

**MINUTES OF THE PLAN COMMISSION & ZONING BOARD OF
APPEALS OF THE VILLAGE OF SOUTH BARRINGTON
Held Wednesday, January 24, 2024
7:00 P.M.**

1. CALL TO ORDER:

Acting Chairman Kwasek called the meeting to order at 7:01 p.m. and requested a roll call.

2. ROLL CALL:

Commissioners Present: Fox, Gillis, Kazi, Kwasek
Commissioners Absent: Abri, Murarka and McCombie
Officials present: Mayor McCombie, Trustee Stagno and Trustee Abbate
Staff present: Attorney Megan Lamb, Finance Director Wayde Frerichs,
Building Officer Damian Michalski and Administrator Robert Palmer
Quorum present

3. MINUTES – Motion to Approve the Minutes of the December 19, 2023 Meeting made by Gillis and Seconded by Fox. On a voice vote the Minutes were approved, three Commissioners approved and one Abstained (Kazi).

3. PUBLIC COMMENT:

A court reporter was present to record all public comments. A copy of the court reporter's transcript will be attached to and made a part of these minutes when made available.

It was announced that the Livestock Variance (Chickens) Public Hearing would not be held due to the notices not adhering to the 15-day notice. Several residents spoke in regard to the Livestock Variance.

4. AGENDA ITEMS:

A. Public Hearing: Pool Fence Variance for the property located at 8 Rainier Circle.

a. Motion to Open Public Hearing by Gillis, second by Kazi.

Roll Call: Fox – Aye, Gillis – Aye, Kazi – Aye, Kwasek – Aye.

Motion approved.

Petitioner, was represented by the contractor who did the work. Michalski gave an overview of the conditions and what the variance request entailed. Plan Commission heard comments from those in attendance. Plan Commission discussed.

b. Motion to Close Public Hearing by Gillis, second by Fox.

Roll Call: Fox – Aye, Gillis – Aye, Kazi – Aye, Kwasek – Aye.

Motion approved.

c. Motion to Recommend Approval of the Petition for a Pool Variance for 8 Rainier Circle, by Kazi, second by Gillis.

Roll Call: Fox – Aye, Gillis – Aye, Kazi – Aye, Kwasek – Abstain.

Motion approved.

6. OLD BUSINESS – None

7. NEW BUSINESS – None

8. ADJOURNMENT

Having no further business, Acting Chairman Kwasek asked for a motion to adjourn the meeting. Commissioner Kazi made a Motion to adjourn the meeting. Commissioner Fox seconded the motion. The motion passed by unanimous vote and the meeting adjourned at 8:13 p.m.

Respectfully Submitted,


Robert L. Palmer

Village Administrator

These Minutes were approved this

26th day of MARCH, 2024

STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

BEFORE THE VILLAGE OF SOUTH BARRINGTON
PLAN COMMISSION/ZONING BOARD OF APPEALS

In The Matter of:)
)
Pool Variance for 8 Rainier)
Circle, and Livestock)
Variance at 13 Beechnut Drive)

REPORT OF PROCEEDINGS had at the hearing
of the above-entitled cause, taken by Kathleen M.
Grove, CSR No. 84-002197, CRR, on Wednesday, January
24, 2024, at 7:00 PM, at South Barrington Village
Hall, 30 South Barrington Road, South Barrington,
Illinois.

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<p>1 PRESENT:</p> <p>2 MR. JULIUS KWASEK, Chairman;</p> <p>3 MR. SHAHZAD KAZI, Commissioner;</p> <p>4 MR. DAVID GILLIS, Commissioner;</p> <p>5 MS. LOUISE FOX, Commissioner.</p> <p>6 OTTOSEN, DI NOLFO, HASENBALG & CASTALDO, LTD., by,</p> <p>7 MS. MEGAN LAMB</p> <p>8 1804 North Naperville Boulevard, Suite 350</p> <p>9 Naperville, Illinois 60563</p> <p>10 (630) 682-0085</p> <p>11 mlamb@ottosenlaw.com</p> <p>12 Appeared on behalf of the Village of South</p> <p>13 Barrington.</p> <p>14 ALSO PRESENT:</p> <p>15 MR. ROBERT PALMER, Village Administrator;</p> <p>16 MR. DAMIAN MICHALSKI, Building and Zoning</p> <p>17 Officer.</p> <p>18 I N D E X</p> <p>19</p> <p>20 PAGE</p> <p>21 Public Comment on Livestock</p> <p>22 Variance for 13 Beechnut Drive 5</p> <p>23</p> <p>24 Public Hearing on Pool Fence</p> <p>25 Variance for 8 Rainier Circle 46</p>	<p>1 approval of the minutes of December 19th, 2023.</p> <p>2 Is there any comment on the minutes?</p> <p>3 COMMISSIONER FOX: No.</p> <p>4 CHAIRMAN KWASEK: Hearing none, do I have a</p> <p>5 motion?</p> <p>6 COMMISSIONER GILLIS: I make a motion.</p> <p>7 CHAIRMAN KWASEK: Second?</p> <p>8 COMMISSIONER FOX: Second.</p> <p>9 COMMISSIONER KAZI: I was not present.</p> <p>10 CHAIRMAN KWASEK: What do we do, aye and nay,</p> <p>11 or do we have to do a roll call?</p> <p>12 MS. LAMB: A vote.</p> <p>13 CHAIRMAN KWASEK: All in favor?</p> <p>14 COMMISSIONER GILLIS: Aye.</p> <p>15 COMMISSIONER FOX: Aye.</p> <p>16 CHAIRMAN KWASEK: Aye.</p> <p>17 Opposed?</p> <p>18 Abstain?</p> <p>19 COMMISSIONER KAZI: Abstain.</p> <p>20 CHAIRMAN KWASEK: One abstention.</p> <p>21 There are two items on the agenda</p> <p>22 for tonight, the pool and fence variance and then a</p> <p>23 livestock variance.</p> <p>24 The notice requirements were not met</p>
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<p>1 CHAIRMAN KWASEK: Okay. Seeing as though it</p> <p>2 is 7:00 o'clock -- I don't need that. I'm loud</p> <p>3 enough without a microphone -- this is the public</p> <p>4 hearing and meeting of the Plan Commission and Zoning</p> <p>5 Board of Appeals for Wednesday, January 24th, 2024.</p> <p>6 Can we have a roll call.</p> <p>7 MR. PALMER: Abri is absent.</p> <p>8 Fox?</p> <p>9 COMMISSIONER FOX: Yes.</p> <p>10 MR. PALMER: Gillis?</p> <p>11 COMMISSIONER GILLIS: Yes.</p> <p>12 MR. PALMER: Kazi?</p> <p>13 COMMISSIONER KAZI: Yes.</p> <p>14 MR. PALMER: Kwasek?</p> <p>15 CHAIRMAN KWASEK: Yes.</p> <p>16 MR. PALMER: Murarka is absent and</p> <p>17 (inaudible.)</p> <p>18 We have a quorum.</p> <p>19 CHAIRMAN KWASEK: Okay. I've been asked to</p> <p>20 make an announcement. There are cookies in the back.</p> <p>21 I want you to know that's a first. I've been on this</p> <p>22 board a long time. I don't remember there ever being</p> <p>23 cookies in the back.</p> <p>24 The first order of business is the</p>	<p>1 on the livestock variance, so that cannot be a public</p> <p>2 hearing tonight. Apparently the notice was off by</p> <p>3 one day. And, you know, you have to abide by what is</p> <p>4 supposed to be.</p> <p>5 So we will address the livestock</p> <p>6 issue during the public comment phase. If there's</p> <p>7 any people here that would like to voice their</p> <p>8 opinion about the livestock issue, they are welcome</p> <p>9 to come up to the podium and present their comments</p> <p>10 at this time.</p> <p>11 MR. MULLIGAN: At this time?</p> <p>12 CHAIRMAN KWASEK: Right now.</p> <p>13 MR. MULLIGAN: So basically you're saying --</p> <p>14 THE REPORTER: We need a name.</p> <p>15 MR. MULLIGAN: My name is John Mulligan. I'm</p> <p>16 from 9 Beechnut in South Barrington.</p> <p>17 CHAIRMAN KWASEK: The meeting cannot occur</p> <p>18 tonight, the public hearing. So the formal action</p> <p>19 cannot occur tonight because there are certain</p> <p>20 requirements for giving notice. There has to be a</p> <p>21 certain amount of time before the meeting that notice</p> <p>22 is given, it has to be given out to a certain</p> <p>23 distance around the property, and there's other</p> <p>24 requirements as well. And those requirements were</p>

