



REPORT OF PROCEEDINGS

Date: May 5, 2025

PLAN COMMISSION/ZONING BOARD OF APPEALS VILLAGE OF SOUTH BARRINGTON

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PLAN COMMISSION/ZONING BOARD OF APPEALS
VILLAGE OF SOUTH BARRINGTON

Continuation of Public Hearing: Area N Development
Application for Approval of Development Plan for
Construction of a Church and School/School Store on
Existing site and Adjustment
of an Existing Plat of Subdivision

* * * * *

Held on Monday, May 5, 2025,
Commencing at the hour of approximately 5:00 p.m. at
30 South Barrington Road, South Barrington, Illinois.

PLAN COMMISSION PRESENT:

Michael McCombie, Chairman
Anthony Abri, Commissioner
Louise Fox, Commissioner
David Gillis, Commissioner

Shahzad Kazi, Commissioner

Julius Kwasek, Commissioner

ALSO PRESENT:

James Vasselli, Village Attorney

Michael Dropka, Village Administrator

Paula McCombie, Mayor of South Barrington

Damian Michalski, Building Officer

Members of the Public

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1 CHAIRMAN MCCOMBIE: Okay. So this is a
2 notice of a public hearing and meeting for the Plan
3 Commission Zoning Board of Appeals for Monday, May 5,
4 2025. Call to order.

5 Roll call.

6 VILLAGE ADMINISTRATOR DROPKA: Commissioner
7 Kazi?

8 COMMISSIONER KAZI: Yes.

9 VILLAGE ADMINISTRATOR DROPKA: Commissioner
10 Gillis?

11 COMMISSIONER GILLIS: Yes.

12 VILLAGE ADMINISTRATOR DROPKA: Commissioner
13 Abri?

14 COMMISSIONER ABRI: Aye.

15 VILLAGE ADMINISTRATOR DROPKA: Commissioner
16 Fox?

17 COMMISSIONER FOX: Yes.

18 VILLAGE ADMINISTRATOR DROPKA: Commissioner
19 Kwasek?

20 COMMISSIONER KWASEK: Yes.

21 VILLAGE ADMINISTRATOR DROPKA: Chairman
22 McCombie?

23 CHAIRMAN MCCOMBIE: Yes.

24 VILLAGE ADMINISTRATOR DROPKA: We have a

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1 quorum.

2 CHAIRMAN MCCOMBIE: I think before we you do
3 the approval of the Plan Commission meeting minutes.
4 We have our attorney here, who would like to have an
5 executive session.

6 And we'll break for the executive
7 session.

8 How long do you think it will be?

9 ATTORNEY VASSELLI: Not long.

10 So any Board, under the Open
11 Meetings Act, has a right to go into closed session
12 to discuss matters in pending litigation, imminent
13 litigation or personnel management. So while it is
14 not on the agenda, we can actually go there and do
15 closed session, executive session, to discuss certain
16 matters, such as litigation.

17 CHAIRMAN MCCOMBIE: Okay. We will take a
18 brief recess.

19 ATTORNEY VASSELLI: We need a motion and
20 second.

21 CHAIRMAN MCCOMBIE: I'll take a motion to go
22 into executive session.

23 COMMISSIONER GILLIS: You have a motion.

24 CHAIRMAN MCCOMBIE: Second?

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1 COMMISSIONER FOX: Second.

2 CHAIRMAN MCCOMBIE: Roll call.

3 VILLAGE ADMINISTRATOR DROPKA: Commissioner
4 Kazi?

5 COMMISSIONER KAZI: Yes.

6 VILLAGE ADMINISTRATOR DROPKA: Commissioner
7 Gillis?

8 COMMISSIONER GILLIS: Yes.

9 VILLAGE ADMINISTRATOR DROPKA: Commissioner
10 Abri?

11 COMMISSIONER ABRI: Aye.

12 VILLAGE ADMINISTRATOR DROPKA: Commissioner
13 Fox?

14 COMMISSIONER FOX: Yes.

15 VILLAGE ADMINISTRATOR DROPKA: Commissioner
16 Kwasek?

17 COMMISSIONER KWASEK: Yes.

18 VILLAGE ADMINISTRATOR DROPKA: Chair
19 McCombie?

20 CHAIRMAN MCCOMBIE: Yes.

21 ATTORNEY VASSELLI: And that will be about
22 litigation matters; is that correct --

23 CHAIRMAN MCCOMBIE: Yes.

24 ATTORNEY VASSELLI -- as we talked about.

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1 ATTORNEY VASSELLI: Thank you.

