



**PLAN COMMISSION/ZONING
BOARD OF APPEALS
VILLAGE OF SOUTH
BARRINGTON**

Date: October 23, 2024

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PLAN COMMISSION/ZONING BOARD OF APPEALS
VILLAGE OF SOUTH BARRINGTON

AGENDA
WEDNESDAY, OCTOBER 23, 2024
7:00 p.m.

Roll Call

Public Comment re: Solar Project - Fred Finn

Forest View Comments

Projades Comments

Area N Development Comments

Village Zoning Ordinance re: Driveways

Adjourned

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Held on Wednesday, October 23, 2024,
commencing at the hour of 7:02 p.m. at
South Barrington Village Hall, 30 South
Barrington Road, South Barrington, Illinois.

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A P P E A R A N C E S

PLAN COMMISSION PRESENT:

Michael McCombie, Chairman
David Gillis, Commissioner
Anthony Abri, Commissioner
Shahzad Kazi, Commissioner
Louise Fox, Commissioner
Narayan Murarka, Commissioner
Julius Kwasek, Commissioner

ALSO PRESENT:

James Vasselli, Village Attorney
Robert Palmer, Village Administrator
Paula McCombie, Mayor of South Barrington

Damian Michalski, Building & Zoning Officer
Carissa Smith, Engineer
Dan Shapiro, Attorney
Natalie Karney, Consultant
Ram Prashantha
Thakor Patel

PUBLIC COMMENTS:

Fred Finn, Resident

Members of the Public

REPORTED BY: JAMYE GIAMARUSTI, CSR

LICENSE NO: 084.004183

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1 CHAIRMAN MCCOMBIE: This is the meeting for
2 the Plan Commission/Zoning Board of Appeals.

3 I've got to admit. I was at the board
4 meeting, and I was the only person in the
5 audience. And all the board members felt very
6 jealous that though don't have people.

7 So, you if guys can come to some
8 meetings for the Board, it would really be
9 appreciated.

10 Roll call.

11 VILLAGE ADMINISTRATOR PALMER: Abri?

12 COMMISSIONER ABRI: Here.

13 VILLAGE ADMINISTRATOR PALMER: Fox?

14 COMMISSIONER FOX: Yes.

15 VILLAGE ADMINISTRATOR PALMER: Gillis?

16 COMMISSIONER GILLIS: Yes.

17 VILLAGE ADMINISTRATOR PALMER: Kazi?

18 COMMISSIONER KAZI: Yes.

19 VILLAGE ADMINISTRATOR PALMER: Kwasek?

20 COMMISSIONER KWASEK: Here.

21 VILLAGE ADMINISTRATOR PALMER: Murarka?

22 COMMISSIONER MURARKA: Yes.

23 VILLAGE ADMINISTRATOR PALMER: McCombie?

24 CHAIRMAN MCCOMBIE: Yes.

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1 VILLAGE ADMINISTRATOR PALMER: We have a
2 quorum.

3 CHAIRMAN MCCOMBIE: Okay. We didn't get the
4 minutes from the court reporter from last week.
5 We'll wait to read the minutes.

6 Now would be the time for public
7 comment. If anybody would like to do that,
8 please.

9 (Witness sworn.)

10 CHAIRMAN MCCOMBIE: State your name and your
11 address, please.

12 MR. FINN: Fred Finn. I live at 4 Mohawk
13 Drive, South Barrington.

14 Our subdivision would like to go on
15 record. At two previous South Barrington
16 meetings, there were discussions regarding the
17 solar project. It's my understanding they're
18 not presenting tonight, correct?

19 CHAIRMAN MCCOMBIE: That is correct.

20 MR. FINN: It was voted and agreed upon by
21 the members of the Board and verbally
22 acknowledged that nothing would move forward
23 without the proper testing of drainage and
24 pollution. A water mitigation study was

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1 supposed to be conducted and hydrology studies.

2 When it was brought up, multiple board
3 members agreed nothing will happen until these
4 studies were completed.

5 To my knowledge neither were completely
6 yet. Is that true?

7 CHAIRMAN MCCOMBIE: No. They've completed a
8 water study that was presented to us last month,
9 which was a drainage, a drainage study. They
10 presented that. And then there's another study
11 that's continuing on.

12 MR. FINN: And does the study take into
13 effect that we're on a three-month draught? I
14 mean, our pond is down a foot and a half right
15 now. So would that come into effect with any of
16 the studies?

17 CHAIRMAN MCCOMBIE: Could we ask engineering
18 about that, please?

19 THE COURT REPORTER: Your name?

20 MS. SMITH: Carissa Smith.

21 So typically what we do is you run
22 hydraulic models from equations and graphs. And
23 the draught really doesn't take into effect
24 because you use your calculations from various

1 computer models that run the various average
2 rain events that occur throughout the year.

3 So, realistically, if you have a
4 draught or a really wet season, it takes the
5 average of it all. It can't really take the
6 drastic ups and down of the weather. So we'll
7 be over-designing or under-designing.

8 So it takes the average rainfall event,
9 which is what's taken with all the charts and
10 all the computer programs that the models run in
11 order to produce the information for the
12 stormwater that's proposed.

13 MR. FINN: To the best of the Board's
14 knowledge, has the Army Corps of Engineers been
15 involved at all or have they been brought up to
16 speed on what's happening?

17 MS. SMITH: This one doesn't have
18 jurisdiction on that property.

19 MR. FINN: The reason I ask that is that we
20 contacted the Army Corps of Engineers and the
21 assistant chief Chicago (inaudible) that the
22 major issue for the Army Corps of Engineers
23 would be any direct discharge of fill material
24 from adjacent worksite that's settled into

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1 wetlands or sediment laid in water. This would
2 trigger involvement cars.

3 MS. SMITH: Agree.

4 MR. FINN: And you've been to our house when
5 the culvert was there. There was a broken
6 culvert that goes under Mundhank which the Board
7 was surprised that they even knew that it was
8 there, but it is the direct discharge from where
9 the solar field is going to be possibly created.
10 It takes all the water from that area and puts
11 it into our pond.

12 As relayed in a previous meeting, I'm
13 not anti-solar. But I am anti-rush in approving
14 the project, especially without prior testing.
15 When we went to the Mayor and the Village
16 Engineer, Carissa Smith, it was relayed to us
17 that the size of the roofs penetrating the clay
18 cap, that the weight alone of the tree could
19 crack the cap, thus releasing sediment and
20 toxins into our protective wetland.

21 So has there been a vote to move
22 forward on this part of the solar project to
23 date? Has there been an actual vote to move
24 forward on any part of the project?

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1 CHAIRMAN MCCOMBIE: We've given them
2 preliminary approval on the project and so we're
3 waiting for the final engineering studies.

4 MR. FINN: If and when sediment and toxins
5 reach into the wetlands, who will be responsible
6 for us to be in contact with?

7 MS. SMITH: So that's part of what the
8 Commissioner has stated, that we are waiting for
9 the tests that they are providing for us; hence
10 why it's not on the agenda tonight. We have
11 requested further studies regarding the
12 wetlands, and that's what we're waiting for the
13 information back to us on.

14 So I can't comment on that because they
15 haven't provided what they're doing in order to
16 protect that.

17 MR. FINN: And the water studies that you
18 guys have done so far, does it show, like, how
19 many years of flooding it would take to create
20 floodwater from there?

21 Like I said, the culvert left out in
22 the middle -- behind my property, and I know how
23 much water comes in on the pond on high rains.

24 MS. SMITH: So typically how it's designed,

1 they have to detain the water on their site if
2 they go over the impervious threshold.

3 Again, we're not into final
4 engineering. They haven't given us the final
5 impervious. If they're over that threshold,
6 they have to detain it. But either route that
7 occurs, they can't release water faster off-site
8 than it currently does.

9 So, therefore, whatever they develop on
10 there and if that creates a higher velocity of
11 rainwater running off of whatever they develop,
12 they have to either detain that or do something
13 to slow it down to meet the existing release
14 rate of that site.