<p style="text-align: right;">Page 6</p> <p>1 not met, so we cannot hold that meeting tonight.</p> <p>2 MR. MULLIGAN: Okay. So I can make my</p> <p>3 comments now and --</p> <p>4 CHAIRMAN KWASEK: Yes. And I have to swear</p> <p>5 you in -- oh, I don't have to swear you in because it</p> <p>6 is not a public meeting.</p> <p>7 The chairman is sick, so I'm a</p> <p>8 stand-in.</p> <p>9 So please state your name and</p> <p>10 address.</p> <p>11 MR. MULLIGAN: Okay. Once again, my name is</p> <p>12 John Mulligan. I'm from 9 Beechnut, which is the</p> <p>13 same street that the livestock, chickens, hens, are</p> <p>14 on.</p> <p>15 Okay. I have a lot of questions</p> <p>16 that need answers that we need to pursue in granting</p> <p>17 or not granting a variance for permitting livestock</p> <p>18 in South Barrington. The actual variance affects all</p> <p>19 the community and the entire group.</p> <p>20 I also want to address the fact that</p> <p>21 there's thoughts and questions about, you know, the</p> <p>22 odor and noise, stray hens, coop care, and also about</p> <p>23 the other livestock.</p> <p>24 We were initially informed by South</p>	<p style="text-align: right;">Page 8</p> <p>1 didn't even bother to vote.</p> <p>2 So since this was brought up, the</p> <p>3 fact about having chickens, the quality of chickens</p> <p>4 being 20 now rather than four or five or six, what</p> <p>5 qualifies an owner of a property or a renter of a</p> <p>6 property to have a certain amount of pets, including</p> <p>7 dogs, cats, and other animals? You know, is one or</p> <p>8 two normal? What's South Barrington Village's</p> <p>9 standards? Again, we're talking about having 20, 20</p> <p>10 chickens.</p> <p>11 The South Barrington board did a</p> <p>12 vote on this, like I said, and they just didn't have</p> <p>13 all the information there.</p> <p>14 They're also asking to be</p> <p>15 grandfathered in with the 20 hens -- let me go back</p> <p>16 and say chickens, hens, chickens are young, hens are</p> <p>17 older -- one year or older.</p> <p>18 Anyway, they're asking to be</p> <p>19 grandfathered in with the 20 hens, and I'm sorry to</p> <p>20 say this, it doesn't apply as far as the grandfather</p> <p>21 clause.</p> <p>22 When I moved here in 1930, built my</p> <p>23 house and it's out of date and now you have new rules</p> <p>24 and regulations, well, now I come and ask you for the</p>
<p style="text-align: right;">Page 7</p> <p>1 Barrington Green board that the chickens or hens are</p> <p>2 part of a -- you know, for a pet for a nine-year-old</p> <p>3 little boy who would like to have the chickens. The</p> <p>4 board never disclosed that they were talking about 20</p> <p>5 chickens or hens. So the numbers weren't disclosed,</p> <p>6 and the reason the numbers were not disclosed is</p> <p>7 because the board never got the information until</p> <p>8 last night.</p> <p>9 So what we do need to do is take and</p> <p>10 factor -- take the nine-year-old boy out of the</p> <p>11 equation. We are talking about a variance and</p> <p>12 realize what they're trying to ask for is a precedent</p> <p>13 using a nine-year-old boy to have hens and livestock.</p> <p>14 This shouldn't be an emotional</p> <p>15 thing. They're asking for a variance. But now</p> <p>16 addressing or introducing a young child is emotional</p> <p>17 because -- you know, they took a vote in our</p> <p>18 community -- and this was a couple weeks ago --</p> <p>19 saying, hey, the little boy wants to have a couple</p> <p>20 hens or chickens, and how would you vote on it; yes,</p> <p>21 no, or indifferent. So they've got 37 or 38 people</p> <p>22 in our facility. 16 people said, okay, yes, let's do</p> <p>23 it. Nine-year-old boy needs a couple chickens. Then</p> <p>24 we had eight people said indifferent. 15 people</p>	<p style="text-align: right;">Page 9</p> <p>1 grandfather rule, a grandfather grant so that we can</p> <p>2 do certain things. But in effect, in a point of</p> <p>3 having and asking for hens as a new item, it can't be</p> <p>4 under the clause or direction of grandfather.</p> <p>5 In fact, we're not only talking</p> <p>6 about the hens, we're talking about the actual coop,</p> <p>7 we're talking about a fence. And I believe -- and</p> <p>8 I'm not sure -- that these items were put into the</p> <p>9 yard without any permits or without any permission.</p> <p>10 You know, they should actually be fined and have the</p> <p>11 coop removed.</p> <p>12 In our next subdivision, which is</p> <p>13 Lakeside, one of the neighbors at 5 Lakeside built a</p> <p>14 pier, and apparently there was some things wrong with</p> <p>15 it. I don't know whether it was (inaudible), the</p> <p>16 materials used or whatever. Mike Worland (phonetic),</p> <p>17 being the inspector at the time, said remove it,</p> <p>18 start all over, get your permit, get the materials</p> <p>19 and go from there.</p> <p>20 And that's how I feel about this</p> <p>21 coop. It should be the same thing. It should be</p> <p>22 taken out and rebuilt, because we don't even know if</p> <p>23 it's built right.</p> <p>24 The other question I have to you is,</p>

<p style="text-align: right;">Page 10</p> <p>1 how many chickens or hens qualify to be a pet? Will</p> <p>2 there be an additional zoning -- special zoning</p> <p>3 requirement to put up fences inside the property for</p> <p>4 the chicken runs?</p> <p>5 Currently in Barrington -- South</p> <p>6 Barrington you can put a fence up if you have a pool</p> <p>7 to guard from people falling in and kids coming over.</p> <p>8 But to put a fence in a yard that's currently there</p> <p>9 that we have no fences? South Barrington is</p> <p>10 basically a fenceless community.</p> <p>11 You know, we have had activity like</p> <p>12 coyotes, raccoons, and other wildlife, and one of the</p> <p>13 main attractions for these wildlife is chicken poop</p> <p>14 and eggs and the hens.</p> <p>15 Here we don't have it yet that I</p> <p>16 know of, but in a lot of areas, these hens attract</p> <p>17 rats, and I don't really want to have rats in my</p> <p>18 area.</p> <p>19 Another question is, each and every</p> <p>20 time somebody wants any livestock, they have to apply</p> <p>21 for a zoning variance and a license for the</p> <p>22 livestock, because that's what we're asking for</p> <p>23 people to do, to apply for the license, apply for a</p> <p>24 zoning variance, each time we put it in. Should</p>	<p style="text-align: right;">Page 12</p> <p>1 Now, you say this entire community</p> <p>2 is surrounded with geese. We have thousands and</p> <p>3 thousands of geese that land on our land, poop all</p> <p>4 over, and we don't have any restrictions on them.</p> <p>5 But you know what? Geese -- geese is a wildlife --</p> <p>6 geese are wildlife, whereas chickens is a volunteer</p> <p>7 situation where we ask to have chickens outside our</p> <p>8 home. So we can -- the residents and the Village can</p> <p>9 control chickens, but we can't control geese, birds,</p> <p>10 and other wildlife.</p> <p>11 Generally the area that's needed for</p> <p>12 a hen is about -- is about four square feet. They</p> <p>13 currently have 20 chickens, so they need 80 square</p> <p>14 feet with a fence that's approved to control and keep</p> <p>15 in.</p> <p>16 How do you watch 20 chickens? I</p> <p>17 mean, sometimes some of us can't even watch two kids,</p> <p>18 and if you have 20 kids -- 20 little chickens...</p> <p>19 So they need to get a variance for a</p> <p>20 fence; they need to get a variance for a coop; and</p> <p>21 that variance should include all the material to be</p> <p>22 used to build it.</p> <p>23 We've seen, the neighbors and</p> <p>24 myself, have seen these chickens running in our front</p>
<p style="text-align: right;">Page 11</p> <p>1 there be a renewal every year for a license for the</p> <p>2 livestock?</p> <p>3 What stops me from bringing in two</p> <p>4 llamas or goats or chickens or anything else if you</p> <p>5 didn't have the proper rules and variance or</p> <p>6 regulations and guidelines that South Barrington does</p> <p>7 have. I respect that, and I follow that.</p> <p>8 The other question is, who is going</p> <p>9 to enforce the inspections? Who is going to pay for</p> <p>10 the inspections? How many times are they going to</p> <p>11 come out to check on the chickens to make sure they</p> <p>12 have the proper license, make sure they have the</p> <p>13 proper vaccinations, make sure the coop is clean and</p> <p>14 kept clean and well maintained.</p> <p>15 Another side issue is, is the</p> <p>16 Village going to plan for a real estate reassessment?</p> <p>17 And why do I ask that? Well, if we get approved for</p> <p>18 livestock, could that change the assessment from</p> <p>19 residence to agriculture?</p> <p>20 You know, chickens can spread</p> <p>21 Salmonella and another thing call campylobacter and</p> <p>22 other diseases. They need to be vaccinated. And</p> <p>23 that can easily be passed on to dogs and cats and</p> <p>24 other pets that we currently have.</p>	<p style="text-align: right;">Page 13</p> <p>1 yards, in our back yards under numerous conditions.</p> <p>2 How do we control that? I mean, do you want us to be</p> <p>3 calling and interfering with the police, have the</p> <p>4 police come out and have the people be ticketed and</p> <p>5 fined? Our police have more valuable things to do</p> <p>6 than watch chickens. So is there another group of</p> <p>7 people you call to take care of it? I don't want to</p> <p>8 waste police time. They're great people, and they do</p> <p>9 a great job.</p> <p>10 You know, whether it's a renter or</p> <p>11 whether it's a landlord or both, you know, they have</p> <p>12 to be fined. And the question is, who is fined? Do</p> <p>13 you fine the renter, or do you fine the landlord?</p> <p>14 And if a landlord is renting to a person, then you</p> <p>15 fine both the renter and you fine the landlord.</p> <p>16 The other question is, what happens</p> <p>17 if people move that have the chickens? What does</p> <p>18 this do to our building to have chickens and hens at</p> <p>19 this address?</p> <p>20 We have to have an exit interview --</p> <p>21 or exit strategy to close out, you know, people who</p> <p>22 have chickens. We need to have an addendum that if</p> <p>23 people move, they must remove the entire coop, fence,</p> <p>24 and restore the property to the original, and if not,</p>

