eureka Fire Protection District. We sent
15 him the plans for our building.

16 We said, hey, do you see any pitfalls,
17 anything? Obviously, we want to have his blessing on
18 if he saw anything or not, and he said looks like
19 everything is good. Like from his side, we put in a
20 sprinkler system. He said --

21 MR. GIFFORD: Excuse me, counsel, is the
22 chief going to be testifying?

23 MR. JORDING: I don't see Chief Neal here.

1 MR. GIFFORD: I think it's inappropriate for
2 the witness to offer hearsay at this time.

3 MR. JORDING: I didn't hear an objection.
4 So absent an objection --

5 MR. GIFFORD: Well, without a party on the
6 other side, then I'll just instruct the board later to
7 consider the -- determine what weight they want to
8 give to hearsay testimony.

9 MR. JORDING: Yeah, it was my understanding,
10 in looking at the rules, hearsay is allowed and not
11 barred but given the appropriate weight.

12 MR. ZIMMERMAN: And in saying so, I'm not
13 trying to put anybody under or say words from anybody
14 else. I'm just letting you know what we did as we
15 considered this project, so who we were considering
16 when we went and talked to these stakeholders as well.

17 So from the -- from the fire protection
18 side, that was another one we considered. I talked to
19 several local law enforcement and talked to them,
20 obviously, considering safety for our community, and
21 they did not believe that this would provide any more
22 risk. They said that this would -- these were more
23 people in the community, and they didn't view them to

1 be anything other than citizens of the community as
2 well.

3 So -- and then we talked about with like
4 our, for example, property taxes is something we're
5 going to cover for our school districts. We talked
6 that this could provide good revenue for our school
7 districts to do projects at our school to upkeep some
8 of our older school buildings.

9 And so, again, just trying to consider all
10 of the things that we might have questioned of us, we
11 wanted to make sure we were thought through -- were
12 thoughtful in that; so --

13 MR. JORDING: Alan, with respect to, you
14 know, apartments come in many shapes and sizes as far
15 as the demographic they're targeting.

16 What demographic are you targeting with this
17 project?

18 MR. ZIMMERMAN: So we are targeting
19 specifically like a young working professional, maybe
20 somebody that's not ready to buy a home quite yet,
21 doesn't have a family established, doesn't limit it to
22 that, but that's the target market.

23 There's a lot of kind of as we -- we're a

1 small company, small family-owned company, and there's
2 a lot of big companies out there doing this exact same
3 thing. As I just saw East Peoria announced they're
4 building very similar apartments. Morton just built
5 very similar apartments. Bloomington is doing the
6 exact same thing. But these are all done by very
7 large corporations.

8 So we have validated our need through
9 analyzing that and then kind of looking at similar
10 clientele to make sure that we're validating our
11 thoughts there.

12 MR. JORDING: And with that target market,
13 how did that drive your choices with respect to
14 building materials or construction for this particular
15 project?

16 MR. ZIMMERMAN: Yeah. So we wanted to make
17 something that we were proud of, first off, because
18 it's in the community, but we wanted to choose
19 products that would last a long time, it would, you
20 know -- I think we were -- in one of the earlier
21 discussions, we said we don't want something that in
22 20 years we're going to be ashamed that we built. We
23 want something that's going to stand the test of time.

1 We want something that's going to last and,
2 again, to bring a higher clientele that's willing to
3 pay more for an apartment, you have to have nicer
4 finishes, and I think Brian will speak to that, some
5 of the choices we've made there.

6 MR. JORDING: And you told us why Goodfield.
7 Why this particular place in Goodfield?

8 MR. ZIMMERMAN: Yeah, so we -- as far as
9 developed land goes, this was already a developed
10 piece of land that we didn't have to get any more
11 infrastructure put in. The Parson family had did a
12 very nice job constructing roadways and infrastructure
13 there as far as sewer and water goes that can handle
14 something like this.

15 We were informed that this business park was
16 set up to potentially handle a hotel or something
17 similar, so knowing that it can handle the
18 infrastructure, it can handle a project like ours.

19 We also have talked or are proposing a mixed
20 use with a commercial space down below for something
21 along the lines of like a coffee shop or a cafe. So
22 we didn't want that too far off the beaten path where
23 customers wouldn't see it or wouldn't want to come to

1 it, make it accessible.

2 Rather than building in a residential
3 neighborhood where cars are coming to get coffee in
4 the morning or coming to have lunch, we kind of wanted
5 to bridge that gap between the residential side of
6 town and the commercial side of town.

7 MR. JORDING: Alan, I know that, as is the
8 world today, that social media and the scuttlebutt
9 around us has said some things, and I want to ask you
10 about those.

11 In particular I know one of the concerns
12 that's been placed is Section 8 housing. Can you
13 address whether you intend to use this for Section 8.

14 MR. ZIMMERMAN: Yeah. So we have Travis and
15 I have -- we don't -- we don't currently own any
16 Section 8 housing apartments, but we have experience
17 from Peoria to East Peoria to Pekin, down the river we
18 have apartments, and so we are familiar with that type
19 of housing.

20 As long as the law states, I know there's
21 been one of the other concerns addressed was well what
22 if someone passes a law that you can't -- you can't
23 discriminate on the basis of that. What I've found

1 with that is, when you deal with Section 8 housing,
2 there are certain limitations that they allow for you
3 to spend on housing, and I believe these will be well
4 above that, as well as, again, going back to our
5 demographic of a working individual that isn't on
6 assistance for housing or anything like that.

7 So I really think the clientele, again,
8 we've studied other companies, large companies that
9 spend a lot more dollars than we do on research and
10 development and how they market to a specific
11 individual, and we're modeling after that.

12 MR. JORDING: That's all I have.

13 MR. GIFFORD: Hang on a minute, please. Do
14 any of the board members have questions?

15 MR. BAUMAN: In regards to fire protection,
16 did Officer Neal say anything about a concern with
17 three stories?

18 MR. ZIMMERMAN: He said that the equipment
19 that they have can currently handle that, because that
20 was one of my -- I said, you know, obviously the big
21 cities, they have sky scrapers and they have ladder
22 trucks and whatnot, he said a three-story structure,
23 which Brian will discuss our height as well. There

1 are some two-story structures that are the same height
2 as our three-story structure.

3 MR. WAGNER: Could you or anyone define what
4 Section 8 is.

5 MR. ZIMMERMAN: Jason.

6 MR. JORDING: Well, Section 8 is boiled down
7 to it's government-aided low-income housing
8 opportunities. So that's the -- you know, there are
9 certain other government rules that come along with it
10 as far as what communities you have to serve, but the
11 original intention of Section 8 was low-income
12 housing.

13 MR. ZIMMERMAN: So that we have apartments
14 now and we are currently -- we currently have the
15 option of whether we can choose to accept that or not,
16 again, barring any other state law or anything, but at
17 this time with everything else we have, we have the
18 option whether we can choose to accept it or not.

19 MR. GIFFORD: Any other questions from the
20 board?

21 MR. BAUMAN: And you've chosen not to. Is
22 that correct?

23 MR. ZIMMERMAN: And we've chosen not to,

1 that's correct.

2 MR. PETTY: What would cause you to change
3 from that position?

4 MR. ZIMMERMAN: To accept it?

5 MR. PETTY: Yes.

6 MR. ZIMMERMAN: Well, we've been asked a lot
7 of times and honestly by a lot of, I think, very nice
8 people, but being when we first got into it, we have
9 legal counsel that we lean on and all the other
10 people, financial advisors and things like that, and
11 so we -- we leaned on them because we didn't really
12 know.

13 And so our legal counsel advised us that
14 that was not in our best interest, typically because
15 of some of the things that are associated with it;
16 not -- because, again, I've met some very nice people
17 that have interviewed for our properties, but they are
18 -- we don't -- but they just said I think you're
19 better off, and based on their experience and their --
20 yeah, experience in that.

21 MR. PETTY: Thank you.

22 MR. KUNTZ: Are you willing to share a price
23 point?

1 MR. ZIMMERMAN: Yeah. Actually, we have an
2 appraisal -- or you're talking a price point?

3 MR. KUNTZ: On rent.

4 MR. ZIMMERMAN: For the rent, until we have
5 our final numbers, we don't know an exact one, but
6 we're thinking somewhere between \$1,500 and \$2,000 a
7 month, but that will also include all the utilities.

8 We have a property in the Peoria Heights
9 area that has all the utilities included and a
10 lot of -- especially a lot of people that, say, move
11 into town to work for State Farm, they love that
12 because they don't know who Ameren is, they don't know
13 who the best internet provider is, and so they really
14 like that they can just pay us one price package.

15 And we're looking -- one thing I'm sure
16 Brian will get to, but we're looking at potentially
17 putting solar on the roof of this, and in order to do
18 that, we have to be on one meter. So there are some
19 advantages there that are provided.

20 But, like I said, we would include
21 everything. It would be an all-inclusive package that
22 they would just pay our company one price, and they
23 wouldn't have to worry about setting up the water or

1 whatever else and setting up their -- and then it
2 gives -- like for the Village we would be the ones
3 answering for the water bill and the Ameren and so
4 they're not having to worry about all these different
5 people with credit and things like that.

6 MR. GIFFORD: Any other questions from the
7 board? Yes, sir.

8 MR. SCHOONOVER: I have some questions. Can
9 I ask those?

10 MR. GIFFORD: If you didn't register as
11 party status, you don't have an automatic right to ask
12 questions, no, sir. What are your questions?

13 MR. SCHOONOVER: Well, I had some questions
14 of what he responded to. How do I -- do you want me
15 to just ask those to you, or do you want me to talk to
16 you or what? How do you want me to ask those?

17 I didn't call to register. My name is not
18 on the list, but I did have public comment I want to
19 make later, but I did swear in because you asked us
20 to. Is there something I can ask?

21 MR. GIFFORD: Go ahead.

22 MR. SCHOONOVER: My name is Rodney
23 Schoonover. You said early on that there was a need

1 for this kind of housing in the community. Were there
2 any analysis or studies done that you can talk to that
3 would show us or tell us that that kind of housing is
4 needed in the community?

5 MR. ZIMMERMAN: So I didn't pay for any
6 research or anything like that to be done, based on my
7 experience in business and working with -- through my
8 other business endeavors, we work with businesses that
9 have a need for, and people that currently live in the
10 community that we have we've talked to and have
11 expressed their need for housing, not just one or two
12 here and there, but we saw it as an overwhelming need.

13 Obviously, we have financial interests at
14 stake, so we wouldn't make a maneuver that we thought
15 didn't make sense or there wasn't a need for.

16 MR. SCHOONOVER: So there wasn't an official
17 study done; it was just word of mouth?

18 MR. ZIMMERMAN: Correct.

19 MR. SCHOONOVER: The other question was
20 around -- you talked about the Section 8 housing. The
21 concern is how does that control -- how do you plan to
22 insure the community that it won't become Section 8
23 housing at some point in the future?

1 Because I think the concern is that 1,500 to
2 2,000, if you fill half the building and it sets
3 empty, you're going to have to do something. So how
4 are you going to insure the community that it won't
5 become Section 8 housing at some point in the future?

6 MR. ZIMMERMAN: Yeah, so part of us owning
7 it and taking care of -- a lot of apartment complexes
8 are built and then sold to a multinational
9 corporation. That's a lot of what we see and what
10 we've watched.

11 So, again, I spoke to we plan to continue to
12 own this, and this is going to be our -- we call it
13 our pride and joy here to show and it's a part of our
14 community, a part of who we are.