15 MR. FINN: Now, I apologize because I'm not
16 an engineer. But if you're going to put any
17 number of concrete slabs sitting on top of that
18 mound that's less area for the water to be
19 absorb, then how do you slow that water down so
20 it doesn't dump more water into the culvert?

21 CHAIRMAN MCCOMBIE: So the study that was
22 done was done on the land and whether the runoff
23 would be greater or less with the solar field
24 there. And they took into account all the new

1 impervious concrete that was going to be placed
2 upon the land, plus the new areas that were
3 going to be there. And their information they
4 provided said that total runoff would be less
5 than if the land was going to be just left the
6 way it is.

7 MS. SMITH: So we're still at that final
8 design because we haven't gotten all the
9 information. But as everyone stated, they have
10 to do some sort of either retention pond or
11 planting something to infiltrate that water,
12 pull it down and slow it down before it's
13 released. It doesn't just all come out to that
14 culvert all at once and then shoot through the
15 other side of it.

16 MR. FINN: I get that. But so far, at least
17 from what I've seen from the other meetings,
18 there wasn't any retention pond or anything like
19 that was put in place to even address the number
20 of pieces of concrete. That's the reason why
21 I'm asking.

22 And then on top of that, two separate
23 occasions at the official meetings of South
24 Barrington, we asked for the specific numbers of

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1 what is being paid out and to whom. To date, I
2 do not believe those numbers have been
3 published.

4 When will the board release the
5 financials on the project?

6 CHAIRMAN MCCOMBIE: You're looking for what?
7 I'm sorry.

8 MR. FINN: There's a reason for this project
9 being done. Someone is benefitting other than
10 just some 10 percent off our electricity.
11 Because if that's what it comes down to, I think
12 you would have a massive boycott.

13 Where is the benefit for this financial
14 need for the city and for the people who live in
15 our town? What is the financial benefit here?

16 Because so far the only thing I can
17 think of is the 17 homes that surround that
18 pond, we have all the risk right now and I don't
19 see a lot of benefit. I do have a risk of our
20 pond being polluted and I have a risk of
21 possible flooding depending on how the study
22 works, but I see literally no benefit of being
23 on the water side of that project.

24 I would like to know what that is. And

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1 this has nothing to do with beauty. This has
2 nothing to do with what it's going to look like,
3 any of those things.

4 I'm looking at specifically out of
5 floods and polluting the pond. That's the only
6 thing I'm worried about.

7 CHAIRMAN MCCOMBIE: So the information that
8 came again about the water runoff was that --
9 and part of it has to do with the grasses and
10 what they're planting underneath all the panels
11 and what's going to happen to that -- that much
12 study came back and said there would be less
13 water runoff than occurs right now.

14 MR. FINN: And if they're piercing the cap
15 with the trees, could that release toxins?

16 CHAIRMAN MCCOMBIE: If what?

17 MR. FINN: If they're piercing the cap with
18 trees, and it's my understanding that it's
19 almost impossible for them to plant the number
20 of trees where they were talking about planting
21 them without piercing the clay cap on the
22 landfill, could that release toxins?

23 CHAIRMAN MCCOMBIE: No. I have not heard
24 that from one party from any person.

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1 MS. SMITH: No. That's the study that we're
2 waiting to hear back from and the feasibility
3 with the landfill. We just don't have the
4 information total, how that landfill is
5 completely finalized, what layers or anything
6 like that. So until we get that, we can't make
7 a final determination.

8 MR. FINN: Okay. Thank you.

9 CHAIRMAN MCCOMBIE: Any other public comment?

10 Okay. Then the first item on the
11 agenda is a public hearing for the Proposed
12 Forest View Estates.

13 At this time I take a motion to open.

14 COMMISSIONER GILLIS: You have a motion to
15 open.

16 COMMISSIONER MURARKA: Second.

17 CHAIRMAN MCCOMBIE: Roll call.

18 VILLAGE ADMINISTRATOR PALMER: Abri?

19 COMMISSIONER ABRI: Aye.

20 VILLAGE ADMINISTRATOR PALMER: Fox?

21 COMMISSIONER FOX: Yes.

22 VILLAGE ADMINISTRATOR PALMER: Gillis?

23 COMMISSIONER GILLIS: Aye.

24 VILLAGE ADMINISTRATOR PALMER: Kazi?

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1 COMMISSIONER KAZI: Yes.

2 VILLAGE ADMINISTRATOR PALMER: Kwasek?

3 COMMISSIONER KWASEK: Yes.

4 VILLAGE ADMINISTRATOR PALMER: Murarka?

5 COMMISSIONER MURARKA: Yes.

6 VILLAGE ADMINISTRATOR PALMER: McCombie?

7 CHAIRMAN MCCOMBIE: Yes.

8 Okay.

9 (Witness sworn.)

10 MR. SHAPIRO: Good evening. Once again, my
11 name is Dan Shapiro. I didn't have the pleasure
12 of being with you last week, but I understand
13 there were a couple of open issues or clean-up
14 items that you have asked us to address.

15 I have that list, and I would like the
16 first talk about the engineering concerns or
17 issues that were raised.

18 We did provide an engineering response
19 regarding the borings and the septic, but I
20 would like to ask for Natalie Karney, our
21 Consultant, to address that and maybe go over
22 that response with you verbally so she can
23 correctly talk about those.

24 (Witness sworn.)

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1 MS. KARNEY: Thank you. Thank you Chairman
2 and Commissioner members.

3 Natalie Karney, and I reside at 1205
4 South Grove Avenue in Barrington.

5 I believe there were three issues that
6 the Village engineer still has concerns about.
7 I think the main one is the fact that we're
8 proposing the NSF 350 system and verification
9 that that's the only system that would be
10 appropriate for this subdivision, and I don't
11 think you even need soil to know that.

12 The average lot size is .35 acres, and
13 there's no way any type of the other systems
14 will fit on those lots. The Village requires
15 expansion to be shown on the lots. You could
16 have the best soil results and the system would
17 not fit on the lots.

18 The Village has also approved the use
19 of these systems with the new subdivision. The
20 Sundance subdivision. And those lots are even a
21 little bit bigger. And then the Village has
22 also allowed the Enclave subdivision to use
23 these systems. And those are bigger lots, and
24 they're on the water system. They don't have to

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1 worry about wells, but there's been a lot of
2 ground service out there where this seems to be
3 the only systems that will work for the lots
4 that were approved for the subdivision.

5 I also made a copy of the NSF 350, just
6 a little blurb on it, in case you had any
7 questions. And what this system -- why it's
8 different than other aerators is that with the
9 NSF 350 designation, it's actually much better
10 quality, and I don't even want to use the word
11 of affluent, but water that is discharged from
12 the system.

13 And it's recommended that that
14 discharge be used for non-potable water uses
15 such as toilets, irrigation systems, and things
16 like that. So it's a very good product. I
17 don't know what else I can say about it because
18 no other type of septic system will work in
19 these lots. So I didn't know if you had any
20 questions on that issue alone?

21 CHAIRMAN MCCOMBIE: No. I mean, we've seen
22 the information associated with the report that
23 came back and about testing all of the lots and
24 about what would happen on a lot if it didn't

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1 perk, you know, the information was for it.

2 Clearly, and we did it for Sundance,
3 and we also did it for the Enclave. What we did
4 is we allowed them to say that they were going
5 to install the 350, but if the land didn't perk
6 when they tested it, they had to keep working on
7 it until it did or they had to skip the lot.

8 MS. KARNEY: Correct.

9 CHAIRMAN MCCOMBIE: That will be the same
10 part that will be in this that if the lot
11 doesn't perk properly, that we can use a 350.
12 You'll have to either have fill added that
13 allows it to be perked or what will happen is a
14 lot will not be able to be built on that.

15 MS. KARNEY: We understand that. And just to
16 clarify, there won't be any perk tests done, but
17 there will be soil tests done.

