

# Tinley Park to settle nuisance lawsuit filed by Buckeye low-income housing developer



*Tinley Park, Illinois*

Elections indeed have consequences.

Just a week after voters booted Mayor David Seaman and his slate of running mates from power in the April 4th balloting, the Village of Tinley Park is seemingly racing at full-speed to settle what appears to be a meritless and retaliatory lawsuit filed against the Village by the Buckeye Community Hope Foundation, that controversial Ohio-based low-income housing project developer that [embroiled Tinley Park](#) in deep and lasting scandal last year.

This lawsuit has been hanging over the Village's collective heads for some time, but the Village seems to be rushing to settle it now while the current Mayor and Board are still in office...which appears to leave the new incoming Mayor, [Jacob Vandenberg](#), and newly-elected trustees no say in the matter. Is the rush to settle this now, with a vote scheduled for the next board meeting, a way for the current Mayor and Board to

make the issue go away while they still hold the reins of power in Tinley Park?

Does settling now mean records will be sealed and that the public will never know everything the Mayor and Trustees did wrong during the Buckeye scandal?

We covered this matter extensively as it unfolded [last year](#); the matter was also well-documented by freelance reporter Megan Fox in her [widely-viewed video series](#). The scandal boiled down to Buckeye – a controversial entity from Columbus, Ohio with a litigious reputation nationwide for suing communities that resist Buckeye’s schemes in any way – [appearing to collude](#) with former Tinley Park Planning Director Amy Connolly as she tampered with the Village’s zoning code enough for Buckeye to try to force through a low-income housing project in what was supposed to be an area reserved for street-level commercial developments (with apartments or condos on the upper floors, above revenue-generating commercial space such as restaurants, boutiques, hair salons, book stores, bakeries, etc.).

Tinley Park’s “Legacy Code” zoning ordinance required new construction in this particular part of town to have a mandatory commercial component on the ground floor, as residents wanted walk-up storefront commercial ventures (and not just residential housing) to be built along the sidewalks in what is envisioned as the southern gateway into Tinley Park’s downtown. This requirement was meant to solve longstanding problems in the Village, which has burdened homeowners with too high of a residential tax rate due to a dearth of commercial tax generating businesses near downtown. The “Legacy Code” was meant to leave a “legacy” of solving these issues by encouraging downtown Tinley Park to develop with street-level commercial properties all along the main drag through town that would ultimately link the Convention Center and other amenities to the downtown core by the train station. (Currently, there is a large gap between

these two areas, with nothing incentivizing people attending events at the Convention Center to head to Tinley Parks' downtown and vice-versa.) Having only housing along this important civic corridor would never allow such linkage to develop and would do nothing to alleviate homeowners' tax burden. The "Legacy Code" was designed to remedy all this for future generations.

Emails produced by the Village pursuant to FOIA requests made by local citizen sleuths such as Michael Glotz (whose tenacious [search for the truth](#) ultimately won him a seat on the Village Board in the April election, replacing former Trustee T.J. Grady...who had once [mocked and insulted](#) Glotz's sleuthing efforts) appeared to show Connolly and Buckeye maneuvering together behind the scenes to manipulate an illegal change in wording in the zoning ordinance without following the proper procedures to make such code-altering changes and notify the public that the Legacy Code was being decimated. After loud community outcry and what seemed to be one shocking revelation or development after another (including the sudden resignation of Connolly and the firing of [Thomas Melody, the Klein Thorpe Jenkins attorney](#) who appeared to be assisting Connolly with the zoning code tampering), the Village affirmed in circuit court that its zoning code indeed required street-level commercial development in the area in question and that [Amy Connolly, Thomas Melody, and others seemingly working in the interests of Buckeye](#) (and not in the interests of Tinley residents) never succeeded in legally altering the code to allow the low-income housing project to be built as Buckeye proposed.

For more than a year now, the Village has emphatically stated that Buckeye was welcome to build apartments on the land in question if it would adhere to the Legacy Code zoning ordinance and build street-level commercial space on the first floor, just as the Legacy Code mandates.

Buckeye refused to do this, apparently because the federal

funding, grants, tax rebates, and other financial incentives it sought (from both Washington and Springfield) with this construction project would not come through if they built commercial space as Tinley Park required. The millions of dollars of quick profit that Buckeye wanted from this venture would not materialize if street-level commercial space was included in this project, per the terms of all those lucrative tax rebates and grants.

Buckeye is a developer that appears to be expert at playing the system and manipulating grants and tax breaks to make large profits off building low-income housing; but if a project has commercial space, that project no longer qualifies for the low-income housing grants and federal or state rebates and Buckeye then doesn't seem to want to go ahead with the project. (Imagine that!) Buckeye never appeared interested in building new homes that would have met the zoning code in Tinley Park so much as Buckeye appeared to want to make millions of dollars exploiting that grant/tax rebate system. ***And they would have gotten away with it too, if not for the Freedom of Information Act!***

When Buckeye was rightfully called out by area residents for nakedly bullying the community and attempting to push through a project that did not meet the existing building code, Buckeye employed some of the Alinsky Rules for Radicals and essentially labeled everyone opposing the project to be "racists." In particular, Buckeye dispatched its then Vice President, David Petroni, to attend Village Board meetings and hint that Buckeye would sue if it did not get its way and imply that Tinley Park residents must be "racists" if they didn't let Buckeye do whatever it wanted to do. Petroni was so lead-footed and heavy-handed with his threats and bullying that it enraged the community, prompting subsequent Village meetings to be canceled because the building could simply no longer hold all of the residents Petroni had angered with his threats and insults. At some point, Petroni seems to have

quietly left Buckeye with no fanfare and all mentions of him are now apparently scrubbed from Buckeye's website as if the man never worked there and never even existed; additionally, Petroni's own recently [updated LinkedIn profile](#) now bears no mention of him ever having been affiliated with Buckeye. It's almost as if Petroni created such an embarrassing [public relations disaster for Buckeye](#) at those board meetings that both he and Buckeye now want to pretend that he and the developer never had anything to do with each other.