2 CHAIRMAN MCCOMBIE: We'll be back.

3 (Whereupon the Board

4 went into executive

5 session at 5:05 p.m.)

6 (Back on the record at

7 5:55 p.m.)

8 CHAIRMAN MCCOMBIE: Okay. At this point --

9 ATTORNEY VASSELLI: We need a motion to
10 reconvene.

11 CHAIRMAN MCCOMBIE: Motion to reconvene?

12 COMMISSIONER KAZI: So moved.

13 CHAIRMAN MCCOMBIE: Second?

14 COMMISSIONER FOX: Second.

15 CHAIRMAN MCCOMBIE: Roll call.

16 VILLAGE ADMINISTRATOR DROPKA: Commissioner
17 Kazi?

18 COMMISSIONER KAZI: Yes.

19 VILLAGE ADMINISTRATOR DROPKA: Commissioner
20 Gillis?

21 COMMISSIONER GILLIS: Yes.

22 VILLAGE ADMINISTRATOR DROPKA: Commissioner
23 Abri?

24 COMMISSIONER ABRI: Aye.

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1 VILLAGE ADMINISTRATOR DROPKA: Commissioner
2 Fox?

3 COMMISSIONER FOX: Yes.

4 VILLAGE ADMINISTRATOR DROPKA: Commissioner
5 Kwasek?

6 COMMISSIONER KWASEK: Yes.

7 VILLAGE ADMINISTRATOR DROPKA: Chairman
8 McCombie?

9 CHAIRMAN MCCOMBIE: Yes.

10 Okay. So the first item for the
11 restart of our schedule, the first item is the
12 minutes, approval of the Planning Commission & Zoning
13 Board of Appeals meeting minutes of March 20th.

14 I think everybody got those in
15 e-mail?

16 COMMISSIONER GILLIS: Yeah.

17 CHAIRMAN MCCOMBIE: Any comments?
18 Discussions? Changes?

19 COMMISSIONER GILLIS: Look good.

20 CHAIRMAN MCCOMBIE: Take a motion to approve.

21 COMMISSIONER GILLIS: You have a motion.

22 COMMISSIONER KWASEK: Second.

23 CHAIRMAN MCCOMBIE: Roll call?

24 VILLAGE ADMINISTRATOR DROPKA: Commissioner

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1 Kazi?

2 COMMISSIONER KAZI: Yes.

3 VILLAGE ADMINISTRATOR DROPKA: Commissioner
4 Gillis?

5 COMMISSIONER GILLIS: Yes.

6 VILLAGE ADMINISTRATOR DROPKA: Commissioner

7 Abri?

8 COMMISSIONER ABRI: Yes.

9 VILLAGE ADMINISTRATOR DROPKA: Commissioner

10 Fox?

11 COMMISSIONER FOX: I abstain.

12 VILLAGE ADMINISTRATOR DROPKA: Commissioner

13 Kwasek?

14 COMMISSIONER KWASEK: Yes.

15 VILLAGE ADMINISTRATOR DROPKA: Chairman

16 McCombie?

17 CHAIRMAN MCCOMBIE: Yes.

18 Okay. At this time, this is the
19 public comment section. If anybody would like to say
20 anything, now would be an appropriate time for public
21 comment.

22 MS. SAGE: I have a question.

23 CHAIRMAN MCCOMBIE: Please.

24 MS. SAGE: My name is Sage, S-a-g-e, I live

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1 in South Barrington.

2 (Witness sworn.)

