



**THE VILLAGE OF HAWTHORN WOODS
PLANNING, BUILDING AND ZONING COMMISSION
2 LAGOON DRIVE, HAWTHORN WOODS, ILLINOIS
TUESDAY, OCTOBER 22, 2024
6:30 PM**

MINUTES

I. CALL TO ORDER AND ROLL CALL

Mr. Merkel called the meeting to order at 6:32 p.m. Roll call indicated the following members were present: Mr. Merkel, Mr. Tisci, Ms. Massel and Mr. Blackshaw. Absent: Mr. Preble and Mr. Glickman.

Also present: Trustee Liaison Tom Rychlik, Community Development Director Chris Heinen, Chief Administrative Officer/Village Clerk Donna Lobaito, and Village Attorney Patrick Brankin.

II. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COMMISSION

None this month.

III. APPROVAL OF MINUTES

Approval of Minutes of the October 8, 2024 Planning, Building and Zoning Commission Meeting

Motion by Massel, second by Blackshaw to approve the Minutes of the October 8, 2024 Planning, Building and Zoning Commission Meeting.

Roll call vote:

Ayes: Merkel, Tisci, Massel, Blackshaw

Nays: None

Abstain: None

Absent: Preble and Glickman

Motion carried.

IV. NEW BUSINESS

- A. Continued - Public Hearing - Special Use Planned Development Amendment – Consideration of an application by PAWS Chicago, as applicant for an amendment to the special use planned development for a kennel use, including an adoption center, and a veterinary clinic, boarding animal variety veterinary clinic, located at 55 Pine Grove Boulevard

This is a continuation of a public hearing which was opened at the October 8, 2024 Planning, Building and Zoning Commission meeting.

Mr. Heinen indicated PAWS Chicago has applied for a special use planned development amendment to allow for kennel use, including an adoption center, veterinary clinic, boarding animal variety veterinary clinic at 55 Pine Grove Boulevard. Zoning, lot coverage and parking departures were noted.

All individuals wishing to testify at the public hearing were sworn in.

Bernard Citron, Thompson Coburn, attorney for the applicant, introduced individuals representing PAWS Chicago. He noted the horse barn was built for commercial uses and stated they will address the concerns of the residents. He noted Chicago PAWS in Lincoln Park has been operating with no complaints.

Paula Fasseas, 77 E. Walton Street, Chicago, introduced herself as the founder and owner of PAWS Chicago. She started her business 27 years ago, and addressed the need for a no-kill shelter, and at that time, 42,000 animals were being euthanized. They opened a spay clinic which has been responsible for a 60% reduction in euthanizations. Many of these surgeries are subsidized. Ms. Fasseas testified that the dogs are in insulated rooms, not cages. She noted barking is not tolerated, and that 89% of the dogs are adoptable. There will be a 30,000 square foot hospital for the animals, and she described other areas on the interior and exterior of the building for use by the animals. She noted animals are never left alone, and that only non-stressed animals are allowed to go outside. Cats will have their own space.

Alexis Fasseas, 77 E. Walton, Chicago, noted PAWS Chicago has been looking for 5-10 years for an additional place for the animals. The location at 55 Pine Grove Boulevard was appealing due to the quiet nature of the area, which provides for a good home to destress animals. PAWS Chicago is looking to expand into Hawthorn Woods to serve people outside of the city.

Ms. Fasseas noted operations would be from 7:00 a.m. – 8:00 p.m. Adoptions would take place between 11:00 a.m. and 7:00 p.m. She reviewed the design of space, emergency planning, and the dog and cat areas. Music is piped in, and the facility will allow for natural light for the animals. A maximum of 60 dogs and 80 cats per night is anticipated.

The rooms will have separate relief areas for the dogs, and insulation will be used in the rooms. Any dogs brought outside will be supervised.

Ms. Fasseas testified as to the staffing and volunteer levels, and noted they are typically most busy on weekends.

There will be four bays on the property. One for retail use, two for felines and one for medical and foster care. The indoor arena will be built out for canine housing, training,

three kitchens and an area for doctor use. Parking will be primarily in the back of the building.

Ms. Fasseas spoke of their community involvement, and how they will create a welcoming environment for families looking to adopt a pet. She noted they are a non-profit organization and receive no government funding.

Brian Nelson, 619 W. Hawthorn Street, Boulder, CO, of Animal Arts Design Studios, Testified as to the design of the outdoor pens, gates, green areas, and building design. He noted there will not be many changes to the exterior of the building. Staff will control the access to the outdoor areas by the dogs.

Mr. Citron asked Mr. Nelson to comment on the outdoor fencing materials, and noted their location will be approximately 1,000 feet off of Rt. 176. Mr. Nelson noted the fence will be welded wire mesh, and not chain link. The dogs will be controlled in the vestibule by doors, and there will be pens at each outdoor area. Mr. Nelson testified as to the windows providing exterior light into the facility. Insulation will be added for sound mitigation.

