

Approved

MINUTES
VILLAGE OF HINSDALE
HISTORIC PRESERVATION COMMISSION

February 5, 2020

Memorial Hall – Memorial Building, 19 East Chicago Avenue, Hinsdale

6:30 P.M.

Chairman Bohnen called the meeting of the Historic Preservation Commission (HPC) to order at 6:30 p.m. on February 5, 2020, in Memorial Hall in the Memorial Building, 19 East Chicago Avenue, Hinsdale IL.

Present: Chairman Bohnen, Commissioner Prisby, Commissioner Gonzalez, Commissioner Braden and Commissioner Haarlow
Absent: Commissioner Weinberger and Commissioner Williams
Also Present: Chan Yu, Village Planner and Mike D’Onofrio, Planning Consultant

Minutes – January 13, 2020

Chairman Bohnen introduced the minutes from the January 13, 2020, meeting and asked for any comments.

Commissioner Prisby requested that box 20, line 17, should state “newel post” rather than “new post”.

With no additional comments, the HPC **unanimously approved** the minutes for the January 13, 2020, HPC meeting, 5-0, (2 absent).

Sign Permit Review

Case A-38-2019 – 10 E. First Street – Turkoise – 1 New Wall Sign

The business owner introduced herself and the proposed new wall sign for 10 E. First Street.

Chairman Bohnen asked if the sign background is something the applicant painted.

The applicant responded yes, because the metal was very scratched and an ugly charcoal black, and painted it a brighter white.

Chairman Bohnen asked Chan about his concern if whether the entire white background counts towards the sign area.

Chan replied that the white background is part of the building façade, and if the proposed text was removed, it would still remain as part of the building façade. To this end, it is not counted towards the square footage of a signage backing.

Commissioner Gonzalez asked what the material is beneath the proposed sign near the ground.

The applicant responded there is brick on the bottom and the top part is tin, and showed an example of how thick the sign lettering would be.

Commissioner Braden recommended that the sign be broken up since it appears the text and logo gets lost in the white space. She referenced the business next door and its border around the wall sign as a potential idea.

The applicant appreciated the feedback and wasn't sure if that was allowed, and added that she would love to add a black border.

Commissioner Prisby asked how locked into the white is the applicant.

The applicant responded fairly locked into the white for the contrast and cheerful vibe it gives off. She also referenced the jewelry store across the street and thought it was elegant and classy. Additional references to surrounding paint colors ensued.

Commissioner Prisby offered an illustration of a border around the text, which the HPC generally supported.

The applicant thanked the HPC for the border recommendation would like to move forward with it.

With no additional comments, the HPC **unanimously recommended approval** for the sign, with the suggested black border, 5-0, (2 absent).

Sign Permit Review

Case A-03-2020 – 8 E. Hinsdale Ave. – Coldwell Banker – 1 Awning Sign Update

Chairman Bohnen briefly reviewed the scope of this sign application.

The sign contractor clarified that the awning color would change from blue to black in color.

Chairman Bohnen clarified that removing the window sign is part of the condition for approval.

Chan replied correct.

Chairman Bohnen expressed that this is a straight forward request to replace the awning with a minor text revision.

With no additional comments, the HPC **unanimously recommended approval** for the sign, as submitted, 5-0, (2 absent).

Public Meeting

Case A-46-2019 - 24 W. Hinsdale Ave. – Michael Abraham Architects – Major Adjustment to approved Exterior Appearance for new storefront façade (Initial Application Case A-18-2019).

At the February 5, HPC public meeting, Chairman Bohnen gave a brief history of the subject property and applicant. The building owner, Mr. Rino Burdi, and the architect, Mr. Michael Abraham, gave a comprehensive review of the events leading up to the major adjustment to exterior appearance/site plan application. Mr. Burdi and Mr. Abraham responded to questions by the Commission.

Please refer to Attachment 1, for the transcript for Public Meeting Case A-46-2019

A motion to continue the application until the results on the stain removal can be presented, was **unanimously approved**, 5-0 (2 absent).

Public Meeting – Historic Preservation Commission Title 14 Regulations Action Summary Review

Mr. Mike D'Onofrio introduced and reviewed the Title 14 regulations agenda item, and summarized the subsequent recommendations of the HPC discussions.

Please refer to Attachment 2, for the transcript for Title 14 Regulations Action Summary Review.

Adjournment

The HPC unanimously agreed to adjourn at 8:17 PM on February 5, 2020.

Respectfully Submitted,

Chan Yu, Village Planner

STATE OF ILLINOIS)
) ss:
COUNTY OF DU PAGE)

BEFORE THE VILLAGE OF HINSDALE
HISTORIC PRESERVATION COMMISSION

IN THE MATTER OF:)
)
Case HPC A-46-2019 - 24 W. Hinsdale Ave)
Michael Abraham Architects - Major)
Adjustment to approved Exterior)
Appearance for new storefront facade)
(Initial Application Case A-18-2019).)

REPORT OF PROCEEDINGS had and testimony
taken at the hearing of the above-entitled
matter before the Hinsdale Historic Preservation
Commission at 19 East Chicago Avenue, Hinsdale,
Illinois, on the 5th day of February, 2020, at
6:34 p.m.

BOARD MEMBERS PRESENT:

MR. JOHN BOHNEN, Chairman;

MR. FRANK GONZALEZ, Member;

MR. BILL HAARLOW, Member;

MR. JIM PRISBY, Member;

MS. ALEXIS BRADEN, Member.

<p style="text-align: center;">2</p> <p>1 ALSO PRESENT:</p> <p>2 MR. CHAN YU, Village Planner;</p> <p>3 MR. MICHAEL D'ONOFRIO, Planning</p> <p>4 Consultant;</p> <p>5 MR. MICHAEL J. ABRAHAM, Principal,</p> <p>6 Michael Abraham Architecture;</p> <p>7 MR. RINO BURDI, building owner;</p> <p>8 MS. MILENA RALEVA, owner's assistant;</p> <p>9 MR. CHARLES HARTLEY.</p> <p>10 * * *</p> <p>11 CHAIRMAN BOHNEN: Now we are going to</p> <p>12 do a couple of public meetings. And if those of</p> <p>13 you that intend to speak, please, would stand</p> <p>14 and be sworn in so that we can have you on the</p> <p>15 record. We'd ask that when you come to the</p> <p>16 podium, please speak into the microphone so the</p> <p>17 throngs of people at home can hear you.</p> <p>18 (Mr. Abraham, Mr. Burdi, Ms. Raleva,</p> <p>19 and Mr. Hartley sworn.)</p> <p>20 CHAIRMAN BOHNEN: The first public</p> <p>21 meeting is Case A-46-2019, 24 West Hinsdale</p> <p>22 Avenue, Major Adjustment to approved Exterior</p>	<p style="text-align: center;">4</p> <p>1 I know that I didn't feel -- Like maybe I</p> <p>2 should have been here, and I was out of the</p> <p>3 country; I needed to let you guys know what</p> <p>4 happened.</p> <p>5 Basically, I kind of put a</p> <p>6 presentation together. I think you are going to</p> <p>7 understand because everybody adheres to this</p> <p>8 kind of how this all happened to me. You would</p> <p>9 kind of be on the same track as me. I'm not</p> <p>10 kidding, I'm surprised I have any hair left.</p> <p>11 Basically, you know, from the very</p> <p>12 beginning, this building -- It's an old</p> <p>13 building, you know. And as I was unraveling the</p> <p>14 layers -- And it keeps happening to me, and it</p> <p>15 happens every day. But basically, I mean you</p> <p>16 can see from some of the pictures, these were</p> <p>17 the ones that were taken when I first bought the</p> <p>18 building or I was looking at the building.</p> <p>19 And that's the date that it was</p> <p>20 right there, December 1. That cladding there,</p> <p>21 and you can -- It's a shame because you can see</p> <p>22 from the top of that brick water would just</p>
<p style="text-align: center;">3</p> <p>1 Appearance for a new storefront facade in the</p> <p>2 historic downtown district. Thank you.</p> <p>3 So by way of background, the</p> <p>4 applicant came before us for their signage three</p> <p>5 meetings ago, I believe it was, and presented to</p> <p>6 us the facade of the new business venture. And</p> <p>7 somewhere along the process things have changed,</p> <p>8 and so now the applicant is coming back before</p> <p>9 us. And you have been to the Plan Commission,</p> <p>10 or you are going to the Plan Commission?</p> <p>11 MR. ABRAHAM: We have been. That's why</p> <p>12 we are here.</p> <p>13 CHAIRMAN BOHNEN: You have been to the</p> <p>14 Plan Commission, and now you are before us.</p> <p>15 MR. ABRAHAM: Right.</p> <p>16 CHAIRMAN BOHNEN: All right. So who</p> <p>17 would like to begin speaking?</p> <p>18 MR. BURDI: I think I would like to</p> <p>19 start. Basically, more so, I'm Rino Burdi, I'm</p> <p>20 the owner of 24 West Hinsdale. I think just a</p> <p>21 lot of like stuff kind of like happened in this</p> <p>22 mix-up for me. I never, you know, I came here,</p>	<p style="text-align: center;">5</p> <p>1 spill down and was coming down all over the side</p> <p>2 deteriorating. You could actually see through</p> <p>3 that hole there. Okay.</p> <p>4 So when I bought this building, I</p> <p>5 knew I had to do some work. It was like, that</p> <p>6 was known; and to where I wanted to get it to</p> <p>7 where I need it to be would, you know, it's</p> <p>8 going to take a while. It's going to take a lot</p> <p>9 of money. It's going to be, what I wanted to do</p> <p>10 always from the very beginning, I wanted to do</p> <p>11 something special. And even from the time I</p> <p>12 came to you guys, I even told you, I want to do</p> <p>13 something special.</p> <p>14 I hired Michael for a reason.</p> <p>15 Michael doesn't come inexpensively, but he does</p> <p>16 the best. I really wanted to create something</p> <p>17 really special here and to show you that I want</p> <p>18 to do something special here. We took this</p> <p>19 basically, this building, and put in all this</p> <p>20 love. Everything was done by hand. Everything</p> <p>21 that kind of like you see here wasn't chiseled</p> <p>22 off by a jackhammer. This was done by hand, you</p>

<p style="text-align: center;">6</p> <p>1 know. These are professionals. These guys have 2 been around for a long time. I have their 3 affidavit. 4 What they used, I know that was 5 thrown around, maybe they used concrete to do 6 the mortar. And this is basically the mortar 7 that they used. I have got affidavits stating 8 that. But I kind of want to just take you 9 through the process and some of the things that 10 I had to deal with. I mean this has been a love 11 thing, you know. But in the same token, a lot 12 of unforeseen and a lot of burden and a lot of 13 hardship; and it just keeps getting that way. 14 So I never planned on painting this 15 building or staining this building. I chose the 16 stain only for one reason because it was 17 translucent. I wanted to see the brick. I 18 didn't come here to say, oh, you know, I 19 thought, you know, it would look cool as a black 20 building. Believe me, and with all the problems 21 I have had, because I have stained this 22 building, I did not foresee any of that. I did</p>	<p style="text-align: center;">8</p> <p>1 from the very back to the front of this building 2 is very out of plumb. And all these things, 3 it's not a landmark. I asked Robb McGinnis, 4 Hey, look, I'm buying this building, I know it's 5 old; do I have any issues, is it a landmark, is 6 it historic? 7 No. So, again, why would I think 8 of any of this stuff being a problem for me? 9 Milena just injected these in there. These are 10 some of the buildings that kind of gave me like, 11 hey, you know what, if we were to stain this, 12 would this be something that can come out 13 pleasing. 14 And I think it was you, Alexis, 15 that actually said this meeting that I watched 16 on -- We paid, I mean just to tell you, how to 17 show you that none of this really made any sense 18 to me. I paid to have the signage in black 19 metal, you know, that seal was done. 20 And to your point where you won't 21 even see that, but I paid for that already. 22 This was something that came out after, after we</p>
<p style="text-align: center;">7</p> <p>1 not want any of it. 2 And if you look at -- And you will 3 see the video comparing my stain, comparing even 4 just to my next-door neighbor. I didn't know 5 that I couldn't stain it or paint it. The guy 6 to the right of me is painted. The guy to the 7 left of me is painted. There is painted 8 buildings all over in Hinsdale and black 9 buildings and white buildings, and I did not 10 know that I had to have an approval. I didn't 11 know that I had to come here and say, Hey, I 12 think I'm going to stain this building. I just 13 want to get it to aesthetically pleasing because 14 I had all these grout lines and mortar lines. 15 And yes, I know, I wish I knew 16 Frank. I talked to Frank for a while and he 17 does really know his stuff, but at the time I 18 didn't know him. We used a professional. We 19 thought we did it correctly. And you know, when 20 you see the videos, and you will see kind of 21 like how we got to this point. 22 This building is so out of plumb</p>	<p style="text-align: center;">9</p> <p>1 had started this whole project and came to this 2 problem, why I'm standing here today. 3 But here's a video kind of just 4 showing you how unplumb we are in this building. 5 And from back to front, it's just -- 6 MS. RALEVA: Not available. I can't 7 play the video. 8 MR. GONZALEZ: I believe you, they are 9 all out of plumb. You don't have to convince 10 me. 11 MR. BURDI: You are absolutely right. 12 But here's the problem, there is a video here. 13 And you can walk in the building yourself. 14 Where from maybe that door to the front of that 15 door there is more than one brick difference, 16 and this is inside my store. 17 MS. BRADEN: I walked through this 18 morning. 19 MR. BURDI: Okay, thanks. I'm talking 20 about on the inside because it's still visible. 21 That part is not painted. 22 MS. BRADEN: They let me in.</p>