3 MS. SAGE: So this is being noticed as a
4 public hearing.

5 CHAIRMAN MCCOMBIE: Yes, you're right.

6 MS. SAGE: So my question just has to do
7 there's a lot of people who wanted to be here this
8 evening that I think there was a petition that was
9 sent to the Mayor McCombie asking to postpone this
10 hearing, at least until later this evening, instead
11 of it being timed at 5:00 p.m.

12 My question is just a basic
13 procedural question. I'm not sure when this meeting
14 was scheduled. The first time I saw it was on
15 Friday, in Mayor McCombie's newsletter.

16 So my question is: How was this
17 noticed properly, this meeting, this public hearing
18 properly noticed?

19 ATTORNEY VASSELLI: Mr. Chairman, do you want
20 me to answer that?

21 CHAIRMAN MCCOMBIE: Please.

22 ATTORNEY VASSELLI: The motion of the public
23 hearing was properly noticed pursuant to the Open
24 Meetings Act. It was the recess of the final -- of a

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1 prior order from -- This was referred to Planning &
2 Zoning June 11, 2024. It was on the agenda I believe
3 Friday, August 9, 2024; Monday, August 26, 2024;
4 Monday, September 23, 2024; Wednesday, October 16,
5 2024; Wednesday, October 23, 2024; and I believe one
6 more time.

7 MS. SAGE: This is the --

8 ATTORNEY VASSELLI: Excuse me, I'm speaking.
9 If I could finish.

10 MS. SAGE: Sure. Please go ahead.

11 ATTORNEY VASSELLI: The -- This was a
12 properly noticed posted meeting pursuant to the Open
13 Meetings Act. There was a public -- There was a
14 posting well within the time period as permitted on
15 the wall.

16 MS. SAGE: And your position is this is just
17 a continuation of those prior meetings?

18 ATTORNEY VASSELLI: No, my position is it's
19 the law.

20 MS. SAGE: Because there isn't a posting in
21 the Daily Herald.

22 ATTORNEY VASSELLI: Because it was recessed.

23 MS. SAGE: Because this is a continuation of
24 those prior meetings. And during those prior

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1 meetings that you just decided to continue.

2 ATTORNEY VASSELLI: That is not what
3 happened. That's a misinterpretation. So what did
4 happen was there was a motion to recess.

5 MS. SAGE: And you just continued that motion
6 subsequently.

7 ATTORNEY VASSELLI: I didn't --

8 MS. SAGE: Well, the Board did.

9 ATTORNEY VASSELLI: Thank you.

10 MS. SAGE: Continued to recess that through
11 subsequent --

12 ATTORNEY VASSELLI: The last one it was
13 recessed.

14 MS. SAGE: So this is just a continuation
15 from 2024.

16 MR. VASSELLI: No, that's not what I said. I
17 said, it was the last one, I believe this was
18 January. I believe it was January, but I'm not
19 certain.

20 MS. SAGE: It started in 2024, it made its
21 way through January, and all those dates that you
22 read.

23 ATTORNEY VASSELLI: Friday, August 9, 2024;
24 Monday, August 26, 2024; Monday, September 23, 2024;

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1 Wednesday, October 16, 2024; Wednesday, October 23,
2 2024. Every one of those meetings they had here, and
3 I believe there was one more.

4 MS. SAGE: They had here and they made
5 motions to continue.

6 ATTORNEY VASSELLI: There was a recess
7 motion.

8 MS. SAGE: Motions to recess.

9 ATTORNEY VASSELLI: Thank you.

10 MS. SAGE: Okay. So I guess my broader
11 question is: In the spirit of everything that I've
12 seen, I guess this is not a question, but a
13 statement. In the spirit of everything that I've
14 seen from the Mayor, when it comes to full
15 transparency and wanting to make the process
16 available to all participants, I don't think I've
17 ever seen a meeting scheduled at 5:00 p.m. That's
18 incredibly difficult for the community to show up at
19 5:00 p.m. It doesn't seem there is a fair process
20 here for community involvement with this public
21 hearing. Thank you.