15 And as far as worrying about how to keep the
16 rent controls, I mean, there's a vast difference
17 between what we're going to be asking and what we will
18 be -- I mean, even aside from if you made the argument
19 you couldn't even get 1,500 for it, I mean, I have
20 friends and other people that are currently renting
21 places in the local community for that and higher
22 without including things like utilities and whatnot.
23 So I believe that we will fill them up.

1 MR. SCHOONOVER: One last question?

2 MR. GIFFORD: Depends on what it is. Go
3 ahead.

4 MR. SCHOONOVER: We're at the corner of
5 three major -- three highways, 150, 117, and 74 all
6 come together. When I think about drug transportation
7 and quick stops and all -- you know, that's a concern,
8 and with Goodfield not having maybe a major presence
9 in police or something like that, are there any other
10 concerns?

11 I know you've talked a little bit on his
12 behalf because I don't know if they're going to speak
13 to it. That's a concern for this community. How's
14 that going to be managed? Is there going to be any
15 additional discussions with police officers? Are
16 there going to be any other better presence in the
17 community to manage that?

18 MR. ZIMMERMAN: Yeah, so obviously that's up
19 to the municipalities, what they see as a need.
20 Again, I don't see there being a need for that. We
21 asked for some opinions on that. We presented them
22 with the exact same thing we're presenting here, and
23 so I'm sure, if there would be a need, but, again,

1 that's not consistent with the type of building and
2 the type of project that we're building.

3 MR. SCHOONOVER: Thank you.

4 MR. GIFFORD: All right. You're done, sir.

5 MR. JORDING: We'll call Brian Schieler.

6 That's S-c-h-i-e-l-e-r.

7 I already did it for you, but could you
8 state and spell your name for the record, please.

9 MR. SCHIELER: Brian Schieler, B-r-i-a-n;
10 S-c-h-i-e-l-e-r.

11 MR. JORDING: And, Brian, how are you
12 employed?

13 MR. SCHIELER: I am one of the owners and
14 the president of Homeway Homes in Deer Creek.

15 MR. JORDING: Tell us what Homeway Homes is.

16 MR. SCHIELER: Homeway Homes is a modular
17 construction company that builds offsite homes and
18 commercial buildings such as this apartment building.

19 MR. JORDING: And I think most people are
20 familiar with your modular home business. Tell us
21 about your background building commercial buildings.

22 MR. SCHIELER: Yeah, we've got a lot of
23 extensive experience in building commercial buildings.

1 In fact, our first building out of the factory 17
2 years ago was a commercial school. Before that,
3 before we got into modular, we've done many apartment
4 buildings. We've done office buildings and things
5 like that. We've done probably 1,000 apartment units
6 in our 17-year career.

7 MR. JORDING: And, Brian, I'm going to hand
8 you the remote here and click the lights, and I would
9 like you to tell us a little bit about the project
10 that you're planning to build.

11 MR. GIFFORD: Excuse me, counsel, are you
12 going to run your program now?

13 MR. JORDING: Correct. And you have an
14 extra copy of that that can be provided for the
15 record. Is that enough for everyone to be able to
16 see?

17 MR. GIFFORD: Can the board all see?

18 MR. SCHIELER: Well, again, I'm Brian
19 Schieler with Homeway Homes over here in Deer Creek.
20 My job here is to present to you the building that is
21 proposed to be built.

22 This is our factory over at Deer Creek.
23 It's open for tours anytime you'd like. If this

1 building goes forward, please come and tour it anytime
2 you'd like.

3 The question was asked about some of our
4 experience. We've done, you know, hundreds,
5 thousands, I always say 1500 homes in our career.
6 Custom homes, we are a custom home builder. We've
7 been doing that for all of our business life.

8 Modular construction, it's built indoors in
9 a controlled environment. There is high quality
10 materials and workmanship. It's 40 percent faster
11 construction than site built typically; safer
12 construction, because we work off of scaffold in the
13 factory that are really safe. We've had OSHA out
14 there before; passed their tests. Less waste, we use
15 a lot of our material because we buy things precut, so
16 it's a lot more efficient that way. Less construction
17 impacts onsite. A building such as this could be up
18 in six to eight months, and we're done. We have a lot
19 less noise disturbance out in the field, things like
20 that. Sustainable and green, like I said, there's a
21 lot less waste. It's very energy efficient,
22 especially if the solar panels go in.

23 We have a rigorous inspection process and,

1 you know, to explain that a little bit, number one,
2 this building is going to be designed by an architect,
3 a registered architect. It will be engineered by
4 mechanical, electrical, and plumbing engineers, so
5 there's a lot of scrutiny on that.

6 Also, all of our buildings are approved by
7 the State of Illinois. We send the plans in. Their
8 engineering department approves it. Then we're
9 required by the State of Illinois to have a third
10 party independent inspection agency look at all the
11 units for code compliance.

12 And then we have our own full-time quality
13 control person walking around making sure everything
14 is done according to the code and our a workmanship
15 standard. There are just a lot of eyes on all these
16 buildings.

17 This is a rendering of the outside of the
18 building. Three-story building, nice articulation in
19 and out, and heightwise to give it some curb appeal.
20 The siding is different colors, so it makes it nice
21 and I would say subtly pleasing.

22 You'll notice the bottom floor has a
23 four-foot wainscoting on it, and so does the right

1 side of the building there where the proposed coffee
2 shop or deli is going to be.

3 It's a flat roof, low-slope roof, I should
4 say, EPDM rubber roof on it and balconies on every
5 apartment unit, and the other side of that building
6 that faces west would have its own balcony, would look
7 about like this. So that's what the outside looks
8 like.

9 The floor plan, this is a 27,000 square foot
10 building. Some of the features, it's got entrance, a
11 stairway entrance on both sides so it makes it easier
12 for the tenants to walk up and down and get to their
13 apartment, and furniture by moving in, got a nice wide
14 hallway down the middle.

15 Each apartment is 1,036 square feet. They
16 are two-bedroom, two-bath units, larger closets, a
17 master bath, of course, kitchen with an island there
18 in the middle, and a nice size living room, sliding
19 glass door out to the balcony.

20 This is a unit plan here, as you can see the
21 amenities and the things I just talked about, two bed,
22 two bath. It's got its own laundry room so people
23 don't have to go somewhere and do laundry.

1 So Alan was very -- you know, he approached
2 us last fall about a building project, had some of his
3 ideas, told us what he would like in general, hired us
4 to come up with a design, which we did.

5 Once we tweaked it around to a satisfactory
6 point, then Alan hired an architect to make sure it
7 was all code compliant for ADA, fire sprinklers.
8 Somebody mentioned about fire sprinklers. This is a
9 13R type fire sprinkler system. They'll have a fire
10 alarm system on all floors.

11 As far as the products we're using inside, I
12 would say they're average/high end. Again, Alan
13 impressed us that he wanted to appeal to a market that
14 was higher end for rentals, and so, you know, we got
15 Moen products for faucets, Kohler sinks, Merillat
16 painted cabinetry, Vento vinyl plank, Pella windows,
17 just a lot of name brand products you would expect.

18 This is some of the apartments we've done in
19 the past, interior shots of them. All these -- this
20 building is met -- designed to meet all of the
21 federal, state, and local codes, fire safety
22 companies, fire suppression, structural, electrical,
23 plumbing codes.

1 It will be -- you'll be proud of this
2 building as far as code compliance. And there's the
3 -- I think that's the last picture there. So thank
4 you.

5 MR. JORDING: Now, Brian, you said you've
6 built a thousand apartments before.

7 MR. SCHIELER: Yeah, apartment units. Yes.

8 MR. JORDING: Okay. And I don't really want
9 to compare versus what you've done before, but in the
10 apartment space, the construction space of these
11 apartments, how does this compare to other facilities
12 out there?

13 MR. SCHIELER: Well, I would say it's on the
14 higher end. In regard to our experience -- I'm going
15 to go back to that we built a 4-story, 72-unit
16 apartment building in Downtown Springfield about five
17 years ago; two years ago we built a 5-story, 62-unit
18 apartment building in Champaign for the school down
19 there. We've done a number of student housing,
20 whether it's Cedar Rapids, Iowa, Davenport, Iowa,
21 Galesburg for Carl Sandburg.

22 We've got a lot of experience in this kind
23 of a building. And how does it compare? I'd say it's

1 average to higher end, yeah.

2 MR. JORDING: And I know I recognize some of
3 the names you talked about like Kohler fixtures and
4 Pella windows. Should someone choose to build
5 something cheaper for a lower end market, were there
6 cheaper material options available?

7 MR. SCHIELER: Yes, of course, there's
8 always lower end stuff that don't last as long, and
9 you have maintenance issues.

10 MR. JORDING: And, in your experience, I'm
11 sure you've dealt with Kohler and Pella, are those
12 quality construction materials, in your estimation?

13 MR. SCHIELER: Yes, these are high quality
14 materials.

15 MR. JORDING: Okay. Now, I know Homeway is
16 a local business. What about your workforce? Where
17 do you source your workforce from?

18 MR. SCHIELER: Yeah, our workforce is
19 Central Illinois. Don't know where everybody is from,
20 but I would say the person that comes the farthest is
21 probably 45 minutes from here. But, yeah, they're all
22 local.

23 MR. JORDING: You being a local businessman,

1 I know you said that your facility is open for tours.
2 Are people at your facility accessible if people have
3 concerns about your building quality or your
4 construction?

5 MR. SCHIELER: Sure. We have many times a
6 year inspection departments come, and they look at our
7 product and our processes. Like I said, anybody is
8 welcome at any time to come and look, and, in fact,
9 I'd encourage you to do that. We like to show you
10 what we do over there.

11 MR. JORDING: And I know you've said it's
12 designed to meet federal, state, local code. In
13 essence, regardless of whether this is in Goodfield or
14 not in Goodfield because it's an apartment complex,
15 fire suppression, that's a state code. Right?

16 MR. SCHIELER: Right.

17 MR. JORDING: And it's going to be built to
18 commercial electric code?

19 MR. SCHIELER: Correct.

20 MR. JORDING: And I'm sure that there are
21 either adopted codes that apply larger than just this
22 jurisdiction that's, since it's a commercial property,
23 it's going to be subject to.

1 MR. SCHIELER: Right. This is a Type 5
2 building, and so we follow the international building
3 code, and, again, with all the inspections and the
4 independent inspectors that come, you can be assured
5 it's going to be code compliant.

6 MR. JORDING: And you told us you must pass
7 inspection by a state inspector. True?

8 MR. SCHIELER: Right.

9 MR. JORDING: You also have to pass
10 inspection through an independent company. Who
11 decides on that company?

12 MR. SCHIELER: The State of Illinois has a
13 list of approved third party inspectors, ours happens
14 to be PFS-TECO Corporation out of Madison, Wisconsin.

15 MR. JORDING: So this isn't just Brian hires
16 a guy into Homeway and says this is an independent
17 guy. This is a state-approved third party?

18 MR. SCHIELER: Right. Right. Exactly.

19 MR. JORDING: That's all I have. Board may
20 have questions, Brian.

21 MR. GIFFORD: Questions from the board?

22 MR. HERRMANN: Ross Herrmann. What's the
23 height, Brian, as far as --

1 MR. SCHIELER: I believe it's 34 foot 11
2 right now. I believe that's what it is.

3 MR. HERRMANN: Can I ask Bob Parsons a
4 question? I was just wanted to know what his building
5 height was.

6 MR. GIFFORD: Do we have any other questions
7 for this witness?

8 MR. PETTY: Harv Petty. I didn't see a
9 whole lot of landscape stuff there. Green space is
10 extremely important, and so is there --

11 MR. SCHIELER: Well, on our rendering
12 there's some landscape, but it's not a landscape plan.
13 Perhaps Laura can explain that more on the site plan
14 area.

