

**MINUTES OF THE PLAN COMMISSION & ZONING BOARD OF
APPEALS OF THE VILLAGE OF SOUTH BARRINGTON
FEBRUARY 19, 2014
7:30 P.M.**

CALL TO ORDER

The meeting was called to order at 7:35 p.m. by Chairman Michael McCombie.

ROLL CALL was taken.

PRESENT: Commissioners Kwasek, Gillis, Decker, White, Chairman McCombie.

ABSENT: Commissioners Murarka and Fox.

A QUORUM was declared.

ALSO PRESENT: Mr. Ray Wolfel, Village Building Officer, Mr. John Amborse, Village Engineer, and Mr. Nicholas Peppers, Village Attorney.

APPROVAL OF MINUTES

Mr. McCombie stated that approval of the Minutes from the meeting held February 5, 2014 will be postponed until the next scheduled meeting.

PUBLIC HEARING - THE GLEN OF SOUTH BARRINGTON - UNIT 14

Chairman McCombie asked for a Motion from the Board to open the Public Hearing for The Glen of South Barrington - Unit 14. Mr. White made a Motion. Mr. Decker seconded. By unanimous vote the Motion was passed.

Chairman McCombie asked anyone who will be giving testimony this evening to stand and be sworn in. Chairman McCombie asked the participants if the testimony they are about to give is the truth and whole truth. All participants answered yes. Chairman McCombie presented the secretary with the certification receipts of notification of surrounding properties for the Public Hearing and a copy of the legal notice of the publication for the Public Hearing. Representing the petitioner was Mr. Warren Fuller, Attorney of Fuller and Fuller, and Mr. Len Kleinjan, PE, PLS, CFM of Haeger Engineering.

Chairman McCombie stated that the Board received, in the petitioner's exhibit list, a letter dated 2/12/14 from The Glen of South Barrington Property Owners Association stating they have received notification of the Public Hearing and they have no objection to the preliminary approvals requested by the Petitioner.

Mr. Warren Fuller, representing the Petitioner, stated that the parcel of property being discussed this evening is Bill Rose's homestead which is a parcel consisting of approximately 20 acres located on the south side of Mundhank Road, west and

north of the existing units in The Glen, and immediately east of the Willow Bay subdivision. Mr. Fuller stated that the property was annexed into the Village 20 to 25 years ago under A-1 zoning. Mr. Fuller further stated that the petition that has been filed with the Village is to rezone the property to A-2 and to grant variations to permit the property to be subdivided into eight separate single family lots, the smallest being slightly over 57,000 square feet. Mr. Fuller stated they are asking for a front yard setback variation of 60 feet and to permit not less than 125 feet in width. Mr. Fuller further stated that they are also asking for approval of the Preliminary Plat of Subdivision for the eight lot subdivision, preliminary engineering and other reports that have been submitted to the Village. Mr. Fuller asked that the exhibits that were presented to the Board on the Petitioner's Exhibit List be entered into the record as being received. Chairman McCombie asked for a Motion from the Board to enter the exhibits into the record as being received. Commissioner Kwasek made a Motion. Commissioner Gillis seconded. By unanimous vote the Motion was approved.

Mr. Fuller supplied copies of the proposed subdivision for the audience. Mr. Fuller stated that Lots 132, 133, and 134 will not be offered for purchase to the general public as long as Mrs. Rose wishes to remain in her residence. Mr. Fuller further stated that the Rose residence along with six acres will be maintained as a single parcel. The remaining lots will be offered for sale. This is the last portion of property to become The Glen subdivision. Mr. Fuller stated that depending on market conditions, they will probably be coming back before the Board for final approval within one year. Mr. Fuller further stated that they recently vacated the Special Use Permit for the air strip and they have removed all of the aircraft. Mr. Fuller stated that the remaining structure on the property where the helicopter was kept may be turned into a residence. Mr. Fuller stated that the rezoning to A-2 is consistent with the zoning in The Glen subdivision and approximately 90% of the Village. Mr. Fuller further stated that the variations requested are also consistent with The Glen with the exception of the lots that are east of Lake Adalyn.