According to a [press release](#) from the Village of Tinley Park issued April 13th, the Village has tentatively agreed to pay Buckeye a total of \$2.45 Million to walk away from Tinley Park and presumably never darken the community's door ever again. The settlement requires Buckeye to drop its low-income housing project scheme in Tinley Park. The bulk of the money being paid to Buckeye appears to come from a municipal insurance fund (IRMA, the Intergovernmental Risk Management Association) that the Village has been paying into for years, to protect itself from situations just like these.

Observers of this scandal have seen that Buckeye's strong-arm tactics, threats of lawsuits, and actual litigation have succeeded in other communities where Buckeye was able to build what it wanted over residents' objections, often using intimidation tactics and legal muscle to bully small towns. The wrinkle that thwarted Buckeye in Tinley Park was the simple fact that what Buckeye wanted to build did not meet the Village's zoning code...and tampering with the zoning code by Amy Connolly and Thomas Melody, seemingly working on behalf of Buckeye, was thwarted when their actions came to light during open public meetings last year. If not for FOIA requests shining a light on what these Village employees were up to behind the public's back, perhaps Buckeye would have broken ground and they would have gotten their way in Tinley Park too.

The Village claims that settling with Buckeye now will save

taxpayers a fortune in legal fees it would have incurred if the lawsuit had continued to be litigated. The Village's insurance handler (IRMA) no doubt pressured the Village to settle, based on calculations that a settlement would cost less than continuing to fight Buckeye in court (even though we believe that Tinley Park would have won, especially if a jury would have been privy to everything that Connolly and Melody had been up to with Buckeye).

Since Buckeye has been defeated in terms of agreeing to abandon its construction project and move on (to some other unsuspecting town), Tinley Park does win in the sense that the Legacy Code has been upheld and that whatever ultimately is built on the land that Buckeye wanted ([affectionately known locally as "Stuckley's Corner,"](#) due to the months-long picketing and protests led at the site in opposition to Buckeye by local resident Michael Stuckley) will have to include street-level commercial space as the code requires.

Another interesting twist in all of this is that the Justice Department changed hands in January 2017, as the Obama regime gave way to the Trump administration. Buckeye is the sort of developer that has a history of strong-arming communities by using the Justice Department as a weapon, claiming that any resistance to its construction plans is racism and civil rights violations. This, again, is a prime example of how unscrupulous people use Saul Alinsky's tactics to get what they want. As ludicrous as this is, accusing a community of racism when it insists its commercial zoning codes be followed is something that was allowed (if not encouraged!) when far-left Alinsky acolytes Loretta Lynch and Eric Holder were each the Attorney General of the United States. With a new administration in Washington – and now Jeff Sessions leading the Justice Department – it's hard to imagine an entity like Buckeye being able to count on the AG's office signing-off on terrorizing communities with false charges of racism when they refuse to be bullied by the likes of Buckeye.

If Hillary Clinton had won the presidency in 2016 and Loretta Lynch (or someone ideologically like her) was retained as Attorney General, perhaps Buckeye would not have agreed to drop its meritless lawsuit all of a sudden.

So, elections at the national level have ramifications and consequences down to the local level too. Buckeye appears to be covering its legal and development costs with that \$2.45 Million settlement from the Village. Sadly, this will likely be used by Buckeye to target some other community out there for a low-income housing project shell game wherever there are tax incentives and rebate schemes that Buckeye would hope to exploit like they wanted to do in Tinley Park.

This is the first time, however, that Buckeye seems to have been stopped by a community and did not get its way over residents' objections. The fact that David Petroni, once the face of Buckeye in all of this, has now seemingly erased all ties to Buckeye as far as his web presence (and vice versa) seems to indicate that Buckeye, at least on some level, knows it screwed up royally in Tinley Park. This certainly won't be the end of Buckeye or its schemes, but Tinley Park sure was a memorable pie in Buckeye's face that hopefully will give other communities ideas on how they can defeat predatory developers on their turf too.

Mayor David Seaman and the other outgoing Tinley Park officials appear to want everything Buckeye-related to be sealed away and over and done with before they leave office next month, hence this rushed settlement that seems to be happening out of the blue. That sure feels like there is a lot more to this story and what all really went-on behind closed doors, which now the public will likely never know about. The Buckeye scandal ended several political dynasties in Tinley Park, ultimately booting from office individuals who had held the reins of power for decades and replacing them with brave souls who stood their ground and exercised their First Amendment rights to petition, challenge, and criticize

bad government.

It would have been nice if Buckeye had been forced to slink away without a single penny, but the residents of Tinley Park are no doubt celebrating this permanent end to the Buckeye scandal that they've been presented with. Tinley Park controls its own destiny and its Legacy Code endures. Buckeye got a little money...but then had to get the hell out of town.

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