15 MR. GIFFORD: Do you know the height of any
16 of the other buildings in the area?

17 MR. SCHIELER: I don't.

18 MR. GIFFORD: Any other questions from the
19 board? Any questions in the audience? There being
20 none, you're excused, sir. I'm sorry. Hang on a
21 minute. I didn't see your hand waving back there.
22 Stand and identify yourself, please.

23 MS. WITTMER: I am Sue Wittmer,

1 W-i-t-t-m-e-r. Brian, do you intend doing more of
2 this sort of apartment development in the town of
3 Goodfield?

4 MR. GIFFORD: Ma'am, that's not a germane
5 question at this point. What is before the board is
6 the -- an up or down vote on the administrative review
7 issue and recommendations on the request for a special
8 use. Whether or not they are planning to do others is
9 not germane.

10 MS. WITTMER: Thank you.

11 MR. GIFFORD: Sir.

12 MR. SCHOONOVER: I didn't see any garages or
13 covering for high-end apartments or such. Is that
14 common with this kind of a building? I would think on
15 a high end there would be some kind of options.

16 MR. SCHIELER: I know Alan has talked about
17 that. Maybe he can address it, but under our scope of
18 work, that's not a part of our scope at this time.

19 MR. SCHOONOVER: Also, the parking lot, is
20 it going to be public parking and residential all
21 together, so will people come home in the evening and
22 have to worry about parking or -- is that going to be
23 an issue since it's going to be public and residential

1 right together?

2 MR. SCHIELER: I think I'll let Laura, she's
3 the engineer on the site, and she can address those
4 questions.

5 MR. GIFFORD: Anything else from the board?
6 Counsel, any redirect?

7 MR. JORDING: No.

8 MR. GIFFORD: I'm sorry?

9 MS. KAISER: I have a question. I'm Cindy
10 Kaiser, K-a-i-s-e-r. Brian, I noticed you said
11 proposed three-story. Is it your proposal, as you
12 showed today, is that a proposal that is going to be
13 built, or would there be an opportunity in which
14 maybe, as building progresses, that you would have to
15 lower some of your standards with regards to the
16 fixtures, the windows, or the height?

17 MR. SCHIELER: Yeah, I guess it is the
18 proposed building on the table. It's this one we've
19 given Alan a price to. As far as I know, he's going
20 to go ahead with it. It would be up to him if he
21 wants to change anything.

22 MS. KAISER: So it could be changed after?

23 THE WITNESS: It could be.

1 MS. KAISER: Thank you.

2 MR. GIFFORD: Anything else? You're
3 excused, sir. Thank you.

4 MR. JORDING: We would call Laura Tobben.
5 Laura, could you state and spell your name for the
6 record, please.

7 MS. TOB BEN: I am Laura Tobben, L-a-u-r-a;
8 T-o-b-b-e-n.

9 MR. JORDING: What is your profession?

10 MS. TOB BEN: I'm a civil engineer with
11 Farnsworth Group in Peoria.

12 MR. JORDING: Tell me a little bit about
13 your background, education, how many years of
14 experience do you have in that role?

15 MS. TOB BEN: Sure. My background, I have a
16 Bachelor of Science in Civil Engineering from the, was
17 University of Missouri, Rolla, now Missouri School of
18 Mines & Technology in Central Missouri, and I received
19 my professional engineer license, I don't know exact
20 date, 2003-ish, few years after I graduated, and I've
21 been working at Farnsworth Group since I graduated in
22 1999, so 23 years with Farnsworth Group doing a
23 multitude of civil engineering, land development type

1 of projects in the area.

2 MR. JORDING: And you're professionally
3 licensed by the State of Illinois?

4 MS. TOBSEN: Yes.

5 MR. JORDING: And that governs your work.
6 Right?

7 MS. TOBSEN: Yes.

8 MR. JORDING: Did you have to take a test
9 for that?

10 MS. TOBSEN: Yes.

11 MR. JORDING: You don't want to remember
12 that test, do you?

13 MS. TOBSEN: I do.

14 MR. JORDING: You were asked to participate
15 in this project. Can you tell me what your role was.

16 MS. TOBSEN: Sure. Farnsworth Group was
17 retained by Alan Zimmerman and Travis to help with the
18 site planning portion of the project here in
19 Goodfield, so site planning and civil engineering
20 design for infrastructure.

21 MR. JORDING: And I believe you prepared for
22 us some points that you'd like to illustrate for the
23 board with respect to the site plan. So would you

1 tell us about the site plan, please.

2 MS. TOBBEN: Sure, I'd be happy to. This
3 will help address some other questions, I think, that
4 were asked. So just wanted to -- okay. So just to
5 give everybody an idea of where we are located, I
6 think everyone knows this already, but I don't want to
7 assume. So this is, obviously, the Village of
8 Goodfield. 74 runs through here and 150 runs through
9 here and 117 is up and down, and the big asterisk is
10 the project location, generally located at the corner
11 of 150 and Commercial Street right there in Goodfield
12 in the business park.

13 It's approximately two acres, you know,
14 depending on how much they purchased from Parsons, but
15 it's about two acres, a little more than two acres.
16 And as you can see, it's well served by Route 150,
17 Route 117, and certainly access to 74 through town.

18 I think that was one of the -- connectivity
19 and circulation is one thing I think drew Legacy to
20 this location. Would you make the whole picture show
21 up on the screen. There you go.

22 So this is the site plan that we have
23 proposed for the development. As I think Brian

1 mentioned, there are two buildings that are proposed.
2 They are mostly identical. The one on the north
3 there, that's more vertical orientation. That would
4 be the first building that would be built. That is
5 the three-story building that you saw in Brian's
6 presentation.

7 It will have 18 units and the small retail
8 component up in the northeast corner up here. The
9 idea was, you know, orienting it that way so that the
10 retail component, I call it retail component, it's a
11 coffee shop or something, that would like add to the
12 Village. It would be visible to the main section of
13 the Village.

14 Then there's a second building here shown to
15 the south, same building, just, you know, Alan is
16 looking to do it in phases a little bit, so we're
17 trying to get approval for both buildings at the same
18 time because we think that will be the ultimate plan.
19 So we'll start with the first building and hopefully
20 build the second building as well.

21 The layout here, you can kind of see the
22 parking, I believe we have proposed parking for 86, I
23 think it was, spaces for the whole site. I believe

1 the code requires that we have two spaces per unit, so
2 at that rate, you know, 2 at 36 is 72 parking spaces
3 that are required.

4 We're providing 86 parking spaces, and on
5 those would have the appropriate handicap ADA spaces
6 that we would need, the idea being that, you know,
7 there may be a few spaces that are allocated for that
8 small retail component, and there's plenty of spaces
9 still left over for the folks who live here.

10 The parking plan is easily phased along with
11 the building. You can see that we're looking for
12 access off of Commercial Street in two locations at
13 the full build-out. The first location on the north
14 there lines up with the new Dollar General entrance,
15 and the second is just a little further south there,
16 just south of -- south of the building, I guess.

17 A couple things to point out, so this will
18 be an all-paved surface. There will be curb and
19 gutter where necessary to help with the storm water
20 runoff. There are utilities at the site. There's a
21 sanitary sewer that -- there's a piece of sanitary
22 sewer on the south side and on the west portion of
23 that which helped dictate where to put these

1 buildings. We couldn't build on top of that.

2 There's also water main on the south edge of
3 the property and gas and electric out of Commercial
4 Street. So all the infrastructure is there from when
5 Parsons built the business park many years ago.

6 Speaking of infrastructure, you know, the
7 street out there is a nice, wide curb-and-gutter
8 street, so there's plenty of space for circulation.
9 The street was built to be used by pretty high
10 traffic, so no concerns there.

11 I touched on utilities. I guess that kind
12 of sums up the site there. There was a question asked
13 about landscaping. It's a little hard to see on here
14 because the parking lot kind of stands out a lot, but
15 there is some green space in between the buildings and
16 even the green space south of that second building
17 partially due to the fact that there there's an
18 easement there for sanitary sewer so you can't build
19 upon that.

20 We have not been hired to, nor have I seen a
21 landscape plan for the project, but I definitely have
22 talked with Alan about landscaping and the idea of
23 providing really nice outdoor spaces.

1 In the middle there you can see there's a
2 sidewalk that kind of walks through the middle there.
3 I don't think it's shown on here, but we talked about
4 a little gazebo maybe and some outdoor grills and
5 things like that that can be used by the tenants.

6 There is a patio space up here north of the
7 retail area that could also be used for like if you
8 had guests over for a little barbecue or maybe by the
9 retail space as well. So I think that kind of sums it
10 up. If you have questions, fire away.

11 MR. JORDING: Laura, I want to talk a little
12 bit about the location of this particular spot in
13 Goodfield. And you noted it's -- it's -- the street
14 where your accesses are is designed for the traffic.
15 Can you expound upon that for me. What did your --
16 obviously, you didn't design that street.

17 MS. TOBBEN: Right.

18 MR. JORDING: But what did your review of
19 the construction specifications reveal to you?

20 MS. TOBBEN: The street, I believe, is a
21 concrete street. I'll have to look at my plan. Yeah,
22 it's a concrete street with curb and gutter, storm
23 sewers running up and down it. It's robust.

1 MR. JORDING: And as far as what that street
2 goes onto, it's state highway. Correct?

3 MS. TOBBEN: Right. State highway on the
4 north and ultimately state highway on the east as
5 well.

6 MR. JORDING: So, in your professional
7 experience, if you're going to have traffic, where do
8 you want to push your traffic to?

9 MS. TOBBEN: On the main thoroughfares,
10 state highways.

11 MR. JORDING: So, in your professional
12 opinion, would this be the better location of a
13 project like this as opposed to a city street?

14 MS. TOBBEN: I would say, yes, city streets
15 often aren't big enough for a project like this, they
16 might be, and then with the proximity to the
17 stoplight, that will help also circulate and help the
18 traffic get through if there is traffic times.

19 MR. JORDING: And then with respect to the
20 infrastructure, you talked about, again, you weren't
21 the designer of this sewer system or this actual
22 location. Correct?

23 MS. TOBBEN: Correct.

1 MR. JORDING: What did your review of the
2 location infrastructure -- is it appropriate for this
3 facility?

4 MS. TOBBEN: Yes. The sanitary sewer was
5 obviously constructed for connection for this -- for
6 the business park really. The water main is there.
7 We will have to do a water main extension, I believe,
8 in order to place a fire hydrant close enough to the
9 three-story building. There's already one out there,
10 but we need another one. So that's part of the plan.

11 And gas and electric, I haven't specifically
12 spoken with them yet, but, again, the infrastructure
13 was placed here to be used, so I understand it is
14 available for use.

15 MR. JORDING: That's all I have.

16 MR. KUNTZ: I have one. Storm water, you're
17 paving like three-fourths of two acres. Where is all
18 that water going to go?

19 MS. TOBBEN: There is a regional detention
20 basin on the south edge of the business park right now
21 that the storm water that goes into the sewer system
22 all discharges to that detention basin.

23 MR. KUNTZ: The whole development goes to

1 that basin?