<p style="text-align: right;">Page 14</p> <p>1 fines will be enforced.</p> <p>2 We got an attachment from the</p> <p>3 property, 13 Beechnut, in what's called the backyard</p> <p>4 hen program. It says when they purchase hens or</p> <p>5 chickens, it will have vaccination records. But the</p> <p>6 question is, we're not talking about purchasing and</p> <p>7 buying any more new chickens for the property. We</p> <p>8 want to make sure that the chickens on that property</p> <p>9 are vaccinated and current for all 20 current</p> <p>10 chickens and hens. So are all the chickens</p> <p>11 vaccinated with shot records as well?</p> <p>12 Going back to livestock, on Penny</p> <p>13 Road right across from the park, one of the five-acre</p> <p>14 lots has to have livestock variance, and they were</p> <p>15 denied, and they had five acres.</p> <p>16 I'm sorry this is taking so long,</p> <p>17 but it's a lot of stuff we have to cover.</p> <p>18 Again, who pays for the licenses?</p> <p>19 Who pays for the coop and the shot records for each</p> <p>20 one?</p> <p>21 What happens if there's a hen that's</p> <p>22 not vaccinated? Are we going to fine them if they</p> <p>23 don't have a license?</p> <p>24 If by chance they have more than the</p>	<p style="text-align: right;">Page 16</p> <p>1 four. Downers Grove, four. Palos Park said five.</p> <p>2 I did speak to the Lakeside</p> <p>3 president, association president, and they're totally</p> <p>4 against chickens.</p> <p>5 My feeling, my vote, is definitely a</p> <p>6 no. I don't want chickens.</p> <p>7 CHAIRMAN KWASEK: The quantities of chickens</p> <p>8 that you identified, was that in a residential zoned</p> <p>9 district?</p> <p>10 MR. MULLIGAN: I was just briefly going</p> <p>11 through what numbers there were, and it said Palatine</p> <p>12 could have six chickens in their residential area,</p> <p>13 but I don't know whether these other ones have it.</p> <p>14 CHAIRMAN KWASEK: Okay. Thank you.</p> <p>15 MR. MULLIGAN: Any other questions or</p> <p>16 concerns?</p> <p>17 COMMISSIONER FOX: Were there other</p> <p>18 communities that you looked at that didn't allow</p> <p>19 any chickens?</p> <p>20 MR. MULLIGAN: What's that?</p> <p>21 COMMISSIONER FOX: Were there other</p> <p>22 communities that you noticed when you were looking at</p> <p>23 the numbers allowed that said zero?</p> <p>24 MR. MULLIGAN: That didn't allow?</p>
<p style="text-align: right;">Page 15</p> <p>1 allotted final decision that you make if you decide</p> <p>2 at all to have chickens on property -- what if you</p> <p>3 say they can only have two chickens and they've got</p> <p>4 20? What are they going to do about those other 18</p> <p>5 chickens? Kill them? Are they going to just maybe</p> <p>6 sell them out or what? And how long do they have to</p> <p>7 get rid of them? If they have 20 chickens and you</p> <p>8 decide no, how long do they have to get rid of them?</p> <p>9 The State of Illinois requires that</p> <p>10 there's a livestock premises registration that has to</p> <p>11 be applied for in the State of Illinois.</p> <p>12 We also got an addendum from</p> <p>13 13 Beechnut stating that there will be a specific</p> <p>14 identifier of each hen. What exactly is an</p> <p>15 identifier? Is that a band around the chicken's leg?</p> <p>16 Is it an implant? I mean, what is going to be the</p> <p>17 exact identifier?</p> <p>18 If it's approved, what's the maximum</p> <p>19 amount of chickens they can have?</p> <p>20 Well, I did a little research, and I</p> <p>21 checked around to see, okay, how many chickens do</p> <p>22 different places have? Palatine said, okay, with a</p> <p>23 special use zoning approval, you can have six. Lake</p> <p>24 County said six. McHenry said six. Countryside,</p>	<p style="text-align: right;">Page 17</p> <p>1 COMMISSIONER FOX: Yes.</p> <p>2 MR. MULLIGAN: Well, I mean, they just had the</p> <p>3 ones that allow with the quantity.</p> <p>4 COMMISSIONER FOX: So those were just the</p> <p>5 ones --</p> <p>6 MR. MULLIGAN: Yes, with the quantity.</p> <p>7 So I'm just trying to give the</p> <p>8 people the benefit of the amount of chickens if there</p> <p>9 is approval or no approval.</p> <p>10 My feeling, once again, is no</p> <p>11 approval. It's a voluntary situation. Like I said</p> <p>12 before, we can't control the geese, we can't control,</p> <p>13 you know, the birds. And the attraction that these</p> <p>14 hens and chickens bring, that's concerning.</p> <p>15 COMMISSIONER FOX: Thank you.</p> <p>16 CHAIRMAN KWASEK: Thank you.</p> <p>17 MR. MULLIGAN: Thanks.</p> <p>18 MR. PIROVANO: So my name is Rich Pirovano.</p> <p>19 My family is here. We are the ones who are renting</p> <p>20 the property from Vick, and we are the ones that</p> <p>21 somehow got tasked with this.</p> <p>22 We -- I never thought in a million</p> <p>23 years that having a harmless hen would be an issue in</p> <p>24 a place that's surrounded by geese, massive amounts</p>

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<p>1 of geese.</p> <p>2 And we've had our chickens since</p> <p>3 April, and we have not had one problem, not one, not</p> <p>4 from anybody in the neighborhood. They're mostly in</p> <p>5 their coop shed.</p> <p>6 So occasionally, you know, a couple</p> <p>7 times they've gotten out, but in terms -- if we're</p> <p>8 going to do mathematics, if we had to put a ratio</p> <p>9 together of how many times a chicken got out and</p> <p>10 maybe went over to a neighbor compared to a geese,</p> <p>11 we're talking properly 10,000 to 1, realistically.</p> <p>12 So most important to us is that we</p> <p>13 clarify what we asked for. In South Barrington's</p> <p>14 laws, there's a section that says livestock. Now,</p> <p>15 chickens legally are not livestock. They're not --</p> <p>16 they're not scientifically considered livestock. In</p> <p>17 that livestock section by South Barrington is</p> <p>18 included chickens. But, again, chickens are not</p> <p>19 livestock; they're pets. They're our pets.</p> <p>20 So we've had the chickens for a</p> <p>21 while. Our adjacent neighbors signed petitions</p> <p>22 saying that they're happy, and really there was no</p> <p>23 problem. Somebody filed a complaint, and here we</p> <p>24 are. We're just fighting for our kid's pets.</p>	<p>1 should be worried about something that doesn't harm</p> <p>2 anybody.</p> <p>3 In terms of diseases, all chickens</p> <p>4 are vaccinated at birth when you buy them. Whether</p> <p>5 you buy them from a hatchery or whether you buy them</p> <p>6 from Farm & Fleet, they're vaccinated and sent out.</p> <p>7 Otherwise, they're treated just like a pet. If</p> <p>8 they're in trouble, you try and nurse them back. If</p> <p>9 you can't do, you send them to the vet. And if the</p> <p>10 vet can't save the chicken, then the chicken would be</p> <p>11 euthanized and the vet would dispose of the chicken.</p> <p>12 So, yeah, my kiddo loves them.</p> <p>13 They're fun, they're nice, and they are harmless.</p> <p>14 So, again, prior to all of the sort</p> <p>15 of legalese that we've had to deal with, nobody had</p> <p>16 a problem. We've had no damage to property. I</p> <p>17 certainly would be more worried about a biting dog or</p> <p>18 something like that.</p> <p>19 But the board and us and Vick, we</p> <p>20 all set out to kind of say, all right, we have these</p> <p>21 chickens; let's figure out a way to make it work and</p> <p>22 so that everybody's comfortable.</p> <p>23 In terms of diseases, comparatively</p> <p>24 speaking, we're talking about tens of thousands of</p>
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<p>1 So the biggest concern that came up</p> <p>2 were in a last email that was sent last night, and it</p> <p>3 was regarding livestock. We would never want a</p> <p>4 livestock exemption. We don't have horses or cows.</p> <p>5 The coop, our neighbors would know</p> <p>6 if the coop was stinky. And we wouldn't want to live</p> <p>7 like that, nor would they. So we've never had a</p> <p>8 noise complaint; we've never had a stink complaint.</p> <p>9 We have had lots of neighbors</p> <p>10 complain about geese. Sometimes we can't take our</p> <p>11 kid out in the yard because the geese are so</p> <p>12 plentiful.</p> <p>13 So my thought was is that this is</p> <p>14 not an issue. People -- if nobody is harmed, then,</p> <p>15 therefore, this shouldn't be an issue.</p> <p>16 So we set out to try and get</p> <p>17 petitions, and we had our initial thing, which was</p> <p>18 sent out to SB Green. As you've heard, there were</p> <p>19 some issues that maybe should have been explained</p> <p>20 better. Again, because we've had no problem with</p> <p>21 anybody, these were the issues that came up, and</p> <p>22 everybody gave -- voiced their approval.</p> <p>23 Regarding the number of chickens, to</p> <p>24 me it's inconsequential. I don't think in America we</p>	<p>1 wild geese versus 20 chickens that are in a coop</p> <p>2 overall, a coop shed. So in terms of what threatens</p> <p>3 the neighborhood, ours are about one-one thousandth,</p> <p>4 one-ten thousandth of anything that would cause harm.</p> <p>5 So the biggest concern was that</p> <p>6 we're not applying for a livestock exception. I</p> <p>7 don't think that's a good idea. I don't think</p> <p>8 anybody would vote for that.</p> <p>9 I mean, yeah, we've got a couple</p> <p>10 acres. Everybody's got a couple acres. It's really</p> <p>11 not -- this isn't a livestock, and chicken aren't</p> <p>12 livestock. They're pets. They're our pets. They</p> <p>13 don't live as long as some pets, but they do live.</p> <p>14 And, again, they're perfectly</p> <p>15 healthy. They certainly wouldn't require -- or bring</p> <p>16 in rodents or any other things. They actually would</p> <p>17 eat them. They're great in terms of being able to</p> <p>18 keep the bug population down.</p> <p>19 They're simple birds. They don't</p> <p>20 require a fence; however, under the plan that we came</p> <p>21 up with, they would have a run, and they would be in</p> <p>22 that run. And other than that, Marco would take out</p> <p>23 one or two of them and play with them just like you'd</p> <p>24 play with a dog.</p>