22 (Applause.)

23 CHAIRMAN MCCOMBIE: Okay. Any other public
24 comment?

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1 (No response.)

2 CHAIRMAN MCCOMBIE: Any other public comment?

3 MS. GHOSH: Maddie Ghosh, 12 Acadia Drive.

4 Hello, I'm here for this public
5 hearing. Unfortunately, many other residents who
6 wanted to be here, couldn't be here because of the
7 timing. I did send an e-mail out to the Plan
8 Commission, to the Board of Trustees and to Mayor
9 McCombie, and my request for rescheduling this
10 meeting was denied.

11 I understand what you mentioned to
12 Sage about the -- this being a continuation of the
13 meeting. And perhaps my memory isn't serving me
14 correctly here, but at the end of the last public
15 hearing, there was a vote by the Plan Commission
16 here, and I believe there were certain items that PCC
17 was to go back and file again, refile their petition.
18 There were things that didn't meet the Village's
19 requirements. They were going to come back.

20 Do they not have to file a new
21 petition, new documents and submit a request for a
22 new public hearing at that time?

23 CHAIRMAN MCCOMBIE: I don't remember that
24 they were coming back to file a new or any new

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1 information.

2 MS. GHOSH: Would someone be able to
3 enlighten me as to what the vote was for at the end
4 of the last Plan Commission meeting?

5 ATTORNEY VASSELLI: There was a vote to
6 recess after the initial finding of fact came in.
7 The -- There was no requirement that they refile for
8 the public hearing. Absolutely not. There was a
9 recess at the last public hearing.

10 MS. GHOSH: And this organization is
11 currently also trying to de-annex from the Village
12 with Cook County, and they have a court date of May
13 28th.

14 ATTORNEY VASSELLI: They have a court date of
15 May 28th. They have filed a petition to de-annex
16 from the town, that is correct. There is pending
17 litigation before the Village or involving the
18 Village.

19 MS. GHOSH: Okay. And may I ask why this got
20 brought back into a public hearing at this point
21 between the two court dates? What was the -- Was
22 there any new information filed?

23 ATTORNEY VASSELLI: There was additional
24 diligence done by the Village. We don't just sit on

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1 matters. I don't -- I don't know what else to say.
2 We don't sit on matters. If this matter has --
3 Again, I don't want to go through it again, and the
4 court reporter doesn't want me to have to read all of
5 those dates again. But this has pending before the
6 Village in some form or another since June 11, 2024.

7 MS. GHOSH: And the litigation is still in
8 place and the sale of the land is still in question.
9 There has not been anything -- The court case was not
10 dismissed and is very well in place. I just wanted
11 the Plan Commission to be well aware of that as well.

12 ATTORNEY VASSELLI: So there's a little bit
13 of a nuance, one of the plaintiffs did dismiss his
14 suit against the --

15 MS. GHOSH: No -- So I'm on that lawsuit. So
16 please believe me when I say that our matter is still
17 very much in -- active. And yes, one person did
18 remove his name from that.

19 ATTORNEY VASSELLI: That's what I'm saying.

20 MS. GHOSH: The case was not dismissed.

21 ATTORNEY VASSELLI: No, it wasn't dismissed,
22 but if you look at the court, and if you're not use
23 to reading procedural issues of Court it would say
24 voluntarily dismissed. That doesn't mean the whole

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1 case was voluntarily dismissed. And as we were
2 engaging on our conversation, I think to clear it up,
3 one of the plaintiffs did withdraw his claim.

4 MS. GHOSH: Just one, because of a conflict
5 of interest because he's a Park District
6 Commissioner.

7 Thank you. Thanks for your time.

8 CHAIRMAN MCCOMBIE: Is there anyone else?

9 MR. GENTILE: My name is Mike Gentile, I live
10 at 2 Aztec Court in South Barrington, which is the
11 Regency of the Woods, and I'm also the newly-elected
12 Barrington Township Assessor. So -- And I've spoken
13 at a couple of these hearings in the past.