2 MS. TOBBEN: Yeah. The two acres that we're
3 developing, yes, it does. I mean, there might be like
4 slight parts that go off, but the pavement and the
5 roofs will come there.

6 MR. GIFFORD: Other questions from the
7 board?

8 MR. HERRMANN: I have a question. Snow
9 removal, I don't see a lot -- I pushed snow for 20
10 years, and I don't see a lot of space. I think that's
11 going to be a little bit of a problem, especially with
12 the town. I don't know if you got a space to push the
13 snow.

14 MS. TOBBEN: I mean, it's a private
15 development, so the town won't be pushing the snow.
16 But I mean, I think there is space. There's space all
17 along the back side. I mean, there's space along the
18 edges to pile snow. I mean, I know you can't see
19 that, but, I mean, on the west side there is a good --
20 there's 10 feet there, which isn't that much, but
21 there's a whole 25-foot strip there on the west side
22 that we can pile snow. It's on the south down there.

23 MR. HERRMANN: Okay. On the west side?

1 MS. TOBBEN: Yeah, there's a big place
2 there. On the north side, we're far distance away
3 from the street, so there's room on the north side to
4 pile snow. There's yards and islands, I think, on the
5 east side.

6 So I guess I hadn't -- I should think about
7 snow removal more often, because that question comes
8 up a lot, but I think there are spaces here to pile
9 snow.

10 MR. GIFFORD: Other questions from the
11 board? Sir, identify yourself, please.

12 MR. WYSS: Chad Wyss. So for the drainage
13 at the storm sewer and retention basin and stuff, do
14 you know where that eventually ends up? Does it exit
15 out to the interstate or where does it go?

16 MS. TOBBEN: I can't say I actually know
17 that answer.

18 MR. WYSS: I'm just wondering where it goes.

19 MS. TOBBEN: I'm sure somebody from the
20 board knows.

21 MR. YOCKEY: It goes west and under the
22 interstate.

23 MR. WYSS: So it goes out to the interstate

1 and down? Okay.

2 MR. GIFFORD: Other questions in the
3 audience? Anything else, counsel?

4 MR. JORDING: No, sir.

5 MR. GIFFORD: Thank you.

6 MR. JORDING: Petitioner calls Ken
7 Silverthorn.

8 MR. SILVERTHORN: My name is Ken
9 Silverthorn, S-i-l-v-e-r-t-h-o-r-n.

10 MR. JORDING: Thank you, Ken. Ken, what is
11 your profession?

12 MR. SILVERTHORN: I'm a professional land
13 surveyor.

14 MR. JORDING: And who's your employer?

15 MR. SILVERTHORN: Farnsworth Group.

16 MR. JORDING: How long have you worked in
17 that capacity for the Farnsworth Group?

18 MR. SILVERTHORN: 16 years for Farnsworth.

19 MR. JORDING: And tell me, the job title
20 doesn't mean much to me as far as what you do, can you
21 tell me -- you know, give me a description of that
22 job.

23 MR. SILVERTHORN: As a professional land

1 surveyor on a project like this, we did the original
2 survey of this property. It had been done, developed
3 before from Parsons family. We had to come in, locate
4 the property corners, make sure everything was
5 correct. We had to shoot the elevations on the
6 ground, find the storm sewer, those kind of things
7 used for design. That would be a typical project.

8 We looked over title commitments to make
9 sure there wasn't any kind of easements or any kind of
10 encroachment things that would have to be issues that
11 would come up during development. Those kind of
12 situations are usually what we do, I mean, in the past
13 that's what we have done in a project like this.

14 MR. JORDING: And with respect to this
15 project, is your work done?

16 MR. SILVERTHORN: At this point our work
17 would be done, unless at some point we would be
18 staking the building or doing an add build or
19 construction staking, but my part is done at this
20 point because we did what we needed to do to get to
21 the point to the design phase.

22 MR. JORDING: And then when the -- if the
23 project begins construction, what is your role then?

1 MR. SILVERTHORN: If we were to keep working
2 with Alan, our job would be to certify that the
3 building is staked where it's supposed to be as set by
4 the plans. Any kind of infrastructure would be staked
5 according to the plans to meet state codes or whatever
6 the engineers would draw.

7 Potentially something that, I don't know if
8 the Village requires it, but in some municipalities
9 they require you to do like a foundation survey that
10 states where the building is located on the property.
11 That would be something we could also do.

12 MR. JORDING: And you told us that you were
13 involved in this park when it was originally laid out.

14 MR. SILVERTHORN: Well, I wasn't there
15 originally, but the company I work for, Farnsworth, we
16 did do work with the Dollar General there, so I'm
17 familiar with the development there. I'm familiar
18 with all the restrictions and covenants that that
19 property has on its own based on what Mr. Parsons did
20 when he built that property.

21 So I'm familiar that, let's just say, the
22 Dollar General looks better than most Dollar Generals
23 and part of that requirement is because of what

1 Parsons put into their building requirements, because
2 not only is there the Village requirements or what
3 they may need, but there's also strict requirements in
4 place by the developer that ultimately did that
5 project.

6 And that's probably why there's not anything
7 else there at this point because he wants something
8 nice to be there. It's got to be something the
9 community wants.

10 MR. JORDING: We've talked a little bit
11 about how Alan is a local guy hiring local people.
12 Sounds like you've got some kind of connection here.
13 Are you a local guy?

14 MR. SILVERTHORN: I live in Eureka. I've
15 lived there for 40 years. Connection, so, I mean, I
16 know people in this room right here, kids have had
17 sports with them, worked for some of these people.

18 So it's something I drive by, you know,
19 every day. It's one of those things where it's kind
20 of like a legacy. I work at Farnsworth Group, I'm a
21 shareholder in the company. We don't build projects
22 that we're not going to be happy with. We've been in
23 business for over 100 years. This is something we're

1 going to be looking at all the time. I'm going to
2 driving by there. If I go to Dollar General, we
3 helped build that place, so it's something that we
4 have a vested interest in.

5 And this kind of thing here was -- I kind of
6 look at it as a perfect storm. I've been to many
7 communities where the outside developer coming into
8 the community, and it's kind of frowned upon, you
9 know, sometimes because you're an outside guy.

10 In this thing it's kind of the best case
11 scenario. You have the owner of the property is right
12 here in Goodfield. The developer, which would be
13 Alan, is right here in Goodfield. The builder is two
14 miles away. You have the bank right here. We're in
15 the bank. The bank is helping finance some of this.

16 So this is kind of the perfect storm. You
17 don't have that outside developer coming in, and
18 everybody is like, oh, yeah, this guy is just going to
19 come in and leave and leave us holding nothing.

20 So that's kind of why, you know, that's
21 really what attracted us to it is that legacy that's
22 going to be left for everybody.

23 MR. JORDING: That's all I have.

1 MR. GIFFORD: Any questions from the board?
2 Any questions in the audience? You're excused, sir.

3 MR. JORDING: One last witness, Jennifer
4 Bergman.

5 MS. BERGMAN: My name is Jennifer Bergman,
6 J-e-n-n-i-f-e-r; B-e-r-g-m-a-n.

7 MR. JORDING: Jennifer, what is your
8 profession?

9 MS. BERGMAN: I'm a commercial real estate
10 appraiser.

11 MR. JORDING: Is that -- do you have a
12 professional license?

13 MS. BERGMAN: Uh-huh, yeah, through the
14 State of Illinois.

15 MR. JORDING: And what does a -- what does
16 someone in your profession do?

17 MS. BERGMAN: We appraise properties that
18 are -- any kind of commercial property that has more
19 than four residential units and up or any other type
20 of commercial business, you know, whether it's
21 industrial or agricultural or retail, office,
22 anything, anything like that.

23 MR. JORDING: And you've had the opportunity

1 to look at this proposed project?

2 MS. BERGMAN: Uh-huh.

3 MR. JORDING: Tell me what you have
4 determined from your review of the project.

5 MS. BERGMAN: Alan came to me, I don't know
6 how early in the process, but he asked if I thought it
7 would even be feasible. He showed me how much Homeway
8 Homes was estimating the project would cost just in
9 materials and construction.

10 He asked me to look at the market and see if
11 there was even a need for this type of a property in
12 the Peoria metropolitan market, which includes
13 Marshall County, Woodford, Tazewell, Peoria County,
14 Stark, and McLean -- no, it doesn't include McLean.
15 I'm sorry. I misspoke.

16 And then he also asked me to look at what he
17 would need to charge for rents in order to make it
18 feasible, as I said. So that's what I did.

19 MR. JORDING: In your review of the market,
20 what did you conclude from that?

21 MS. BERGMAN: Do you mean like demand or
22 what the value would be when it's finished?

23 MR. JORDING: Well, if you can break it down

1 to both, with respect to demand, what did you
2 conclude?

3 MS. BERGMAN: There's plenty of demand for
4 rental property right now, even in the price point
5 that he is -- that he and Travis are proposing. In
6 fact, the end of 2021, beginning of 2022 saw the
7 highest rents and the most demand for apartments in
8 the Peoria area in the last 14 years.

9 So the demand is out there. Not a lot of
10 people are building, and so I think they're going to
11 have a -- in my opinion, I think they'll have a
12 reasonably easy time filling the units.

13 MR. JORDING: And then what did you conclude
14 with respect to the pricing?

15 MS. BERGMAN: You mean like what will it be
16 worth? What the market value will be worth?

17 MR. JORDING: Well, I believe you were going
18 to tell us, you know, you came to a conclusion with
19 respect to rents.

20 MS. BERGMAN: Oh, okay. In order for them
21 to break even, I estimated that they probably need to
22 charge between 1,850 and 1,875 a month for a two
23 bedroom, two bath, and that is within the range of

1 what other people in the area are charging. Lots that
2 have been converted in the warehouse district in
3 Peoria, that's right there with their rents. The new
4 apartments in Morton that have been built, the Atwater
5 and Farmhouse Apartments, those are all right about
6 that range. So it's competitive.

7 MR. JORDING: And did you take that opinion
8 to how -- you know, the 1,850, 1,875 in formulating
9 your opinion as to whether there's a demand for that?

10 MS. BERGMAN: Yes. Yes, that level of
11 apartment, there is more demand for that level of
12 apartment than for lower level.

13 MR. JORDING: Then you talked a little bit
14 or you started to tell me about market value. Did you
15 form an opinion with respect to market value?

16 MS. BERGMAN: I did. I did. I came in
17 between 3.5 and 3.8 million for market value when it's
18 all rented up, when the units are full, and so that
19 would be -- I don't know exactly how the county
20 assessor will decide what the market value is for the
21 property, but what I understand it's similar --
22 assessors, they decide value for properties similarly
23 to the way the appraisers do.

1 They look at other stuff that has sold
2 recently that is comparable, and then with this type
3 of property, this is an income property, look at how
4 much income it can bring in and set a value that way.

5 MR. JORDING: And with respect to that
6 value, that impacts the amount of taxes, revenue that
7 that will generate for the local government?

8 MS. BERGMAN: Uh-huh, uh-huh, correct.

9 MR. JORDING: Then with respect to the
10 surrounding area, did you form any opinions regarding
11 the impact of this property on the value of the
12 surrounding area?

13 MS. BERGMAN: It's -- I don't have any data
14 to support it, but my personal opinion is that, once
15 they break the seal and start to develop this type of
16 property, it's just going to bring more income into
17 the area and more interest and potentially more
18 businesses moving in.