18 CHAIRMAN MCCOMBIE: Yes.

19 MS. KARNEY: And the reason we don't want to
20 do the soil test now is because there's going to
21 be significant grade changes on these lots. And
22 if you were to go out and do a soil test today,
23 for example, typically the soil scientist goes
24 down six feet.

1 They can go down to eight feet, but I
2 talked to a soil scientist today, and he said
3 it's been very difficult to go down even seven
4 feet because of the draught and the dryness of
5 the soil.

6 So a lot of these lots will require a
7 cut in the soil and you have to use whatever
8 that elevation is after you do the cut to do
9 your soil borings.

10 So, instead of doing the soil boring up
11 here and going down six feet, you want to do it
12 down here and go down six feet and get adequate
13 data to use for your design.

14 And then on the plan, we far exceeded a
15 theoretical layout of the trenches from state
16 code and we've met South Barrington code which
17 is stricter than the state code.

18 So we're asking at this point to delay
19 doing soil borings until individual lot plans
20 are developed and they know how much soil is
21 going to be either taken away or filled and do a
22 predesign. And then either go out there --
23 either come in and get a site development permit
24 to remove soil so that they can do the soil

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1 tests at the appropriate elevation. So we're
2 asking to delay doing soil tests until we do the
3 individual lot plans.

4 CHAIRMAN MCCOMBIE: Yes. And we had thought
5 that was a reasonable request. And so we had
6 agreed that that make sense.

7 MS. KARNEY: And I think the only other issue
8 that you brought up was water table. And the
9 water table can change 15 feet away from the
10 wetland depending on the types of soils that
11 exist in that area.

12 I don't believe we're going to have the
13 water table problem. We looked at where --
14 theoretically looked at where the trenches will
15 be, and they'll be above the elevation of the
16 retention ponds and nowhere near the elevation
17 of the wetlands.

18 But, again, if there's problems and
19 they can't be solved, either you put fill out
20 there, which we require additional testing, or
21 divide the lot between two other lots.

22 CHAIRMAN MCCOMBIE: Yeah. So we would like
23 engineering to make sure that they agree with
24 the high water table that we're talking about

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1 here.

2 MS. KARNEY: And we won't know that until we
3 do the soils.

4 CHAIRMAN MCCOMBIE: Thank you.

5 MS. KARNEY: Any questions on any of this is?

6 CHAIRMAN MCCOMBIE: Any questions?

7 COMMISSIONER ABRI: I have a question.

8 Were any soil testing done before the
9 cotton fill plan was prepared just to determine
10 that you have the foundations? Is there any
11 soil testing done?

12 MS. KARNEY: Well, I believe the engineer,
13 you know, looked at the topography and
14 established for the street pavement and
15 determined, theoretical, I like to call them
16 theoretical, because there could be some minor
17 changes to the tops of foundation.

18 So the engineer will take all that into
19 consideration and the type of house.

20 COMMISSIONER ABRI: So that data is not going
21 to be sufficient for you to base your study on
22 that data?

23 MS. KARNEY: No. I would rather wait for
24 site-specific information based on real house

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1 plan.

2 COMMISSIONER ABRI: Okay. Thank you.

3 CHAIRMAN MCCOMBIE: Any other questions?

4 Thank you.

5 MS. KARNEY: Okay. Thank you.

6 MR. SHAPIRO: Some other comments that were
7 raised that last time were with regards to the
8 CC&Rs, and we provided some responses to those
9 comments, the CC&Rs, by way of e-mail.

10 I think all of them, all nine of them,
11 except for maybe one, we had no objection to.
12 Two required some clarification. I'm happy to
13 address those. Item No. 7, Section 9, changes
14 will -- I'm sorry. Let me go to 8 first.

15 How much fill is required to be added
16 to Lot 18, and we answered by saying four feet.

17 Comment 9, what is the required spacing
18 between septic fields and wells, 50 feet to
19 tanks, 75 feet to field from neighbor lots.

20 Item 7, Section 9, changes will not
21 take place until three years after approval?
22 And our response was we will agree that the
23 CC&Rs will not be amended without reasonable
24 approval of the Village for one year.

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1 So we have addressed the nine comments
2 from the CC&Rs that came through the staff.

3 CHAIRMAN MCCOMBIE: So the question I have to
4 admit, the author of this may not have been too
5 clear, but seven was meant to say -- you have
6 written on your thing you wanted to wait for
7 three years after you got Board approval.

8 MR. SHAPIRO: We looked at that the other
9 day. If that was how it was interpreted, that
10 was not our intent. We don't want to wait for
11 three years to amend it.

12 Certainly, we looked at that, and I
13 don't believe that's the case. So that was
14 certainly not our intent.

15 CHAIRMAN MCCOMBIE: And I don't think it's
16 the intention of the Village that they're going
17 to go into the CC&Rs for all the different
18 subdivisions and look at their documents and
19 change them.

20 So this is for your community --

21 MR. SHAPIRO: Understood. Yes.

22 CHAIRMAN MCCOMBIE: -- to make the changes
23 and then live with the changes as they vote on
24 them.

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1 MR. SHAPIRO: We agree with you 100 percent.
2 So we're on the same thing.

3 The other comments were a reminder
4 about the purview of the ARC which we know which
5 we have noted on prior meetings and their
6 guidelines for future architectural issues and
7 development.

8 The other one was non-monotony
9 provisions. And the last time I was here, not
10 the last meeting, but the last time I was here,
11 I think we pointed out that there were a number
12 of different models and there was a chart, if
13 you recall, like a spreadsheet of different
14 models. So we hope that those two depictions
15 help address that concern about non-monotony.

16 CHAIRMAN MCCOMBIE: So you had listed, and we
17 had mentioned in the last meeting, they had
18 shown nine different elevations I believe, nine
19 different elevations for the first nine lots out
20 of 22. And I thought they looked pretty good,
21 but it wasn't 22 lots. It was nine.

22 So I would anticipate that as you would
23 do these lots and make the changes, add the
24 houses and whatnot, that you would present that

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1 to the architectural control committee for the
2 Village.

3 MR. SHAPIRO: Yes.

4 CHAIRMAN MCCOMBIE: And that would be the
5 essence of the non-monotony provisions --

6 MR. SHAPIRO: Agree.

7 CHAIRMAN MCCOMBIE: Okay.

8 MR. SHAPIRO: There was some discussion or
9 comment about trees being on the property, the
10 size of trees, growth, et cetera. We noted.
11 I'm not sure if there's anything we need to do
12 further to address that.

13 One concern that I think we would like
14 to more fully address is the note of having
15 ranch houses on the west towards the west.

16 CHAIRMAN MCCOMBIE: I think the comment was
17 not ranch. The comment was not two stories.

18 MR. SHAPIRO: Okay.

19 CHAIRMAN MCCOMBIE: There's a lot of homes
20 that can be built that are non two stories, that
21 have elevation to them, but we didn't want to
22 build a wall of seven --

23 MR. SHAPIRO: So let me address that, if I
24 may.

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1 CHAIRMAN MCCOMBIE: Okay.

2 MR. SHAPIRO: First of all, there's the ARC
3 that we talked about that we'll go through.
4 There are a number of things that I will call
5 them safeguards or responses to this particular
6 concern. One is the ARC.

7 Secondly, if the concern is because of
8 the perspective or the view of those to the west
9 in the other subdivision, we looked at this, and
10 I think there are maybe five or six homes.

11 But all those homes have their garages
12 facing us. So it's not like they're looking at
13 a house with -- I'm going to say for the sake of
14 this discussion -- two stories and it's
15 offensive to them, because it's their garages
16 that look that direction. They don't have a
17 view.

18 So we want to make sure that we've got
19 that right. And the houses that we intend to
20 build, the closest house to those houses is
21 about 100 feet away. So we respectfully pushed
22 back on this issue because if it's an aesthetic
23 viewpoint issue, there's the distance and
24 there's also the fact that the garages face our

1 development, not any living room or kitchen or
2 bedroom where someone could be upset about their
3 view to a two-story house.