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<p>1 So, you know, again, harmless. We</p> <p>2 don't have roosters. We don't have a smelly area.</p> <p>3 So nobody is really being harmed.</p> <p>4 In terms of the issue of having a</p> <p>5 coop shed, what to do with it, well, if we buy the</p> <p>6 place, then -- and everybody is happy, then we would</p> <p>7 keep it. But if not, you know, if we moved, we would</p> <p>8 have to get rid of it. And that's something that</p> <p>9 we've already worked out with the property owner.</p> <p>10 So, you know, there's lots of sheds in our area, so</p> <p>11 to me it could be converted to a shed very easily.</p> <p>12 So in terms of -- we wanted to hear</p> <p>13 everybody's concerns and issues. So there was quite</p> <p>14 a laundry list of them. They hadn't been brought up</p> <p>15 until, I believe, yesterday. But we want to hear</p> <p>16 them out, and we want everybody to realize that, you</p> <p>17 know, we've been here for four years, we're very</p> <p>18 neighborly, we love our community, and we've got a</p> <p>19 harmless family, a harmless kid, and harmless</p> <p>20 chickens.</p> <p>21 So we just want to figure out a way</p> <p>22 that, you know, we make this work so we can have a</p> <p>23 happy pet and where everybody is safe, and certainly</p> <p>24 chickens are very safe pets. They're fun and safe.</p>	<p>1 MR. PIROVANO: (Inaudible.)</p> <p>2 MASTER PIROVANO: We don't have crowing.</p> <p>3 We have 20 chickens, and there's</p> <p>4 nothing wrong. Chickens are just chickens. And so</p> <p>5 chickens -- you see a hen, you see a hen, you see a</p> <p>6 (indiscernible), but mom and I help fix that and take</p> <p>7 what we call a herding stick to chase them away from</p> <p>8 other people's gardens.</p> <p>9 So with that, the chickens are</p> <p>10 completely fine. They go never around in other</p> <p>11 yard -- they go to a yard where one of our neighbor</p> <p>12 lets them go there, and they go to another yard, but</p> <p>13 we chase them back. But they never run fast. They</p> <p>14 never go there. They only go over two times. So</p> <p>15 there's nothing else I can say. Chickens are just</p> <p>16 chickens.</p> <p>17 MR. PIROVANO: So generally I would think it</p> <p>18 would be healthy to have the concerns that our</p> <p>19 neighbors have and to have a, you know, a hearing or</p> <p>20 a robust debate to go over issues, pluses and</p> <p>21 minuses. We understand the concerns of a livestock</p> <p>22 variance because, again, I think that could be a</p> <p>23 Trojan horse. We just specifically were requesting a</p> <p>24 backyard hen program or variance utilizing what's</p>
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<p>1 And is there anything else, Hun,</p> <p>2 that you can think of?</p> <p>3 MASTER PIROVANO: (Inaudible.)</p> <p>4 MR. PIROVANO: Sure. Come on up.</p> <p>5 THE REPORTER: Could you spell your last name</p> <p>6 for me?</p> <p>7 MR. PIROVANO: Pirovano, P-i-r-o-v-a-n-o.</p> <p>8 This is Marco, my son.</p> <p>9 Go ahead.</p> <p>10 MASTER PIROVANO: What's this?</p> <p>11 MR. PIROVANO: That's the microphone.</p> <p>12 MASTER PIROVANO: I have 20 chickens. Nothing</p> <p>13 is wrong with chickens. I really like every single</p> <p>14 chickens I have. Chickens have nothing to do.</p> <p>15 Chickens are not livestock, according to what I</p> <p>16 looked up.</p> <p>17 Chickens are chickens</p> <p>18 (indiscernible) -- chickens do not need a thing</p> <p>19 attached to their foot. Chickens is not a thing</p> <p>20 for -- if they attached to the foot, it's attached to</p> <p>21 the foot. Chickens are good.</p> <p>22 So, in case, we have no roosters, so</p> <p>23 there is no attacking neighbors or anything like</p> <p>24 that. So we have --</p>	<p>1 already in, which is your animal control regulation</p> <p>2 5-3-3-K. So that's where we're going with that.</p> <p>3 Hun, do we have anything else to</p> <p>4 add?</p> <p>5 MS. PIROVANO: I just want to say the</p> <p>6 gentleman that spoke had said you can't control</p> <p>7 geese, you can't control geese, they're wild, but you</p> <p>8 can control chickens.</p> <p>9 Chickens are controlled. One time</p> <p>10 they did run out, and I got them back immediately,</p> <p>11 and they're in control.</p> <p>12 CHAIRMAN KWASEK: Ma'am, I'm so sorry to</p> <p>13 interrupt.</p> <p>14 Step up to the microphone, and go</p> <p>15 ahead and state your first name as well.</p> <p>16 MS. PIROVANO: My name is Dema (phonetic), and</p> <p>17 my husband and this is my son.</p> <p>18 So the chickens are controlled.</p> <p>19 And chicken don't spread diseases --</p> <p>20 and chickens do not spread diseases if they're</p> <p>21 vaccinated and they're controlled and they're not --</p> <p>22 I don't have a crowded coop. The coop is clean.</p> <p>23 They're not going to spread something all over the</p> <p>24 place. That's not possible unless the chickens --</p>