<p style="text-align: center;">10</p> <p>1 MR. BURDI: Oh, they let you in?</p> <p>2 MS. BRADEN: They were very nice.</p> <p>3 MR. BURDI: So there is this wall that</p> <p>4 we kind of did this work on. But it's</p> <p>5 definitely shorter on one side than the other.</p> <p>6 You can't just put slivers. We had to do it</p> <p>7 through mortar, and that's kind of like what we</p> <p>8 were having on the outside.</p> <p>9 But a lot of the problems that we</p> <p>06:55:52PM 10 had we didn't even know until we -- what is that</p> <p>11 called -- like mortared the joints and mortared</p> <p>12 the holes that were left after the canopy was</p> <p>13 taken down. And the things that were a dime</p> <p>14 size became a nickel size and then a quarter</p> <p>15 size. So there were problems everywhere.</p> <p>16 And I came here really because it's</p> <p>17 truthful. I wanted to let you know and hear my</p> <p>18 voice that I didn't do it to deceive anybody. I</p> <p>19 came, you know, I did this because I had a real</p> <p>06:56:21PM 20 issue. Everything I do is with passion. I want</p> <p>21 it done exactly right. I want it done, you</p> <p>22 know, and I hired the best. It's not like, you</p>	<p style="text-align: center;">12</p> <p>1 all blew up in my face when I was gone.</p> <p>2 So actually I'm going to turn it</p> <p>3 over to Milena because she did all the calling</p> <p>4 for me.</p> <p>5 MS. RALEVA: Hi. Good evening. So</p> <p>6 Frank's plan, he had a fix for us. We would</p> <p>7 strip the stain and go about fixing the brick.</p> <p>8 And his plan was hire Midwest Maintenance, that</p> <p>9 was one of the contractors on his presentation,</p> <p>10 and use the Prosoco products.</p> <p>11 So I reached out, I got Midwest</p> <p>12 Maintenance involved. They were ready. They</p> <p>13 went and purchased the Prosoco products that</p> <p>14 Frank had mentioned at that Plan committee</p> <p>15 meeting. And then just as we are about ready to</p> <p>16 execute, Mr. Gonzalez follows up and says, Wait,</p> <p>17 wait, wait, Prosoco has to do the test; you</p> <p>18 cannot just have these contractors do it.</p> <p>19 MS. BRADEN: On the sample of brick?</p> <p>06:57:52PM 20 MS. RALEVA: On the sample.</p> <p>21 MS. BRADEN: Do they use the same</p> <p>22 sample as what was on the building?</p>
<p style="text-align: center;">11</p> <p>1 know, again, I didn't know Frank. Frank makes a</p> <p>2 lot of great arguments.</p> <p>3 I even said, you know what, I was</p> <p>4 in Italy when you guys all showed up at this</p> <p>5 board meeting.</p> <p>6 MR. GONZALEZ: Got my name up there,</p> <p>7 thanks. You are doing all the talking this</p> <p>8 time.</p> <p>9 MR. BURDI: So I know Frank showed up</p> <p>06:56:51PM 10 and said we could have done it this way, and he</p> <p>11 was absolutely right. And he gave us some</p> <p>12 recommendations of how to get it off if we</p> <p>13 could.</p> <p>14 So from Italy, I tell Milena, Get</p> <p>15 on that. You know, Call these people that he's</p> <p>16 talking about and let's get this going. Okay?</p> <p>17 And by the way, I missed that</p> <p>18 meeting. I was ready to stay here. I called</p> <p>19 everyone. I even talked to Cauley. I talked to</p> <p>06:57:18PM 20 everyone. They all told me, Don't worry about</p> <p>21 it, it's just a formality. It's all going to</p> <p>22 work out, don't worry. Well, it, obviously, it</p>	<p style="text-align: center;">13</p> <p>1 MS. RALEVA: So we went about this</p> <p>2 testing phase, and we were going to have Midwest</p> <p>3 Maintenance do the test to see if this can be</p> <p>4 stripped. However, Frank said at one of the</p> <p>5 email exchanges that we could not have Midwest</p> <p>6 Maintenance, we have to wait for Prosoco, the</p> <p>7 vendor of that product, to do the test.</p> <p>8 And then following that, it turned</p> <p>9 out that the test has to be executed at</p> <p>06:59:01PM 10 50-degree weather. So we then looked into</p> <p>11 tenting the test. And then we heard from Robb</p> <p>12 McGinnis that we would have to allow 36-inches</p> <p>13 sidewalk space for pedestrians, which is not</p> <p>14 possible, because where the stained portions of</p> <p>15 the bricks in that building are there are trees</p> <p>16 on the sidewalk. So if we were to create a</p> <p>17 tent, there would not be any space for</p> <p>18 sidewalk --</p> <p>19 MR. BURDI: Use.</p> <p>06:59:33PM 20 MS. RALEVA: Yes.</p> <p>21 MS. BRADEN: Could I just interject</p> <p>22 real quick. And I'm so sorry if I'm</p>

<p style="text-align: center;">14</p> <p>1 backtracking a bit. But prior to applying the 2 stain, did you use a sample of the same material 3 to see how dark it would be? 4 MR. BURDI: Yes. As a matter of fact, 5 we had diluted it because I wanted see the 6 brick; that was always my intent. Actually the 7 vendor brought out other paints and whites and 8 this and that. I really genuinely wanted to see 9 the brick. The brick was important to me. It 10 always had been. And right now, too bad you 11 don't see this, because if you do see side by 12 side my neighbors' versus mine, you can clearly 13 see my brick. 14 I didn't know that we weren't going 15 to be able to take it off, not putting it up and 16 thinking like, oh, by the way, just in case, I 17 might be able to take this down. Who does that? 18 I mean I bought this system because I liked the 19 way it looked. I thought it was fixing my 20 problem with all the -- It looked like World 21 War III out there. And I'm sorry, that's not 22 how I operate. I want to present myself in a</p>	<p style="text-align: center;">16</p> <p>1 that we just left it be. Like if you looked on 2 the inside, and you were there, we have steel 3 columns now holding up that front wall that has 4 pins, these giant screws basically, going from 5 the steel all the way through into the brick; 6 and that has some sort of bonding agent that 7 expands and fills any void and creates a 8 one-piece unit. That was all done through a 9 structural engineer that I had no idea that we 10 had to do. 11 MS. BRADEN: Sure. 12 MR. BURDI: Again, thinking we need a 13 new roof, got to replace the windows. This is 14 my life since I bought this place. I'm not here 15 to complain because I love my building, but it's 16 constant. And I didn't mean to come -- And I'm 17 here basically to tell you I didn't come out 18 here to deceive you. 19 This is something that it happened 20 to me. And you know what, I was ready to take 21 that stuff off or try to take it off. I didn't 22 know that it wasn't going to be able to be</p>
<p style="text-align: center;">15</p> <p>1 way, and that's who I am. 2 MS. BRADEN: I think for this, it's a 3 contributing structure in the historic district 4 so we always like to look at how that affects 5 the streetscape. 6 MR. BURDI: Absolutely. 7 MS. BRADEN: And I appreciate you 8 taking the canopy down because I think that the 9 building actually looks more historic with the 10 canopy gone. And I understand, my hang-up here 11 is, once that canopy was down, it would be with 12 the understanding that there would be holes and 13 patchwork needed to do. When I looked at it 14 today, I still see holes that haven't been 15 filled. So I think I'm just -- 16 MR. BURDI: Those holes are from when 17 they put that blade up there. In order to lift 18 those blades, those were anchored to the front 19 of that. I've got them on my phone. I think 20 you should see what we are talking about. What, 21 you know, like how much a structural engineer 22 went into fixing that front wall. It wasn't</p>	<p style="text-align: center;">17</p> <p>1 removed. We did get a letter. We had 2 specialists comment, saying it's not going to 3 come off. You know? 4 The other thing is that, you know, 5 the historic part of this building -- And I'm 6 so glad that, you know, Mr. Hartley showed up on 7 his own. I didn't ask him to come. He 8 surprised me here today. 9 But I think just to kind of tell 10 you who I am as, you know, like as part of this 11 community now, anybody that I have come into 12 contact, I am here, I'm real, I want to be 13 somebody good in the community, not somebody 14 that's going to hurt the community. And thank 15 you, Mr. Hartley, for showing up today. 16 MR. HARTLEY: You're welcome. 17 MR. BURDI: But I know I have bought 18 things. I have gone into John Bohnen's store. 19 Brian is doing a ton of work for me. So you can 20 ask him how I have treated him. I treat 21 everybody -- Avi from down the street. So it's 22 not just coming in and spending money in my</p>

<p style="text-align: center;">18</p> <p>1 building. It's also about being a part of this</p> <p>2 community. I didn't, you know --</p> <p>3 MS. BRADEN: Right.</p> <p>4 MR. ABRAHAM: Maybe you could head it</p> <p>5 up in terms of investigating removing the stain.</p> <p>6 MS. RALEVA: So going back to the plan,</p> <p>7 I reached out to Prosoco directly because we</p> <p>8 were going to have a 52-degree weather day on a</p> <p>9 Sunday. I wanted see if they can schedule a</p> <p>10 field test for us. So I spoke to two of their</p> <p>11 specialists. And when I told them that we had</p> <p>12 used this NawTone product, they basically said,</p> <p>13 no, the heavy-duty stripper will not help you.</p> <p>14 It is for paint that would be on the surface of</p> <p>15 the brick.</p> <p>16 So then I have an email exchange</p> <p>17 here with Ken Hatfield that says exactly that,</p> <p>18 they do not --</p> <p>19 MR. GONZALEZ: I know a lot of people</p> <p>20 from Prosoco. Where is he based from?</p> <p>21 MS. RALEVA: I am not too sure.</p> <p>22 MR. GONZALEZ: He may not be here. He</p>	<p style="text-align: center;">20</p> <p>1 MR. BURDI: No. I wasn't mislead. I</p> <p>2 didn't know -- What do you mean by that?</p> <p>3 MR. ABRAHAM: We were taking</p> <p>4 Mr. Gonzalez's advice to hire this company and</p> <p>5 hiring their technician to do a test. When we</p> <p>6 sent the specifications for the material that is</p> <p>7 on the wall from there, these are their</p> <p>8 specialists from the company that was</p> <p>9 recommended to us.</p> <p>10 Their specialists said, We do not</p> <p>11 have a product -- If you read the email, We do</p> <p>12 not have a product that can remove that stain.</p> <p>13 And that's where we are.</p> <p>14 MS. BRADEN: Sorry. I wasn't able to</p> <p>15 finish. I was asking about when originally the</p> <p>16 stain was applied.</p> <p>17 MR. BURDI: Okay.</p> <p>18 MS. BRADEN: And you were told that it</p> <p>19 was going to be much lighter?</p> <p>20 MR. BURDI: No. Actually when they</p> <p>21 were applying it, it was much darker. I had it</p> <p>22 lightened in the sense of more translucent.</p>
<p style="text-align: center;">19</p> <p>1 may be somewhere in another state.</p> <p>2 MR. BURDI: But he still is talking</p> <p>3 about the same product, though.</p> <p>4 MR. GONZALEZ: No. I understand that,</p> <p>5 because I have called on several of them. But</p> <p>6 I'm just asking, the individual that does their</p> <p>7 local testing is here in Chicago. There is only</p> <p>8 one person that does the testing, and that's the</p> <p>9 only person that they have. So calling their</p> <p>10 headquarters, it's great; but they still have to</p> <p>11 speak to their local representative who actually</p> <p>12 physically does their testing.</p> <p>13 MR. BURDI: But they said that they</p> <p>14 don't have this product that could actually</p> <p>15 remove it and so does Nawkaw say the same thing.</p> <p>16 I'm willing to try anything here just to open</p> <p>17 up. I have got merchandise that's sitting</p> <p>18 there. I have got to be open by March. I don't</p> <p>19 know what else to do. I mean I'm at your mercy</p> <p>20 here.</p> <p>21 MS. BRADEN: Do you feel like you were</p> <p>22 misled by the vendor that it was that dark?</p>	<p style="text-align: center;">21</p> <p>1 MS. BRADEN: The same.</p> <p>2 MR. BURDI: Because I wanted to see</p> <p>3 more brick.</p> <p>4 MS. RALEVA: So basically we don't</p> <p>5 think we can strip this stain now. This is</p> <p>6 where we are. And it's a pity that you cannot</p> <p>7 see the video because it does a beautiful</p> <p>8 job walking you through the building.</p> <p>9 MR. BURDI: I'm more calm, for one. I</p> <p>10 mean I haven't slept, I'm not kidding you. This</p> <p>11 has been a real hardship to me. I know it's</p> <p>12 really simple for a lot of -- But for me, I</p> <p>13 take this to heart because I feel like</p> <p>14 everything I have done has been in vane. I put</p> <p>15 a lot of heart and soul into this building, and</p> <p>16 I have no problem doing it because it's a</p> <p>17 generational thing for me.</p> <p>18 My dad bought his building down in</p> <p>19 Chicago. We have been around for a long time.</p> <p>20 We are at 51 years in business. And you</p> <p>21 wouldn't last being crooked and shady and doing</p> <p>22 stuff that's not ethical.</p>

<p style="text-align: center;">22</p> <p>1 CHAIRMAN BOHNEN: I think the problem</p> <p>2 we have is the downtown is in the national</p> <p>3 historic district. Okay? And we and the Plan</p> <p>4 Commissioners are custodians for that. It's the</p> <p>5 brand of the town. I'm a lifelong resident. I</p> <p>6 think that the Village finally realizes that the</p> <p>7 historic downtown is our brand. It's something</p> <p>8 to be cherished and to be preserved.</p> <p>9 MR. BURDI: I agree with you.</p> <p>07:08:05PM 10 CHAIRMAN BOHNEN: I understand. I</p> <p>11 think where we are at is that had you come</p> <p>12 before us originally with a black facade on the</p> <p>13 building, we wouldn't have approved it. You</p> <p>14 came before us with a red brick, natural facade,</p> <p>15 and everybody felt very good about it. In fact,</p> <p>16 at the time you went to some extremes to explain</p> <p>17 that you also liked the red brick.</p> <p>18 MR. BURDI: I would like it back, too.</p> <p>19 CHAIRMAN BOHNEN: So we were all on the</p> <p>07:08:34PM 20 same page until we weren't. And if I'm reading</p> <p>21 between the lines is you've come across some</p> <p>22 problems. You're confronting winter. You have</p>	<p style="text-align: center;">24</p> <p>1 CHAIRMAN BOHNEN: Whether you intended</p> <p>2 to do it or not, I'm not here to assign</p> <p>3 villainous behavior. I'm just simply saying</p> <p>4 that's what we are left with.</p> <p>5 MR. BURDI: Yes.</p> <p>6 CHAIRMAN BOHNEN: So now it appears</p> <p>7 that when we relied upon the advice of our</p> <p>8 architects here on this Commission, they felt</p> <p>9 that the stain could be removed. You are</p> <p>07:10:02PM 10 presenting something that's saying, that says</p> <p>11 the stain can't be removed. Whether or not it</p> <p>12 can or can't probably isn't known until somebody</p> <p>13 tries to remove the stain.</p> <p>14 But I'm reading here now, there is</p> <p>15 nothing that's going on now that's impacting</p> <p>16 your ability to proceed. Right? There is no</p> <p>17 stop work orders or anything of that nature?</p> <p>18 MR. BURDI: No.</p> <p>19 CHAIRMAN BOHNEN: So if we weren't</p> <p>07:10:24PM 20 concerned about black stain right now,</p> <p>21 everything would be going along as fast as you</p> <p>22 are physically able to do it towards your</p>
<p style="text-align: center;">23</p> <p>1 got some windows that are coming, and you are</p> <p>2 concerned about getting the facade buttoned up</p> <p>3 so you can get inside and finish your work.</p> <p>4 MR. BURDI: Yes, sir.</p> <p>5 CHAIRMAN BOHNEN: And meet your</p> <p>6 deadlines. And all that makes very good sense.</p> <p>7 Except that somewhere along the line either you</p> <p>8 or you and your architect, or whomever decided</p> <p>9 that a remedy for the facade of the building</p> <p>07:09:09PM 10 would be to put a black stain on it, and that</p> <p>11 was done without any prior approval or review.</p> <p>12 So there is a mentality in Hinsdale</p> <p>13 over the years, you know, people do things and</p> <p>14 then beg for forgiveness. And that sort of</p> <p>15 circumvents the whole notion of having zoning</p> <p>16 codes and procedures and commissions and</p> <p>17 everything else.</p> <p>18 MR. BURDI: You are absolutely right.</p> <p>19 CHAIRMAN BOHNEN: So we find ourselves</p> <p>07:09:39PM 20 and you are in violation of the approval that</p> <p>21 was given prior.</p> <p>22 MR. BURDI: You are absolutely right.</p>	<p style="text-align: center;">25</p> <p>1 deadline; is that correct?</p> <p>2 MR. BURDI: Yes.</p> <p>3 CHAIRMAN BOHNEN: So you are not being</p> <p>4 financially impacted as you outlined in here?</p> <p>5 MR. BURDI: Well, I just put the</p> <p>6 windows up because Mr. Cauley told me that I</p> <p>7 could. I couldn't measure our door. Obviously,</p> <p>8 we don't have a front entrance; that just got</p> <p>9 measured two or three days ago.</p> <p>07:10:50PM 10 CHAIRMAN BOHNEN: Well, what I'm saying</p> <p>11 is, all things being equal, you haven't been</p> <p>12 unduly impacted by the fact --</p> <p>13 MR. BURDI: We are still working on the</p> <p>14 inside.</p> <p>15 CHAIRMAN BOHNEN: Right. You have been</p> <p>16 able to move continue your build-out and move</p> <p>17 toward your March 1 date?</p> <p>18 MR. BURDI: Yes.</p> <p>19 CHAIRMAN BOHNEN: So really what we are</p> <p>07:11:10PM 20 doing is circling the wagon and still just</p> <p>21 talking about the facade, the stain on the front</p> <p>22 of the building.</p>