4 Third, we have the architectural review
5 will control this and they provide certain
6 protections as we go through as each house would
7 be designed and built.

8 The other thing is, and I truly hope
9 this doesn't fall on deaf ears, you've seen a
10 the lot of us, and we appreciate your patience.
11 But over the course of the last several months,
12 we've tried to respond and to make concessions
13 as much as we could.

14 We started out with I think 33 or
15 34 units. And that number has vacillated here
16 and there along the way. We're down to 22. And
17 we are asking for your consideration to allow us
18 to move forward with this plan without that
19 restriction.

20 We feel it's a good plan. These are
21 custom homes. They're beautiful homes. They're
22 going to be compliant with the engineering
23 concerns, the architectural concerns, and all of
24 this body's due diligence. And we would ask for

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1 your favorable recommendation.

2 CHAIRMAN MCCOMBIE: So, 100 feet, you talked
3 about. Is this a distance from the -- for this
4 back point of the house including porches and
5 back points and then to the lot line or to the
6 house that they're talking about?

7 MR. SHAPIRO: It's a good question.

8 Do we have that exact measurement?

9 (Witness sworn.)

10 MR. PRASHANTHA: Ram Prashantha, R-A-M,
11 P-R-A-S-H-A-N-T-H-A.

12 So, if you look at the six homes that
13 we have on the west, we have five homes that
14 have backing towards the west subdivision and
15 two of them are, like, kind of the regular,
16 like, flat lot that we have.

17 So the distance from the home to the
18 home that they're trying to build, the least is
19 around 100; the max is 130.

20 CHAIRMAN MCCOMBIE: So you measured from
21 their house. You didn't measure it from the
22 lot.

23 MR. PRASHANTHA: Not from lot. So we have
24 40-feet plus whatever setback we keep. I'm just

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1 going off the rough plan that we put that is not
2 exactly how we are going to --

3 CHAIRMAN MCCOMBIE: Okay. So I want to make
4 sure you're not going to have anything behind
5 it. You're not putting in swimming pools,
6 you're not putting in any porches, you're not
7 putting any decks, you're not putting any patios
8 behind those homes.

9 MR. PRASHANTHA: Yes. We will have setback
10 40 feet. We cannot put a home that is kind of a
11 concept, but the home will not look exactly the
12 same. Customer may end up making the changes,
13 but that will stay --

14 CHAIRMAN MCCOMBIE: You've got 40 feet for
15 yours and you've got 60 of feet for the lots.
16 So that's how you get to 100?

17 MR. PRASHANTHA: Yes.

18 CHAIRMAN MCCOMBIE: I'm not going to say it's
19 disingenuous, but that's not really what we need
20 to talk about.

21 MR. PRASHANTHA: Just to see the point was
22 how far it is, you know --

23 CHAIRMAN MCCOMBIE: I agree. You know,
24 they've lived that way for a long time. They've

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1 had, you know, 400 feet back there.

2 MR. SHAPIRO: Don't forget. We are doing the
3 landscaping, too. So that does provide some
4 privacy and some buffering.

5 MR. PRASHANTHA: If you look at now, there's
6 a lot of trees. We're not going to cut any
7 trees on that side. We may end up adding some
8 trees to it.

9 CHAIRMAN MCCOMBIE: Okay. I know some people
10 who are on the ACC committee and I know they're
11 not going to want to see all these two-story
12 homes there. So they're not going to approve
13 it. So I warn you that before you leave this,
14 that they will not approve six, two-story
15 buildings along the west side. Okay?

16 MR. SHAPIRO: Okay. We heed you. We hear
17 you.

18 CHAIRMAN MCCOMBIE: Okay. And there's a lot
19 of people -- there are people on this committee
20 who are on that committee.

21 MR. SHAPIRO: Understood.

22 COMMISSIONER KWASEK: Since I'm on stuck on
23 both committees myself, I think the concern is
24 if you don't have a wall, you know, if you

1 stagger them in and out. Your client is going
2 to want certain things, but if they're all in a
3 line and they're all two-stories, I think that
4 would be objectionable.

5 MR. SHAPIRO: Okay. So that I understand
6 what you're saying, it's that wall or canyon
7 effect that you would like us to try to avoid.
8 Maybe it doesn't have to do so much with ranch,
9 but if they're staggered a little bit, that
10 might help.

11 COMMISSIONER KWASEK: Break it up. That
12 might help.

13 CHAIRMAN MCCOMBIE: There's a lot of
14 different styles of homes between a ranch and a
15 two-story. There's a ton of different styles,
16 right?

17 MR. PRASHANTHA: Yes.

18 CHAIRMAN MCCOMBIE: I'm right about that?

19 MR. PRASHANTHA: Yes.

20 CHAIRMAN MCCOMBIE: So you have a lot of
21 architectural ability to make these homes quite
22 lovely without creating this canyon. And ACC
23 will not allow you to create that canyon. And I
24 don't want you to end up with a homeowner that

1 you've gotten really far down the road and --
2 that you've got a homeowner that you've been
3 promising them this home and then ACC says to
4 you, you know, you were warned about this, and
5 you can't build it.

6 MR. SHAPIRO: So we won't do that because
7 that wouldn't be in our best interest. There
8 are a couple of things anticipating this,
9 Mr. Chairman, that we can do in that regard.

10 One, break it up as we talked about.
11 Two is our -- and I'm not committing. I'm just
12 saying it's something we will consider doing.
13 That our sales contract will be contingent upon
14 ACC approval. So we can address that that way.

15 And the third is depending on the
16 timeliness of those meetings, if the meeting
17 comes before we sell, then we can deal with it
18 at that time. Not after going vertical and then
19 go to the ACC.

20 CHAIRMAN MCCOMBIE: You're not going to be
21 able to build a home until you go through the
22 ACC. You're not going to get a foundation
23 permit. You will not be able to build.

24 MR. SHAPIRO: So then that hypothetical of

1 what you're talking about of us building
2 something without ACC approval is not going to
3 happen, right, because we have to go through the
4 ACC.

5 CHAIRMAN MCCOMBIE: And Damian is going to
6 make sure.

7 MR. SHAPIRO: All right.

8 CHAIRMAN MCCOMBIE: You just need to be aware
9 that these people that live on that border --
10 and I know we've decreased the number of homes.
11 I know we've gone down from 30-plus to 22.
12 That's really, really good.

13 And I remember one of the people, they
14 got up, and said, Why can't we get this in the
15 low 20s? Low and behold here you are. You're
16 in the low 20s. It's much more palatable the
17 way that it's being laid out here, but you have
18 to remember that we want to protect those
19 people.

20 They're long-time residents. They've
21 been here for a long time. And we're not going
22 to build this forest of homes and these really
23 big homes and have a line of them or have
24 something that is gaudy.

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1 MR. SHAPIRO: We hear you loud and clear.

2 CHAIRMAN MCCOMBIE: And once you start to
3 promise the people, you know, and I know
4 everything is custom in the way you build, but
5 once you get them to go along that they're
6 looking at this, looking at this, some of them
7 are not going to be able to have that home that
8 you've worked so hard to achieve the
9 architecture associated with it. We're going to
10 protect that west side.

11 MR. SHAPIRO: Okay.

12 MR. PRASHANTHA: Understood.

13 CHAIRMAN MCCOMBIE: Okay.

14 MR. SHAPIRO: So I hope that I've captured
15 some of the comments from last time. We are
16 certainly available to answer any questions that
17 you have.

18 MR. VASSELLI: Madam Court Reporter, could we
19 have the document that their engineer put in
20 marked as Exhibit A.

21 CHAIRMAN MCCOMBIE: Does anybody on the Board
22 have any other questions at this point?

23 Thank you very much for your
24 presentation.

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1 MR. SHAPIRO: Thank you.

2 CHAIRMAN MCCOMBIE: At this time, if anybody
3 from the audience would like to speak, please
4 raise your hand. You can come to the podium to
5 speak.