19 MR. JORDING: In looking at the other -- you
20 told us a little bit about like Morton and Peoria, the
21 comparables. Have those projects -- well, first, are
22 those projects similar to what's being proposed here?

23 MS. BERGMAN: Yes. Maybe a little larger in

1 terms of number of units.

2 MR. JORDING: Have those projects reduced
3 the value of the surrounding area that they're in?

4 MS. BERGMAN: No. Especially, I mean, in
5 the warehouse district in Peoria, I mean, everybody
6 has seen how the development of residential units,
7 everything else just comes after that, all the retail,
8 office, service, everything floods in because people
9 have a demand for services.

10 MR. JORDING: That's all I have.

11 MR. GIFFORD: Questions from the board?
12 Questions in the audience?

13 Ms. Kaiser, identify yourself, please.

14 MS. KAISER: I'm Cindy Kaiser. I have a
15 question regarding comparing the location in the
16 warehouse district in Peoria and Morton to where the
17 location will be for these apartments and the
18 amenities. So the demand for amenities, right now we
19 have a gas station and Dollar General. So in the
20 water -- warehouse district and Morton, are there not
21 the opportunity to walk to a coffee shop or walk to a
22 restaurant or walk to some entertainment where in
23 Goodfield -- can you talk to me about that and that

1 comparison.

2 MS. BERGMAN: When Alan talked to me about
3 this development, I thought it might appeal to a
4 certain type of person who maybe works in a more urban
5 area and they want to come home at night to a quieter
6 place, a more, I don't know, more peaceful setting. I
7 just think it's a beautiful setting where the building
8 is proposed to go, and that might be attractive to a
9 certain type of person that doesn't want to live
10 around a lot of traffic.

11 MS. KAISER: With all due respect, you just
12 mentioned it's like by an interstate, 150, and a
13 pretty busy intersection with traffic from semis and
14 noise from semis, gas stations, and 24.

15 MS. BERGMAN: I can see your point.

16 MR. GIFFORD: Ms. Kaiser, you'll get an
17 opportunity to make comment later, but that wasn't a
18 question.

19 Other questions in the audience? Yes, sir,
20 identify yourself.

21 MR. SCHOONOVER: Rodney Schoonover. You
22 mentioned earlier that you did a review of the market,
23 and I asked this same question of Alan, just kind of

1 how you did that. Can you provide us with any data,
2 any report, or anything that shows us or share with us
3 how you determine that?

4 MS. BERGMAN: Uh-huh, uh-huh. There were
5 two things that I went from -- well, I went from just
6 properties that I have appraised myself and the data
7 that I had gathered that way. There's also a large
8 study from an independent marketing company called the
9 Kretchmer Companies, and it's available online, and I
10 can supply a visual format to the board if you'd like.

11 That was kind of a survey of -- that was
12 just done for the City of Peoria, but it was a survey
13 of demand and rents and what types of properties were
14 drawing the most new tenants and what they were
15 renting for.

16 Also, just as an appraiser, we subscribe to
17 a nationwide database that collects all public sale
18 information and does predictions -- does analysis and
19 predictions of sale prices and rents and what's
20 available and what has sold, and so I extracted data
21 from that database also.

22 MR. SCHOONOVER: Did you consolidate an
23 actual report from that?

1 MS. BERGMAN: Yeah.

2 MR. SCHOONOVER: I'd like to have it.

3 MS. BERGMAN: Sure. I'd be glad to.

4 MR. SCHOONOVER: The other question was you
5 said you did a market impact study as far as
6 surrounding property. Did you do the same thing? Is
7 there any kind of a study you can point to that says
8 the surrounding property isn't impacted? Is there
9 anything?

10 MS. BERGMAN: No, I'm sorry, I don't have
11 any data on that. I guess that's just from
12 observation and experience just looking at other
13 areas.

14 MR. GIFFORD: Thank you. Any other
15 questions? Counsel?

16 MR. JORDING: No, sir.

17 MR. GIFFORD: Board?

18 MR. WAGNER: How does the square foot per
19 unit, does it compare pretty much to the others in the
20 area?

21 MS. BERGMAN: I think it's a lot bigger
22 personally. I think people are going to find that
23 very attractive. I know I sound like a cheerleader to

1 the project, but I've been excited about it since I
2 heard about it. Yeah, I think the units, on average,
3 are larger than what a person would generally be able
4 to find in the market.

5 MR. GIFFORD: Did you have a question?

6 MR. BAUMANN: Yeah. Being in real estate,
7 and apartments in particular, are there empty units
8 around the area that you know of currently?

9 MS. BERGMAN: In like would you say Tazewell
10 County?

11 MR. BAUMANN: Goodfield.

12 MS. BERGMAN: Oh, in Goodfield. I don't
13 think there's any apartments in Goodfield, are there?

14 MR. BAUMAN: There are duplexes and
15 individual rental --

16 MS. BERGMAN: Unfortunately, because of our
17 commercial license, we only appraise four units or
18 larger. I don't have any knowledge about that. I'm
19 sorry about that.

20 MR. GIFFORD: Anything else? Counsel?

21 MR. JORDING: No, sir.

22 MR. GIFFORD: Thank you, ma'am.

23 MR. JORDING: We don't have any other

1 witnesses to call, just the close.

2 MR. GIFFORD: All right. It's appropriate
3 at this time to hear public comment. Has somebody got
4 my clipboard out there?

5 Ms. Kaiser, I told you you'd get your
6 chance, and you're the first one on the list. You
7 have two minutes.

8 MS. KAISER: I'll talk fast. I'm Cindy
9 Kaiser, K-a-i-s-e-r. My husband and I have lived in
10 Goodfield, been a homeowner or a landowner for 30
11 years, and I wanted you to know up front, I am not,
12 nor is my husband, opposed to any new developments in
13 Goodfield, but I do hope the developers understand
14 that the Legacy Apartments, the Village government,
15 that they are obligated to the Village residents to
16 represent, to take the time you need to evaluate this
17 project, to do your due diligence to insure any new
18 project is aligned with the Village plan and not the
19 plan of the developers.

20 This is why I do not understand why you're
21 not redirecting this project to currently zoned
22 residential property such as Bridle Ridge, why you're
23 not redirecting an industrial park to land that is

1 currently zoned as a business park.

2 You're wanting to build in a business park
3 residential property. It's kind of like we're playing
4 a shell game here. We're redesigning Goodfield to
5 develop to the need of the builders.

6 Can you honestly say that Goodfield is in a
7 position currently to increase your population by 144,
8 because I figured 144, if there are two 18-unit
9 apartments, there could be four people that would
10 occupy this. Correct? So that would be 144.

11 And I know that you've had conversations
12 with some other municipalities, but that's not a --
13 that's not a study. That's conversation. So you also
14 say that they're luxury apartments, but we're
15 overlooking a Dollar General and a gas station. There
16 are no amenities, and we all know this could change
17 after it was approved. Right?

18 We all know it could go back, and you could
19 say to Brian I don't want this and I don't want that,
20 and so that price point is not going to be 1,500 or
21 2,000.

22 Have you conducted an in-depth analysis of
23 Goodfield's economic or social infrastructure? No,

1 you have not. You've had conversations. There's
2 road, there's water, there's waste management, and I
3 believe there may be an EPA issue today.

4 So what data or research are you using to
5 evaluate this project, I ask you. I would like to see
6 that. And May 15 of 2021, President Edwards did say
7 he felt it was important, during a Village meeting, to
8 have a comprehensive plan so that we have a voice in
9 what goes within a mile and a half radius of
10 Goodfield.

11 Please do not abuse your power and stop
12 being reactive to a developer's request rather than
13 fulfill your duties as members of the Village
14 government to develop a plan for our Village. What do
15 you want your legacy to be? Please stop approving
16 projects and start planning. Thank you.

17 MR. GIFFORD: Counsel, do you have any
18 questions?

19 MR. JORDING: I do, ma'am.

20 MR. GIFFORD: Now you get to be asked
21 questions by counsel.

22 MR. JORDING: That's the fun of giving
23 comment. From your comments you're aware this is in a

1 business-zoned location. Correct?

2 MS. KAISER: Correct.

3 MR. JORDING: You're aware that in business
4 zoning a hotel can be built?

5 MS. KAISER: Correct.

6 MR. JORDING: You're aware that there's no
7 restriction on how many floors of a hotel that can be
8 built in business?

9 MS. KAISER: Well, right now it's two
10 stories in the Village of Goodfield, correct, within
11 code?

12 MR. JORDING: That's incorrect. Are you
13 aware that a hotel, a 70-floor hotel could be built in
14 this location with no zoning board approval?

15 MS. KAISER: No.

16 MR. JORDING: Okay. You would agree with me
17 that an apartment is better for your concerns than a
18 70-floor hotel. Correct?

19 MS. KAISER: I don't think anything should
20 be developed residential in a business property. We
21 keep moving the zoning to accommodate builders. We
22 have residential property currently in Goodfield.
23 We'll build there if that's where the community's best

1 interest is.

2 MR. JORDING: You understand that an
3 apartment complex is a permitted use in business?

4 MS. KAISER: No.

5 MR. JORDING: Do you know that we are not
6 changing the rules, the zoning rules to build this?

7 MS. KAISER: No, I do know that. You're not
8 changing for zoning, you're asking for special use,
9 you're asking for an exception, and that's what gets
10 us in trouble every single time.

11 That's when you walk down the streets of
12 Goodfield, you see nothing but industrial. You don't
13 see anything else.

14 MR. JORDING: Do you understand that
15 apartment complexes are a permitted use in business
16 zoning?

17 MS. KAISER: No, I'm not familiar with all
18 the zonings, but I do know that there's several
19 chapters within the code that will need to be changed
20 in order to accommodate an apartment complex, and
21 those haven't been started yet because of the fact
22 they weren't going to change them until there was a
23 request for special use.

1 So that's my issue bottom line. My
2 bottom-line issue is, again, it's a shell game. It's
3 like somebody comes in -- so you think you live here
4 and there's nothing going to be developed next door to
5 it. Well, guess what, all they're going to have to do
6 is come in and do a special use.

7 MR. JORDING: How would you have a
8 reasonable expectation that nothing will be built
9 there when a hotel 70-story high --

10 MS. KAISER: I --

11 MR. GIFFORD: Counsel, that's argumentative.

12 MS. KAISER: There is a --

13 MR. GIFFORD: Excuse me, ma'am, wait a
14 minute, please. We can only have one person talk at a
15 time because it's difficult for the court reporter.

16 MS. KAISER: I'm sorry.

17 MR. GIFFORD: You made your point about what
18 can and cannot be built there, so if you have another
19 question, please ask it.

20 MR. JORDING: I'll ask about her
21 expectation. Is your expectation that a hotel cannot
22 be built there?

23 MS. KAISER: My expectation is that it would

1 be business, same way with Parsons business, that is a
2 business zoned district right now.

3 MR. JORDING: And when you say there's no
4 amenities there, there's a gas station. True?

5 MS. KAISER: Yes, there is a gas station.

6 MR. JORDING: There's a Dollar General.
7 True?

8 MS. KAISER: True.

9 MR. JORDING: There's a very premier
10 restaurant that's always busy. True?

11 MS. KAISER: There is a restaurant and a
12 very good restaurant, and we are noted for two things,
13 Busy Corner and the Barn.