Mr. Citron noted that Chris Fish, engineer on the project, will be reviewing all plans.

There being no further testimony from the applicant, Mr. Merkel indicated the next step would be for the Commission to comment and ask questions of the applicant followed by public testimony.

Mr. Tisci asked to see a map of the surrounding properties in relation to the subject property. Mr. Heinen noted the property directly to the east of the subject property is not under the Village's jurisdiction and is located in unincorporated Lake County. The building is 575' to the closest home in Grand Dominion.

It was noted that there will be no overnight supervision of the animals; however, there is an emergency number residents can call. Ms. Massel inquired about there being no overnight supervision of the animals, and she expressed concern for the surrounding residents if dogs are barking. Paula Fasseas responded that the dogs are kept indoors in rooms with no overnight access to the outside. She indicated dogs are walked in the mornings by staff and volunteers.

Alexis Fasseas testified that dogs are walked around 7 a.m., and that they would be subject to local noise ordinances. All dogs are brought inside prior to the 8:00 p.m. closing.

Ms. Massel asked about the monitoring of dogs while they are outside. Alexis Fasseas responded that when the dogs are outside, they are always monitored. She indicated there are full-time trainers on staff who monitor the behavior and stress of the animals to ensure they are in the right area based upon stress levels.

Mr. Blackshaw asked about any sound decibel information. Mr. Citron noted that they have not conducted a noise study, and that their goal is that the dogs will not bark as they

will be limited in their ability to see other dogs when passing by the interior areas. He noted the volunteers and trainers are always with the dogs.

Alexis Fasseas invited people to come see their current location in Chicago.

Mr. Merkel asked about the average length of stay at Chicago PAWS. Alexis Fasseas indicated that with puppies, it is typically 8 weeks, and dogs who are under medical care, it may be longer until they are healthy, but typically for all other dogs, the average length of stay is 3 weeks. She noted there will be no breeding at this location.

At this time, the floor was open to the public to comment or question the applicant.

Donald Robinson, 3701 Melody, Mundelein, expressed concern about the nuisance of barking dogs outside. He referenced Lake County ordinances indicating barking dogs is a health concern.

Jim Heinen, 28515 Seminole Court, Mundelein, asked if the organization could conduct their business completely indoors, and noted the density of the homes adjacent to the subject property.

Jerry Burke, 3624 Monticeto, Mundelein, objected to the procedure and zoning, and noted horses are a different issue than dogs. He said he would like more time to learn about and examine the issues.

Joseph Schwan, 28630 Champions Court, Mundelein, noted PAWS Chicago is a good organization, but this is the wrong location. He expressed concern about noise and odor. He also noted concern about how the gun club noise will impact the behavior of the dogs. He indicated he did not see anything in the Daily Herald about this meeting, nor did he see any posting on the subject property. Mr. Heinen stated the notice was published in the Daily Herald on September 17, 2024.

Lee Kingdon, 3753 Monticeto, Mundelein, provided handouts to the Commissioners. She discussed the proximity of houses to the outside play areas, and noted the special use standards found in the Village Code. Her concerns relate to noise and property values.

Frank Happ, 77 Melody, Mundelein, expressed concern with the location. He is worried about the facility expanding into the unincorporated parcel to the east of PAWS Chicago. He is concerned about property values.

Clayton Mark, 3781 Melody, Mundelein, spoke of a barking dog situation he experienced that kept him awake at night. He indicated he used to live in Deerfield near Orphans in the Storm, and he could hear barking dogs at night.

Jim Sporleder, 3643 Monticeto, Mundelein, spoke about the current zoning, and noted the subject property is zoned agricultural, not business. He is concerned about noise, odors and wild animals.

Tom Musolf, 3702 Monticeto, Mundelein, indicated he spoke to a vet facility about the proposed PAWS Chicago application, and was told the facility will be maxed out with dogs and cats every night. He inquired as to where the waste would go and had concerns about the septic capacity. He noted Grand Dominion spends a lot of money on maintaining their wetland. Mr. Heinen responded that septic systems are permitted through Lake County Health Department, and that the applicant is not increasing the number of bathrooms, and that septic fields are for humans, not animal waste.

Mr. Musolf asked to see a lighting and landscape plan. He said the Village's Comprehensive Plan indicates a need for economic development, and this property would be tax-exempt.

Richard Huttas, 3672 Monticeto, Mundelein, commented on the possibility of noise coming from the trap club agitating the dogs.

Rebecca Payleitner, 3069 Falling Waters, Lindenhurst, indicated she is a volunteer with PAWS Chicago, and spoke of the how the downtown and Highland Park facility is run. She said the animals cannot be heard outside.

Kim Morrill, 6729 Estate Lane, Long Grove, stated she is a volunteer at PAWS Chicago, and spoke about their values.