6 Okay.

7 I think at this point he have a list of
8 items here that they want to have for the
9 articles. This is detail about the variance.

10 (Witness sworn.)

11 MR. VASSELLI: So the Applicant, Forest View
12 Estates of South Barrington, LLC.

13 The developer is seeking the
14 variance/deviation from the VOSB Ordinances.
15 And I'll go through them all at once.

16 The PUD Ordinance requires a minimum of
17 60 acres. Our site is 15.37 acres.

18 Detached dwellings are no less than one
19 acre, pursuant to the Village code. Their
20 minimum proposed lot size is .23 acres.

21 Per Title 4, Article 4-7-2, the minimum
22 distance from a well to a property line is
23 65-feet. Wells are being proposed in the front
24 of the lot and Septics are on the rear. Well

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1 locations are 10-foot from the property line.

2 In no case this well location infringes upon the
3 proposed septic treatment area.

4 For Title 11, Article 11-3-6, Sidewalks
5 and Street lights shall be installed throughout
6 a subdivision where the lot size is less than
7 40,000 square feet. The lot sizes for this
8 development are under 40,000 square feet and no
9 streetlights are proposed and no sidewalks are
10 proposed.

11 Per Title 11, Article 11-3-10, a
12 Central water supply system shall be required
13 when the lot size is less than 40,000 square
14 feet. Individual wells are being proposed for
15 each lot.

16 Per Title 11, Article 11-3-2, all side
17 lot lines shall be at right angles to the
18 straight street lines or radial to curved street
19 lines. Village had requested to add some
20 curvatures to the street for aesthetic purposes,
21 precluding right angles, or radial in all cases.

22 Patios are not allowed beyond the
23 building setback pack line. Since this is a
24 PUD, we are proposing patios to extend beyond

1 the building set back line.

2 We are proposing the use of NSF350
3 pretreatment system.

4 Mr. Chair, those are all of the
5 requests that are being asked from the
6 applicant.

7 COMMISSIONER KWASEK: I have a question. You
8 said the patios could extend beyond the setback,
9 meaning into the setback. So they have a
10 40-foot rear setback. And the way you've said
11 it, that patio can go into that setback. I
12 thought it was not allowed into that setback?
13 And their drawing indicates that all the patios
14 are within the building pad and do not infringe
15 within the setbacks.

16 MR. VASSELLI: Mr. Commissioner, if I could
17 defer that question over to the applicant, their
18 counsel, or their engineer.

19 (Witness sworn.)

20 MR. PATEL: Thakor Patel, T-H-A-K-O-R,
21 P-A-T-E-L.

22 Based on this IPI we have, I don't
23 think we have any patio outside the setback
24 lines.

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1 CHAIRMAN MCCOMBIE: So that's fine. We're
2 going to remove that so you don't have the
3 ability to put any patio or anything else that
4 belongs to that home in the setback. And
5 realistically we've always expected that.

6 MR. PRASHANTHA: Is there any possibility
7 for us to get that variance in case an unusual
8 lot --

9 CHAIRMAN MCCOMBIE: You can come before
10 planning and zoning and make a request.

11 MR. PRASHANTHA: Okay. We can do that.
12 Because some customers may ask, you know, bigger
13 backyard.

14 CHAIRMAN MCCOMBIE: I think in general you
15 should say no to them, but you can. We can't
16 say you can't come before us. You would go to
17 Damian, present the information to him, go to
18 the board and the board would decide that they
19 would like planning and zoning to look at this.

20 MR. PRASHANTHA: Okay. Sure.

21 COMMISSIONER KWASEK: This thing has been
22 presented since day one where those patios would
23 not be extend beyond the setback and encroached
24 upon that distance from the lot line to that

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1 setback line. The whole premise is that's clean
2 space.

3 CHAIRMAN MCCOMBIE: I do agree that that was
4 set from the very beginning. And so that one
5 article that's in here that mentions that, we're
6 going to strike that. We're not going to put
7 that in there because we don't want that to be
8 in there.

9 MR. SHAPIRO: I just want to clarify. It
10 wasn't meant to be dismissive or offensive. I
11 think it was just in there as being prudent and
12 in a "just in case" event. But if it's going to
13 be stricken, so be it.

14 CHAIRMAN MCCOMBIE: Yeah.

15 COMMISSIONER KWASEK: I wasn't offended.

16 MR. VASELLI: Mr. Chair, I would like to
17 have the letter from Forest View Estates PUD
18 Modification and Variance dated October 7th,
19 2024 added as Exhibit B.

20 CHAIRMAN MCCOMBIE: If there's no other
21 comments, then at this point we would close the
22 public hearing.

23 COMMISSIONER KWASEK: So moved.

24 CHAIRMAN MCCOMBIE: Second?

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1 COMMISSIONER ABRI: I second.

2 CHAIRMAN MCCOMBIE: Roll call.

3 VILLAGE ADMINISTRATOR PALMER: Abri?

4 COMMISSIONER ABRI: Aye.

5 VILLAGE ADMINISTRATOR PALMER: Fox?

6 COMMISSIONER FOX: Yes.

7 VILLAGE ADMINISTRATOR PALMER: Gillis?

8 COMMISSIONER GILLIS: Yes.

9 VILLAGE ADMINISTRATOR PALMER: Kazi?

10 COMMISSIONER KAZI: Yes.

11 VILLAGE ADMINISTRATOR PALMER: Kwasek?

12 COMMISSIONER KWASEK: Yes.

13 VILLAGE ADMINISTRATOR PALMER: Murarka?

14 COMMISSIONER MURARKA: Yes.

15 VILLAGE ADMINISTRATOR PALMER: McCombie?

16 CHAIRMAN MCCOMBIE: Yes.

17 Okay. So now we can make a motion to
18 approve the PUD, with the exceptions that have
19 been noted from our attorney, to be added to the
20 approval process.

21 COMMISSIONER KWASEK: Is this preliminary
22 approval?

23 CHAIRMAN MCCOMBIE: This is preliminary
24 approval. There's still some things that

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1 they're missing to get final approval. So this
2 is a recommendation to the board for preliminary
3 approval based on the information we've received
4 and this modification.

5 COMMISSIONER KWASEK: So moved.

6 COMMISSIONER FOX: Second.

7 CHAIRMAN MCCOMBIE: Okay. Roll call.

8 VILLAGE ADMINISTRATOR PALMER: Abri?

9 COMMISSIONER ABRI: Aye.

10 VILLAGE ADMINISTRATOR PALMER: Fox?

11 COMMISSIONER FOX: Yes.

12 VILLAGE ADMINISTRATOR PALMER: Gillis?

13 COMMISSIONER GILLIS: Yes.

14 VILLAGE ADMINISTRATOR PALMER: Kazi?

15 COMMISSIONER KAZI: Yes.

16 VILLAGE ADMINISTRATOR PALMER: Kwasek?

17 COMMISSIONER KWASEK. Yes.

18 VILLAGE ADMINISTRATOR PALMER: Murarka?

19 COMMISSIONER MURARKA: Yes.

20 VILLAGE ADMINISTRATOR PALMER: McCombie?

21 CHAIRMAN MCCOMBIE: Yes.

22 VILLAGE ADMINISTRATOR PALMER: Approved.

23 CHAIRMAN MCCOMBIE: Okay.

24 MR. SHAPIRO: Thank you.

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1 CHAIRMAN MCCOMBIE: Thank you.