14 MR. JORDING: And across the street from
15 that is a long-time prominent fencing company.

16 MS. KAISER: Have you seen it?

17 MR. JORDING: I have. True?

18 MS. KAISER: Yeah, look what shape it's in.

19 MR. JORDING: Thank you. That's all I have.

20 MS. KAISER: So you want to live in a \$1,500
21 apartment overlooking all that? Come on.

22 MR. GIFFORD: Any questions for Ms. Kaiser
23 from the board?

1 MS. KAISER: Sorry, I walked away again.

2 MR. GIFFORD: You ran away just on time.

3 Loren Kaiser.

4 MR. KAISER: I defer. I don't have
5 anything.

6 MR. GIFFORD: Sue Wittner. Identify
7 yourself for the court reporter, please.

8 MS. WITTMER: I am Sue Wittmer,
9 W-i-t-t-m-e-r. I'll be very very brief. Alan, may I
10 ask a question of Alan at all?

11 MR. GIFFORD: Pardon me?

12 MS. WITTMER: May I ask a question of Alan?

13 MR. GIFFORD: No, ma'am, not at this stage.

14 THE WITNESS: I am looking at property 528
15 Henrietta Street in Pekin, 1900 Sheridan Road in
16 Pekin, I believe these properties are owned by Alan.
17 I would suggest you look at them. They are available
18 online. Please be very careful when considering
19 industrial and apartment development in the striving
20 but basically fragile rural community, because all of
21 this is a proposal subject to change.

22 There may be some unintended consequences
23 that will be very concerning, especially when we are

1 considering people that are paying 1850, 1870 for a
2 space in this complex. I wonder how long they will
3 stay and who will take their place.

4 I am very concerned what this will look
5 like, how this will be years from now. It may be a
6 situation we're not very happy with long after your
7 tenure has expired. Thank you.

8 MR. GIFFORD: Thank you, ma'am. Counsel, do
9 you have questions?

10 MS. WITTMER: Counsel?

11 MR. JORDING: You agree everything you just
12 said is just your speculation. True?

13 MS. WITTMER: Is my speculation?

14 MR. JORDING: All what you're, in essence,
15 here telling the board to be wary of, it's your
16 speculation.

17 MS. WITTMER: Well, I do think I heard the
18 proposal is subject to change. I heard that tonight.
19 I also have owned land in this area for 30-some years,
20 and I realize it's striving. I realize it's fragile.
21 Yes, it's my opinion, and it is rural, in my opinion,
22 correct.

23 MR. JORDING: Okay. Thank you.

1 MR. GIFFORD: Any questions from the board?
2 You're excused. Next name on the list is Wes Hohulin.
3 Identify yourself for the reporter, please, sir.

4 MR. HOHULIN: Yes. My name is Wes, W-e-s,
5 Hohulin, H-o-h-u-l-i-n. Thank you, board, and I want
6 to thank the zoning board, the planning commission
7 because I know I have sat in your seats.

8 For over 20 years I was a member of the
9 board, a trustee zoning and planning, chairman of
10 planning, chairman of zoning, and for eight years I
11 was privileged to be the mayor of Goodfield from '87
12 to '94. So I do have a bit of history backing me up.

13 What's happening here reminds me of the late
14 '80s in Goodfield when a proposed subdivision came to
15 our attention, and there were a vocal minority who
16 opposed that subdivision. I believe they had every
17 right to oppose that because they lived on the street
18 that would be the ingress and egress for that
19 subdivision. They didn't live a quarter of a mile
20 away.

21 I believe the Village of Goodfield needs
22 these apartments. I can count probably maybe up to
23 twelve duplexes or apartments in this Village. We do

1 very well at serving our very very nice and
2 substantial subdivisions as we have, but we don't do
3 anything for anyone else.

4 Those people that can't afford a \$200,000
5 home have nowhere to go in Goodfield. So I think it's
6 -- I think it's important that, as has been stressed,
7 that the board and the zoning board make every effort
8 to make a decision that's best for the entire Village
9 rather than a minority. It's important that we listen
10 to those minorities because we can all learn from
11 those things.

12 Just as a sideline, since I was involved in
13 the Village for over 20 years, and I've lived in the
14 Village almost all of my 72 years, I always thought
15 the perfect place for something like this was on the
16 west side of Deer Lakes Drive, which would be a
17 wonderful place for apartments and could be buffered
18 from the development out there, but that's not what's
19 being proposed.

20 So do what's right for the Village. You
21 have it in you. You know what's right. And let's all
22 be respectful. Thank you.

23 MR. GIFFORD: Hang on just a minute.

1 Counsel, any questions?

2 MR. JORDING: No, sir.

3 MR. GIFFORD: Any questions from the board?

4 Thank you, sir. Chad Wyss.

5 MR. WYSS: So just some thoughts that I've
6 been mulling around in my head and mostly about how do
7 we make this project work for everyone? And, you
8 know, there are some issues that I see that maybe are
9 kind of beneath the covers, and I guess I'd like to
10 hear more about them, and I don't know the answers to
11 these questions, but I'd like to hear some of them.
12 And they really kind of deal with infrastructure, so
13 maybe Duane can answer some of them.

14 But I guess the first one I would start with
15 is the sewer and the fact that at least, unless things
16 have been corrected since I last read the minutes,
17 we're currently out of EPA compliance on that, and do
18 we have the capacity to handle 36 more residences
19 basically with the sewer system?

20 From the other side of things, and I'm in no
21 way speaking as an official representative of the fire
22 department, but as a member of the fire department,
23 there's a few things that I do have concerns with, and

1 one is with the water service and the fact that we are
2 not allowed in Goodfield to hook up a fire engine to a
3 water hydrant unless there's an actual fire going on
4 because of fear that it's going to cause catastrophic
5 failure to the water system. So, you know, do we have
6 the water capacity to put out a fire at that location
7 without collapsing the water mains?

8 It's going to take a lot of water to put out
9 a fire in that kind of building, and, you know, fire
10 equipment-wise, yeah, we've got fire equipment in
11 Eureka, aerial apparatus that can handle an apartment
12 building of that height, but you're looking at a 15 to
13 20 minute response time, and what's going to be left
14 of the structure by the time they get here? I don't
15 know.

16 Hopefully the sprinkler systems will do
17 their job, hopefully we can feed the sprinkler systems
18 with the engine without collapsing the water mains,
19 but is the infrastructure of the town in the condition
20 that we need it to be in to handle this kind of
21 expansion?

22 And I'd like to see our infrastructure be
23 enhanced. I'd like to see it get to that point where

1 we can handle that sort of thing, but I don't know if
2 it's at that level right now.

3 So those are just some questions that I have
4 and, you know, like I said, I don't have the answers,
5 but I'd like to see the Village look at those things,
6 evaluate those things, and make sure that we have the
7 capacity to service this building with the municipal
8 services that they expect from us.

9 You know, they're building their building
10 here. They're expecting water, sewer, fire, all those
11 things. Can we really provide them what it is they
12 anticipate we can provide? And, if not, how do we get
13 there? You know, what do we need to do? What steps
14 do we need to take in the meantime to have the
15 infrastructure that's ready for them once their
16 building is complete? That's all I have to say.

17 MR. GIFFORD: Counsel, any questions?

18 MR. JORDING: No, sir.

19 MR. GIFFORD: Questions from the board?

20 Thank you.

21 MR. KUNTZ: Is it fair to ask Duane if he
22 has answers at this time?

23 MR. GIFFORD: You're the chair. Go for it.

1 MR. WYSS: I'd love to hear him.

2 MR. GIFFORD: Come on up, Duane. Tell the
3 court reporter who you are.

4 MR. YOCKEY: Duane Yockey, Y-o-c-k-e-y.
5 With regard to sewer, the sewage treatment plant is in
6 compliance. It was out of compliance in September or
7 October and November with regard to suspended solids.
8 The Village is looking into it. I talked to the EPA
9 today, and they indicated they're going to deactivate
10 the violation notice that they gave us because we are
11 back in compliance.

12 With regard to the amount of sewage, sewage
13 treatment plant right now has the capacity of 20,000
14 population equivalents, which is quite a few more than
15 what the Village has. The issue right now with the
16 sewer system, and in particular the trunk sewer
17 because, during periods of high rainfall events or
18 high groundwater, we get excessive inflow of water
19 into the sewers which sometimes causes capacity issues
20 with the trunk sewer that goes out to the treatment
21 plant, and that trunk sewer is past, east of Slushers'
22 house at the east end of Robinson Street, and then it
23 goes along the creek all the way to the sewage

1 treatment plant.

2 So that's the issue right now. The Village
3 is trying to come up with easements and funding to
4 upgrade the capacity of that sewer system.

5 With regard to the water system, again, we
6 have the capacity for about 20,000 population
7 equivalents, again. The issue with fire hydrants is
8 in the old part of town, which has four-inch transite
9 water mains. And for those of you who want to know
10 what transite is, it's asbestos cement water mains,
11 which are quite fragile, and the fire department is, I
12 think, instructed not to pump out of hydrants that are
13 connected directly to those transite mains.

14 Where this development would occur, that's
15 not an issue because the water mains are of sufficient
16 size, and the water would also be fed by both towers,
17 both the old tower and the bigger tower on the other
18 side of the interstate. So there's plenty of fire
19 protection capacity at this location.

20 The concern, again, is hooking up a pumper
21 truck to areas in town that are still being serviced
22 by those four-inch transite mains. The Village has a
23 master plan, besides doing different looping, but the

1 master plan also includes replacing all of those
2 four-inch mains in the future at some time as it's
3 financially feasible.

4 So I think that's the two things that were
5 brought up, or three things.

6 MR. KUNTZ: Thank you.

7 MR. GIFFORD: Counsel?

8 MR. JORDING: No, sir.

9 MR. GIFFORD: Questions from the board?
10 Thank you, Duane.

11 MS. KAISER: Can I ask a question?

12 MR. GIFFORD: Yes, ma'am. I didn't see the
13 hand.

14 MS. KAISER: Cindy Kaiser. Can we see that
15 master plan as a resident of Goodfield?

16 MR. YOCKEY: Yes. There's a rather thick
17 book of a master plan. There's really a master plan
18 for sewage and also a master plan for the water, and a
19 lot of the different parts of the master plan have
20 been done. That included increasing the capacity of
21 water works plant with both a new well and then
22 additional water treatment equipment.

23 So that part of it's done. Most of the

1 master plan that is remaining are trunk sewers to
2 different parts of the town, one of which goes north
3 on Route 117 and loops out on the Timberline Road to
4 connect to that dead-end main that's way out there by
5 the Barn. One of the last phases is to replace those
6 four-inch water mains.

7 There should be a copy of that study at the
8 Village Hall. If we can't find it, well, someone
9 knows where it is. Josh would probably know where it
10 is.

11 MS. KAISER: May I ask is there a master
12 plan for land use?

13 MR. YOCKEY: No.

14 MS. KAISER: Okay.

15 MR. YOCKEY: Illinois State University
16 students did a land use plan back in the 1970s, I'm
17 old enough to know that, and basically it was an
18 exercise that they did for a class, and it has no
19 formal merit.

20 There is no formal master plan. The only
21 thing that we have is, of course, the zoning plan, and
22 then on one of the zoning maps I did show a
23 mile-and-a-half limit, which, ideally, you have some

1 say in what goes within that mile-and-a-half limit,
2 but not much say unless you have a comprehensive plan.

3 MS. KAISER: But you are working with the
4 Village attorney, correct, on an RFP for the
5 comprehensive plan?

6 MR. GIFFORD: Ma'am, that really isn't a
7 germane question to these proceedings. That really
8 has nothing to do with the ups or downs on this
9 project.