<p style="text-align: right;">26</p> <p>1 MR. BURDI: Yes.</p> <p>2 CHAIRMAN BOHNEN: And it would be my</p> <p>3 opinion that we ought to make an attempt to see</p> <p>4 if that stain can be removed.</p> <p>5 Now, again, Mr. Gonzalez has had a</p> <p>6 lifetime of experience with historical</p> <p>7 buildings. I owned a company that did</p> <p>8 historical reconstruction down in Chicago. I</p> <p>9 spent many years restoring buildings. Our</p> <p>07:11:39PM 10 parent company owned Illinois Brick Company. So</p> <p>11 we come from some experience. We are not being</p> <p>12 arbitrary about these things. We are not</p> <p>13 doubting what you found. We are only saying</p> <p>14 that --</p> <p>15 MR. BURDI: Here is the thing,</p> <p>16 Mr. Bohnen, once we do get this down, we are</p> <p>17 left with all the same lines again and all the</p> <p>18 same holes.</p> <p>19 CHAIRMAN BOHNEN: All of which can be</p> <p>07:11:59PM 20 repaired with masonry, finding the right bricks,</p> <p>21 going there and doing the necessary restoration.</p> <p>22 MR. BURDI: We have got a 100-year-old</p>	<p style="text-align: right;">28</p> <p>1 or not, having never really removed that</p> <p>2 product, I can't tell you whether it can or</p> <p>3 whether it can't.</p> <p>4 MR. BURDI: I couldn't either.</p> <p>5 MR. ABRAHAM: We will need the specific</p> <p>6 person that will be acceptable to you. Can you</p> <p>7 give us his name?</p> <p>8 MR. GONZALEZ: I can do that. It's on</p> <p>9 an email. It's on an email there. And a phone</p> <p>07:13:07PM 10 number, his direct cell phone. Yes. Jim Lucas.</p> <p>11 He's on there next to one of the emails I sent a</p> <p>12 while ago.</p> <p>13 MR. ABRAHAM: Well, I would assume if</p> <p>14 it's a really good company that everybody that</p> <p>15 works, the people that represent the company</p> <p>16 would represent their product.</p> <p>17 MR. GONZALEZ: Right. The way the --</p> <p>18 MR. ABRAHAM: I don't know. So we will</p> <p>19 call the exact person you want us to.</p> <p>07:13:28PM 20 MR. GONZALEZ: You have to schedule</p> <p>21 him. He's flying, not flying. He's all over</p> <p>22 the Midwest. He's in Wisconsin and goes</p>
<p style="text-align: right;">27</p> <p>1 building. Even if we found the same bricks,</p> <p>2 it's never going to match. You know that better</p> <p>3 than me.</p> <p>4 I'll tell you what, I'm in the</p> <p>5 clothing business. If somebody came to me and</p> <p>6 said, I've got a hole in my pants, I need a new</p> <p>7 pant to go with my suit jacket; that can be made</p> <p>8 only a few months ago, I could never match that</p> <p>9 the same.</p> <p>07:12:23PM 10 CHAIRMAN BOHNEN: I'm not here to argue</p> <p>11 with you, I'm really not.</p> <p>12 MR. BURDI: I don't want to argue with</p> <p>13 anybody either.</p> <p>14 CHAIRMAN BOHNEN: I feel badly about</p> <p>15 your plight, but you do have a plight here. I</p> <p>16 won't agree with you that it can't be fixed. It</p> <p>17 certainly can be fixed. All right. So that you</p> <p>18 need to understand.</p> <p>19 MR. BURDI: Okay.</p> <p>07:12:42PM 20 CHAIRMAN BOHNEN: Frank can tell you</p> <p>21 that, or there are companies that will tell you</p> <p>22 that. Whether or not the stain can be removed</p>	<p style="text-align: right;">29</p> <p>1 everywhere, Indiana. So you have to schedule</p> <p>2 him in, and then you look into the contractor</p> <p>3 because this guy is so busy.</p> <p>4 But what he does, he does multiple</p> <p>5 tests, not one test. And then the way it works</p> <p>6 is several tests are being performed. Some you</p> <p>7 have to use the product that's recommended.</p> <p>8 Other, he may use a similar product. He knows</p> <p>9 his product line. He will know what works, what</p> <p>07:13:59PM 10 doesn't.</p> <p>11 Now, the question for any -- He's</p> <p>12 removed thousands of products on buildings,</p> <p>13 stains, and so on. He will most likely do</p> <p>14 several attempts. That's what I'm trying to get</p> <p>15 to.</p> <p>16 MR. ABRAHAM: Even if the brick, if the</p> <p>17 stain can be removed, we still have the issue of</p> <p>18 repairing brick, the multiple different kinds of</p> <p>19 bricks and everything there will be extremely</p> <p>07:14:24PM 20 expensive.</p> <p>21 MR. GONZALEZ: Wait, wait. Multiple</p> <p>22 brick? The building had multiple colors to</p>

<p style="text-align: center;">30</p> <p>1 begin with on the top, that was normal.</p> <p>2 MR. ABRAHAM: That's what I said.</p> <p>3 MR. GONZALEZ: Right. Right. But</p> <p>4 there is also brown brick on the side.</p> <p>5 MR. ABRAHAM: Even if we replace that</p> <p>6 brick and get it to its closest color as what's</p> <p>7 there, we still have the extreme expense of</p> <p>8 tuckpointing the entire facade to the level of</p> <p>9 your presentation would be extremely expensive.</p> <p>07:14:48PM 10 No? Do you have an estimate?</p> <p>11 MR. GONZALEZ: No. I don't have an</p> <p>12 estimate. You would have to --</p> <p>13 MR. ABRAHAM: I have an idea. It will</p> <p>14 be extremely expensive.</p> <p>15 CHAIRMAN BOHNEN: Mike, if I might. If</p> <p>16 I might, okay? I live in a 125-year-old house.</p> <p>17 I have lived in Hinsdale all my life. I pride</p> <p>18 myself in maintaining my house the correct way.</p> <p>19 I have very unique brick on the house. Okay. I</p> <p>07:15:16PM 20 went to Illinois Brick and found brick that I</p> <p>21 could use that would match the vitrified butt</p> <p>22 ends of the bricks that I have, the patterns</p>	<p style="text-align: center;">32</p> <p>1 MR. BURDI: I'm willing to paint it</p> <p>2 white. I want to work with you. I just don't</p> <p>3 want to see the lines.</p> <p>4 MR. ABRAHAM: I'm not making a point</p> <p>5 for why it should be painted. I'm just trying</p> <p>6 to give you some of the history of this building</p> <p>7 and as a contributing building, it was built and</p> <p>8 maintained for a long period as a white</p> <p>9 building, painted building. I don't know what</p> <p>07:16:36PM 10 year the paint was removed but at least --</p> <p>11 CHAIRMAN BOHNEN: Well, back then the</p> <p>12 downtown area was not on the historical</p> <p>13 register.</p> <p>14 MR. ABRAHAM: The thing that makes it</p> <p>15 historical was when it was built.</p> <p>16 MR. HARTLEY: Mr. Bohnen, what year was</p> <p>17 it put in the register?</p> <p>18 CHAIRMAN BOHNEN: I think 2001,</p> <p>19 Charlie, I think.</p> <p>07:16:57PM 20 MR. HARTLEY: Thank you.</p> <p>21 MR. ABRAHAM: But it had to be built in</p> <p>22 the 1920s for it to be historic.</p>
<p style="text-align: center;">31</p> <p>1 throughout house. Things can be done. They are</p> <p>2 expensive, but expense is not our concern.</p> <p>3 Okay? It's not our concern.</p> <p>4 Our concern, our purview, if you</p> <p>5 will, is strictly maintaining the historic</p> <p>6 nature of the downtown. When you buy --</p> <p>7 MR. ABRAHAM: That's what I was getting</p> <p>8 to. I wasn't really finished.</p> <p>9 CHAIRMAN BOHNEN: Yes.</p> <p>07:15:40PM 10 MR. ABRAHAM: But so part of the</p> <p>11 history of this building is it's not always as a</p> <p>12 red brick building. It spent more than</p> <p>13 two-thirds of its life as a painted building.</p> <p>14 Originally it was built, it had a white facade,</p> <p>15 1926.</p> <p>16 MR. BURDI: 64 years it was painted</p> <p>17 white.</p> <p>18 CHAIRMAN BOHNEN: Over that brick?</p> <p>19 MR. BURDI: Over the brick. When</p> <p>07:16:07PM 20 Mr. Hartley bought the building, it was white.</p> <p>21 MR. ABRAHAM: It was white from 1924</p> <p>22 until at least 1988.</p>	<p style="text-align: center;">33</p> <p>1 CHAIRMAN BOHNEN: Right. I understand</p> <p>2 that.</p> <p>3 MR. BURDI: I'd like to just find a</p> <p>4 color that you guys would be happy with.</p> <p>5 Because at the end of the day, I want to be able</p> <p>6 to pick my finishes on the inside. I bought</p> <p>7 gold now and I got black letters. So it would</p> <p>8 be kind of nice to let me know which way to go,</p> <p>9 and I really came here to work with you.</p> <p>07:17:18PM 10 CHAIRMAN BOHNEN: Understood. We are</p> <p>11 not trying to be difficult. We are trying to</p> <p>12 find a solution.</p> <p>13 MR. BURDI: Thank you.</p> <p>14 MR. ABRAHAM: The only reason, what we</p> <p>15 are trying to do here, too, is cover multiple</p> <p>16 avenues here at the same time. In other words,</p> <p>17 from the research and the feedback that Milena</p> <p>18 has gotten from our conversations that the</p> <p>19 companies have recommended, we were being told</p> <p>07:17:38PM 20 that the odds of getting the stain off are very</p> <p>21 slim. This isn't us talking. These are other</p> <p>22 people.</p>

<p style="text-align: center;">34</p> <p>1 And we will keep pursuing this, 2 right? But at the same time there are other 3 avenues we can pursue, other colors possibly. 4 If we are going back to history, it has been 5 historically a white building. Is that an 6 option? I'm just -- 7 CHAIRMAN BOHNEN: I don't know. Again, 8 I go back to what was presented to us, what our 9 decisions were. 10 MR. ABRAHAM: What was presented -- 11 You have to kind of go with me just for a 12 second. I understand that. But if the stain 13 cannot be removed, cannot be removed -- 14 CHAIRMAN BOHNEN: Well, if that's the 15 case, and the stain cannot be removed -- 16 MR. ABRAHAM: Yes. 17 CHAIRMAN BOHNEN: Then that is not a 18 viable option. Okay? I mean if it cannot be 19 removed -- 20 MR. ABRAHAM: If this company says it 21 cannot -- 22 CHAIRMAN BOHNEN: -- it cannot be</p>	<p style="text-align: center;">36</p> <p>1 from opening, right? 2 CHAIRMAN BOHNEN: No. No. 3 MR. BURDI: Well, I would like to have 4 a sign out there. I would like it to look like -- 5 The canopy is not done right now because I know 6 that you guys didn't want me to do anything 7 outside. 8 MS. BRADEN: You have a set of gold 9 letters and a set of black letters? 10 MR. BURDI: I own both of those. 11 MS. BRADEN: Sure. 12 MR. BURDI: Because I was always going 13 for that brick, and those were black. And you 14 are absolutely right, I saw the -- We can't 15 have black on black, that wouldn't make any 16 sense. 17 MS. BRADEN: Right. 18 MR. BURDI: So I started buying brass 19 fixtures to go with this brass color. 20 MS. BRADEN: If you did have to wait 21 until spring to do a test on the stain, you 22 could still have signage up. It's not like you</p>
<p style="text-align: center;">35</p> <p>1 removed. 2 MR. ABRAHAM: If it cannot be removed, 3 it cannot be removed? 4 CHAIRMAN BOHNEN: Correct. 5 MR. ABRAHAM: And you are saying that's 6 not -- 7 CHAIRMAN BOHNEN: I mean who could 8 quarrel with that. 9 MR. YU: If I may, the applicant -- 10 CHAIRMAN BOHNEN: So the point is to 11 what ends do you have to prove that it can't be 12 removed. That's where we are at. 13 MR. ABRAHAM: All we are doing is kind 14 of giving you an update of the information we 15 have received to date. Because of the weather, 16 we haven't gotten anyone out there. 17 CHAIRMAN BOHNEN: It may be something 18 we may have to go and attempt this in May or 19 something, if the weather has to be certain 20 conditions. I don't know. Or maybe we don't, I 21 don't know. 22 MR. PRISBY: This doesn't prevent them</p>	<p style="text-align: center;">37</p> <p>1 have to -- You already have two sets in 2 different colors, correct? 3 MR. BURDI: Well, that has to be 4 soldered onto that metal blade up there. I mean 5 it's not -- It has to be lit. It's not just a 6 thing that I can swap in the window. 7 MS. BRADEN: Okay. Okay. 8 MR. BURDI: It's a pretty big deal. 9 Those letters are probably that big. 10 MS. BRADEN: I understand. 11 MR. BURDI: They are made of steel. 12 The other ones are made out of brass. 13 CHAIRMAN BOHNEN: The Catch-22 is that 14 if you put up the bronze letters -- 15 MR. BURDI: I could put them on both 16 sides and just knock one over. 17 CHAIRMAN BOHNEN: Put up the bronze 18 letters. And if it's determined that the stain 19 can be removed and go back to red brick, then we 20 have bronze letters. In a sense, we should 21 rescind our approval of the signage that we 22 approved to Plan because it may not be the sign</p>