14 It strikes me that the tone is
15 rather confrontational and defensive. I don't know
16 why it gets to that. I really don't. My experience
17 with public service is whenever discussions get to
18 that level, I become very, very suspicious of what is
19 really behind it. Eventually it all comes out in the
20 wash. My position in the past has been -- One of the
21 reasons I wanted to be Barrington Township Assessor
22 is to be an advocate for the taxpayers. I was done
23 with elected office in terms of legislative
24 positions, and I commend you all for putting your

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1 time in and doing it, because I know this is
2 volunteer. But we're not advocating for the taxpayer
3 here. I said that in the past. Every one of you are
4 taxpayers in this Village, and if you look at any
5 proper urban planning, you have to be very cognizant
6 of managing your tax base and maximizing your
7 revenue.

8 South Barrington is a phenomenal
9 community. That's why I moved here. It's a pristine
10 bedroom community. There's not a lot of industrial
11 or commercial property here. So you're depending
12 upon your property taxes for everything.

13 We're going to be heading into a
14 tri-annual assessment here. You'll all be getting
15 assessments pretty soon. You'll probably have a few
16 choice words when you open it up and see it. It's
17 significantly going up. And on top of that, we just
18 passed a 68 million dollar bond for 220 School
19 District that is exempt from the levy. So villages,
20 and I've had an opportunity to meet with many
21 township assessors over the last 60 days, and I am
22 very impressed with the planning that's going -- that
23 is staying in effect in many of these villages,
24 because they're recognizing that the escalation of

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1 cost, if you look at your levy, is going up every
2 year. It's amazing how these taxing bodies, they go
3 up 4.9 percent and not hit the 5 percent. But when
4 you look at that, you have to say to yourself, how
5 much longer can this go on. And I spoke to a couple
6 of assessors last week at a Cook County meeting, and
7 there's a lot of insight and planning going on in
8 these villages and towns to try to mitigate some of
9 that and to try to maximize their land use, whether
10 it's been commercial, industrial or even residential.

11 So you're about to take a vote here,
12 which most likely which is why you called a meeting
13 at five o'clock. I understand that. I've been there
14 in the past. It's just not a Friday, it's a Monday.
15 So think about the tax ramifications of taking a
16 significant parcel of land and just allocating it to
17 a non-tax-use -- non-tax-generating property and what
18 that does. And you may think that oh, well, it's not
19 going to be that much; but you know what, nowadays
20 policy regulates economically in a village.

21 There were 141 people that signed
22 that petition that wanted to be here tonight to
23 speak, and you denied them that by scheduling a
24 meeting at five o'clock. That wasn't by accident.

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1 They care about this town. Many of those people that
2 signed that petition, they plan on being here for
3 another 10, 15, 20, 25 years. Some of you won't be
4 here then. So they are looking at their tax rate,
5 they're looking at the proper planning. This Village
6 put together a Comprehensive Plan. I don't believe
7 this use was stipulated in the Comprehensive Plan.
8 The Comprehensive Plan should maximize the tax
9 revenue of the entire land use of a village and a
10 township. You are not doing it here.

11 I know you're concerned about
12 avoiding litigation. I have been in those situations
13 in the past, but you have to weigh the cost, the time
14 of litigation, to what it means to the town, itself,
15 the citizens, the quality of life.

16 I have taken many tough votes in the
17 past, some I said I could go to sleep at night on and
18 others I've said oh, boy, what is going to happen,
19 and I had a few regrets. And I'm telling you now,
20 you vote for this, five, ten years from now, you're
21 going to have those regrets. You may not be living
22 here, but trust me, you're putting a significant
23 burden on the taxpayers and the residents in this
24 Village, if you approve this. Thank you.

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1 (Applause.)

2 MS. SAGE: I just have some follow-ups from
3 when Maddie was up here. The Village Attorney
4 mentioned there was some additional due diligence,
5 which is why we're here today. What was -- What is
6 that additional due diligence?