Mr. Fuller stated that the preliminary engineering has been prepared by Haeger Engineering. Mr. Fuller further stated that they will work with the Willow Bay subdivision to the east to resolve any drainage issues.

Chairman McCombie asked Building Officer Wolfel to go over his report dated 2/13/14 which was sent to the Board prior to the meeting. Items A and B were previously covered earlier in the meeting.

Item C - Chairman McCombie asked if the requested 60 foot front yard setback is consistent with The Glen? Building Officer Wolfel stated that it was consistent with The Glen and with most of the Village.

Item D - Building Officer Wolfel stated that they are asking for a variation on Lot 133 and Lot 127. Building Officer Wolfel suggested that on Lot 133 they should ask for an 80 foot setback. Mr. Fuller was in agreement to change it if that was part of the Board's recommendation. Building Officer Wolfel stated that on Lot 127 he would recommend a 30 foot easement for landscaping, 35 feet on the west, 35 feet on the north, a 25 foot side yard with the front of the lot facing east, and a side yard of 35 feet along Mundhank. Building Officer Wolfel also suggested that the Board may want to limit access to Mundhank Road from this lot. Commissioner Kwasek suggested that the 60 foot set back could be on the east, and a 35 foot setback on the other three sides would be appropriate. Chairman McCombie also suggested that there be no access from this lot to Mundhank Road. Mr. Fuller stated that they could address that issue when the Final Plat and Final Engineering are done. Mr. Fuller further stated that at this time they did not know if that driveway will serve that particular unit. Mr. Fuller added that initially when he spoke with Dwight Steele, who is the Trustee of the Rose Trust, he was unwilling to commit one way or another. Mr. Fuller stated that the Board could make this as part of their recommendation. After further discussion, the Board decided that Lot 127 would have the front be the east side with a 60 foot setback on the east and agreed with Building Officer Wolfel's other recommendations for the lot.

Item E - Building Officer Wolfel suggested that the Board may want to consider the applicants request to install this subdivision with a "rural" cross-section roadway profile which would be in compliance with the rest of The Glen subdivision.

Item F - Building Officer Wolfel stated that Item F includes a copy of an E-mail from Mr. Randall Stennett, property owner in Willow Bay explaining his drainage issue concerns for this property for the record. Building Officer Wolfel stated that the Rose property is approximately 30 feet higher than the pond in Willow Bay. Building Officer Wolfel further stated there is a three foot concrete culvert that flows from the Willow Bay pond into the Lake Susan pond which may restrict water flow from Willow Bay into Rose Lake. Building Officer Wolfel stated that they can look at this issue with the Village Engineer. Building Officer Wolfel further stated that he is unsure how the water exits from Lake Susan into Lake Barbara. Chairman McCombie asked Village Engineer Amborse for his comments on this matter. Village Engineer Ambrose stated that this was a matter that was new to him.

Mr. Charles Gries, representing the Willow Bay Homeowner's Association was sworn in. Mr. Gries stated that they have been before the Board previously when they had a flooding issue with Magnolia Point. Mr. Gries further stated that at that time, Mr. Sam Zitella, who handled the drainage issues for Magnolia Point, worked with Willow Bay

and rerouted the water drainage which solved the flooding problem by 70 to 80% in their subdivision. Mr. Gries stated that the main concern for the Willow Bay homeowners is that there will not be a runoff flooding issue from The Glen subdivision being proposed by the petitioner. Mr. Gries further stated that Mr. Rose had previously built up the runway area which in turn moved the water runoff to a swell on the east side of the Willow Bay subdivision. Mr. Gries concluded by stating that they would like to work with the engineers and the petitioner to make sure that there will be no drainage issues for their subdivision and was encouraged to hear Mr. Fuller's statement that they will definitely work with Willow Bay on these issues. Mr. Kleinjan of Haeger Engineering stated that Lake Susan, Lake Barbara, and Lake Adalyn were built in the 1970's. Mr. Kleinjan further stated that approximately nine acres of The Glen drains into Lake Susan. Mr. Kleinjan stated that they may be able to have the property on the north side of Kitson Drive drain into Lake Barbara and they can also look at other options. Mr. Gries stated that their main concern is that this development will not make things worse for his subdivision. Chairman McCombie stated that he felt more engineering will be required to address the drainage and flooding concerns for the property.