<p style="text-align: right;">Page 26</p> <p>1 unless we have like 100 chickens on a farm that's not 2 taken care of and they're like this and they're not 3 moving. Those chickens will spread Salmonella. But 4 a backyard chicken will not spread Salmonella if 5 they're vaccinated and if they are taken care of. 6 And if any are sick -- it all depend 7 on what food they eat, too. I gave my chickens 8 preventive medicine, also, to prevent them from 9 getting sick. 10 The chicken -- the coop is cleaned 11 once a week, and it is microbe in there to lift 12 anything. My chicken, it is for a family, you know. 13 My son is researching them. That's what makes him 14 happy. So they're not going to spread diseases. 15 And it will be irresponsible for us 16 to just let the chickens out and let them run all 17 over. Please, who does that? I wouldn't want that. 18 And, again, based on what I read for 19 livestock, the other concern is like, oh, are they 20 going to have horses, are they going to have whatever 21 else may be included in livestock. We're just here 22 for pet chickens only, backyard chickens only, not 23 for -- yes, you said -- yes, that is why we are here. 24 And as the neighbor said in first</p>	<p style="text-align: right;">Page 28</p> <p>1 cats taking strolls. So we thought nothing. 2 However, we are certainly willing to 3 make restitution in terms of, you know, a permit and 4 stuff like that. Because, again, we just saw the 5 sheds and we said, well, our chickens aren't going to 6 harm anybody. We're not raising, you know, cheetahs 7 or lions or snakes or pit bulls or, you know, 8 something crazy. So that's why I never was worried. 9 I mean, I fought for freedom in the 10 military, and I feel like if somebody's not harming 11 anybody, then how is this an issue when there's much 12 greater pressing issues like an overabundance of 13 geese or, you know, protection from people from going 14 door to door and smashing into cars or, you know, 15 break-ins or stuff like that and all the crazy stuff 16 that's going on in America these days. 17 So, you know, we want to keep 18 everybody happy. We want to follow, you know, a 19 good, fair plan. But in our opinion, we've got -- 20 we're not hurting anybody. We're not doing anything 21 wrong. And we're happy to be good neighbors, but at 22 the end of the day, we're not harming anybody. So we 23 want to continue to have safe and wonderful pets. 24 So thanks, everybody.</p>
<p style="text-align: right;">Page 27</p> <p>1 meeting, that's why we're here, to follow proper 2 procedures. We're going to have a hearing. 3 And, yes, I agree, I respect your 4 opinion. I respect everything that you said. But 5 you also have to add another person's perspective. 6 And according to the Mayor, we're going to follow the 7 proper procedures. 8 Hens are harmless. They're docile. 9 They don't attack people. And once they're in the 10 coop, they're in the coop. And it's clean, and 11 they're healthy chickens. I would not put my health 12 or my child's health at risk. 13 I work for 10, 15 years in a 14 hospital, and I was in infection control, so I know 15 about infections. I know how diseases are spread. I 16 would not put my family, especially my son, my only 17 son, at risk; and I would never put the community at 18 risk. 19 MR. PIROVANO: And, you know, in terms of we 20 are -- we would definitely acknowledge that we were 21 unaware of anything -- as I stated several times to 22 the board, I never thought in a million years that 23 there would be an issue. We see sheds throughout our 24 South Barrington Green, and we see pets, we see dogs,</p>	<p style="text-align: right;">Page 29</p> <p>1 MASTER PIROVANO: We mean no harm. 2 You don't even fix stuff your park 3 by Penny (indiscernible). This is a chicken, a 4 chicken. Chickens do no harm. Chickens are just 5 chickens. 6 Why don't you guys let us have 7 chickens? We have chickens, and I used to play with 8 all the chickens, the baby chicks and all those 9 chickens and even the big hens, like those black 10 ones, and then by September something, October, you 11 ruined it all. You gave us all stuff to say you 12 can't have chickens. And because I was so upset, I 13 said, "Mom, they say we can't have chickens. Mom, 14 they say we can't have chickens." And I was the most 15 heartbroken kid in the world. Do you even understand 16 how it feels? I've been heartbroken over things that 17 I've had since April. No. Chickens are fine. 18 Nothing is wrong. 19 I'm just want chickens -- I want 20 chickens, you know. I want chickens all the time. I 21 don't want to go to the public hearing. I'm sitting 22 here bored, and I have to be on a phone to do 23 anything. This public hearing is nonsense. We have 24 to get our chickens back.</p>

<p style="text-align: right;">Page 30</p> <p>1 MR. PIROVANO: Other people have to speak, 2 kiddo. Say thank you, though. 3 MASTER PIROVANO: Thank you. 4 MR. PIROVANO: Thank you, everyone. 5 MS. KANE: Hello. Elizabeth Kane, resident of 6 South Barrington. 7 I need to find out how everyone else 8 is getting all this information ahead of this meeting 9 so that I can be more informed. I apologize that I 10 need to find out where one gets all of 11 this information -- 12 UNIDENTIFIED SPEAKER: Email. She sent an 13 email out, weekly email. 14 MS. KANE: I read my weekly emails, but I 15 don't know all of this information about it. 16 So my question would be, having 17 lived in South Barrington a very long time, if we 18 have a premises that chickens are pets or, because 19 they're not livestock, therefore they must be pets, 20 and the variance that's being asked for is for a 21 fence for the pets, then that means all people who 22 have small dogs, like myself, who I don't want to let 23 out in the yard and who doesn't seem to respond to 24 electric ground fencing, I should be allowed a</p>	<p style="text-align: right;">Page 32</p> <p>1 email start to finish in the future. Thank you. 2 MR CHAUDHRY: Hello, everyone. My name is 3 Wasim, and I represent South Barrington Green 4 Homeowners Association. I am the president there. I 5 would like to start by thanking all of you for being 6 here at this hour. It's much appreciated. 7 Just a few things. I heard both 8 sides made a really good case. Thank you so much all 9 for bringing up all those points. I believe they're 10 important. And thanks, Rich and Marco, you know, for 11 your side as well. 12 My reasoning of coming to the podium 13 is just to give some clarity on when this all started 14 and how the neighborhood has been, you know, kind of 15 reacting to it. 16 This was brought to our attention in 17 November. And there were people -- no doubt, you 18 know, they're great neighbors. But there has been 19 some mistakes made as we initiated this whole 20 process. There was no permit requested because they 21 were not aware chickens were not allowed. They ended 22 up spending money on the coop and all. So that all 23 happened without permission, which is fine. 24 So moving on, then there was a</p>
<p style="text-align: right;">Page 31</p> <p>1 variance for my pet to have a pet fence. 2 And then where's the perimeter on my 3 dog pet fence versus a chicken pet fence? And why 4 even have fence regulations, because so many people 5 have pets. 6 And then another question, I 7 understand that anything that I do I may think harms 8 no one else, but if my neighbor changes what I might 9 be doing that isn't in the conforming to the rules 10 and regulations of the Village that I'm living in, it 11 could present something negative to the person who 12 wants to move into the neighboring household if I am 13 not following the rules that they understand to be 14 acceptable rules of the community that they're moving 15 into. 16 So I guess I would say, how do we 17 maintain them if we only go on the premise that what 18 I'm doing isn't harming anyone? How do we go on that 19 premise and still have a desirable community to live 20 in and to have a desirable community to have others 21 move into so that those who are no longer going to be 22 in this community can sell their homes without having 23 to have a lot of other things. 24 So I apologize. I will read every</p>	<p style="text-align: right;">Page 33</p> <p>1 hearing scheduled. So in November when this whole 2 issue came up, we sent out a quick email, and as John 3 mentioned in his conversation, we took a quick poll 4 from the neighbors asking them if they were okay with 5 the chickens. At that time the majority that 6 responded said they were okay with them. So there 7 was no harm, so we went along with it. 8 But at that time -- what's changed 9 from that time until now is there's been a hearing 10 now for, you know, this ordinance making a change in 11 the property, right? So this has concerned the 12 neighbors. Now everybody is voicing their opinions. 13 Things have changed. People are more serious about 14 the issue now. 15 So one of the things I wanted to 16 correct was we did find out about the number of 17 chickens in late December. Prior to that we were not 18 aware that we were talking about 20 chickens. So the 19 first poll that went out, we never listed the number 20 of chickens. We were under the impression there 21 might be five, six, seven, eight. 22 And as the board did our own due 23 diligence, we researched all the neighborhoods, all 24 the towns that have allowed chickens, and based on</p>