<p style="text-align: center;">38</p> <p>1 that's going to be on the building.</p> <p>2 MR. BURDI: I wanted to tell you --</p> <p>3 This is kind of like who we are as a neighbor.</p> <p>4 I also want to bring the door inwards. Because</p> <p>5 if that door swings out, I don't want to hit</p> <p>6 anybody walking by. We do have a narrow</p> <p>7 walkway. And I just, I feel more comfortable,</p> <p>8 even though we were approved for it to swing out</p> <p>9 with that low, you know, walk-by. But I think</p> <p>07:21:02PM 10 it would be better if we did it this way,</p> <p>11 brought it inward. It eats up some of my square</p> <p>12 footage. But at the same token, it's a little</p> <p>13 safer for anybody walking by.</p> <p>14 But this is the kind of stuff that</p> <p>15 we have been doing for everyone. My neighbor,</p> <p>16 too bad this video doesn't work. You know, we</p> <p>17 were spilling out water. He had taken all of</p> <p>18 his gutters, all of his every downspout that he</p> <p>19 had on his property, and it was all being</p> <p>07:21:29PM 20 connected to one tube on the side of my</p> <p>21 building, which somebody who came to fix his AC</p> <p>22 unit outside had cracked because he was standing</p>	<p style="text-align: center;">40</p> <p>1 MR. BURDI: I don't know what it is.</p> <p>2 CHAIRMAN BOHNEN: But we want to be</p> <p>3 proactive and try and help you, too.</p> <p>4 MR. BURDI: Thank you. Thank you.</p> <p>5 CHAIRMAN BOHNEN: We value you as a</p> <p>6 merchant and certainly hope you do very well in</p> <p>7 our downtown.</p> <p>8 MR. BURDI: And you can imagine, retail</p> <p>9 today. But out of all times, but I really need</p> <p>07:22:40PM 10 to get this going. I do have three storage</p> <p>11 rooms already. Bags everywhere, things that</p> <p>12 have come in just for the store that I know it's</p> <p>13 got nothing to do with you. You are not holding</p> <p>14 me back. I'm just saying I'm ready. I've just</p> <p>15 got to get this thing going.</p> <p>16 MS. RALEVA: I have a procedural</p> <p>17 question. If we have this appearance approval</p> <p>18 pending, can we get occupancy permit?</p> <p>19 CHAIRMAN BOHNEN: It would be my</p> <p>07:23:07PM 20 recommendation -- And again, I would defer to</p> <p>21 the Commission. We don't issue the permits. We</p> <p>22 make advisory recommendations. It would be my</p>
<p style="text-align: center;">39</p> <p>1 on it. So there is a tube that cracked.</p> <p>2 But we had replaced all of this and</p> <p>3 replaced that tube for him because every pipe</p> <p>4 from his property ran into that tube. And guess</p> <p>5 what, that tube ran right into the front of our</p> <p>6 building and his building spilling out onto the</p> <p>7 sidewalk. I took this, I took those pipes and I</p> <p>8 rerouted them underneath the concrete on the</p> <p>9 sidewalk so that it won't spill out so the</p> <p>07:22:04PM 10 people can walk by in the winter and not have,</p> <p>11 you know, 10 downspouts going to one. I'm</p> <p>12 really trying to be --</p> <p>13 CHAIRMAN BOHNEN: We don't doubt that.</p> <p>14 In fact, we applaud you for having the</p> <p>15 conscience and understanding of the nature of</p> <p>16 the downtown.</p> <p>17 MR. BURDI: Thank you. I'm trying.</p> <p>18 CHAIRMAN BOHNEN: I understand. We</p> <p>19 will arrive at a solution.</p> <p>07:22:22PM 20 MR. BURDI: Thank you.</p> <p>21 CHAIRMAN BOHNEN: I'm not sure I know</p> <p>22 what it is right now.</p>	<p style="text-align: center;">41</p> <p>1 recommendation that we give you an occupancy</p> <p>2 permit with conditions that we continue to try</p> <p>3 and test the removal of the stain on the front</p> <p>4 of building.</p> <p>5 MR. BURDI: I have a question, and</p> <p>6 maybe Frank would know this more than anybody.</p> <p>7 The stuff that we are going to put on this brick</p> <p>8 to remove the stain, would that damage any of</p> <p>9 the things that we are putting up on the</p> <p>07:23:39PM 10 outside? Because that could be also a problem</p> <p>11 for me, too.</p> <p>12 MR. GONZALEZ: What things? For</p> <p>13 example, what will it damage?</p> <p>14 MR. BURDI: Well, my canopy that we</p> <p>15 will be putting out there.</p> <p>16 MR. GONZALEZ: No. We would do it off</p> <p>17 to the side from the side of the canopy. I mean</p> <p>18 they would have to be covered up in heavy-duty</p> <p>19 tarps, but that's up the contractor to do that</p> <p>07:23:59PM 20 protection.</p> <p>21 MR. BURDI: But here is the thing, if</p> <p>22 it eats away at, you know, at grout or mortar</p>

<p style="text-align: center;">42</p> <p>1 and brick, will it not eat away tarps?</p> <p>2 MR. GONZALEZ: It's not like</p> <p>3 sandblasting, don't worry. It's not</p> <p>4 sandblasting.</p> <p>5 MR. BURDI: Okay.</p> <p>6 MR. PRISBY: I think you are still</p> <p>7 worried about a chemical, whatever the product</p> <p>8 is, affecting aluminum clad or steel.</p> <p>9 MR. BURDI: Sure. I'm affected by that</p> <p>10 and people walking by. I want to be proactive.</p> <p>11 MR. PRISBY: If the test is successful,</p> <p>12 then you have to do it for the whole building,</p> <p>13 above window, that's your concern.</p> <p>14 MR. HARTLEY: What falls down, doesn't</p> <p>15 fall up, down on the windows.</p> <p>16 MR. GONZALEZ: When it's finally</p> <p>17 executed or whatever, approved to do, everything</p> <p>18 is tarped up, sealed tight. And it has to be</p> <p>19 done gently by an experienced contractor. It</p> <p>20 can't just be with a hose shooting water. It's</p> <p>21 done delicately, so is tuckpointing done</p> <p>22 delicately.</p>	<p style="text-align: center;">44</p> <p>1 you to hear my voice.</p> <p>2 CHAIRMAN BOHNEN: We are pleased that</p> <p>3 you came before us.</p> <p>4 MR. BURDI: I have not been here and I</p> <p>5 feel like you needed to hear me. You know,</p> <p>6 that's all.</p> <p>7 CHAIRMAN BOHNEN: Well, we appreciate</p> <p>8 that. It's not that we don't respect and know</p> <p>9 Mike and trust his interpretations of things;</p> <p>10 but it's always nice to talk to the owners</p> <p>11 because then we get a sense of who you are and</p> <p>12 what your attitude is.</p> <p>13 I'm quite sure this was an</p> <p>14 expeditious decision made without thinking about</p> <p>15 potential consequences.</p> <p>16 MR. BURDI: I had no idea.</p> <p>17 CHAIRMAN BOHNEN: And I will take that</p> <p>18 as to be the case.</p> <p>19 MR. BURDI: Thank you. Thank you. I</p> <p>20 appreciate it.</p> <p>21 CHAIRMAN BOHNEN: So that no one again</p> <p>22 is assigning any villainous behavior to anybody.</p>
<p style="text-align: center;">43</p> <p>1 CHAIRMAN BOHNEN: Even if the final</p> <p>2 solution, the stain cannot be removed and the</p> <p>3 final solution was all the powers that be decide</p> <p>4 they would like to bring it back to the red</p> <p>5 facade and use a different material on the front</p> <p>6 of the building, even that would require care in</p> <p>7 how it was applied so it doesn't ruin your</p> <p>8 mullions and your windows and your signs and</p> <p>9 things.</p> <p>10 MR. BURDI: And it's all brand-new, the</p> <p>11 last thing I want to do.</p> <p>12 CHAIRMAN BOHNEN: I understand. There</p> <p>13 are contractors that do this and do it</p> <p>14 carefully. It can all be done.</p> <p>15 MR. BURDI: You know contractors, it</p> <p>16 still happens. And it still happens, yes.</p> <p>17 CHAIRMAN BOHNEN: Well --</p> <p>18 MR. BURDI: You can be as careful as</p> <p>19 you want to be.</p> <p>20 CHAIRMAN BOHNEN: We are not going to</p> <p>21 solve this here tonight.</p> <p>22 MR. BURDI: That's okay. I just want</p>	<p style="text-align: center;">45</p> <p>1 It's just it's a problem that we are going to</p> <p>2 try and deal with here as best we can.</p> <p>3 MR. BURDI: Thank you. I appreciate</p> <p>4 it.</p> <p>5 CHAIRMAN BOHNEN: So do other people</p> <p>6 have comments to make?</p> <p>7 MR. PRISBY: I just want to see an</p> <p>8 attempt made and make some decisions from there.</p> <p>9 I have no problem giving them temporary</p> <p>10 occupancy, and I know there are other issues</p> <p>11 associated with that; but that would be my</p> <p>12 recommendation. I would echo that.</p> <p>13 CHAIRMAN BOHNEN: Bill, what do you</p> <p>14 think?</p> <p>15 MR. HAARLOW: I do think we need to try</p> <p>16 because, you know, I do understand, from</p> <p>17 aesthetics what you are describing, this clearly</p> <p>18 was a more-involved project than you ever</p> <p>19 anticipated.</p> <p>20 MR. BURDI: You know what's funny, just</p> <p>21 last week -- It's like comical. I mean you</p> <p>22 think I have seen it all. But then we go to</p>

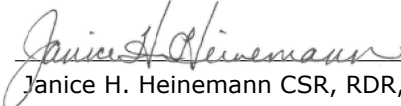
<p style="text-align: center;">46</p> <p>1 buff the concrete floor. What do you think is</p> <p>2 underneath there? Bright red concrete. And</p> <p>3 it's like, I mean like are you kidding me? We</p> <p>4 were going for light gray, and here we polished</p> <p>5 all this concrete. We did all this work and</p> <p>6 just to get to this. It's bright as the red</p> <p>7 door that was on that thing.</p> <p>8 CHAIRMAN BOHNEN: You mean there was</p> <p>9 coloring put into the ready mix when they poured</p> <p>10 the floor?</p> <p>11 MR. BURDI: Into the actual mix of the</p> <p>12 concrete, and there it is right there. Look how</p> <p>13 red that is. I mean it just --</p> <p>14 CHAIRMAN BOHNEN: You were planning on</p> <p>15 just burnishing it?</p> <p>16 MR. BURDI: I have had it up to here.</p> <p>17 CHAIRMAN BOHNEN: No. You are going to</p> <p>18 have a great store when it's all done.</p> <p>19 MR. BURDI: Thank you.</p> <p>20 CHAIRMAN BOHNEN: And you will be very</p> <p>21 successful.</p> <p>22 MR. BURDI: Thank you. I'm counting on</p>	<p style="text-align: center;">48</p> <p>1 columns. They are not just, they are -- The</p> <p>2 one, the columns that I keep referring to were</p> <p>3 not only the 2 inches shorter on one side; but</p> <p>4 they are actually pulling down on one side. So</p> <p>5 things that they were supposed to support the</p> <p>6 ceiling, they were actually pulling down the</p> <p>7 roof.</p> <p>8 MR. GONZALEZ: Maybe it was settling,</p> <p>9 that happens with old buildings.</p> <p>10 MR. BURDI: That is crazy.</p> <p>11 MR. HAARLOW: Two things. I hope that</p> <p>12 you understand, we do want to try and work with</p> <p>13 you.</p> <p>14 MR. BURDI: I feel it already. I'm</p> <p>15 glad I'm here. Thank you.</p> <p>16 MR. HAARLOW: I hope you can appreciate</p> <p>17 that your group, this is was presented last</p> <p>18 summer and this was approved. So if it's not as</p> <p>19 if there was never any, you know, look at this</p> <p>20 before all of this happened. This was what was</p> <p>21 presented to us, and this is what we --</p> <p>22 MR. BURDI: Again, it's a rendering,</p>
<p style="text-align: center;">47</p> <p>1 you actually.</p> <p>2 CHAIRMAN BOHNEN: The joys of working</p> <p>3 with old buildings. I empathize with you there.</p> <p>4 I have been in my house now 45 years and redid</p> <p>5 one prior to that.</p> <p>6 MR. BURDI: I don't want to come out</p> <p>7 aggressive here. I just, you know, I speak from</p> <p>8 the heart. And sometimes it just sounds like I</p> <p>9 want to say all this stuff because I have</p> <p>10 actually have gone through this meeting through</p> <p>11 my mind every day, you know, and it's --</p> <p>12 CHAIRMAN BOHNEN: You did a good job.</p> <p>13 You rehearsed.</p> <p>14 MR. BURDI: No, not really. Actually</p> <p>15 I'm on Xanax trying to relax.</p> <p>16 MR. PRISBY: Thank you for putting this</p> <p>17 together. I kind of wish I had seen this.</p> <p>18 MR. BURDI: We just did it now.</p> <p>19 MR. PRISBY: As part of the package.</p> <p>20 MR. BURDI: I wish this video would</p> <p>21 have worked because I think that would have, you</p> <p>22 would have seen that. I mean it's crazy the</p>	<p style="text-align: center;">49</p> <p>1 though. I didn't know. You are right. You are</p> <p>2 absolutely right.</p> <p>3 MR. HAARLOW: So you appreciate our</p> <p>4 position.</p> <p>5 MR. BURDI: I still would have been</p> <p>6 good with that, that's what I wanted. It was</p> <p>7 only when we had all the crazy lines and holes</p> <p>8 everywhere. And you know what, I didn't have</p> <p>9 somebody like Frank to guide us or how we can</p> <p>10 get there. I just didn't know him.</p> <p>11 MR. HAARLOW: So the second thing is</p> <p>12 are you asking us tonight for approval of having</p> <p>13 the doors set further in?</p> <p>14 MR. BURDI: I'm sorry, the approval?</p> <p>15 MR. ABRAHAM: The front door.</p> <p>16 CHAIRMAN BOHNEN: Recessing your door.</p> <p>17 MR. BURDI: If you can approve on that,</p> <p>18 that would be great because I could get that</p> <p>19 built.</p> <p>20 MR. PRISBY: That isn't our purview, is</p> <p>21 it? We are just signage other than this is</p> <p>22 referred to us. This is facade. It's the front</p>