Item G - Chairman McCombie asked Mr. Fuller if they would be donating money in lieu of dedication of land for public use? Mr. Fuller stated that they would be making a monetary donation in lieu of a land donation.

Item H - The petitioner has stated in a letter dated 2/13/14 to the Plan Commission the following: "No formal landscape plan is intended to be submitted at this time. As evidenced by aerial photograph of the Property and the tree inventory prepared by TFW surveying, the Property has extensive mature landscaping. As the final Unit of The Glen, the Property is served by the extensive hardship including entryways, ponds, waterfalls and similar improvements. The Western boundary adjacent to the Willow Bay Subdivision is served by a staggered double row of conifers. The private roadway which will serve Unit 14 is lined with select deciduous trees, most of which will remain in place. When final engineering is prepared, we will be able to determine the trees required to be removed and thus the need for replacement parkway trees as required by the Subdivision Ordinance."

Item I - Building Officer Wolfel stated that the Board may want to consider a 30 foot landscape easement along Mundhank Road which would be consistent with The Glen Unit 13. The consensus of the Board was to have Lot 127 with a 30 foot wide landscape easement and a plan to provide screening for the lot from Mundhank Road.

Item J - Completed.

Item K - The consensus of the Board was to have Outlot R (Lake Susan) have a storm water easement and be dedicated to The Glen Homeowner's Association.

Item M- The consensus of the Board was to resolve or eliminate the driveway from Kitson Drive to Mundhank Road.

Item N - Completed.

Item O - Completed.

Item P - The Board agreed that Soil Science reports on septic field analysis will be needed before Final Plan approval.

Item Q - The Board agreed that Wetland assessments will need to be done on the property before the Final Plan approval.

Item R - Chairman McCombie asked if the utility location document has been submitted? Building Officer Wolfel stated that they will be working with ComEd on the locations which would preferably be located in the front yard setbacks. Chairman McCombie asked Mr. Fuller if that would be an issue? Mr. Fuller replied no. Chairman McCombie stated that this will also be a part of the Final Plan.

Item S - Building Officer Wolfel stated that on the Proposed Plat they are calling Kitson Drive a "Private Drive". If the utilities will be crossing or using this "Private Drive", then utility language should be added to the roadway area of the Plat.

Building Officer Wolfel stated that the Village does not allow accessory buildings on lots separate from the principal structure. Building Officer Wolfel stated that there may be three options for consideration for the hanger building located on Lot 132. 1. Grant a variance to allow the hanger to remain on Lot 132. 2. Plat Lot 132 and Lot 133 as one large lot and subdivide later. 3. Demolish the hanger building and grant a variance for it not to exist. Commissioner Gillis asked Mr. Fuller what was the intent for the hanger? Mr. Fuller stated that at one point in time they were thinking someone would want to purchase it and turn it into a residence. Mr. Fuller stated that this will probably be one of the last lots to sell. Mr. Kwasek asked if the building had a bathroom? Mr. Fuller stated that it has water but he did not believe it had a bathroom. Mr. Fuller stated before they come back before the Board they could possibly adjust the lot lines for 132 and 133. Mr. Peppers stated that the Board could preserve the request for a variance at this time. Mr. McCombie asked Mr. Fuller if they are petitioning for 8 lots or 7 lots? Mr. Fuller stated that the Preliminary Plan is for 8 lots. Mr. Fuller stated that he did not feel that the hanger was an accessory use. Building Officer Wolfel stated that it is a structure. Mr.

McCombie suggested that the Board could recommend to the Trustees that the Plan is 7 lots that could in the future be divided into 8 lots. Mr. Fuller asked that the Preliminary Plat be for 8 lots with the stipulation that prior to Final Plat approval, the petitioner will have to designate whether it will be converted into a residential structure.

Chairman McCombie asked for any questions or comments from the audience. Ms. Pat Whinney, resident of The Glen was sworn in. Ms. Whinney stated she had some concerns about abandoning the road from Kitson to Mundhank. She further stated that she would like to see it remain as a something drivable because when they repaved their roads, they have used it as an alternate and recently there was an accident at the entranceway which left only Kitson as a way in and out of the subdivision.