<p style="text-align: right;">Page 34</p> <p>1 our findings, an average range that we have seen is 2 four, five, six. There are a couple of towns that 3 allow eight or ten. 4 And to your question if there's a 5 document, I did come across a document on the 6 internet. I'm not sure of how valid that is, but it 7 does list several towns that does not allow chickens, 8 and I can follow that up too, that issue. 9 So the whole idea was to make you 10 all aware of the concerns that were voiced so you can 11 keep that in perspective when we go to session. 12 Things that came up from the 13 neighbors recently is, the point of contention that I 14 felt, was the number of chickens. Everybody is 15 questioning why 20 -- not everybody. You know, quite 16 a few, right? 17 There are some neighbors that are 18 for this; they don't mind having chickens. But then 19 there are several neighbors that are opposed to this. 20 So we are kind of divided at the moment. So the main 21 point of contention was the number of chickens. 22 Then another problem that the people 23 were bringing up was that hens are allowed to roam 24 anywhere they like. And I'm just going by what I</p>	<p style="text-align: right;">Page 36</p> <p>1 MR. MULLIGAN: Can I ask a question? 2 CHAIRMAN KWASEK: Sure. 3 MR. MULLIGAN: What is your position; yes, no, 4 or neutral? 5 MR. CHAUDHRY: So my position on this is as a 6 homeowner I would be opposed to this. 7 But let me clarify one thing: If 8 the majority in the subdivision wants it and there is 9 an approval from, of course, the South Barrington 10 Village, we'll vote it. 11 MS. LAMB: I just want to clarify quickly for 12 those present that since there is no hearing tonight, 13 there will be no decision by the board tonight. That 14 will be continued to another plan commission meeting 15 when proper notice has been given by the applicants. 16 Just so everybody is aware, we're hearing public 17 comment if anyone wants to speak on the issue, but no 18 decisions will be made tonight. 19 MR. CHAUDHRY: Thank you. 20 MR. HIGHLAND: Good evening. My name is Mark 21 Highland. I actually found out about this whole 22 chicken thing -- my wife and I live in the Hunters 23 Ridge. She's actually on the board over there too. 24 I just found out about this last night, so I'm just</p>
<p style="text-align: right;">Page 35</p> <p>1 have seen. I have not been able to actually, you 2 know, verify how correct all this information is. 3 And then another concern was if -- 4 that this is no longer about chickens, this is about 5 livestock variance. So one of the neighbors did list 6 that they do not believe that livestock variance is 7 appropriate for any property in our subdivision. 8 Another concern brought was that 9 this is a family subdivision; it's not intended for 10 livestock. People feel it might affect their 11 property values as well. 12 Another concern brought up was the 13 size, stating that our lots are not large enough for 14 farm animals or the predators that they attract which 15 would be hazardous for young children playing in 16 their back yards or small pets. 17 So these are the things that came 18 up, and I wanted to make sure I bring that up so you 19 are aware of this. 20 Other than that, I think that's all 21 I have. Thank you so much. 22 THE REPORTER: Could you spell your first and 23 last name? 24 MR. CHAUDHRY: W-a-s-i-m, C-h-a-u-d-h-r-y.</p>	<p style="text-align: right;">Page 37</p> <p>1 kind of finding out everything about this. 2 I'll be honest with you, this is my 3 opinion: Times have changed. People -- I have 4 friends in Palatine, Barrington Hills, Chicago, they 5 have chickens in the back for a couple -- I'm not 6 saying 20, I'm saying five, six chickens. 7 Geese poop, a lot more toxic. 8 Can you control wildlife? Of course 9 you can. My parents lived in Lincolnshire. There 10 was an infestation of white-tailed deer and an 11 infestation of geese. You know what they did? They 12 hired active military snipers to take out those 13 animals because they were pooping and causing a crazy 14 problems. 15 CHAIRMAN KWASEK: I think that's illegal, 16 right? I think that's illegal. You can't shoot the 17 geese. You can -- 18 MR. HIGHLAND: With tranquilizers and stuff 19 like that, yes, you can. 20 CHAIRMAN KWASEK: I don't think you can have a 21 firearm within 500 feet of a residence -- 22 MR. HIGHLAND: A tranquilizer firearm you can, 23 and buckshot you can, too. Because they were hired 24 by the Village of Lincolnshire. There was a board</p>

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<p>1 hearing back then. I was in high school then. 100 2 percent you have to control -- you have control of 3 wildlife (inaudible.) 4 The problem was in Lincolnshire they 5 were eating all the vegetation and you spread disease 6 among those animals. All of a sudden you have -- 7 that is why you have the chronic waste disease in 8 white tails around here. That is worse than any 9 chicken poop. 10 Now, do I believe chickens should be 11 roaming around here? Absolutely not. But it's the 12 same thing like if my neighbor had a Doberman 13 pinscher or a German Shepherd, should I be worried? 14 I have three kids. I have a six-year-old, I have 15 four-year-old, and a two-year-old. I would be more 16 worried about my children, which I -- we lived in 17 another part of Barrington in my childhood and I was 18 bit by a dog, a cocker spaniel or something. So I 19 should be more worried about that dog. 20 Now, if I wanted to have five 21 chickens -- I know the rule in Barrington. I don't 22 have any chickens. But let's say I wanted to have 23 five chickens to supply fresh eggs, because you go to 24 the store nowadays, it's all garbage what's in there.</p>	<p>1 on the board and we talked about it, hey, maybe a lot 2 of people don't want greenhouses in the back. Why 3 not? Why not grow some veggies year-round, fresh 4 veggies. 5 Listen, you know, the whole vaccine, 6 the whole -- sorry for my language -- crap you get 7 from the store, I'd rather have my own stuff no 8 matter what. 9 Do I raise chickens? I do up north 10 in Michigan. I have 220 acres. My dad is up there 11 with friends. We have 100-some chickens. We bring 12 those chickens here; we freeze them; we eat them all 13 year. Why? Because they don't taste like anything 14 you buy from the store here, period. 15 Now, if I have five chickens in the 16 backyard here for fresh eggs every couple days, is 17 that really going to harm anything? 18 That's my two cents. I know the 19 rules in South Barrington on that. That's fine. But 20 sometimes change isn't that bad. And, of course, it 21 has to be rules, it has to be regulated and 22 everything in the scope of things. Nobody is saying 23 here that everybody have -- and, yes, a chicken is 24 not livestock. By federal regulation, by definition,</p>
Page 39	Page 41
<p>1 I don't care what store you go to. Now, if I grow my 2 own garden, have fresh vegetables, is that really a 3 big difference? No. 4 If you have chickens as a pet, is it 5 really a big deal? People probably have parrots, 6 little dogs, snakes, whatever the case may be. But I 7 don't see -- I think there should be -- I sometimes 8 say out of sight, out of mind. You know, if you have 9 a couple chickens as pets or even for eggs or 10 whatever, is it that big of a deal if it's not 11 intruding on your neighbor's property, senses, 12 anything? I mean, you know, I think there should be 13 a little bit of a change, you know, that has to be 14 made. 15 You know, yes, I'm 43 years old. 16 South Barrington, most of the residents are older in 17 the community. But I do have a lot of friends that 18 wouldn't mind maybe moving to South Barrington, and 19 with all the restrictions and a lot of different 20 things -- I understand it keeps up the property 21 values and keeps up everything, don't get me wrong, 22 but things -- you have to change a couple things here 23 and there. 24 You know, even at Hunters Ridge, I'm</p>	<p>1 a chicken is not livestock. Lamb, cattle, beef, 2 pork, that is livestock, just to clarify. 3 Thank you very much. 4 MS. LAMB: Thank you. 5 MS. DE LEON: Hi. Pam DeLeon. I must say, 6 you guys must like eggs. I hope you have a lot of 7 eggs. 8 I don't really care about chickens, 9 if you have chickens. I think if they're approved to 10 have a chicken coop, then anyone should be -- there 11 should be limits about it. I think -- I don't know 12 about 20 chickens for a pet. I have three kids. You 13 know, I think there's got to be rules and 14 regulations, whether it's five, six chickens. 15 I mean, we have two acres. I'd like 16 to have a chicken coop. I'd be happy to buy some of 17 your chickens. 18 All I'm saying is, I just think in 19 the future if you approve one, there should be rules 20 around it. Is it one chicken coop per neighborhood? 21 Is it every neighborhood can have 10 chicken coops? 22 That's all I'm asking, is that there are rules. 23 Thank you. 24 MS. MC COMBIE: Paula McCombie, 32 Revere</p>