<p style="text-align: center;">50</p> <p>1 door.</p> <p>2 MR. GONZALEZ: Is that an egress issue?</p> <p>3 That's what I'm trying to find out, when the</p> <p>4 doors are opening inward?</p> <p>5 MR. BURDI: They are not opening, they</p> <p>6 are opening outward.</p> <p>7 MR. GONZALEZ: Oh, outward. You are</p> <p>8 just setting them back?</p> <p>9 CHAIRMAN BOHNEN: You are recessing?</p> <p>07:30:31PM 10 MR. GONZALEZ: You are recessing.</p> <p>11 MR. BURDI: So they don't hit anybody.</p> <p>12 CHAIRMAN BOHNEN: The insurance carrier</p> <p>13 probably likes this way better.</p> <p>14 MR. BURDI: It was more my idea. I</p> <p>15 just really don't, it's a 3-foot door going out</p> <p>16 on 4-foot of sidewalk. It's going to definitely</p> <p>17 hit somebody.</p> <p>18 MR. PRISBY: This is our thing.</p> <p>19 CHAIRMAN BOHNEN: I would imagine this</p> <p>07:30:50PM 20 goes to Plan Commission.</p> <p>21 MR. GONZALEZ: Plan will have to make</p> <p>22 sure. I agree with you, it's just that they</p>	<p style="text-align: center;">52</p> <p>1 the stain on the building. I put brass instead</p> <p>2 of black.</p> <p>3 MR. PRISBY: I have to think about that</p> <p>4 a little bit. I'm so focused on the color</p> <p>5 issue, right?</p> <p>6 MR. BURDI: There it is right there.</p> <p>7 MR. PRISBY: Once there is a solution</p> <p>8 for that, then I'm thinking I can weigh in on</p> <p>9 what the changes would be on the signage. I</p> <p>07:31:48PM 10 just know for like now I don't think the doors</p> <p>11 are our say.</p> <p>12 CHAIRMAN BOHNEN: I don't think so. I</p> <p>13 think from the aesthetic standpoint we have no</p> <p>14 problem with that. We can put that in our</p> <p>15 findings for Plan Commission. This may have to</p> <p>16 go back to Plan Commission for the door, right?</p> <p>17 MR. YU: But I'm just curious if the</p> <p>18 HPC is comfortable enough tonight to make a</p> <p>19 recommendation to the PC based on the</p> <p>07:32:10PM 20 conversation.</p> <p>21 MR. GONZALEZ: What are the doors? Are</p> <p>22 they wood?</p>
<p style="text-align: center;">51</p> <p>1 have to approve it.</p> <p>2 MR. PRISBY: I think this has been --</p> <p>3 CHAIRMAN BOHNEN: Aesthetically we</p> <p>4 don't have any problem.</p> <p>5 MR. PRISBY: No. Correct me if I'm</p> <p>6 wrong, this has been referred back to us because</p> <p>7 of the stain on the brick.</p> <p>8 CHAIRMAN BOHNEN: This was referred to</p> <p>9 us. They have an application in for a major</p> <p>07:31:09PM 10 adjustment.</p> <p>11 MR. PRISBY: Other than that, we are</p> <p>12 signage.</p> <p>13 CHAIRMAN BOHNEN: Correct.</p> <p>14 MR. PRISBY: For the historic downtown.</p> <p>15 MR. BURDI: Are you okay with the brass</p> <p>16 sign if I put it up there? The brass-colored</p> <p>17 sign, are you okay with that?</p> <p>18 CHAIRMAN BOHNEN: We have not seen</p> <p>19 that.</p> <p>07:31:24PM 20 MR. PRISBY: We haven't seen that. The</p> <p>21 color I brought up.</p> <p>22 MR. BURDI: I own both of them. That's</p>	<p style="text-align: center;">53</p> <p>1 MR. BURDI: They were always wood.</p> <p>2 MR. PRISBY: The doors?</p> <p>3 MR. YU: Everything we talked about</p> <p>4 here today.</p> <p>5 CHAIRMAN BOHNEN: Here, let's back up a</p> <p>6 minute. Okay? They are before us tonight</p> <p>7 asking for a major change to a --</p> <p>8 MR. YU: For the stain.</p> <p>9 MR. HAARLOW: Your presentation says</p> <p>07:32:38PM 10 you are asking for three things.</p> <p>11 MR. BURDI: Yes, if it's okay.</p> <p>12 MR. HAARLOW: So maybe we need to take</p> <p>13 them one at a time.</p> <p>14 CHAIRMAN BOHNEN: Well, okay.</p> <p>15 MR. BURDI: I totally agree with you on</p> <p>16 the brass-color sign. If that's what you think,</p> <p>17 and it has to go back to a different color or</p> <p>18 whatever. Even if you guys said, you know what,</p> <p>19 it's been a white building most of the time,</p> <p>07:33:03PM 20 let's do it white, I will put a black sign on</p> <p>21 there. It's up to you guys.</p> <p>22 CHAIRMAN BOHNEN: Now we are getting a</p>

<p style="text-align: right;">54</p> <p>1 little off in different directions. I think</p> <p>2 what's before us now is you are asking, in</p> <p>3 theory, you are asking for an approval for a</p> <p>4 major adjustment.</p> <p>5 MR. BURDI: Okay.</p> <p>6 CHAIRMAN BOHNEN: To an approved plan.</p> <p>7 And that can only be granted by the Board of</p> <p>8 Trustees.</p> <p>9 MR. BURDI: Okay.</p> <p>07:33:23PM 10 CHAIRMAN BOHNEN: So the Board of</p> <p>11 Trustees pushes this back to Plan Commission,</p> <p>12 pushes it back to us. And each of our</p> <p>13 Commissions are advisory, and the Board of</p> <p>14 Trustees does what they do have. Okay?</p> <p>15 MR. BURDI: Okay.</p> <p>16 CHAIRMAN BOHNEN: So any vote that we</p> <p>17 are taking here tonight is on that matter and</p> <p>18 that matter alone.</p> <p>19 Now if we are being asked to opine</p> <p>07:33:44PM 20 on a brass-colored sign or a recessed door,</p> <p>21 that's --</p> <p>22 MR. BURDI: Let's just deal with the</p>	<p style="text-align: right;">56</p> <p>1 what --</p> <p>2 MR. PRISBY: The stain.</p> <p>3 CHAIRMAN BOHNEN: -- what the stain is.</p> <p>4 MR. PRISBY: I agree with that, but I</p> <p>5 would like to see an attempt made.</p> <p>6 CHAIRMAN BOHNEN: So if that were to</p> <p>7 come up as a motion, we would have discussion</p> <p>8 and have our vote, it may very well be that we</p> <p>9 do not approve the change to the major</p> <p>07:35:01PM 10 adjustment; and that's the findings that we then</p> <p>11 give to the Board. Would that be correct?</p> <p>12 MR. YU: To the Plan Commission and</p> <p>13 then to the Board.</p> <p>14 CHAIRMAN BOHNEN: To the Plan</p> <p>15 Commission and then to the Board, okay.</p> <p>16 MR. BURDI: Okay. As far as the</p> <p>17 brass-colored sign --</p> <p>18 MR. ABRAHAM: Let's address that once</p> <p>19 we have a color for the facade.</p> <p>07:35:18PM 20 MR. BURDI: We own both of them.</p> <p>21 CHAIRMAN BOHNEN: And you don't want to</p> <p>22 ruin a third set either by the way.</p>
<p style="text-align: right;">55</p> <p>1 recessed door. The signage I totally agree with</p> <p>2 you, until we figure out the color. Can we</p> <p>3 recess the door so I could order it?</p> <p>4 MR. YU: We can put the door in the</p> <p>5 Plan Commission for next Wednesday. We could do</p> <p>6 that.</p> <p>7 CHAIRMAN BOHNEN: That's more their</p> <p>8 purview than ours.</p> <p>9 MR. YU: Yes. What they are waiting</p> <p>07:34:11PM 10 for is a recommendation of the HPC for the</p> <p>11 stain, so if we can keep that in motion.</p> <p>12 CHAIRMAN BOHNEN: That's where we are</p> <p>13 directed.</p> <p>14 MR. YU: And we can add that.</p> <p>15 MR. BURDI: I'm okay with that. I</p> <p>16 don't care. I can wait another week, you know,</p> <p>17 before we order the door.</p> <p>18 CHAIRMAN BOHNEN: I don't want to speak</p> <p>19 for the Commission at this juncture, but it</p> <p>07:34:34PM 20 would be my impression that we would not approve</p> <p>21 the major adjustment at this point in time to</p> <p>22 the approved building because we don't know</p>	<p style="text-align: right;">57</p> <p>1 MR. BURDI: We have the clear ones.</p> <p>2 MR. ABRAHAM: Let's just address the</p> <p>3 recessed door if we can. And if that can be</p> <p>4 done and the Plan Commission can approve that --</p> <p>5 MR. PRISBY: So, again, I don't think</p> <p>6 the doors are us.</p> <p>7 CHAIRMAN BOHNEN: I don't think you</p> <p>8 need to mention that to us.</p> <p>9 MR. ABRAHAM: What Chan is saying, a</p> <p>07:35:41PM 10 recommendation to the Plan Commission, they are</p> <p>11 going to be looking to the -- That's why we are</p> <p>12 here is they defer architectural decisions to</p> <p>13 you guys. They were uncomfortable making</p> <p>14 architectural decisions.</p> <p>15 MR. YU: No, that was the stain. Just</p> <p>16 for the stain, just for the stain.</p> <p>17 MR. ABRAHAM: Okay.</p> <p>18 MR. YU: They will look at this next</p> <p>19 Wednesday.</p> <p>07:35:57PM 20 CHAIRMAN BOHNEN: We won't opine on the</p> <p>21 door.</p> <p>22 MR. ABRAHAM: Fine.</p>

<p style="text-align: center;">58</p> <p>1 CHAIRMAN BOHNEN: We are going to 2 discuss the major adjustment. Okay? We will 3 take a vote on that, and our findings will go to 4 the Plan Commission that will go to the Board. 5 But I'm not opposed to making a 6 motion that we recommend that they get a 7 temporary occupancy permit while all this is 8 being adjudicated so that it doesn't impede 9 their progress to open their business. 10 MR. PRISBY: Yes. 11 CHAIRMAN BOHNEN: Are we? 12 MR. ABRAHAM: There is no real need to 13 go back to the Board to the Plan Commission 14 until the test is done. I guess the procedural 15 question is what is our next step. In other 16 words, next week -- 17 CHAIRMAN BOHNEN: Your next step 18 predicated on what we decide here, when we take 19 a vote on the major adjustment, if we decide 20 that we do not approve the major adjustment, the 21 black facade on the building -- Correct? 22 MR. ABRAHAM: Right.</p>	<p style="text-align: center;">60</p> <p>1 photographs of the product themselves. I have 2 done this several times. 3 MR. ABRAHAM: This is what I'm getting 4 at. 5 MR. GONZALEZ: It's done very 6 sequential. You just don't say, oh, well, look 7 at it. 8 MR. BURDI: Right. 9 MR. ABRAHAM: We are not going to do 10 that. I hope you understand by the presentation 11 that is what we did. We are going to take every 12 necessary step to do this right. I'm just 13 trying to identify what the next steps are. 14 And I want to know, if we miss one 15 of these things that you are talking about, I 16 don't want to get bounced. 17 MR. GONZALEZ: I'm trying to help 18 everybody. So if we know for a fact it can't be 19 removed, it can't be removed. 20 So this is more a question to you, 21 Chan, or rather, Robb, because someone has to -- 22 we call it monitoring, just watching the test</p>
<p style="text-align: center;">59</p> <p>1 CHAIRMAN BOHNEN: At that point in time 2 that goes to Plan, Plan takes it to the Board. 3 It's probably sitting in limbo until testing is 4 done. 5 MR. ABRAHAM: I'm saying instead of 6 going to Plan Commission and to the Board and 7 back to you, I'm saying if we do this test, 8 let's say it's next week, the findings are 9 positive or negative; we come back to you? 10 CHAIRMAN BOHNEN: Well, we can -- 11 THE WITNESS: If someone comes out and 12 says the stain can't come off -- 13 CHAIRMAN BOHNEN: I'm hearing you. 14 MR. GONZALEZ: This is what I was going 15 to get to, and I've been waiting. If the test 16 is going to be, somebody from the Village has to 17 be there from the Village photographing, 18 documenting everything. So it goes on the 19 records that, yes, it can be removed. The 20 person did several tests. They are going to 21 count how many tests. They are going to count 22 the duration of the test, make sure they take</p>	<p style="text-align: center;">61</p> <p>1 when they are out there, and taking notes, and 2 making a record. Because saying it can't be 3 removed, we need physical evidence, not a 4 hearsay or a verbal somebody saying, no, oh, 5 that's what they said. Because in my 6 profession -- 7 MR. BURDI: It's not hearsay. We did 8 get an email. 9 MR. GONZALEZ: I'm trying to help you. 10 MR. BURDI: Okay. 11 MR. GONZALEZ: So you don't have to 12 come back. 13 MR. BURDI: Okay. 14 MR. GONZALEZ: Because then it's 15 physical evidence. Okay? So they have to be 16 there, Robb, you. I don't mind being there, but 17 I'm not taking notes. I'm just going to watch 18 you all just take notes of this. Because in 19 reality, I can't be involved in that scenario. 20 So maybe Jim, anybody else is 21 welcome just to watch it. It's a slow process. 22 It's not done very quickly.</p>

<p style="text-align: center;">62</p> <p>1 So my thought is that this has to</p> <p>2 be said with steps. So when everything is said</p> <p>3 and done, we have physical evidence that, yes,</p> <p>4 this is what occurred, this is what they could</p> <p>5 remove, or this is what they couldn't remove;</p> <p>6 and then we will base a decision on that</p> <p>7 information. Does that make sense?</p> <p>8 MR. YU: Yes.</p> <p>9 CHAIRMAN BOHNEN: But to answer your</p> <p>07:39:40PM 10 question, if the testing is done, whenever the</p> <p>11 testing is done, and it's determined that it</p> <p>12 can't be removed, okay, at that point in time</p> <p>13 you still need to find out whether or not the</p> <p>14 Village will approve a black facade on that</p> <p>15 building or whether their solution will be</p> <p>16 something different, say, a red facade,</p> <p>17 different material, or whatever. That's got to</p> <p>18 come back through the channel, doesn't it?</p> <p>19 MR. YU: Yes, but that's what the</p> <p>07:40:18PM 20 request is right now is for the black stain. So</p> <p>21 if the HPC was comfortable enough to make a</p> <p>22 motion that, let's say the stain cannot be</p>	<p style="text-align: center;">64</p> <p>1 In fact, Mr. Cauley walked by and</p> <p>2 said, I didn't even know it was paint. It's</p> <p>3 translucent.</p> <p>4 CHAIRMAN BOHNEN: It's a stain.</p> <p>5 MR. BURDI: It's a stain. That's why</p> <p>6 it penetrated.</p> <p>7 CHAIRMAN BOHNEN: Okay. So this is a</p> <p>8 complicated motion to come up with.</p> <p>9 MR. ABRAHAM: Can it be continued to</p> <p>07:41:43PM 10 the next meeting so we don't have to go to Plan</p> <p>11 Commission or Board in -- Because the Plan</p> <p>12 Commission is looking for your recommendation of</p> <p>13 whatever we end up with.</p> <p>14 CHAIRMAN BOHNEN: Yes. Right, right.</p> <p>15 MR. ABRAHAM: So in the meantime, if we</p> <p>16 can get these tests done between now and the</p> <p>17 next, say between maybe now and the next meeting</p> <p>18 after that. I don't know. It depends on the</p> <p>19 weather. That way we wouldn't have to go at</p> <p>07:42:07PM 20 least out a month to the Plan Commission or</p> <p>21 Board because they are going to send it back to</p> <p>22 you no matter what.</p>
<p style="text-align: center;">63</p> <p>1 removed, how does it feel about the black stain</p> <p>2 that's on the building right now? That way they</p> <p>3 would have an answer.</p> <p>4 CHAIRMAN BOHNEN: So then they would</p> <p>5 not have to come back unless we said we don't</p> <p>6 like the black facade.</p> <p>7 MR. YU: Right. And then, you know,</p> <p>8 basically --</p> <p>9 CHAIRMAN BOHNEN: Then we'd have to see</p> <p>07:40:43PM 10 them again because we don't know what the</p> <p>11 next --</p> <p>12 MR. YU: Well, that would depend on how</p> <p>13 the Plan Commission would feel because then they</p> <p>14 would come back with a different stain.</p> <p>15 MR. BURDI: Mind you, the more we stain</p> <p>16 this thing, and where I didn't want to be, I</p> <p>17 wanted to see the brick. I like the translucent</p> <p>18 part of where we are at right now. So another</p> <p>19 stain on top of that will hinder that again, and</p> <p>07:41:11PM 20 it's out there. You can go look and see for</p> <p>21 yourself. I mean it's definitely translucent</p> <p>22 compared to the paint.</p>	<p style="text-align: center;">65</p> <p>1 CHAIRMAN BOHNEN: I get it.</p> <p>2 MR. HAARLOW: I think it's a good idea</p> <p>3 until we continue it, until we get the stain</p> <p>4 results. In the meantime, go to Plan and get</p> <p>5 approval for the door so you can move ahead with</p> <p>6 the door.</p> <p>7 CHAIRMAN BOHNEN: Make sense?</p> <p>8 MR. ABRAHAM: That's what I was kind of</p> <p>9 looking for the next step.</p> <p>07:42:31PM 10 CHAIRMAN BOHNEN: Good suggestion.</p> <p>11 Thank you.</p> <p>12 MR. HAARLOW: Permits don't fall under</p> <p>13 our purview.</p> <p>14 CHAIRMAN BOHNEN: No.</p> <p>15 MS. BRADEN: So the occupancy doesn't --</p> <p>16 CHAIRMAN BOHNEN: No, but I think we</p> <p>17 should go on record that we don't want to impede</p> <p>18 their ability to open their business.</p> <p>19 MR. BURDI: Thank you.</p> <p>07:42:47PM 20 CHAIRMAN BOHNEN: If asked, we have</p> <p>21 opined that they be given a temporary occupancy</p> <p>22 permit so they can get their business going and</p>