2 So, now, the next item before us is
3 continuation of a public hearing for Area N
4 Development, LLC.

5 So at this point I take motion to open
6 the public hearing.

7 COMMISSIONER KAZI: I move to open the public
8 hearing for Area N.

9 CHAIRMAN MCCOMBIE: Okay. Second?

10 COMMISSIONER KWASEK: Second.

11 CHAIRMAN MCCOMBIE: Roll call.

12 VILLAGE ADMINISTRATOR PALMER: Abri?

13 COMMISSIONER ABRI: Aye.

14 VILLAGE ADMINISTRATOR PALMER: Fox?

15 COMMISSIONER FOX: Yes.

16 VILLAGE ADMINISTRATOR PALMER: Gillis?

17 COMMISSIONER GILLIS: Yes.

18 VILLAGE ADMINISTRATOR PALMER: Kazi?

19 COMMISSIONER KAZI: Yes.

20 VILLAGE ADMINISTRATOR PALMER: Kwasek?

21 COMMISSIONER KWASEK: Yes.

22 VILLAGE ADMINISTRATOR PALMER: Murarka?

23 COMMISSIONER MURARKA: Yes.

24 VILLAGE ADMINISTRATOR PALMER: McCombie?

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1 CHAIRMAN MCCOMBIE: Yes.

2 VILLAGE ADMINISTRATOR PALMER: Approved.

3 CHAIRMAN MCCOMBIE: I noticed a couple people
4 here from Area N. Would you like to say
5 anything?

6 Okay.

7 So we have a statement that our
8 attorney has crafted to give us.

9 MR. VASSELLI: Thank you, Mr. Chairman. And
10 this is based off of the direction from this
11 board to research the effects of a disconnection
12 petition on the land use application that is
13 pending before the municipality.

14 So I'll start with reading from the
15 Plan Unit Development Ordinance, Section 6A of
16 our zoning code. I'll read directly from it.

17 The purpose of the plan (inaudible)
18 district in the Village is to encourage a better
19 and more imaginative design of mixed use
20 building forms and site planning for tracks of
21 land exceeding 60 acres than possibly under the
22 more conventional zoning regulations. And,
23 again, I stress the words "in the Village" from
24 that sentence.

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1 Area N Development, LLC filed a
2 petition for disconnection of Area N from the
3 Village in the Circuit Court of Cook County.
4 The Village has yet to be served with that
5 petition as required by law.

6 This was a knowing and voluntary action
7 of the Area N Development, LLC. The Village did
8 not prompt this action. This changed the tender
9 of the land issue before us tonight.

10 A vote on the application should not
11 take place because the application is contingent
12 on Area N remaining within the Village.

13 As there is now pending proceeding,
14 litigation to remove Area N from the Village, it
15 is uncertain whether Area N will remain under
16 the Village's corporate limits.

17 Also the allocation was made and has
18 information that has in it information that the
19 property is in the Village. Obviously, petition
20 for disconnection is an opposite of that.

21 Further, it is atypical that any
22 discussion take place in a situation where there
23 is pending litigation. Consequently, this
24 evening's possible vote should be postponed for

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1 the pending litigation or otherwise until said
2 petition for disconnection is withdrawn.

3 That is my findings from our research
4 that was directed to be done by me at the last
5 meeting of this body.

6 CHAIRMAN MCCOMBIE: Okay. At this time, we
7 can do a couple of things, but I think the
8 important thing here is to have this meeting
9 continued to a date certain so that if there is
10 going to be some movement or something happens
11 after the petition as surfaced and been given to
12 the Village, we know what's going on, we know
13 there's -- we know that there will be some
14 interaction between the Area N Development and
15 the Village.

16 We would like to continue this until
17 January 8th.

18 MR. VASSELLI: Can we call it a recess?

19 CHAIRMAN MCCOMBIE: Yes. Recess it until
20 January 8th, 2025.

21 COMMISSIONER KWASEK: Do I understand that we
22 did not receive the paperwork on the
23 de-annexation? Is that what was said?

24 MR. VASSELLI: It hasn't been served. So,

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1 obviously, we do have copies of it, but we do
2 not have -- it has not been served upon the
3 Village. So there's a process. They serve us,
4 and that has not been done.

5 COMMISSIONER KWASEK: Is it normal for it to
6 take a week?

7 MR. VASSELLI: It can take more than a week.
8 But I have seen it and I have reviewed it.

9 CHAIRMAN MCCOMBIE: So at this moment, I
10 would take to motion to recess.

11 MR. VASSELLI: Close. We'll close the public
12 hearing and make our motion to go forward.

13 We can recess now. That's a good
14 point. We can recess now.

15 CHAIRMAN MCCOMBIE: Why don't we take a
16 motion to recess until January 8th, 2025.

17 COMMISSIONER GILLIS: You have a motion.

18 CHAIRMAN MCCOMBIE: Okay. Second?

19 COMMISSIONER KAZI: Second.

20 CHAIRMAN MCCOMBIE: Okay. Roll call.

21 VILLAGE ADMINISTRATOR PALMER: Abri?

22 COMMISSIONER ABRI: Aye.

23 VILLAGE ADMINISTRATOR PALMER: Fox?

24 COMMISSIONER FOX: Yes.

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1 VILLAGE ADMINISTRATOR PALMER: Gillis?

2 COMMISSIONER GILLIS: Yes.

3 VILLAGE ADMINISTRATOR PALMER: Kazi?

4 COMMISSIONER KAZI: Yes.

5 VILLAGE ADMINISTRATOR PALMER: Kwasek?

6 COMMISSIONER KWASEK: Abstained.

7 VILLAGE ADMINISTRATOR PALMER: Murarka?

8 COMMISSIONER MURARKA: Yes.

9 VILLAGE ADMINISTRATOR PALMER: McCombie?

10 CHAIRMAN MCCOMBIE: Yes.

11 Okay. Now, we'll take a motion to
12 close the public hearing.

13 COMMISSIONER KAZI: I move that we close the
14 public hearing on Area N.

15 CHAIRMAN MCCOMBIE: Okay. Second?

16 COMMISSIONER MURARKA: Second.

17 CHAIRMAN MCCOMBIE: Roll call.

18 VILLAGE ADMINISTRATOR PALMER: Abri?

19 COMMISSIONER ABRI: Aye.

20 VILLAGE ADMINISTRATOR PALMER: Fox?

21 COMMISSIONER FOX: Yes.

22 VILLAGE ADMINISTRATOR PALMER: Gillis?

23 COMMISSIONER GILLIS: Yes.

24 VILLAGE ADMINISTRATOR PALMER: Kazi?

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1 COMMISSIONER KAZI: Yes.

2 VILLAGE ADMINISTRATOR PALMER: Kwasek?

3 COMMISSIONER KWASEK: Yes.

4 VILLAGE ADMINISTRATOR PALMER: Murarka?

5 COMMISSIONER MURARKA: Yes.

6 VILLAGE ADMINISTRATOR PALMER: McCombie?

7 CHAIRMAN MCCOMBIE: Yes.

8 VILLAGE ADMINISTRATOR PALMER: Motion

9 approved.

10 CHAIRMAN MCCOMBIE: Okay. Thank you.

11 The next public hearing is for a
12 Proposed Amendment of the Village Zoning
13 Ordinance regarding driveway with requirements
14 for residential driveways in the Woods of South
15 Barrington subdivision.

16 So at this time I take a motion to open
17 this public hearing.

18 COMMISSIONER FOX: So moved.

19 CHAIRMAN MCCOMBIE: Okay. Second?

20 COMMISSIONER ABRI: Second.

21 CHAIRMAN MCCOMBIE: Roll call.

22 VILLAGE ADMINISTRATOR PALMER: Abri?

23 COMMISSIONER ABRI: Aye.

24 VILLAGE ADMINISTRATOR PALMER: Fox?

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1 COMMISSIONER FOX: Yes.

2 VILLAGE ADMINISTRATOR PALMER: Gillis?

3 COMMISSIONER GILLIS: Yes.

4 VILLAGE ADMINISTRATOR PALMER: Kazi?

5 COMMISSIONER KAZI: Yes.

6 VILLAGE ADMINISTRATOR PALMER: Kwasek?

7 COMMISSIONER KWASEK: Yes.

8 VILLAGE ADMINISTRATOR PALMER: Murarka?

9 COMMISSIONER MURARKA: Yes.

10 VILLAGE ADMINISTRATOR PALMER: McCombie?

11 CHAIRMAN MCCOMBIE: Yes.

12 Okay. I would assume that our
13 presentation is going to be made by the building
14 officer.

15 MR. MICHALSKI: Thank you.

16 (Witness sworn.)