<p style="text-align: right;">Page 42</p> <p>1 Drive, and Mayor of South Barrington.</p> <p>2 So I have an email from somebody</p> <p>3 today who couldn't make it, and so I would just like</p> <p>4 to read it to the board since I have permission to do</p> <p>5 that -- to the commission:</p> <p>6 "Dear Mayor McCombie, my name is</p> <p>7 Laura Greenstein. I lived at 42 Beechnut Drive. I</p> <p>8 am writing concerning the livestock variance that's</p> <p>9 being proposed.</p> <p>10 "My immediate concern is lack of</p> <p>11 time to address the issue of the variance. Initially</p> <p>12 the subdivision received a group email about the</p> <p>13 chickens, and most responded with an okay, myself</p> <p>14 included. However, this issue has now morphed into</p> <p>15 obtaining a variance with detailed documentation that</p> <p>16 was sent to the homeowners just a few days ago.</p> <p>17 "The simple idea of having 10</p> <p>18 chickens in a coop has now created the necessity of</p> <p>19 obtaining a variance and one that appears to be</p> <p>20 open-ended."</p> <p>21 So, in other words, her information</p> <p>22 must have been for 10 chickens.</p> <p>23 "Further, the variance is being</p> <p>24 requested by the homeowner for a tenant which I do</p>	<p style="text-align: right;">Page 44</p> <p>1 meeting, I give my permission to read it. Regards,</p> <p>2 Laura Greenstein."</p> <p>3 THE REPORTER: Could you spell her name and</p> <p>4 your name?</p> <p>5 MAYOR MC COMBIE: Certainly. M-c-C-o-m-b-i-e,</p> <p>6 and Laura Greenstein's last name is spelled</p> <p>7 G-r-e-e-n-s-t-e-i-n, and Laura, L-a-u-r-a.</p> <p>8 THE REPORTER: Thank you.</p> <p>9 MR. PIROVANO: I just wanted to read another</p> <p>10 one. This is Rich again. Hopefully we'll be</p> <p>11 through. I'm sorry for the delay. I'll try to be</p> <p>12 fast.</p> <p>13 We got some messages that were sent</p> <p>14 out on the last email. I wanted to read one -- I</p> <p>15 want to read a couple of them. I'll try to be brief.</p> <p>16 If anybody else has anything else to</p> <p>17 say, I can find this. It won't take me but a couple</p> <p>18 minutes.</p> <p>19 CHAIRMAN KWASEK: Well, there will be a public</p> <p>20 hearing on this.</p> <p>21 MR. PIROVANO: So this is just public comment?</p> <p>22 MR. MULLIGAN: When will that be, in March?</p> <p>23 MS. LAMB: That depends on when the tenant</p> <p>24 gets the notice out. So that's to be determined.</p>
<p style="text-align: right;">Page 43</p> <p>1 not know until a -- which I did not know until a few</p> <p>2 days ago.</p> <p>3 "After thorough consideration, I now</p> <p>4 disagree with the whole issue of keeping chickens in</p> <p>5 a residential community. Once set in place, we have</p> <p>6 no recourse if the property being rented is not</p> <p>7 maintained or the chickens are not being confined and</p> <p>8 cared for. We cannot set ourselves up for an issue</p> <p>9 that can lead to a legal battle if the initial intent</p> <p>10 of the variance is not met and maintained.</p> <p>11 "I feel we do not have enough time</p> <p>12 with the meeting tonight to prepare a response. I'm</p> <p>13 ready to voice my opinion to the livestock variance</p> <p>14 and to ask if this discussion can be tabled and moved</p> <p>15 to the next meeting to allow us time to prepare our</p> <p>16 response. I know of three families that cannot be</p> <p>17 present at the meeting because of the short notice.</p> <p>18 I believe something as important as changing the</p> <p>19 zoning of our neighborhood should not be rushed</p> <p>20 through.</p> <p>21 "I further oppose the variance and</p> <p>22 the keeping of any livestock in a residential</p> <p>23 neighborhood. If this email needs to be read allowed</p> <p>24 to become part of the permanent record at tonight's</p>	<p style="text-align: right;">Page 45</p> <p>1 MR. PIROVANO: So, yeah, basically I can't</p> <p>2 find it, but it was -- there were a couple of notes</p> <p>3 that were sent in saying that, no, the kid should be</p> <p>4 able to keep the chickens; they're not harming</p> <p>5 anything; they're not causing any harm; they're not</p> <p>6 selling eggs; they're not selling chickens, and the</p> <p>7 kid needs to keep his chickens.</p> <p>8 And then another one was from our</p> <p>9 neighbors, you know, people who we basically share</p> <p>10 our back yards. All three gave us permission and</p> <p>11 gave us their approval for the chickens. And if</p> <p>12 anybody -- if the chickens themselves were a real</p> <p>13 issue with the smell or any other things, those</p> <p>14 people, our neighborhood, it -- they're</p> <p>15 interconnected, but yet there's three for our house</p> <p>16 that are literally like right next door where our</p> <p>17 back yards are essentially the same. So it's crucial</p> <p>18 for everybody in that vicinity to be on the same page</p> <p>19 where they wouldn't be affected.</p> <p>20 So one family is in Pakistan, so</p> <p>21 they can't be here, but they voiced their approval as</p> <p>22 well. So there were a lot of people that weren't</p> <p>23 here or weren't able to be here.</p> <p>24 But we certainly look forward to</p>

<p style="text-align: right;">Page 46</p> <p>1 clarifying the exemption being that it is only for 2 backyard hen and not livestock. That was a big 3 concern, and we just want to make sure, we do not 4 want a livestock variance. We are not asking for a 5 livestock variance. It is a backyard hen -- pet hen 6 program. So thank you. 7 CHAIRMAN KWASEK: Is there anyone else? 8 MASTER PIROVANO: (Indiscernible.) 9 CHAIRMAN KWASEK: Hearing no other, we'll call 10 the public comment portion of the meeting as done. 11 The next public hearing agenda item 12 is the pool fence variance for the property located 13 at 8 Rainier Circle. 14 Can I have a motion to open the 15 public hearing? 16 COMMISSIONER GILLIS: So motioned. 17 CHAIRMAN KWASEK: Do I have a second? 18 COMMISSIONER KAZI: Second. 19 CHAIRMAN KWASEK: Second. Roll call. 20 MR. PALMER: Fox? 21 COMMISSIONER FOX: Yes. 22 MR. PALMER: Gillis? 23 COMMISSIONER GILLIS: Yes. 24 MR. PALMER: Kazi?</p>	<p style="text-align: right;">Page 48</p> <p>1 MR. LUISI: Okay. I can drop them off 2 tomorrow. 3 MR. PALMER: Okay. 4 CHAIRMAN KWASEK: Okay. Whoever is going to 5 present, please present. 6 MR. MICHALSKI: Thank you. So the variance is 7 regarding the full fence encroaching by 8 two-and-a-half feet over the building setbacks. This 9 is -- the reason of that is the outer kitchen was 10 constructed, and one corner of that outer kitchen is 11 encroaching on the building setback. 12 The petitioner was willing to move 13 part of the fence -- or is willing to move part of 14 the fence, but it would create a triangle offset of 15 the kitchen which still would encroach over the 16 building setback. 17 So in this situation, whether it's 18 encroaching, in my personal opinion, by 11 inches or 19 2 feet, it doesn't really harm the neighbors. 20 We also received a letter stating 21 that the neighbors are okay with that fence being 22 closer. 23 CHAIRMAN KWASEK: Okay. Any questions? 24 COMMISSIONER GILLIS: Can you refresh my</p>
<p style="text-align: right;">Page 47</p> <p>1 COMMISSIONER KAZI: Yes. 2 MR. PALMER: Kwasek? 3 CHAIRMAN KWASEK: Yes. 4 MR. PALMER: Approved. 5 CHAIRMAN KWASEK: Okay. Is there a 6 presentation on this issue? 7 MR. MICHALSKI: Yes. 8 MR. PALMER: Before we get there -- 9 CHAIRMAN KWASEK: Do I swear him in? 10 MS. LAMB: He's presenting on behalf of the 11 Village. 12 CHAIRMAN KWASEK: Do we have the petitioner 13 here? 14 MR. LUISI: Yes. 15 (Witness sworn.) 16 CHAIRMAN KWASEK: Please state your name and 17 address? 18 MR. LUISI: Nicholas Luisi, 335 West Michigan 19 Avenue, Palatine, Illinois 60067. 20 CHAIRMAN KWASEK: Okay. 21 MR. PALMER: Do you have the notices with you? 22 MR. LUISI: I don't have them with me, but 23 they were sent out certified mail. 24 MR. PALMER: Okay. We need those receipts.</p>	<p style="text-align: right;">Page 49</p> <p>1 memory, again, just how this mistake happened? 2 MR. MICHALSKI: So the fence was constructed 3 or the pool was constructed and the permit was issued 4 before I started working for the Village. So I 5 walked into an existing situation. By trying to 6 close the permits, this is what we learned, that this 7 is what happened. 8 On the site plan, the kitchen was 9 not marked that -- as being constructed. However, on 10 the plan submittal, it showed that there is a 11 kitchen. 12 CHAIRMAN KWASEK: Did it show where it was 13 located? 14 MR. MICHALSKI: No, it did not show the 15 location. 16 CHAIRMAN KWASEK: Okay. 17 MR. LUISI: If you would like to -- the reason 18 how it happened was it was a mistake on my measuring, 19 is what happened. I did not intend for it to be 20 outside of the 25-foot setback. I just straight up 21 measured it wrong, and that's how it ended up to be 22 there. 23 So I'm here to ask for mercy and 24 forgiveness on this, because the homeowners -- I'm</p>

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1 the swimming pool contractor, so this project was my
2 responsibility. So you can imagine that I am in some
3 hot water with the client, the homeowner, because
4 they do not want me to rip up their outer kitchen.
5 So I'm hoping that I can have a variance and prevent
6 that and save that.

7 CHAIRMAN KWASEK: Any other question or
8 comment?

9 Okay. Hearing none, can I have a
10 motion either to approve or to disapprove?

11 MS. LAMB: Wait. Hold on.

12 CHAIRMAN KWASEK: I need a motion.

13 COMMISSIONER FOX: Actually, can I ask a
14 question?

15 CHAIRMAN KWASEK: Sure.

16 COMMISSIONER FOX: So if this had to be
17 adjusted and we didn't approve it, what would be
18 required for you to do to rectify this and fit into
19 the setbacks?

20 MR. LUISI: So for me to make it fit into the
21 setbacks, I'd have to cut off a corner of the outer
22 kitchen.

23 So I have offered that to the
24 client, to be able to move the fence so that it is in

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1 the right spot. They have told me that, no, move the
2 whole thing. So this is kind of like my last resort
3 before I have to move the whole kitchen.