<p style="text-align: right;">66</p> <p>1 proceed. Yes.</p> <p>2 MR. ABRAHAM: And we will keep Chan</p> <p>3 apprised of where we are at. We will give</p> <p>4 acceptable time if we are not ready by the next</p> <p>5 meeting so we can stay on the agenda kind of</p> <p>6 automatically.</p> <p>7 CHAIRMAN BOHNEN: Right. We just go on</p> <p>8 hold here with this Commission until we figure</p> <p>9 out --</p> <p>07:43:11PM 10 MR. BURDI: I'm cool with that. I want</p> <p>11 to work with you.</p> <p>12 CHAIRMAN BOHNEN: We want to work with</p> <p>13 you. No, we do.</p> <p>14 MR. ABRAHAM: Yes. I guess if we can</p> <p>15 just be continued.</p> <p>16 MR. BURDI: Until the warmer weather.</p> <p>17 MR. ABRAHAM: Until we come back</p> <p>18 with --</p> <p>19 CHAIRMAN BOHNEN: Do we need to make a</p> <p>07:43:31PM 20 formal recommendation on the temporary --</p> <p>21 MR. YU: No.</p> <p>22 CHAIRMAN BOHNEN: We are on the record.</p>	<p style="text-align: right;">68</p> <p>1 please.</p> <p>2 MR. HAARLOW: So I will move to</p> <p>3 continue Case A-46-2019, 24 West Hinsdale</p> <p>4 Avenue, until such time as we have results on</p> <p>5 the stain removal.</p> <p>6 CHAIRMAN BOHNEN: Any discussion?</p> <p>7 Second, please.</p> <p>8 MR. PRISBY: Second.</p> <p>9 CHAIRMAN BOHNEN: All in favor say aye?</p> <p>10 (A chorus of ayes.)</p> <p>11 * * *</p> <p>12 (Whereupon the further hearing of</p> <p>13 the above-entitled cause was</p> <p>14 continued sine die.)</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>
<p style="text-align: right;">67</p> <p>1 MR. YU: Right. You are on the record</p> <p>2 of supporting that.</p> <p>3 MR. BURDI: Great.</p> <p>4 CHAIRMAN BOHNEN: Thank you very much</p> <p>5 for appearing before us.</p> <p>6 MR. BURDI: I'm really glad I did. You</p> <p>7 guys really made me feel better.</p> <p>8 CHAIRMAN BOHNEN: I am, too.</p> <p>9 MR. BURDI: You don't have any idea. I</p> <p>07:43:52PM 10 have been out of my mind.</p> <p>11 MR. GONZALEZ: I'm sure you have, but</p> <p>12 any time you do work like this you lose some</p> <p>13 hair.</p> <p>14 CHAIRMAN BOHNEN: It takes its toll.</p> <p>15 Old buildings will leave an indelible mark.</p> <p>16 MR. BURDI: I appreciate it. I</p> <p>17 appreciate everybody's time. Thank you.</p> <p>18 CHAIRMAN BOHNEN: So may I have a</p> <p>19 motion to continue this matter until the next</p> <p>07:44:13PM 20 meeting and get a status, right?</p> <p>21 MR. YU: Yes.</p> <p>22 CHAIRMAN BOHNEN: Okay. A motion,</p>	<p style="text-align: right;">69</p> <p>STATE OF ILLINOIS)</p> <p style="text-align: center;">) ss.</p> <p>COUNTY OF DU PAGE)</p> <p>I, JANICE H. HEINEMANN, CSR, RDR, CRR, do hereby certify that I am a court reporter doing business in the State of Illinois, that I reported in shorthand the testimony given at the hearing of said cause, and that the foregoing is a true and correct transcript of my shorthand notes so taken as aforesaid.</p> <p style="text-align: center;">  Janice H. Heinemann CSR, RDR, CRR License No. 084-001391 </p>

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STATE OF ILLINOIS)
) ss:
COUNTY OF DU PAGE)

BEFORE THE VILLAGE OF HINSDALE
HISTORIC PRESERVATION COMMISSION

IN THE MATTER OF:

Historic Preservation Commission
Title 14 Regulations Action Summary
Review.

REPORT OF PROCEEDINGS had and testimony
taken at the hearing of the above-entitled
matter before the Hinsdale Historic Preservation
Commission at 19 East Chicago Avenue, Hinsdale,
Illinois, on the 5th day of February, 2020, at
7:47 p.m.

BOARD MEMBERS PRESENT:

MR. JOHN BOHNEN, Chairman;
MR. FRANK GONZALEZ, Member;
MR. BILL HAARLOW, Member;
MR. JIM PRISBY, Member;
MS. ALEXIS BRADEN, Member.

<p style="text-align: center;">2</p> <p>1 ALSO PRESENT:</p> <p>2 MR. CHAN YU, Village Planner;</p> <p>3 MR. MICHAEL D'ONOFRIO, Planning</p> <p>4 Consultant.</p> <p>5 * * *</p> <p>6 MR. D'ONOFRIO: I don't want to go</p> <p>7 through a lot this evening. I think this was</p> <p>8 just a follow-up to our last meeting where I put</p> <p>9 together a revised memo just kind of summarizing</p> <p>10 and identifying the changes that we have all</p> <p>11 gone through over the past four or five</p> <p>12 meetings.</p> <p>13 I would be glad to go over anything</p> <p>14 with you that we haven't already touched base</p> <p>15 on, but I won't belabor the point.</p> <p>16 MR. PRISBY: Can I get right to it</p> <p>17 then?</p> <p>18 MR. D'ONOFRIO: Go for it.</p> <p>19 MR. PRISBY: Second page, C, "Any</p> <p>20 decision should be accompanied with written</p> <p>21 findings. There was discussion by the HPC</p> <p>22 members as to the time frame for completing</p>	<p style="text-align: center;">4</p> <p>1 we can implement it.</p> <p>2 MR. D'ONOFRIO: It's good to know I can</p> <p>3 still pay attention.</p> <p>4 CHAIRMAN BOHNEN: Mike, if I may, two</p> <p>5 things that we mentioned in the meeting.</p> <p>6 MR. D'ONOFRIO: Sure.</p> <p>7 CHAIRMAN BOHNEN: I'll have to find it</p> <p>8 in the transcript.</p> <p>9 MR. D'ONOFRIO: That's fine.</p> <p>10 CHAIRMAN BOHNEN: But the two things</p> <p>11 that I continue to be bothered about, and I'd</p> <p>12 like to write it in. It's going to probably</p> <p>13 require more input than ours, frankly, before</p> <p>14 it's codified. But I'm still concerned about</p> <p>15 the fact that people, if they come before us and</p> <p>16 they show us the house that they are going to be</p> <p>17 building and through, hopefully, that 120-day</p> <p>18 period we all come to see the final drawings,</p> <p>19 and that's what we like, and everybody is at</p> <p>20 kumbaya; that if by any chance they don't build</p> <p>21 that house, that there would be some sort of</p> <p>22 recourse. There probably would have to be a</p>
<p style="text-align: center;">3</p> <p>1 findings. The consensus was to have findings</p> <p>2 read into the record as part of the approval/</p> <p>3 denial process the evening the matter is being</p> <p>4 considered."</p> <p>5 MR. D'ONOFRIO: Right.</p> <p>6 MR. PRISBY: Are we good with this? I</p> <p>7 just wanted to make sure. I wasn't, as I</p> <p>8 thought back on it, I wasn't sure if we had</p> <p>9 consensus on that at the last meeting.</p> <p>10 Alexis wasn't here. I think Sandy</p> <p>11 was in favor of -- I don't want to speak for</p> <p>12 her. But if I remember correctly, she was in</p> <p>13 favor of getting it done that night, as was I;</p> <p>14 so that we could keep these people moving along.</p> <p>15 MR. GONZALEZ: Right.</p> <p>16 MR. PRISBY: But I thought somebody</p> <p>17 thought that wasn't the best idea, and I just</p> <p>18 wanted to make sure that we had consensus on</p> <p>19 that.</p> <p>20 Other than that, Mike, I was really</p> <p>21 happy with the changes that came out of the last</p> <p>22 meeting. It looked like you hit everything so</p>	<p style="text-align: center;">5</p> <p>1 couple kinds of recourse, okay?</p> <p>2 If they don't build that house --</p> <p>3 For instance, somebody comes before us, and they</p> <p>4 are going to build a big house on a big lot.</p> <p>5 They show us the big house on the big lot. And</p> <p>6 we say, you know what, that looks like a really</p> <p>7 nice, big house. And based on what you are</p> <p>8 showing us, you are already for permits; and we</p> <p>9 are going to give you the go-ahead on that, and</p> <p>10 we are going to give you the go-ahead on the</p> <p>11 demo of the house you are knocking down.</p> <p>12 And then once they knock the house</p> <p>13 down, they say, you know what, we went through</p> <p>14 our numbers again, and we don't think it's</p> <p>15 viable for us to build a big house. We think</p> <p>16 maybe we are going to subdivide this lot and</p> <p>17 build two houses.</p> <p>18 Well, in the meantime, whether</p> <p>19 there was a game plan or whether it was just</p> <p>20 rethinking reality, we have been deceived. We</p> <p>21 have given approval for a demo predicated on</p> <p>22 knowing what's going to get built only to find</p>

<p style="text-align: center;">6</p> <p>1 that it won't be built. I think there has to be</p> <p>2 some sort of fine or legal resource on that.</p> <p>3 And then the second element of that</p> <p>4 is if someone were to come in here and show us a</p> <p>5 home they were going to build, and we went</p> <p>6 through our 120-day process, and we decided to</p> <p>7 go forward with it; and we give the demo permit</p> <p>8 accordingly. And then they decide, you know</p> <p>9 what, we decided we are going to wait until next</p> <p>10 spring or next fall to start building. And</p> <p>11 spring comes and fall comes and years go by, and</p> <p>12 we have more of these vacant lots in town. They</p> <p>13 never seem to get built upon.</p> <p>14 Now, the code only says they have</p> <p>15 to at least level the lots out and replant them</p> <p>16 so that they are not an eyesore. But I suspect</p> <p>17 that the code ought to say, or I suggest that</p> <p>18 the code ought to say that if we make a decision</p> <p>19 that a demolition is predicated upon something</p> <p>20 being built then that thing needs to be what's</p> <p>21 built; and it needs to be started to be built</p> <p>22 within a period of time, a reasonable period of</p>	<p style="text-align: center;">8</p> <p>1 and behold they didn't do either one.</p> <p>2 I want to see that written into</p> <p>3 this code now and not have to go back and do an</p> <p>4 amendment to the latest text amendment that we</p> <p>5 have or maybe we should do an amendment to that</p> <p>6 text amendment. It might be quicker, faster,</p> <p>7 easier.</p> <p>8 But those are two items that I want</p> <p>9 to see addressed here as long as we have got the</p> <p>10 books open and we are recodifying things.</p> <p>11 Because like it or not, there is an element out</p> <p>12 there that's going to try and game the system no</p> <p>13 matter what we write.</p> <p>14 The only way to really write these</p> <p>15 things correctly is to brainstorm the mindsets</p> <p>16 of those that will take advantage and try and</p> <p>17 game the system and try and write the -- if you</p> <p>18 can get rid of the loopholes in a way when you</p> <p>19 are doing so, they can't come at us at a later</p> <p>20 date. We may not be able to stop everything,</p> <p>21 but these are two things that are very</p> <p>22 concerning to me.</p>
<p style="text-align: center;">7</p> <p>1 time, such as 6 months, we will say. And if it</p> <p>2 isn't, then there should be fines and legal</p> <p>3 redress.</p> <p>4 MR. GONZALEZ: What if it's abandoned</p> <p>5 halfway through construction?</p> <p>6 CHAIRMAN BOHNEN: Well, now you are</p> <p>7 going to get complicated on me. I mean that's</p> <p>8 another thought.</p> <p>9 MR. GONZALEZ: Oh, okay.</p> <p>10 CHAIRMAN BOHNEN: If for whatever</p> <p>11 reason they weren't able to complete a house,</p> <p>12 I'm not aware of that happening; but it always</p> <p>13 could.</p> <p>14 But where I'm going is there is a</p> <p>15 crowd out there that is, they are I think</p> <p>16 speculating on our land. We are the losers for</p> <p>17 that because the lots stay vacant. We are</p> <p>18 deprived of tax dollars, certainly our schools</p> <p>19 are deprived of tax dollars. We've lost all</p> <p>20 control of what's going to get built because we</p> <p>21 only allow them to tear down predicated on what</p> <p>22 they were going to build within 6 months, and lo</p>	<p style="text-align: center;">9</p> <p>1 MR. PRISBY: I don't know, John. If</p> <p>2 you have got somebody that is trying to game the</p> <p>3 system, they want their demo, they want to take</p> <p>4 the thing down, and just land bank it; right?</p> <p>5 CHAIRMAN BOHNEN: Yes.</p> <p>6 MR. PRISBY: The example of somebody</p> <p>7 getting halfway through construction and,</p> <p>8 obviously, abandoning the work, I can't see</p> <p>9 somebody actually getting to that point if that</p> <p>10 was their game plan. To me someone quitting</p> <p>11 halfway through construction and had to stop</p> <p>12 probably has some serious issues there and</p> <p>13 probably not doing this with nefarious</p> <p>14 intentions.</p> <p>15 MR. BOHNEN: Right, and I don't think</p> <p>16 we can possibly address what financial</p> <p>17 difficulty somebody might come upon. I mean</p> <p>18 there is a section of the code where if houses</p> <p>19 don't have their utilities in, let's say a half-</p> <p>20 finished house, in some respects, it's not</p> <p>21 habitable, then our code addresses that; and I</p> <p>22 believe that house would be taken down.</p>