Nancy McEntee, 675 Judson, Highland Park, indicated she is a retired nurse and volunteer at PAWS Chicago. She spoke in support of the facility and commended the owners of PAWS Chicago for how they run their business.

Laura Bergman, 1218 Pine Street, Winnetka, volunteers at PAWS Chicago, and spoke about the playrooms for the dogs. She indicated PAWS Chicago would be a great addition to the community.

Pam Navarre, 3740 Melody, Mundelein, HOA President of Grand Dominion, indicated she represents 1,200 seniors in their subdivision, and that we need to make sure PAWS Chicago lives up to their commitments. She expressed concern about the septic system and watershed. She noted their subdivision spent \$200,000 to maintain their wetlands. Their concerns center around noise and property values. She noted Mr. Citron indicated to them PAWS Chicago would purchase the unincorporated farm between the PAWS Chicago land and Grand Dominion; however, she cannot find a bill of sale or offer.

Jill Helenbrook, 240 Steeplechase Road, Barrington Hills, volunteers with PAWS Chicago, and spoke about obtaining a permit in Barrington to bring dogs to storefronts in the past, and the event was so successful and the business owners were thrilled with the outcome that it has become an annual event.

Robert Shears, 21001 Lakeview, Mundelein, indicated he does volunteer restoration work, and suggested that buffers with trees, prairie grasses and flowers could dampen noise by up to 70%. He supports the PAWS Chicago mission.

Jim Heinen, 28515 Seminole Court, Mundelein, spoke of the physical ailments noise can cause, and suggested an expert opinion be obtained.

Nathan Greenfield, 3710 Melody, Mundelein, asked if Grand Dominion was in Hawthorn Woods, how would the commission react.

Mr. Merkel asked for a short break at 8:44 p.m.

The meeting reconvened at 8:47 p.m. with all commissioners still present.

Bernard Citron, clarified a few issues.

1. He indicated there would never be 20 or 40 dogs in the play area. He said there would be a maximum of 5 dogs at any given time, and suggested this be included as a condition of approval.
2. He also indicted the applicant would eliminate play area #3. He noted that Orphans of the Storm is an old-style facility with chain link fences. PAWS Chicago would not be the same. Since this is a special use permit request, conditions can be enforced and taken away by the Village.
3. He also noted refuse is taken off site and not run through the septic system.
4. Aqua Illinois has water to the facility, and the building is protected with fire suppression.
5. The topography will not be changed, so there will be no effect on the watershed.
6. They are not adding impervious surface.

Mr. Citron stated he believes the applicant has met the standards for a special use permit amendment.

Motion by Massel, second by Tisci to close the public hearing.

Roll call vote:

Ayes: Merkel, Tisci, Massel, and Preble

Nays: None

Abstain: None

Absent: Preble and Glickman

Motion carried, and the public hearing closed at 8:56 p.m.

Motion to approve a recommendation to the Village Board as written in the agenda and staff memo was made by Ms. Massel. Second by Mr. Blackshaw.

During Commissioner deliberations, Ms. Massel asked if a 3-month review could be conducted to ensure compliance with the special use permit. Mr. Brankin indicated there

is a noise ordinance already, and that a future review is possible because it is a special use permit. He stated conditions can be set in the recommendation to the Village Board.

Mr. Merkel did express concern about the impact of the gun range on the dogs. He suggested the possible use of berms. He stated he would like to see more information on some of the issues discussed tonight.

Ms. Massel proposed a field trip to their facility in Chicago may be helpful.

Mr. Blackshaw stated the Mundelein residents have valid concerns, and spoke highly of PAWS Chicago. He suggested the hours of operation be moved from 7 a.m. to 9:00 a.m. He suggested the applicant and the HOA find some common ground.

Mr. Tisci suggested the outside hours for the dogs could be limited to some timeframe the residents and applicant agree upon.

Mr. Blackshaw expressed concern about the property values.

Substitute motion by Massel, second by Blackshaw to reopen the public hearing to allow the applicant time to address the concerns brought forth.

Roll call vote:

Ayes: Merkel, Tisci, Massel, and Blackshaw
Nays: None
Abstain: None
Absent: Preble and Glickman

Motion carried, and the public hearing was reopened at 9:15 p.m.

Motion by Massel, second by Blackshaw to continue the public hearing to November 12, 2024 at 6:30 p.m. at Village Hall.

Roll call vote:

Ayes: Merkel, Tisci, Massel, and Blackshaw
Nays: None
Abstain: None
Absent: Preble and Glickman

Motion carried.

V. ADJOURNMENT

Motion by Massel, second by Tisci to adjourn the meeting.

Voice vote.

Ayes: 4
Nays: 0
Abstain: 0

Absent: 2
Motion carried.

The meeting adjourned at 9:17 p.m.

Respectfully submitted,



Donna Lobaito
Chief Administrative Officer/Village Clerk