4 CHAIRMAN KWASEK: How is the kitchen
5 constructed? Is it masonry?

6 MR. LUISI: It's a masonry kitchen.

7 CHAIRMAN KWASEK: So it's all hand-laid brick
8 or something?

9 MR. LUISI: It's all mortared brick, and then
10 it has a granite countertop on it with a concrete
11 foundation.

12 COMMISSIONER GILLIS: Footings?

13 MR. LUISI: Footings, yes.

14 MR. MICHALSKI: And also utilities, electric
15 and gas underground.

16 COMMISSIONER KAZI: So if you were to just
17 chop off a part, so the owner doesn't want to because
18 it's unsightly, or would there be an issue with just
19 chopping off just --

20 MR. LUISI: Well, there is actually an
21 appliance right there where it's located. So it's
22 not only losing a corner, but you also lose the
23 appliance as well.

24 COMMISSIONER FOX: And is the gas and electric

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1 right there in that corner too? Is that -- would
2 that be affected?

3 MR. LUISI: Yes, because there is gas -- or
4 electric going to that appliance there.

5 I don't exactly know where exactly
6 the gas line is. I know it comes up underneath where
7 the grill is, which is a little bit to the left of
8 it, the corner. But I know for sure the electric
9 would be hit.

10 COMMISSIONER FOX: Do we have other instances
11 of, you know, this type of issue?

12 CHAIRMAN KWASEK: We've had, I remember, a
13 pool fence that was requested for a variance, but it
14 had not been constructed yet. So from the standpoint
15 of an existing condition, I can't remember one that
16 has come back like this.

17 COMMISSIONER GILLIS: No.

18 CHAIRMAN KWASEK: You know, I'm told that
19 there were -- a previous building inspector was
20 involved and made statements, so it's not totally cut
21 and dry. And you get to this point, and it's kind of
22 a mess.

23 From my own experience and my own
24 opinion, setbacks are not a recommendation, they're

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1 not a suggestion; they are an absolute. If you need
2 to be back from the setback to give yourself some
3 cushion, well, then set it a foot off the setback
4 line.

5 But a lot of times everybody wants
6 to build right on the setback line, and things aren't
7 always perfect in the field, especially if you're
8 working out in the mud. So mistakes can be made.
9 And if you're right on the line, well, then you're
10 over the line, and then here we are.

11 So -- well, you got bushes there, so
12 that's going to grow up and hide it a little bit.

13 Is there anymore discussion?

14 Is there anyone in the audience
15 that's here for this issue?

16 MS. STAGNO: I've heard --

17 THE REPORTER: Excuse me. Your name, please.

18 MS. LAMB: Can you come to the microphone?
19 We have somebody here, a court reporter here, so she
20 needs to be able to hear people.

21 MS. STAGNO: Stagno, Marilyn Stagno.
22 6 East Cove. I just have a question about permission
23 from the neighbors.

24 How is there proof for sure that

<p style="text-align: right;">Page 54</p> <p>1 they're okay with it other than letters or anything</p> <p>2 legally required? Does it affect their -- other</p> <p>3 people's --</p> <p>4 UNIDENTIFIED SPEAKER: Aesthetics?</p> <p>5 MS. STAGNO: Well, their official land plan,</p> <p>6 that sort of thing.</p> <p>7 CHAIRMAN KWASEK: The survey?</p> <p>8 MS. STAGNO: Yeah, the plot and survey and --</p> <p>9 CHAIRMAN KWASEK: That's where it showed up.</p> <p>10 You're required to have an as-built survey, and the</p> <p>11 as-built survey shows the dimensions of the</p> <p>12 encroachment.</p> <p>13 COMMISSIONER FOX: Is there any possibility to</p> <p>14 have larger bushes put in here to rectify the</p> <p>15 situation?</p> <p>16 CHAIRMAN KWASEK: You know, you're talking</p> <p>17 about a year or two and they're going to grow up.</p> <p>18 COMMISSIONER FOX: And they'll do better if</p> <p>19 they start smaller.</p> <p>20 CHAIRMAN KWASEK: Those are pretty small.</p> <p>21 MR. LUISI: I just want to clarify something</p> <p>22 on the question that was just asked.</p> <p>23 We're not encroaching on any</p> <p>24 property lines. So there is no effect to the</p>	<p style="text-align: right;">Page 56</p> <p>1 MS. LAMB: If you guys are done -- if you</p> <p>2 don't have further discussion, you're free to do so</p> <p>3 once you have a motion and a second. Otherwise,</p> <p>4 you're free to close the hearing.</p> <p>5 COMMISSIONER GILLIS: We can vote.</p> <p>6 CHAIRMAN KWASEK: Vote?</p> <p>7 COMMISSIONER GILLIS: Yes.</p> <p>8 CHAIRMAN KWASEK: So do we have a motion to</p> <p>9 either approve or disapprove?</p> <p>10 COMMISSIONER KAZI: So I would like to make a</p> <p>11 motion to approve the variance, because seeing that</p> <p>12 the neighbors don't object and because it's within</p> <p>13 their own property, I move that this variance be</p> <p>14 approved.</p> <p>15 CHAIRMAN KWASEK: Okay. Do I have a second?</p> <p>16 COMMISSIONER GILLIS: I'll second that.</p> <p>17 CHAIRMAN KWASEK: Okay.</p> <p>18 MR. PALMER: Roll call?</p> <p>19 CHAIRMAN KWASEK: You bet.</p> <p>20 MR. PALMER: Fox.</p> <p>21 COMMISSIONER FOX: Yes.</p> <p>22 MR. PALMER: Gillis.</p> <p>23 COMMISSIONER GILLIS: Yes.</p> <p>24 MR. PALMER: Kazi.</p>
<p style="text-align: right;">Page 55</p> <p>1 neighbor's actual property, because we have not</p> <p>2 encroached on the actual property lines.</p> <p>3 COMMISSIONER GILLIS: It's a setback.</p> <p>4 MR. LUISI: We've encroached on a setback from</p> <p>5 that.</p> <p>6 CHAIRMAN KWASEK: Right. Okay. No one else</p> <p>7 has anything on this?</p> <p>8 Can I have a motion to close the</p> <p>9 public hearing?</p> <p>10 COMMISSIONER FOX: So moved.</p> <p>11 COMMISSIONER GILLIS: Second.</p> <p>12 MR. PALMER: Fox.</p> <p>13 COMMISSIONER FOX: Yes.</p> <p>14 MR. PALMER: Gillis?</p> <p>15 COMMISSIONER GILLIS: Yes.</p> <p>16 MR. PALMER: Kazi?</p> <p>17 COMMISSIONER KAZI: Yes.</p> <p>18 MR. PALMER: Kwasek?</p> <p>19 CHAIRMAN KWASEK: Yes.</p> <p>20 MR. PALMER: Hearing is closed.</p> <p>21 CHAIRMAN KWASEK: So we have four votes. So</p> <p>22 an approval would require three of four.</p> <p>23 Do we have anymore discussion, or</p> <p>24 are we done and just vote?</p>	<p style="text-align: right;">Page 57</p> <p>1 COMMISSIONER KAZI: Yes.</p> <p>2 MR. PALMER: Kwasek.</p> <p>3 CHAIRMAN KWASEK: Abstain.</p> <p>4 So the motion passes.</p> <p>5 MR. LUISI: Thank you very much. I appreciate</p> <p>6 it.</p> <p>7 CHAIRMAN KWASEK: Well, we only recommend to</p> <p>8 the Village board. We don't control anything. We</p> <p>9 just recommend. It's the Village board, that's who</p> <p>10 is going to say yea or nay.</p> <p>11 MR. LUISI: I appreciate this part, though, so</p> <p>12 thank you.</p> <p>13 CHAIRMAN KWASEK: Is there any old business?</p> <p>14 Is there any new business?</p> <p>15 Do I have a motion to adjourn?</p> <p>16 COMMISSIONER KAZI: So moved.</p> <p>17 COMMISSIONER FOX: Second.</p> <p>18 CHAIRMAN KWASEK: All in favor?</p> <p>19 COMMISSIONER FOX: Aye.</p> <p>20 COMMISSIONER GILLIS: Aye.</p> <p>21 COMMISSIONER KAZI: Aye.</p> <p>22 CHAIRMAN KWASEK: Aye.</p> <p>23 Happy days.</p> <p>24 * * * * *</p>

1 STATE OF ILLINOIS)
2) SS.
3 COUNTY OF DU PAGE)
4 I, Kathleen M. Grove, CSR. No. 84-002197, RPR,
5 do hereby certify that I reported in shorthand the
6 proceedings had at the hearing of the above-entitled
7 cause and that the foregoing Report of Proceedings,
8 Pages 1 through 57, inclusive, is a true, correct,
9 and complete transcript of my shorthand notes taken
10 at the time and place aforesaid.
11 I further certify that I am not counsel for
12 nor in any way related to any of the parties to this
13 suit, nor am I in any way, directly or indirectly
14 interested in the outcome thereof.
15 This certification applies only to those
16 transcripts, original and copies, produced under my
17 direction and control; and I assume no responsibility
18 for the accuracy of any copies which are not so
19 produced.
20 IN WITNESS WHEREOF I have hereunto set my hand
21 this 28th day of March, 2024.
22 *Kathleen M. Grove*
23 Certified Shorthand Reporter
24

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10 27:13 41:21 42:17,22	43 39:15	acceptable 31:14
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