<p style="text-align: right;">10</p> <p>1 MR. PRISBY: Yes. It would be their</p> <p>2 responsibility to take it down.</p> <p>3 CHAIRMAN BOHNEN: Exactly.</p> <p>4 MR. PRISBY: And I believe it's still a</p> <p>5 year to complete construction with some</p> <p>6 flexibility by Robb to make a judgment call.</p> <p>7 CHAIRMAN BOHNEN: Right. They will</p> <p>8 renew the permit.</p> <p>9 MR. PRISBY: Or you have to take out a</p> <p>07:55:13PM 10 whole new permit. So if it stops for any length</p> <p>11 of time, you are already penalizing them with</p> <p>12 potentially some high permit costs.</p> <p>13 CHAIRMAN BOHNEN: And again, it's not</p> <p>14 that I mind talking about that; but I really</p> <p>15 want to address the first two elements that I</p> <p>16 brought to the table.</p> <p>17 MR. PRISBY: So part of this is a tax</p> <p>18 problem, correct? We lose tax money for</p> <p>19 something not being on that site. I like the</p> <p>07:55:41PM 20 idea of having some kind of penalty for someone</p> <p>21 that would back out at the last minute or</p> <p>22 actually starting construction. And just my</p>	<p style="text-align: right;">12</p> <p>1 consistency in our village government that we</p> <p>2 want to open up home rule to the vagaries of new</p> <p>3 boards that form every four years. So I don't</p> <p>4 think home rule is the way to go on this.</p> <p>5 I don't know what latitudes we have</p> <p>6 under the Illinois code, but it's a question we</p> <p>7 can certainly ask Mike to ask our attorneys.</p> <p>8 MR. D'ONOFRIO: Let me, you will have</p> <p>9 to forgive me, I'm working in multiple</p> <p>07:57:06PM 10 communities at one time so I need to ask Chan --</p> <p>11 and I hate to put him on the spot, I will be the</p> <p>12 attorney who doesn't know the answer before I</p> <p>13 ask him -- but are demolition permits issued</p> <p>14 prior to approval of plans for a new house?</p> <p>15 MR. YU: I think so. Yes. You can</p> <p>16 apply for a demo permit.</p> <p>17 MR. D'ONOFRIO: Some municipalities</p> <p>18 I've worked in we wouldn't issue a demo permit</p> <p>19 until the plans for the new house were approved.</p> <p>07:57:39PM 20 CHAIRMAN BOHNEN: Right. And we are --</p> <p>21 MR. D'ONOFRIO: That doesn't get to</p> <p>22 everything you have --</p>
<p style="text-align: right;">11</p> <p>1 opinion, I would love to see that penalty be</p> <p>2 something equivalent to what the taxes are</p> <p>3 before they tore it down.</p> <p>4 CHAIRMAN BOHNEN: You certainly could</p> <p>5 go back to the taxes on the old house.</p> <p>6 MR. PRISBY: Correct.</p> <p>7 CHAIRMAN BOHNEN: You might not be able</p> <p>8 to brainstorm what the taxes would be on the one</p> <p>9 that they presented to us. But it was paying,</p> <p>07:58:13PM 10 the house that was on the lot prior to being</p> <p>11 demoed, was paying taxes at a certain rate, and</p> <p>12 the Village and the schools benefited by that</p> <p>13 amount. And I think you go back to that as</p> <p>14 your touchstone.</p> <p>15 MR. PRISBY: Is that enforceable?</p> <p>16 MS. BRADEN: That was my question.</p> <p>17 MR. PRISBY: From the County, from the</p> <p>18 tax standpoint?</p> <p>19 CHAIRMAN BOHNEN: I think if we were</p> <p>07:58:35PM 20 home rule, it's very easily done. We have</p> <p>21 explored home rule from time to time, and the</p> <p>22 popular wisdom is we don't feel there is enough</p>	<p style="text-align: right;">13</p> <p>1 CHAIRMAN BOHNEN: But where we tend to</p> <p>2 dwell is in the historic districts. But in</p> <p>3 reality, it's probably a good idea for the</p> <p>4 Village to look at this in the total scheme of</p> <p>5 the Village because it's a problem that could</p> <p>6 occur in any quadrant. It may not be something</p> <p>7 that originates in Title 14. It may be codified</p> <p>8 in a section of the actual zoning code.</p> <p>9 But I would like to get an opinion</p> <p>07:58:14PM 10 on that. A, if we can do it as a Village; And</p> <p>11 B, if we can, who would put it forth. We could</p> <p>12 make a recommendation to the Board because we do</p> <p>13 get involved in other areas of the Village</p> <p>14 certainly, tax assessment freezes and things of</p> <p>15 that nature. But right now we are writing it</p> <p>16 into our code that we won't give a demo permit</p> <p>17 until we see what you are going to build.</p> <p>18 That's here.</p> <p>19 MR. D'ONOFRIO: Right, but that's --</p> <p>07:58:50PM 20 CHAIRMAN BOHNEN: That's not throughout</p> <p>21 the --</p> <p>22 MR. D'ONOFRIO: It's a distinction with</p>


<p style="text-align: center;">14</p> <p>1 a difference. Okay? Now I'm thinking, I put my 2 hat on as a community development director out 3 there. You are saying you want to see what the 4 design is before you will sign off on it? 5 CHAIRMAN BOHNEN: Yes. 6 MR. D'ONOFRIO: What you are talking 7 about is what kind of -- I don't want to say 8 bait and switch -- but I just said that but I 9 don't want to say it -- where a developer is 10 going to say this is what we are going to build 11 with no intention of -- Nefarious conduct. 12 CHAIRMAN BOHNEN: Right. 13 MR. D'ONOFRIO: So you approve it and 14 they never have any intention of doing that. 15 They get the demo permit, they demo the house, 16 now you have a vacant lot. 17 CHAIRMAN BOHNEN: Right. 18 MR. D'ONOFRIO: I'm sure the Village 19 has requirements that say the lot needs to be 20 regraded, seeded, so on, and so forth. But the 21 fact of the matter is the house is gone. It's a 22 vacant property. It's assessed as a vacant</p>	<p style="text-align: center;">16</p> <p>1 have been talking about a process, right? 2 CHAIRMAN BOHNEN: Right. But I will 3 put on my other hat that I don't have and be a 4 trustee for a moment. In the other quadrants of 5 Village that are not in the historic districts, 6 I don't suspect the Village is going to be that 7 concerned about what exactly is going to be get 8 built before they issue a demo permit; but they 9 want to make sure that something is going to get 10 built. So maybe they have a one-tier 11 consideration in all the districts that are 12 nonhistoric, and a two-tier concern in the 13 historic, in the streetscape, something. You 14 follow me? 15 MR. D'ONOFRIO: I'm not going to play a 16 lawyer and comment on that. 17 CHAIRMAN BOHNEN: No. But again, I 18 don't think we have the authority to opine about 19 Monroe school district. 20 MR. YU: Right. So the Robbins Park 21 and the downtown district, if you do apply for 22 the demo permit, you do need plans for the new</p>
<p style="text-align: center;">15</p> <p>1 property, so on and so forth. So, in effect, 2 land-banking the property; right? 3 CHAIRMAN BOHNEN: Correct. 4 MR. D'ONOFRIO: So I think what you 5 want to get at is what kind of regulations can 6 be in place to -- I don't want to say prohibit 7 that but, you know, have some kind of procedure 8 in place that, if that happens, there is some -- 9 looking for the right word here -- 10 CHAIRMAN BOHNEN: Redress. 11 MR. D'ONOFRIO: -- recourse. I mean so 12 that there is some kind of penalty or recourse 13 to address the situation like that down the 14 road. Is that a fair characterization? 15 CHAIRMAN BOHNEN: Right. And where the 16 distinction would be in the historic district 17 where we are, our purview is to consider 18 streetscape. We want to see exactly what's 19 going to get built. Okay? 20 In other sections of the Village -- 21 MR. D'ONOFRIO: What we were just 22 talking about is in addition to that. I mean we</p>	<p style="text-align: center;">17</p> <p>1 building; that was already approved. 2 CHAIRMAN BOHNEN: Yes. Right. That's 3 approved. So we got that in the text amendment? 4 MR. YU: Yes. 5 CHAIRMAN BOHNEN: Okay. So we have got 6 that going on. Now we can talk about the what- 7 ifs. What if somebody doesn't start building? 8 Or what if somebody says, I'm not going to build 9 what I proffered to you when you approved my 10 demo? So that's Robbins and downtown. Okay. 11 However, I suggest that the Village 12 should be concerned about the other quadrants. 13 All right? And it probably doesn't come in 14 Title 14. But they should be concerned, too, 15 because tax dollars being as dear as they are, 16 and Hinsdale land being as dear as it is, if 17 people are speculating on bitcoins, they sure as 18 hell are going to speculate on Hinsdale land 19 because that's in the Village. 20 So it would seem to me, as we 21 discussed, that the least we can do if something 22 wasn't started within six months at Monroe</p>

<p style="text-align: center;">18</p> <p>1 school, we could go back and start taxing or</p> <p>2 penalizing to the degree that we would have been</p> <p>3 receiving those tax dollars.</p> <p>4 And the question is can that be,</p> <p>5 can that be done without home rule; and I don't</p> <p>6 know the answer to that.</p> <p>7 MR. D'ONOFRIO: We can, we can check</p> <p>8 with the Village attorney on that.</p> <p>9 MR. YU: Yes.</p> <p>08:03:15PM 10 MR. PRISBY: I would think that would</p> <p>11 just be, again -- I'm not an attorney either,</p> <p>12 right? -- just picking a fine amount or how you</p> <p>13 calculate that fine, that's not County money at</p> <p>14 that point.</p> <p>15 CHAIRMAN BOHNEN: No.</p> <p>16 MR. PRISBY: But it would be --</p> <p>17 CHAIRMAN BOHNEN: It's our portion of</p> <p>18 what the tax dollars would be.</p> <p>19 MS. BRADEN: Where would those funds</p> <p>08:03:35PM 20 go, the Village, the school district?</p> <p>21 CHAIRMAN BOHNEN: I think they are the</p> <p>22 proportion that they would --</p>	<p style="text-align: center;">20</p> <p>1 monies that Hinsdale and Hinsdale schools are</p> <p>2 not getting.</p> <p>3 MR. PRISBY: Correct.</p> <p>4 CHAIRMAN BOHNEN: You are not going to</p> <p>5 be collecting for the forest preserve.</p> <p>6 MR. PRISBY: Right.</p> <p>7 CHAIRMAN BOHNEN: I don't think you</p> <p>8 could. Now your reach is getting beyond your</p> <p>9 boundaries. But I think you could determine if</p> <p>08:04:54PM 10 there was a 30,000 tax bill on the house, 10 is</p> <p>11 raw land, there is a \$20,000 deficit, that</p> <p>12 becomes -- you look at it, and then you end up</p> <p>13 with \$16,000. You could levy for \$16,000 and</p> <p>14 distribute that in the proportions that would</p> <p>15 typically go to the schools and to the Village I</p> <p>16 would think.</p> <p>17 MR. PRISBY: I like that idea.</p> <p>18 MS. BRADEN: And I meant Robbins</p> <p>19 Historic District, not Robbins Park.</p> <p>08:05:21PM 20 MR. GONZALEZ: John, you could just say</p> <p>21 whatever the prior tax, if there was a house</p> <p>22 there, if they don't build within a certain</p>
<p style="text-align: center;">19</p> <p>1 MR. PRISBY: Put in the Village bucket.</p> <p>2 CHAIRMAN BOHNEN: Into the Village</p> <p>3 buckets and school buckets.</p> <p>4 MS. BRADEN: Okay.</p> <p>5 CHAIRMAN BOHNEN: I would think because</p> <p>6 the Village gets such a small portion of</p> <p>7 whatever the tax dollars are. But the schools</p> <p>8 get 80, 90 percent.</p> <p>9 MS. BRADEN: Right.</p> <p>08:04:00PM 10 CHAIRMAN BOHNEN: So it's important to</p> <p>11 the schools that they have taxable properties.</p> <p>12 MS. BRADEN: Well, especially in</p> <p>13 Robbins Park. Oak School is under-enrolled, and</p> <p>14 so that does make a big difference.</p> <p>15 MR. PRISBY: I think that could be a</p> <p>16 substantial fine, too. If you are talking about</p> <p>17 a house with a \$30,000 tax bill, that empty land</p> <p>18 on the same property is \$10,000, you could have</p> <p>19 a \$20,000 a year penalty in place if you so</p> <p>08:04:34PM 20 chose.</p> <p>21 CHAIRMAN BOHNEN: Well, you certainly</p> <p>22 could collect to the extent that to offset the</p>	<p style="text-align: center;">21</p> <p>1 period, then they have to start paying equal</p> <p>2 taxes; right?</p> <p>3 CHAIRMAN BOHNEN: Well, I agree with</p> <p>4 what you are saying. We are talking the same</p> <p>5 thing as a different version, but I don't know</p> <p>6 that we have the authority to do that.</p> <p>7 MR. GONZALEZ: Oh, I see.</p> <p>8 CHAIRMAN BOHNEN: I can smell a couple</p> <p>9 of deals out there now where I think we are</p> <p>08:05:43PM 10 getting played; and I think they are going to</p> <p>11 end up tearing the house down and saying, oh,</p> <p>12 gees, we changed our mind. And the Village is</p> <p>13 going to get cut a substantial amount of money</p> <p>14 and schools. And we have made it easy for</p> <p>15 people to speculate on our land and destroy the</p> <p>16 ambiance of our historic neighborhoods.</p> <p>17 So you know, you've got to get out</p> <p>18 in front of this stuff. Acknowledging that the</p> <p>19 Village attorneys are always making sure that we</p> <p>08:06:11PM 20 are not getting into legal situations, rather</p> <p>21 than playing a defense on this sort of thing, I</p> <p>22 would prefer that we play offense and take our</p>