10 MS. KAISER: Well, does it not? Because
11 without a comprehensive plan, then you really can't
12 determine land use for, you know, communities.

13 MR. GIFFORD: The record on the
14 comprehensive plan is clear from the minutes of the
15 Village Board. My only suggestion here is that
16 whether or not there is a current RFP for a
17 comprehensive plan or whether one is coming isn't
18 germane to these issues. You can certainly raise
19 those issues to the Village Board if you choose to.

20 MS. KAISER: Okay. Thank you.

21 MR. GIFFORD: Sir.

22 MR. WYSS: If this is a question -- Chad
23 again. If this is a question that can't be answered

1 at this particular time, that's fine, we can talk
2 about it at some other time, but would it be possible
3 to mark the hydrants in some way that would indicate
4 which ones are safe to pull from at high capacity
5 versus the ones that are not so that it's quite
6 evident, not only to us but also to mutual aid
7 departments and other places that might come in and
8 draw water?

9 MR. GIFFORD: I'm sorry. I'm going to tell
10 you the same thing I told Ms. Kaiser. That issue is
11 not germane to this.

12 MR. WYSS: It may not be.

13 MR. GIFFORD: Grab Duane out in the hallway
14 afterwards. Any questions from the board? I don't
15 see any hands waving out there. Thank you, Duane.
16 Jim Stout.

17 MR. STOUT: James Stout, 530 Hickory Court,
18 Goodfield, Illinois. I'm going to pass out copies of
19 this petition.

20 MR. GIFFORD: Make sure you have a copy for
21 counsel, please.

22 MR. STOUT: I don't want to but I will.
23 There you are counselor.

1 Okay. So anyway, I just want to remind you
2 that there was a petition handed in, and I just gave
3 you copies so that you could take a look at it again.
4 There's 135 signatures on there from homeowners who
5 oppose this apartment complex.

6 But on top of that there's another 14
7 homeowners who wouldn't sign it, three of them
8 wouldn't sign it because they wanted to know more
9 about what all was involved with this project. And --
10 excuse me, I've got a little bug -- eleven homeowners
11 are opposed to the apartments being built but wouldn't
12 sign.

13 Some of them were afraid of reprisals from
14 the Village, believe it or not, and some were afraid
15 of reprisals from other people.

16 Everyone I keep talking to asks the same
17 question: Why build apartment buildings in this area?
18 Nobody's opposed to building apartments. That's the
19 amazing thing. Nobody cares. But they do care about
20 that spot, for some reason, and I'm one of them.

21 It seems like it would be better somewhere
22 else. I mean, why not a grocery store or a hardware
23 store or a small engine repair or something like that

1 instead? And that's the biggest part of it. Biggest
2 part of it is that nobody really wants it there.

3 I mean, that's a significant number of
4 people that have signed opposed to this. It really
5 is. So just be clear one more time, nobody is opposed
6 to building apartments in Goodfield, but the whole
7 objection is to where it is, where it's proposed.
8 Thank you.

9 MR. GIFFORD: Hang on, Mr. Stout. Counsel?

10 MR. JORDING: I don't have any questions,
11 but I would move to strike this. I've got to make my
12 record. None of these signatures are notarized, so
13 they don't fit as testimony or evidence. They are
14 literally just names on a piece of paper.

15 Additionally, there is no foundation for
16 this. It doesn't say what these people were told or
17 what evidence they were presented with. If these
18 people were here tonight and heard evidence, then they
19 would be able to give an informed signature, but we
20 don't know, in the face of this, what they were told,
21 and none of this is -- has any indicia of affidavits
22 such as notarizations or that they were even sworn
23 to --

1 MR. STOUT: Well, counselor, I swear that I
2 signed that and I swear for the exact the reason that
3 it is on the front page.

4 MR. GIFFORD: Mr. Stout, let counsel finish,
5 and you'll have an opportunity to respond.

6 MR. JORDING: Yeah. That's my objection for
7 the record.

8 MR. GIFFORD: I'm going to deny that
9 objection at this point. The board will be instructed
10 on the appropriate weight to be given to that document
11 noting the issues that you've already noted.

12 Mr. Stout, go ahead. You had a rebuttal to
13 counsel's statement.

14 MR. STOUT: I just made it, sir. I solemnly
15 swear I and my wife signed that.

16 MR. GIFFORD: Questions from the board?
17 Thank you. Mr. Bardwell.

18 MR. BARDWELL: My name is Bob, B-o-b,
19 Bardwell, B-a-r-d-w-e-l-l. Thank you for letting me
20 speak tonight. I just want to start off by saying
21 thank you guys for your service.

22 You find yourselves in a position that no
23 matter what you decide someone is going to be unhappy,

1 and I can relate to that. So I come just as a
2 homeowner in Goodfield. I've lived in Goodfield for
3 now about 17 years, and I've been the superintendent
4 of the school district for, getting ready to start my
5 ninth year already.

6 So I just want to say, in general, I support
7 the housing project that's being proposed here. My
8 contacts with people who need places to live, we need
9 a variety of options in the community, the school
10 district that I serve, and so I am in support of this
11 project in general.

12 And then as someone who helps the school
13 board oversee the tax rate, people are really
14 concerned about the tax rate, and over the last six
15 years we've been able to keep it flat while still
16 making some improvements in the school district, but
17 that's not always going to be possible.

18 And I know the best way to keep the tax rate
19 flat is to bring in more residential properties, more
20 industry. So just from that viewpoint, I'm in favor
21 of it as well, because I think it benefits the
22 district.

23 So those are my two main points. The

1 location, I think that the -- my opinion is that let
2 the market play that out. People decide where they
3 want to live for a lot of reasons. That's just my
4 opinion about the location of it.

5 As far as the infrastructure, that's what
6 you guys are in charge of. So, anyway, that's my two
7 cents as a representative of the school district and
8 someone who lives in Goodfield. I'm in support of it
9 in general.

10 MR. GIFFORD: Counsel, any questions?

11 MR. JORDING: No, sir.

12 MR. GIFFORD: Questions from the board?

13 Questions in the audience?

14 MS. KAISER: I have a question.

15 MR. GIFFORD: Ms. Kaiser.

16 MS. KAISER: Were you consulted with regards
17 to what your capacity is should this apartment
18 building -- there can be children, so what is the
19 capacity? Are you over the Goodfield school that goes
20 to the fourth grade?

21 MR. BARDWELL: I am over the school, yes.

22 MS. KAISER: So what is capacity? How many
23 students could you actually take?

1 MR. BARDWELL: Well, Goodfield has actually
2 been under capacity for several years now and actually
3 we have classes of ten. We're still trying to support
4 the school, so I would enjoy to see more kids come in.

5 MS. KAISER: What would your capacity be?

6 MR. BARDWELL: We could average 20 to 25 per
7 class if we needed to.

8 MS. KAISER: Right now you're at?

9 MR. BARDWELL: We have -- last year we had
10 80 kids in the building.

11 MS. KAISER: Thank you.

12 MR. GIFFORD: Any other questions? Counsel?

13 MR. JORDING: No, sir.

14 MR. GIFFORD: Board? Audience? Thank you
15 sir. Brian Schieler. I think we've seen you before.

16 MR. SCHIELER: Can I talk as a citizen now?

17 MR. GIFFORD: Now you're going to testify as
18 the public?

19 MR. SCHIELER: Yeah.

20 MR. GIFFORD: That's fine.

21 MR. SCHIELER: So if the board would allow
22 me to take off my builder hat and put on my resident
23 hat, I've been here for 30 years a Goodfield resident.

1 I have five grandchildren and their parents who live
2 in town, so I've got a vested interested in this town.

3 My family also developed Deer Lakes --
4 excuse me -- Oak Valley subdivision and Parkside
5 subdivision, and so we have a vested interest in this
6 town to make it grow as much as we can.

7 And as we think about it, a couple points,
8 some of them have already been brought up somewhat, is
9 that, you know, with the school or with the sewer
10 system, with the fire department would like better
11 service, we need more people to help pay for it. This
12 is one way to do that.

13 Also, we all have children, grandchildren
14 that may grow up in this town or next to us, and we
15 want them to have a place to live next to us instead
16 of having to go to Peoria or Bloomington or wherever.

17 So I think there's a number of reasons why
18 it's a good thing to have more places to live here.
19 If we don't build this building, I wish somebody else
20 would, because I think it's going to be a great
21 addition to the town for a number of reasons that
22 we've already mentioned. So thank you.

23 MR. GIFFORD: Hang on a second. Counsel any

1 questions?

2 MR. JORDING: No, sir.

3 MR. GIFFORD: Board? Audience? You're
4 excused. Thank you. That exhausts the list of people
5 who signed up on the clipboard.

6 Is there anyone who has not testified who
7 would like to do so or hasn't given comment? Were you
8 sworn before?

9 MR. SCHOONOVER: Yes, I was.

10 MR. GIFFORD: You've got two minutes.

11 MR. SCHOONOVER: Rodney Schoonover. I live
12 in Deer Lakes. They're nice pictures, I saw those
13 earlier. I'm not against building an apartment
14 building. I do have concerns that do we need it? I
15 don't think we heard or saw any proof that we need it,
16 but I'm fine with it.

17 I agree, I think that we need options, and
18 so I'm fine with that. Should it be in a business
19 park? I don't know that that's the best business
20 approach I would take, but I don't have a major
21 problem with that either if someone wants to live
22 there.

23 I'm concerned some about the pricing you

1 talked about. I know in Morton there's apartments,
2 two-bedroom apartments for 1,250 and \$1,300. I'm
3 concerned that you would have problems renting it.

4 But all that aside, that's your problem to
5 deal with. That's for you to deal with. The problem
6 that I have is the problem that I had last week when I
7 talked in the other hearing, we talked about the
8 Village not having a comprehensive plan. That's my
9 concern. How do we know, as a community, what we want
10 to be in the years to come?

11 We all should weigh in. We should
12 strategize. We should plan. Every company does this,
13 they plan ahead, and I think we've seen enough of the
14 zoning kind of challenges, and we have to go on the
15 defense or on the offense to try to prove a point. If
16 we have a plan at least, we would know it was in
17 alignment with that plan.

18 I mentioned last week that I asked Sheri for
19 all the meeting minutes. We went back six years.
20 They started on October 13th, 2016, is when the
21 comprehensive plan discussion started. Six years
22 later we still don't have a plan, and that's a concern
23 for me that we're going to be here six years from now

1 making one-off decisions in zoning as they come up.

2 So that's my major concern. I think we
3 should stop this kind of zoning one off, and we should
4 come up with a comprehensive plan and put focus on
5 that plan so that we can determine if we all want
6 Goodfield to be apartments or homes or industrial or
7 what we want it to be. Thank you.

8 MR. GIFFORD: Counsel?

9 MR. JORDING: No, sir.

10 MR. GIFFORD: Board? Audience? Thank you,
11 sir. Is there anybody else who would like to provide
12 comment on this issue? All right. Seeing no
13 response, that will close the public comment session.

14 The petitioner has an opportunity now to
15 make what amounts to a closing argument.

16 MR. JORDING: I told you we came here
17 tonight with two requests. Before I delve into those,
18 I do appreciate your time. I served on the Woodford
19 County Zoning Board. I understand the seat you're
20 sitting in. I understand that you're making decision,
21 and that especially in small communities, you know,
22 there are people you know who might be on the other
23 side of the fence. I'm local, I know people in this

1 room too.