17 MR. MICHALSKI: I've come to a couple of
18 issues regarding driveways in with Woods of
19 South Barrington subdivision.

20 It triggered my attention when one of
21 the residents applied for widening of his
22 driveway. Then I referred to PUD. And PUD
23 stated that maximum width of the driveway is to
24 be 15 feet with 18 feet of flares at the street.

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1 It does say that if special paving
2 materials are used, wider width may be approved.
3 Special paving materials would be permeable
4 surface in my opinion.

5 So, I had one of my staff members to
6 research driveways width in Woods subdivision,
7 north of Penny on three streets. Acadia Drive,
8 Shenandoah, and Raine. I want to say that
9 90 percent of them are already widened. A lot
10 of those driveways were permitted to be widened
11 by building department in the past.

12 All of the applications were approved
13 by HOA as well to widen the driveway. I feel
14 that PUD needs to be changed in order for
15 residents to have wider driveways; otherwise, I
16 have to deny those applications.

17 I propose the driveway width to be
18 20 feet, but we can certainly discuss that.
19 Thank you.

20 CHAIRMAN MCCOMBIE: Thank you.

21 COMMISSIONER FOX: What is the current width?

22 MR. MICHALSKI: Maximum of 15. Toll Brothers
23 were turning the houses with 14 feet wide
24 driveways.

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1 COMMISSIONER GILLIS: Save money.

2 COMMISSIONER FOX: Thank you.

3 CHAIRMAN MCCOMBIE: So if we would change
4 that from 20 to 19, all driveways would be
5 approved.

6 COMMISSIONER KAZI: Except one.

7 CHAIRMAN MCCOMBIE: Except one which I assume
8 you're going to have to talk to them on the
9 size. I mean, this driveway is 36 feet wide.

10 MR. MICHALSKI: That's correct.

11 So, again, this is only a north of
12 Penny section. I haven't even started going
13 through the permitting process or the width of
14 the driveway south of Penny. The small
15 subdivision, 55-plus, Regency, there's no
16 alteration to the driveways because there's
17 simply no space.

18 CHAIRMAN MCCOMBIE: Right.

19 COMMISSIONER GILLIS: So now the 19 is going
20 to include the ribbons?

21 MR. MICHALSKI: That is correct. That
22 maximum impervious area.

23 COMMISSIONER GILLIS: Is there a minimum? Do
24 you have to have at least 15 feet?

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1 MR. MICHALSKI: There is. Minimum in the
2 Village is 12 feet by the municipal code.

3 COMMISSIONER GILLIS: Okay.

4 MR. MICHALSKI: So the reason I came up with
5 20 feet wide is I made a small test. I drove on
6 one of the residents's driveway with my SUV,
7 parked next to another SUV that was already
8 parked there, with about six to eight inches
9 from mirror to mirror and I was able to get out
10 from the vehicle and walk on the pavement.

11 So, I believe that, you know, to work
12 with the residents and allow them to have that
13 pavement so they would not be walking in the
14 snow or grass.

15 CHAIRMAN MCCOMBIE: I thought we were closer
16 than this. I thought we had discussed 19 as
17 a --

18 MR. MICHALSKI: If 19 would be the approved
19 width, it will be still more than 15.

20 CHAIRMAN MCCOMBIE: So how long is it going
21 to take you to study all the rest of the
22 driveways in the subdivision, do you think?

23 Do you have anything else going on?

24 MR. MICHALSKI: It wasn't on my agenda. I'm

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1 focused on something else right now. But
2 probably let's say a month 'til the next
3 meeting, if so.

4 CHAIRMAN MCCOMBIE: Okay. I mean, in my
5 mind, we talked about it and going to 19.

6 COMMISSIONER KWASEK: 19 seems to cover all
7 but one. I mean, 36 is so far out there. I
8 mean, I would have to see it to really be able
9 to comprehend how that is at all reasonable. I
10 can't get that excited, 19 or 20.

11 If the official wants 20, I'm not going
12 to counter the official at this meeting. I did
13 that last time, but I'm more charitable tonight.

14 COMMISSIONER GILLIS: 20 is a nice round
15 number.

16 CHAIRMAN MCCOMBIE: I thought you were going
17 to change it to 19 on my recommendation because
18 of our rather robust discussion we had the last
19 time.

20 MR. MICHALSKI: I will be fine with 19.

21 COMMISSIONER KWASEK: I don't have 19. A lot
22 of people don't have 19.

23 COMMISSIONER FOX: I think 19 is fine.

24 CHAIRMAN MCCOMBIE: At this point then, any

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1 other discussion?

2 COMMISSIONER KAZI: 19, 20 same thing. At
3 the end of the day, 20 is a nice, round number.
4 I'm fine with 20.

5 MR. MICHALSKI: I would like to postpone
6 until next month so I will study all the south
7 of Penny in that subdivision.

8 COMMISSIONER GILLIS: Nothing is going to
9 change.

10 COMMISSIONER KWASEK: You might find a 21, a
11 20 and a half. Let's pick a number and let's
12 go.

13 COMMISSIONER GILLIS: Yeah, I think so.

14 MR. MICHALSKI: Okay.

15 CHAIRMAN MCCOMBIE: So I presume that all of
16 the wider than 19 feet wide driveways would be
17 grandfathered in if they were permitted; is that
18 my right assumption?

19 COMMISSIONER KWASEK: If they're permitted.
20 Yeah. If they have a permit for it, I don't see
21 how you can go backwards on something that's
22 been permitted.

23 MR. MICHALSKI: Well, yes. I agree with
24 that. However, it was not according to PUD.

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1 CHAIRMAN MCCOMBIE: Was the 36-foot --

2 MR. MICHALSKI: 36, we have not found any
3 permit for it. So there is no permit filed for
4 36-feet wide driveway. So most likely that was
5 poured without permit. It's all concrete.

6 COMMISSIONER KWASEK: Is it normal to have a
7 site plan with the permit application?

8 MR. MICHALSKI: Yes. However, I cannot speak
9 of anything that had happened before I was
10 hired. I wasn't part of it. I wasn't present.
11 So I would like not to comment on that.

12 We do ask for site plan. And ever
13 since Woods subdivision got on my subject, we
14 are asking for impervious chart as well.

15 COMMISSIONER KWASEK: So the ones where it
16 says no permit found, there was no site plan or
17 the site plan had a driveway and it was not
18 dimensioned.

19 MR. MICHALSKI: There was no permits at all.

20 COMMISSIONER KWASEK: No permits at all?

21 MR. MICHALSKI: For those addresses that are
22 in the red, and no permit found. There was no
23 file, no any documents indicating that it was
24 ever permitted.

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1 COMMISSIONER KWASEK: The house?

2 MR. MICHALSKI: No, no. The driveways.

3 House were all permitted obviously.

4 COMMISSIONER KWASEK: Wouldn't the site plan
5 have been with the house submission?

6 MR. MICHALSKI: I would presume so, yes. It
7 typically is. It's a part of submittal. And
8 then as-build should have been submitted as
9 well.

10 I did not ask to go into a house plan.
11 I asked only for driveways permits because we do
12 have that as a separate permit. Modification to
13 existing driveway.

14 COMMISSIONER KAZI: But I think the question
15 here is when they build the house, then there
16 would be a driveway included and that might
17 already have been 18 feet or 20 feet or
18 whatever.

19 MR. MICHALSKI: That is correct. So based on
20 the application from before Acadia Drive, that
21 was denied by me. I went back to the house file
22 and the site plan was found and the width of the
23 existing driveway is 14 feet. And it's stated
24 on the site plan, on plat of survey.