<p style="text-align: right;">22</p> <p>1 chances like Lake Forest and a couple other</p> <p>2 villages do.</p> <p>3 MR. PRISBY: Okay.</p> <p>4 MR. GONZALEZ: That's fine.</p> <p>5 CHAIRMAN BOHNEN: Other than that, I'm</p> <p>6 okay.</p> <p>7 MR. D'ONOFRIO: Okay.</p> <p>8 MR. PRISBY: When can we get something</p> <p>9 to the trustees, and actually get this put in</p> <p>10 motion? I mean it's been very productive talk</p> <p>11 over the past few months. I'm thrilled by the</p> <p>12 progress. Now it's what do we have to do to get</p> <p>13 this implemented.</p> <p>14 MR. YU: Waiting for the March Board</p> <p>15 meeting.</p> <p>16 CHAIRMAN BOHNEN: March 4?</p> <p>17 MR. YU: The first Tuesday in March.</p> <p>18 CHAIRMAN BOHNEN: Great.</p> <p>19 MR. PRISBY: And this goes to Board of</p> <p>20 Trustees?</p> <p>21 MR. YU: Yes.</p> <p>22 MR. PRISBY: And if they decide this is</p>	<p style="text-align: right;">24</p> <p>1 MR. D'ONOFRIO: -- then you are under</p> <p>2 that. So if you come after the regulation, the</p> <p>3 ordinance has been adopted, then you are</p> <p>4 subject to the new ordinance.</p> <p>5 MR. PRISBY: I have some issues in the</p> <p>6 past where changes were made in the zoning code</p> <p>7 where I'm in the middle of the project where the</p> <p>8 change that was approved required 100 hours</p> <p>9 worth of my time to fix it. And it was, well,</p> <p>10 you weren't in yesterday.</p> <p>11 MR. D'ONOFRIO: In my experience, in my</p> <p>12 lovely 25 years experience as a community</p> <p>13 development director, zoning administrator, dot,</p> <p>14 dot, dot, it's always been -- and it may be</p> <p>15 different here -- but it's always been my</p> <p>16 understanding that you are kind of vetted at</p> <p>17 basically at your point of application.</p> <p>18 Unless the Village Board says, this</p> <p>19 is going to be retroactive, you know, to some</p> <p>20 date, it follows the date of application, either</p> <p>21 entitles you to this bundle of rights versus</p> <p>22 that bundle of rights.</p>
<p style="text-align: right;">23</p> <p>1 a good idea, does it get implemented that night;</p> <p>2 or is there 30-day grace period?</p> <p>3 MR. YU: There are two meetings.</p> <p>4 MR. PRISBY: Okay.</p> <p>5 MR. YU: So the Tuesday after that, the</p> <p>6 third Tuesday.</p> <p>7 CHAIRMAN BOHNEN: Two weeks after that.</p> <p>8 MR. YU: Yes.</p> <p>9 CHAIRMAN BOHNEN: And then as far as</p> <p>10 the codification, does Sterling write that?</p> <p>11 MR. YU: The Village attorneys, they</p> <p>12 write that. And Sterling, they codify it.</p> <p>13 MR. PRISBY: And will there be any kind</p> <p>14 of grace period for projects that are already in</p> <p>15 the works?</p> <p>16 CHAIRMAN BOHNEN: There probably has to</p> <p>17 be.</p> <p>18 MR. D'ONOFRIO: Well, generally how it</p> <p>19 works is, for example, with the building code,</p> <p>20 if you are in for whatever application at the</p> <p>21 time, what the regulation is --</p> <p>22 MR. YU: Right.</p>	<p style="text-align: right;">25</p> <p>1 So, Chan, would you --</p> <p>2 MR. YU: Yes, I agree with that.</p> <p>3 MR. PRISBY: I know in the past they</p> <p>4 have had some changes that were made. And it</p> <p>5 was, these would go into effect in 30 days to</p> <p>6 allow projects that were already in the works to</p> <p>7 get in under the wire.</p> <p>8 MR. D'ONOFRIO: Well, I would take it a</p> <p>9 step further and say you are entitled to the old</p> <p>10 ordinance. Whenever it's adopted, you know, you</p> <p>11 don't have to get anything in within 30 days.</p> <p>12 Whenever you get it in, if you were an</p> <p>13 application, if you had an application in, you</p> <p>14 are entitled to that even if it would take you</p> <p>15 another 3 months to get the plans finalized and</p> <p>16 so on and so forth; but that's just based on my</p> <p>17 experience.</p> <p>18 MR. PRISBY: Okay.</p> <p>19 CHAIRMAN BOHNEN: Anybody have anything</p> <p>20 else?</p> <p>21 MR. YU: Do we have a motion for the</p> <p>22 Summary, the Regulations Review?</p>

<p style="text-align: right;">26</p> <p>1 CHAIRMAN BOHNEN: Yes.</p> <p>2 MR. YU: So this will be forwarded on</p> <p>3 to the Village Board of Trustees if you have a</p> <p>4 motion, please.</p> <p>5 CHAIRMAN BOHNEN: I guess we are</p> <p>6 looking for a motion to continue the major</p> <p>7 change?</p> <p>8 MR. YU: To approve this document.</p> <p>9 This is a summary of what the HPC would like</p> <p>10 changed.</p> <p>11 CHAIRMAN BOHNEN: Oh, I'm sorry.</p> <p>12 MR. YU: Yes.</p> <p>13 CHAIRMAN BOHNEN: A motion to approve.</p> <p>14 MR. HAARLOW: But you want to have the</p> <p>15 language about the demo in here?</p> <p>16 CHAIRMAN BOHNEN: Yes.</p> <p>17 MR. HAARLOW: So I don't think we are</p> <p>18 ready to approve this as is.</p> <p>19 MR. YU: So you would ask for the</p> <p>20 condition of the two, with the two</p> <p>21 recommendations based on a fine or a fee for --</p> <p>22 Well, I don't know if, is that part</p>	<p style="text-align: right;">28</p> <p>1 It's getting the opinion from the Village</p> <p>2 attorney. Because I can draft pretty much</p> <p>3 anything, but whether or not -- I'm not an</p> <p>4 attorney, but I have slept at a Holiday Inn</p> <p>5 Express. No. I mean I would have to sit down</p> <p>6 with staff and draft something out.</p> <p>7 But ultimately, you know, here is</p> <p>8 what I would recommend. If you want that part</p> <p>9 of your consideration, then you ought to have</p> <p>10 something that you guys agree to before it all</p> <p>11 goes to the council.</p> <p>12 CHAIRMAN BOHNEN: So if we had a</p> <p>13 special meeting, so Mike can start drafting what</p> <p>14 we just discussed, if we had a special meeting,</p> <p>15 and at that point in time we could give you a</p> <p>16 motion to approve it.</p> <p>17 How many days prior to March 4 do</p> <p>18 you need that? Just basically if you, you are</p> <p>19 going to have a first reading and second reading</p> <p>20 anyway. But we could have a special meeting</p> <p>21 between now and March 4.</p> <p>22 MR. YU: I mean there are two meetings.</p>
<p style="text-align: right;">27</p> <p>1 of -- I don't think that's part of Title 14. I</p> <p>2 think you wanted something --</p> <p>3 CHAIRMAN BOHNEN: I think it should be.</p> <p>4 There is a section in Title 14 that should</p> <p>5 address this, and it's a two-tiered section. It</p> <p>6 has to do with building what you say you are</p> <p>7 going to build and starting that building within</p> <p>8 a certain amount of time. Both situations would</p> <p>9 trigger a fine if it wasn't complied with.</p> <p>10 MS. BRADEN: False pretenses.</p> <p>11 CHAIRMAN BOHNEN: For false pretenses.</p> <p>12 And again the question of</p> <p>13 recovering tax dollars, which until we get a</p> <p>14 legal opinion on that --</p> <p>15 MR. YU: Okay. Well, if it's premature</p> <p>16 then --</p> <p>17 CHAIRMAN BOHNEN: I don't want to miss</p> <p>18 March 4.</p> <p>19 MR. YU: Yes. So that's the problem.</p> <p>20 CHAIRMAN BOHNEN: I understand. So how</p> <p>21 fast can you draft tonight?</p> <p>22 MR. D'ONOFRIO: Well, it's not just me.</p>	<p style="text-align: right;">29</p> <p>1 The Village Board has two meetings a month. So</p> <p>2 we don't necessarily have to make the first</p> <p>3 meeting in March. We could make the second</p> <p>4 meeting.</p> <p>5 MR. PRISBY: But if we want to make the</p> <p>6 first --</p> <p>7 MR. YU: Also I mean --</p> <p>8 CHAIRMAN BOHNEN: We think it's</p> <p>9 expedient to move ahead. So if we had a special</p> <p>10 meeting sometime between now and March, the 1st</p> <p>11 of March. Okay? Whereupon Mike gives us the</p> <p>12 drafting of these items that we just discussed,</p> <p>13 and we all vote to make a motion. Then that</p> <p>14 motion can go before the Board on March 4,</p> <p>15 right?</p> <p>16 MR. YU: Right.</p> <p>17 MR. HAARLOW: Chan, two questions. One</p> <p>18 of them is -- So March 4 is a Wednesday.</p> <p>19 MR. YU: March 3 then.</p> <p>20 MR. HAARLOW: So if the Board is</p> <p>21 meeting on the 3rd, we on the 4th. Our regular</p> <p>22 meeting would be on Wednesday, March 4. So if</p>

<p style="text-align: center;">30</p> <p>1 it is March 4, March 4 is the first Tuesday, 2 that would be the first board meeting in March. 3 CHAIRMAN BOHNEN: So we have to meet 4 prior to that if we want to get before them for 5 a first read first but Mike has got to draft -- 6 Today is, what, the 5th or 6th? 7 MR. D'ONOFRIO: It's not just me 8 drafting something. It's having the opportunity 9 to sit down with staff and then run it by the 10 Village attorney because I don't think -- It's, 11 you know, I think to your point, if there is 12 some kind of fine or whatever, if the Village 13 attorney says, no, you can't do that, then I 14 think it's fair to you guys -- 15 It's not fair to say, Here, throw 16 this up in front of the Board; and then the 17 Village attorney is going to go, no, you can't 18 do it. 19 CHAIRMAN BOHNEN: No. 20 MR. D'ONOFRIO: So here is what I 21 suggest. I have the opportunity to sit down 22 with staff, flush this out a little bit, talk to</p>	<p style="text-align: center;">32</p> <p>1 CHAIRMAN BOHNEN: So maybe we get 2 before the Board on the 11th or 10th, 3 March 10th? 4 MR. YU: No. 17th. Yes. 5 CHAIRMAN BOHNEN: I think that's -- So 6 the 17th and then you do April? 7 MR. YU: I think the 17th would be more 8 realistic since you have the regular meeting on 9 the 4th anyway. 10 MR. D'ONOFRIO: And then we can bring 11 that back. 12 CHAIRMAN BOHNEN: Can we count on that? 13 MR. D'ONOFRIO: That's what I will 14 shoot for, yes. Because I would like to have 15 you guys review it, sign off on it; and then it 16 just becomes part of the package. 17 MR. YU: Take a vote on it. That way 18 the Board knows how you, what the vote turns out 19 to be. 20 MR. HAARLOW: Chan, for something to be 21 on the Village agenda, Village trustee agenda, 22 for Tuesday, is it the prior Friday at 5:00? Is</p>
<p style="text-align: center;">31</p> <p>1 the Village attorney, and say, hey, what kind of 2 penalty phase or what kind of fine or to address 3 this issue. What under your nonhome-rule powers 4 can the Village do, and then draft something 5 based on that. 6 CHAIRMAN BOHNEN: So the question 7 becomes, if we are trying to get something 8 before the Board on March 3, is it realistic 9 between now and then to have you meet with the 10 staff, meet with the Village attorney, draft 11 something to get before us in a special meeting 12 prior to our regular meeting? 13 MR. D'ONOFRIO: And I know there is 14 lead time with staff to get agenda packets 15 together and so on and so forth. To be 16 perfectly honest with you, I think that would be 17 pretty tough. I mean it wouldn't take me long 18 to do it. But to go through the process to talk 19 to staff, to talk to the Village attorney, and 20 some back and forth on it, I think that might be 21 difficult to meet that deadline. I'm just being 22 honest.</p>	<p style="text-align: center;">33</p> <p>1 that the deadline? 2 MR. YU: It's actually the afternoon. 3 However, it's the Wednesday. It's basically we 4 have to have our memos done two weeks in advance 5 before it's on the agenda because it needs to be 6 reviewed by the admin department, and then they 7 review with President Cauley. So it's not just 8 a matter of getting it in the packet the Friday 9 before the meeting. 10 CHAIRMAN BOHNEN: So March 17 is the 11 first meeting? 12 MR. YU: Yes. So the 4th, March 4 is 13 something I would have to submit to the village 14 manager for review. 15 MR. HAARLOW: So if we met on the 3rd, 16 our regular meeting -- I'm sorry. If we meet 17 on the 4th, that is, we are meeting in the 18 evening. But you are saying you have to have it 19 in two weeks prior on that Wednesday. So 20 actually what you submitted for the 17th would 21 be due on the 4th, and we wouldn't be voting on 22 this until the evening on the 4th.</p>

<p style="text-align: right;">34</p> <p>1 MR. YU: Yes, but I would be talking</p> <p>2 about it on or Wednesday staff meetings up to</p> <p>3 that point. So it's not completely brand-new to</p> <p>4 them, so a couple days. So it could happen.</p> <p>5 MR. HAARLOW: So it could happen for</p> <p>6 the 17th even if you don't submit that until</p> <p>7 Wednesday or Thursday, March 5?</p> <p>8 MR. YU: Yes. Yes.</p> <p>9 CHAIRMAN BOHNEN: So between now and</p> <p>08:17:43PM 10 March 4 is Mike and staff and the attorneys?</p> <p>11 MR. YU: Yes.</p> <p>12 CHAIRMAN BOHNEN: And yada, yada.</p> <p>13 MR. YU: Yes.</p> <p>14 CHAIRMAN BOHNEN: Something you can do,</p> <p>15 Mike?</p> <p>16 MR. D'ONOFRIO: Yes. I'm just looking</p> <p>17 at my calendar. I'm free that week of March 2.</p> <p>18 So I would be able to attend the meeting on the</p> <p>19 4th. And between now and then we can get</p> <p>08:18:10PM 20 together in the next week and get going on this,</p> <p>21 so if Chan will have me for a visit.</p> <p>22 MR. YU: Always welcome.</p>	<p style="text-align: right;">36</p> <p>1 (A chorus of ayes.)</p> <p>2 CHAIRMAN BOHNEN: We are adjourned.</p> <p>3 * * *</p> <p>4 (Whereupon further proceedings of</p> <p>5 the above-entitled cause were</p> <p>6 continued to March 4, 2020.)</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>
<p style="text-align: right;">35</p> <p>1 MR. D'ONOFRIO: Actually, I do always</p> <p>2 enjoy spending time in Hinsdale. So I won't say</p> <p>3 it's a labor of love but I enjoy it.</p> <p>4 MR. HAARLOW: John has some houses</p> <p>5 he'll show you.</p> <p>6 CHAIRMAN BOHNEN: Move in.</p> <p>7 MR. D'ONOFRIO: No. No. I always make</p> <p>8 it a policy never live in the town you work in.</p> <p>9 It served me well for 30 years.</p> <p>08:18:59PM 10 MR. GONZALEZ: Show up on your</p> <p>11 doorstep, by the way --</p> <p>12 MR. D'ONOFRIO: Okay.</p> <p>13 CHAIRMAN BOHNEN: Yes.</p> <p>14 MR. YU: Thank you, Mike.</p> <p>15 MR. D'ONOFRIO: Thank you.</p> <p>16 CHAIRMAN BOHNEN: Thank you, Mike.</p> <p>17 With that, we can close the public</p> <p>18 hearing. And may I have a motion for</p> <p>19 adjournment.</p> <p>08:19:14PM 20 MR. HAARLOW: Move to adjourn.</p> <p>21 MR. PRISBY: Second.</p> <p>22 CHAIRMAN BOHNEN: All in favor, aye.</p>	<p style="text-align: right;">37</p> <p>STATE OF ILLINOIS)</p> <p style="text-align: center;">) ss.</p> <p>COUNTY OF DU PAGE)</p> <p>I, JANICE H. HEINEMANN, CSR, RDR, CRR,</p> <p>do hereby certify that I am a court reporter</p> <p>doing business in the State of Illinois, that I</p> <p>reported in shorthand the testimony given at the</p> <p>hearing of said cause, and that the foregoing is</p> <p>a true and correct transcript of my shorthand</p> <p>notes so taken as aforesaid.</p> <p style="text-align: center;">  Janice H. Heinemann CSR, RDR, CRR License No. 084-001391 </p>

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