2 However, and you might have noticed, maybe
3 it's because of my line of work or it's because of
4 having sat in that seat, I get a little bristled when
5 there's a suggestion that you guys are making special
6 exceptions; you guys are doing something that maybe
7 you ought not to be doing.

8 This is the process, and Goodfield has done
9 a good job trying to make this process as good as we,
10 as people, can do. Right? You know, we don't have a
11 perfect government, legal process, anything, but
12 everyone here got to ask all the questions they had,
13 the board, the audience.

14 We brought everyone that we could think to
15 bring. We didn't hide anyone behind tables or
16 anything. We brought everyone we thought we needed to
17 inform you guys of what we're going to do should this
18 get approved and what we want to do.

19 If there are questions that remain, I know
20 that we are accessible, and if we don't know answers,
21 if it's within our ability, we get answers. And I
22 think that part of tonight was us addressing some of
23 the questions that had been raised before.

1 With respect to the two requests, sir, could
2 I ask you to get my lights. You all know that, from
3 the training that you were given by the attorney,
4 there are two powers inherent in the zoning board:
5 One, your power to review an administrative decision,
6 and affirm or deny that; two, you could make a
7 recommendation.

8 My first request is we were denied a
9 building permit, and I think that denial was wrong,
10 and I look to your code as to why I think that was
11 wrong. This is your code, page 4, when we're talking
12 about districts. This is how you define a district.
13 It's a section of the Village, which governs the use
14 for buildings and premises the height of buildings,
15 size of yards, densities are all uniform.

16 This code tells us that the district, for
17 instance, business district where the project is
18 located, should have uniform rules pertaining to
19 buildings, premises, height of buildings, size of
20 yards, density.

21 That's what a district is. It is a place,
22 you know -- and having been in the county, the county
23 has a comprehensive plan. Is it worth ten cents? In

1 my opinion, no. But zoning is where you, in essence,
2 draw what you want the town to look like.

3 We want these things that are of this
4 uniformity here, and we want these things like this
5 here. This happens to be in a business district, and
6 I apologize that this is a little smaller screen, but
7 it's straight out of your regulations, page 17.

8 MR. GIFFORD: Counsel, would you please
9 identify specifically which section of the code you're
10 talking about. Unfortunately, the way the code is
11 paginated, each chapter starts anew.

12 MR. JORDING: So my first reference was
13 definitions on page 2. It's Definition 12. This
14 happens to be on page 17, but it's Section 8.701.
15 This is the entirety of your business district
16 regulation. Nothing left out.

17 What you have is a list of permitted uses
18 and sign regulation. You'll note in the permitted
19 uses, those that are enumerated include hotels and
20 motels. There are no height restrictions in business.
21 There are no lot size coverage restrictions in
22 business.

23 This is why I tell you someone can come in

1 and build a hotel. All they need is a building
2 permit. They don't have a height restriction. They
3 don't have a lot restriction. That's the code.

4 You'll note that the code also says, in
5 addition to that enumerated list of uses, any use
6 found in a residential district also goes in.

7 In your residential district, which is an
8 incorporated list, there is -- this is section, sorry,
9 page 12, Section 8.501, duplexes and apartments. So
10 what I would tell you is the way this business
11 district regulation is set up, is that it's just like
12 adding 23 down there, duplexes and apartments, because
13 all of those that are in that list 1 through 22 can be
14 done with the only regulation applicable, because,
15 remember, districts have uniform regulation by
16 definition, the only regulation is the signage, and in
17 addition to that list, it says you can have a use out
18 of the residential district.

19 So, when we look at districts, this is a
20 business district, and we look at the applicable
21 zoning regulations, other than -- and I've highlighted
22 to make sure I'm clear -- that line 23 is my add
23 because all I've done is said, well, you allow

1 residential uses in the list of uses, there it is.

2 There's nothing else.

3 Going back to the definition of a district,
4 right? In the business district we are looking for
5 the regulation to provide uniformity of building
6 premises, height of buildings, size of yards. There's
7 no height restriction in the business district, and
8 we're looking for uniformity.

9 To deny this based on a restriction that's
10 in the residential section because the business
11 imports a residential use, I believe, is incorrect.
12 That's why I'm asking for that decision to be
13 reversed.

14 And, for instance, if we look at the signage
15 regulation on business, which we know applies to
16 business, it's in that section, and we look at the
17 residential sign regulation, they're different. When
18 this zoning ordinance was written, it was envisioned
19 you wanted different rules in business than you have
20 in residential.

21 Had you chosen to put a height restriction,
22 a lot restriction, or any of those restrictions in
23 business, you could have, you made a bespoke sign

1 restriction in business. So that's why I believe that
2 the denial of our permit was wrong.

3 Alternatively, what we've done is we've
4 brought everyone I can think to bring to you. We
5 brought Alan, a local guy who's hiring local people to
6 do a job for the community he lives in. I can't say I
7 live in the community, but I live very close. I live
8 on Grimm Road, not inside the incorporated Goodfield,
9 but I'm pretty darn close.

10 I know that this is something the area needs
11 and, if not Alan, someone from Chicago will do it or,
12 if Alan doesn't do it here, someone else will reap the
13 benefit of it. So it's something Goodfield needs.

14 You heard that the market has a need for it.
15 With respect to someone saying there was no evidence
16 of that, there's a licensed certified appraiser who
17 came in and talked about what the market needs. So
18 we've presented that evidence.

19 We presented another local guy, a pillar of
20 the community, who's going to build this. You don't
21 think that he's going to do something right, because,
22 you know, it's, you know, it's his house, it's where
23 he lives? Of course he is. Local workforce.

1 We heard the professional engineering group
2 which, you know -- and in that professional
3 engineering group, again, a local guy who has been
4 tied with this area for a long time. All of those
5 people in support -- providing evidence in support of
6 the project.

7 On the other side, and I'm not doubting
8 this, this is inevitably the way zoning happens.
9 Speculative statements about what may or could be in
10 people's worst imagination, no evidence. And you, as
11 the zoning board, are charged with evidence. That is
12 -- that's why testimony is sworn before you. That is
13 what the basis of your decision has to be made on, the
14 evidence.

15 If you have questions about what was
16 presented, I don't think -- I don't think there are
17 because everything was answered, but if you do, then
18 maybe I should have brought more witnesses.

19 I can't think of a field of expertise that
20 we didn't bring tonight for you guys so you could have
21 all of your questions answered, and I think they were.

22 So Ask 1 is that the administrative decision
23 be reversed; if not, in the alternative, what we would

1 ask is for the special use to be granted, and with
2 that special use, there are a couple things.

3 Just my legal opinion, I don't think there
4 is changes to what the board's going to approve. I
5 think this with the board's approval and stipulations
6 is what it's going to be.

7 What we would ask is we'd ask, if you make
8 the recommendations, we know things happen, we'd ask
9 for administrative variation plus or minus 10 percent
10 of requirements because, you know, things might have
11 to be moved here and there, and it wouldn't be -- you
12 know, it would frankly be burning your time to come in
13 and say I know we set, you know, 34 feet 11 inches,
14 can we do 35 feet. Right?

15 So we'd ask for, and I can tell you in the
16 county that's the -- that's in the ordinance actually.
17 We'd ask that that be included with the approval if
18 you do alternative approval.

19 MR. GIFFORD: Counsel, you've exceeded your
20 time. I would wrap it up, please.

21 MR. JORDING: Yep.

22 MR. GIFFORD: Thank you.

23 MR. JORDING: In addition to that, the other

1 thing we would ask for is two years to pull the permit
2 and one year to complete construction because it is a
3 complicated project, and that would be something that
4 we'd be looking for.

5 You know, everyone knows that the market is
6 -- what the market is right now, and there may be, you
7 know, better times, worse times to go get materials,
8 so we'd like that as well.

9 Appreciate your time tonight, guys.
10 Hopefully we answered everything that you needed to
11 make your decision. Thank you.

12 MR. GIFFORD: There was not a registered
13 party on the opposition side. So there's not a
14 closing argument from the opposition, but I think the
15 board has heard all of the comments that have been
16 made tonight.

17 Unless one of the board members has a
18 question or wants to do something different, I think
19 it's appropriate to close the record on the public
20 hearing. Sir?

21 MR. SCHOONOVER: I do have one final comment
22 if I can.

23 MR. GIFFORD: Briefly.

1 MR. SCHOONOVER: Just have a rebuttal. He
2 made a perfect argument --

3 MR. GIFFORD: Come up to talk so everybody
4 can hear you.

5 MR. SCHOONOVER: Two things. Number one, he
6 made an excellent argument for why we need a
7 comprehensive plan. He even talked about the county
8 having a comprehensive plan. He continued to talk
9 about, you know, it doesn't state this, it doesn't --
10 well, that's because we don't have that plan in place.

11 MR. GIFFORD: Sir, the absence or the
12 existence of a comprehensive plan isn't germane here
13 this evening. So if that's your only comment --

14 MR. SCHOONOVER: It is not.

15 MR. GIFFORD: Okay. Move to your second,
16 please.

17 MR. SCHOONOVER: My second comment is he
18 talked about speculation. The market analysis, the
19 need for this community to have it. He had an expert
20 that stood up here that had no documentation to show
21 that. She said she would provide it, but until she
22 provides it too, it's just her opinion, and so I
23 wanted to point that out as well.

1 MR. GIFFORD: Thank you. Anything else from
2 the board?

3 MR. KUNTZ: I have one question I can go
4 back and ask. It had to do with if the administrative
5 is not done and we get the variance, one of the
6 variances is on the density, and our code says 5,000
7 square feet per unit, which if we're putting in -- if
8 we're putting in 18 units, that's 90,000 square feet,
9 and I don't know if there's even 90,000 square feet
10 for both units. Is there someone that can expound on
11 that?

12 MR. GIFFORD: Why don't we let Duane Yockey.

13 MR. KUNTZ: I just want to catch up here.
14 It never came up.

15 MR. YOCKEY: My reading of the code is that
16 business district allows residential to be built as
17 long as it meets the requirements of the residential
18 zoning. Multifamily zoning requires the 5,000 square
19 feet per dwelling unit. If I'm not mistaken, I did a
20 calculation, it's been some time back, but the size of
21 the project as proposed would allow 19 units rather
22 than 36 based upon our present density requirements,
23 which is why the special use is my understanding.

1 So from my perspective, it does not meet the
2 code without doing the special use unless the zoning
3 code is modified. That's my opinion.

4 MR. GIFFORD: Does that answer your
5 question?

6 MR. KUNTZ: Yes.

7 MR. GIFFORD: All right. Unless there is
8 some other objection, we're going to close the record
9 on the public hearing.

10 MS. BERGMAN: I just want to say, compared
11 to neighboring villages and towns and stuff, Morton
12 only requires 2200 -- well, that calculates to about
13 2800 square feet per dwelling.

14 MR. GIFFORD: What other municipalities are
15 doing is not germane here tonight. Any other
16 questions? Going once, going twice. We will close
17 the record.

18 (Public hearing adjourned at 8:15 p.m.)

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CERTIFIED SHORTHAND REPORTER'S CERTIFICATE

I, Christie C. Stephens, CSR, RDR, CRR, a
Certified Shorthand Reporter in and for the State of
Illinois, and the Certified Shorthand Reporter who
reported the proceedings had on said day in this
cause, do hereby certify that the foregoing transcript
of proceedings is a true and complete transcript of
proceedings had on said day in this cause.

IN TESTIMONY WHEREOF, I have hereunto set my
hand this 25th day of July, A.D. 2022.



CSR, RDR, CRC
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