A resident from 40 Willow Bay Drive asked if the landscaping on Lot 131 will be going away and will the water flow from that lot go toward their property? The resident was sworn in. Chairman McCombie stated that they are proposing that this will become a lot but they are not sure how a house would be situated on that lot. Commissioner Gillis stated that Mr. Fuller has agreed this evening to work with Willow Bay on any drainage issues to make sure it does not affect surrounding properties. The resident also stated that there was a fence along the property that belonged to the Rose property and asked if the fence will stay or be taken down? Mr. Fuller stated that they did not have any plans to remove the fence at this time. Mr. McCombie stated that all these things need to be worked out before the Final Plan is approved. Mr. McCombie further stated that there will be more information coming in the future to address these matters.

Commissioner Gillis asked Mr. Fuller, when the east section of The Glen was constructed, the second entrance was used off of Mundhank for construction traffic and is it their intent after construction begins to use that road off of Mundhank? Mr. Fuller stated that from the consensus this evening, it was suggested that the driveway be eliminated. Mr. Fuller further stated that perhaps it could be preserved for emergencies and construction traffic. Chairman McCombie stated that he would like to have the HOA of The Glen come back to the Board with their recommendations on this matter. Mr. Fuller agreed.

A resident from 30 Willow Bay was sworn in. He stated that when he purchased his lot in 1991 from Mr. Zitella, he was informed that the trees between the runway and his lot were grandfathered in and could not be taken down. Since that time there was an attempt to have the trees taken down but was stopped because they were supposed to be grandfathered in. Chairman McCombie stated that they can check to see if there are any such covenants concerning this matter. Building Officer Wolfel stated that the Village can do research to investigate this matter.

Being no further comments, Chairman McCombie asked for a Motion from the Board to close the Public Hearing, approve the rezoning, and approve the Preliminary Plan of The Glen Unit 14 with the following stipulations, variations, and conditions:

1. Recommendation to approve a Map Amendment to rezone the property from A-1 to A-2 single family residential zoning.
2. Reduce front yard setback dimensions on all lots except for Lot 133 to 60 feet from 100 feet.
3. Change Lot 133 from a 60 foot setback to an 80 foot setback to accomplish a 125 foot width at the front yard.
4. The 60 foot front yard of Lot 127 will be along the east lot line. The 35 foot rear yard will be opposite along the west.. The north side yard lot setback will be 35 feet and the side yard setback will be 25 feet.
5. Lot 127 is to have a 30 foot wide landscape easement and plan to provide screening for the lot from Mundhank Road.
6. HOA will provide a recommendation for the road that extends from Kitson Drive to Mundhank Road.
7. Outlot R, called Lake Susan, is to have a storm water easement and be dedicated to The Glen Homeowner's Association.
8. Resolve/eliminate the existing driveway to Mundhank Road across Lot 127.
9. Resolve the existing building on Lot 132 not being defined as an accessory structure.
10. Rural cross-section roadway profiles will be used instead of curb and gutter as stated in the Subdivision Control Ordinance.
11. Soil Science reports on septic field analysis will be needed before Final Plan approval.
12. Wetland assessments on the property will need to be done before Final Plat approval.

13. Petitioner will work with the Village Engineer and the Willow Bay subdivision on all drainage issues before Final Plan approval.

14. Money will be donated in lieu of land donations as defined in the Subdivision Control Ordinance.

Commissioner Gillis made a Motion. Commissioner Decker seconded. Roll call was taken. Commissioner Kwasek - yes, Chairman McCombie - yes, Commissioner Gillis - yes, Commissioner Decker - yes, Commissioner White - yes. By unanimous vote the Motion was approved.

New Business - none.

Old Business - none.

Chairman McCombie asked for a Motion from the Board to adjourn the meeting. Commissioner Gillis made a Motion. Commissioner Decker seconded. By unanimous vote the meeting was adjourned at 9:05 p.m.

Respectfully Submitted,

Christine Latoria, Secretary

These Minutes were approved this _____
day of _____, 2014.