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1 COMMISSIONER FOX: So we're assuming that
2 these non-permitted ones were altered after --

3 MR. MICHALSKI: It could have been altered
4 without a permit, yes.

5 COMMISSIONER FOX: Do we know that for sure?

6 MR. MICHALSKI: Again, we couldn't find any
7 files. I didn't go to a house file to verify if
8 that would have been proposed at the time of the
9 build, but there was no driveway files. All the
10 alterations of the driveways were found. So all
11 the black addresses, we were able to find a
12 separate driveway file.

13 COMMISSIONER FOX: So are most of the
14 driveways in the Woods 14 feet?

15 MR. MICHALSKI: Most of them that were built
16 by Toll Brothers. If they were altered
17 afterwards, then it would have been widened.

18 COMMISSIONER FOX: But there were other
19 builders that came in too besides Toll, wasn't
20 there? So was it possible that a lot of --
21 because I'm just wondering if some of these
22 people had these wide drives when they build
23 that houses.

24 MR. MICHALSKI: To my knowledge, ever since I

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1 started, there were two houses that were custom
2 lots being built. One of them was already
3 approved before I was hired, and the second is
4 being built right now.

5 That gentleman actually proposed
6 17 feet wide driveway. I did not perform the
7 review on that one. That was approved. That
8 was mistake on our review. And he wants to make
9 it wider as well. I told him to hold on on it
10 because we are going to review the PUD. And in
11 this situation, the driveway is wider than the
12 PUD approved.

13 CHAIRMAN MCCOMBIE: Well, we're not going to
14 go back and ask anybody to do it, but --

15 MR. MICHALSKI: So with 36 feet --

16 CHAIRMAN MCCOMBIE: A lot of these, they
17 never got a permit.

18 MR. MICHALSKI: That's correct.

19 CHAIRMAN MCCOMBIE: So are you thinking that
20 you would like to change it to 19, or are you
21 thinking you want to keep it at 20?

22 MR. MICHALSKI: I will be fine with 19, yes.
23 Thank you.

24 CHAIRMAN MCCOMBIE: Okay.

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1 MR. MICHALSKI: With the driveway that is
2 36 feet wide, if there is no permit approval or
3 changes to the build, I will check the file,
4 then I will -- whatever width is approved, I
5 will ask that owner to apply for the variance.
6 That's all I can do.

7 CHAIRMAN MCCOMBIE: That's going to be one
8 heck of a variance.

9 So at this time I would take a motion
10 to approve that our driveways in the Woods, not
11 in the Regency, only in the Woods, be changed
12 from 14 feet to 19 feet.

13 MR. MICHALSKI: Excuse me. From 15 maximum
14 to 19.

15 CHAIRMAN MCCOMBIE: 15 feet to 19 feet.

16 COMMISSIONER GILLIS: You have a motion to do
17 that.

18 COMMISSIONER ABRI: Second.

19 COMMISSIONER KWASEK: Now, the 15 had flares
20 to 18. So basically it's a 1'6" flare. Are we
21 going to keep that constant so it's 19, plus a
22 flare to 21? 22?

23 COMMISSIONER KAZI: 22. Three feet of flare.

24 CHAIRMAN MCCOMBIE: Are there some problems

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1 with the flares associated with moving over to
2 other people's property?

3 MR. MICHALSKI: I believe flares are
4 required.

5 MS. SMITH: They're going to do is drive over
6 their grass, so you need some sort of
7 maneuverability from the driveways to go either
8 left or right from the driveway.

9 CHAIRMAN MCCOMBIE: But the flares, do they
10 sometimes infringe on other people's property?

11 MS. SMITH: Depending where they're located.
12 But this is relatively new subdivision, so they
13 have to have outsets.

14 So the flares would be coming out -- it
15 shouldn't be impacting with the size of lots and
16 the offset of the driveways, they shouldn't be
17 impacting each other.

18 CHAIRMAN MCCOMBIE: Okay. Thank you.

19 COMMISSIONER FOX: So 19 feet was --

20 COMMISSIONER KWASEK: A flare to 22. I mean,
21 all these already exist.

22 CHAIRMAN MCCOMBIE: Yes, they do. But
23 there's going to be some people coming in asking
24 for the driveways -- how many do you have there

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1 that are asking for --

2 MR. MICHALSKI: So far that was the only one
3 that I denied.

4 CHAIRMAN MCCOMBIE: Okay. So motion to -- we
5 already have the motion.

6 COMMISSIONER GILLIS: Well, can we say what
7 it is in terms of the overall driveway width
8 which includes the borders and the flare. You
9 got to do the borders and the driveway and then
10 the flares separately.

11 CHAIRMAN MCCOMBIE: Yeah. So the borders are
12 going to be 9 feet, the driveway will be 19, and
13 with the flares, they'll be 22.

14 COMMISSIONER GILLIS: There you go. Okay.
15 I'll make that motion.

16 COMMISSIONER KWASEK: Second.

17 CHAIRMAN MCCOMBIE: Roll call.

18 VILLAGE ADMINISTRATOR PALMER: Abri?

19 COMMISSIONER ABRI: Yes.

20 VILLAGE ADMINISTRATOR PALMER: Fox?

21 COMMISSIONER FOX: Yes.

22 VILLAGE ADMINISTRATOR PALMER: Gillis?

23 COMMISSIONER GILLIS: Yes.

24 VILLAGE ADMINISTRATOR PALMER: Kazi?

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1 COMMISSIONER KAZI: Yes.

2 VILLAGE ADMINISTRATOR PALMER: Murarka?

3 COMMISSIONER MURARKA: Yes.

4 VILLAGE ADMINISTRATOR PALMER: Kwasek?

5 COMMISSIONER KWASEK: Yes.

6 VILLAGE ADMINISTRATOR PALMER: McCombie?

7 CHAIRMAN MCCOMBIE: Yes.

8 Okay. I'll take a motion now to close
9 the public hearing.

10 COMMISSIONER ABRI: Aye, motion to close the
11 public hearing.

12 CHAIRMAN MCCOMBIE: Thank you.

13 Second?

14 COMMISSIONER FOX: Second.

15 CHAIRMAN MCCOMBIE: Roll call.

16 VILLAGE ADMINISTRATOR PALMER: Abri?

17 COMMISSIONER ABRI: Yes.

18 VILLAGE ADMINISTRATOR PALMER: Fox?

19 COMMISSIONER FOX: Yes.

20 VILLAGE ADMINISTRATOR PALMER: Gillis?

21 COMMISSIONER GILLIS: Yes.

22 VILLAGE ADMINISTRATOR PALMER: Kazi?

23 COMMISSIONER KAZI: Yes.

24 VILLAGE ADMINISTRATOR PALMER: Kwasek?

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1 COMMISSIONER KWASEK: Yes.

2 VILLAGE ADMINISTRATOR PALMER: Murarka?

3 COMMISSIONER MURARKA: Yes.

4 VILLAGE ADMINISTRATOR PALMER: McCombie?

5 CHAIRMAN MCCOMBIE: Yes.

6 VILLAGE ADMINISTRATOR PALMER: Approved.

7 CHAIRMAN MCCOMBIE: Okay.

8 Do we have any new business?

9 Any old business?

10 Take a motion to adjourn.

11 COMMISSIONER KWASEK: So moved.

12 CHAIRMAN MCCOMBIE: All those in favor Aye.

13 (Chorus of Ayes.)

14 CHAIRMAN MCCOMBIE: We are adjourned. Thank
15 you.

16 (WHEREUPON, the proceedings
17 were concluded at 8:13 p.m.)

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1 STATE OF ILLINOIS)

2) SS:

3 COUNTY OF C O O K)

4

5 JAMYE GIAMARUSTI, being first duly sworn,
6 on oath says that she is a court reporter doing
7 business in the City of Chicago; and that she
8 reported in shorthand the proceedings of said
9 hearing, and that the foregoing is a true and
10 correct transcript of her shorthand notes so
11 taken as aforesaid, and contains the proceedings
12 given at said hearing.

13 IN WITNESS WHEREOF, I have hereunto set
14 my hand this 17th day of December, 2024.

15

16

17

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19

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24


Certified Shorthand Reporter

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