7 ATTORNEY VASSELLI: I'm not going to -- The
8 staff has reviewed the plans. I don't know --
9 engineering, who is not here, reviewed the plans. I
10 don't know what else to say.

11 MS. SAGE: Is the public going to be informed
12 of what those plans are?

13 It's been a year since we had the
14 last presentation, maybe even longer. So how do we
15 know as a community what the plans are today?

16 CHAIRMAN MCCOMBIE: The first meeting was on
17 June 11th of 2024. It was less than a year. And
18 we've had meetings several times since. And after
19 the plans got going, they did not alter from that.
20 So the plans that you've seen are the same plans that
21 we've seen, that are the same plans that are in the
22 focus right now.

23 MS. SAGE: And so those plans, that you will
24 be voting on tonight, do not have an access to Acadia

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1 Drive, right, it was closed off.

2 ATTORNEY VASSELLI: I just have to be remiss.
3 We're here for two variances. This isn't a land use
4 hearing. This is two variances: one regarding a
5 fence and one regarding a parking lot. The uses of
6 this property were determined a long time ago. So
7 the access points and all of that is -- Obviously,
8 it's been well talked about. You talked about it
9 before at the previous meeting, and other people
10 talked about it. And the uses, the tax revenue, it's
11 been talked about before. But we are here to discuss
12 two variances, two variances, that's it, whether
13 there should a variance for the fence and there
14 should a variance for the parking. Eventually, I'll
15 ask Damian, who is very well-renowned village
16 commissioner (sic) to explain what those variances
17 are. But that's it. Those are the only two items
18 that are up tonight.

19 MS. SAGE: So what is the vote for tonight,
20 the recommendation before the Trustees to move
21 forward with the construction of Area N?

22 ATTORNEY VASSELLI: It's the two -- The vote
23 tonight, if it's called for a motion, would be to
24 recommend that the two variances, relative to the

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1 fencing and the parking lot are recommended for
2 approval in ordinance form to the Village Board.

3 MS. SAGE: Forgive my ignorance, sir, what
4 does that mean? Does that mean the recommendation
5 will be that the Board of Trustees then would take a
6 vote to move forward with the construction of Area N,
7 as presented in the plans that you have today, is
8 that what that means or will there be another public
9 hearing for that?

10 ATTORNEY VASSELLI: There will not be another
11 public hearing for that.

12 MS. SAGE: So to answer my question yes, it
13 will be to move forward with the construction, a
14 recommendation to move forward with the construction
15 of Area N.

16 ATTORNEY VASSELLI: Your question is
17 misleading. The vote, and I don't want to get into
18 semantical debate. It's 6:15, and I don't want to
19 get into a semantical debate about it. Your question
20 was, is it approving their moving forward, no. What
21 will go before the Board, if this is recommended, is
22 two ordinances, one regarding the parking and one
23 regarding fencing in that Area N. And it's not an
24 agreement to endorse the project or anything. It's

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1 due to strict constraints of the code need to be
2 varied based upon the applicant's petition, that's
3 it. And I'm not trying to be rude or curt or
4 adversarial.

5 MS. SAGE: I'm not trying to be either. I'm
6 just trying to understand. I don't do this for a
7 living. This is not what I do. I'm trying to
8 understand. If the Commission here makes -- votes
9 yes, makes a recommendation to move forward, my
10 understanding is, please correct me if I'm wrong, I'm
11 aware of the time, we're all sitting here. It will
12 go to Board of Trustees. The Board of Trustees will
13 then take a vote on the two variances.

14 ATTORNEY VASSELLI: Correct.

15 MS. SAGE: Does that mean that they can then
16 move forward with the construction of Area N as they
17 have presented the plans to the Commission?

18 That's my question. I don't think
19 it's a leading question or a misleading question.
20 It's a process question.

21 ATTORNEY VASSELLI: It is a leading question,
22 it's okay. We can work through that.

23 What it means is they'll have the
24 proper ordinances based off their petition to go

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1 forward with the plan as developed.

2 They can build right now if they get
3 their disconnection. If they can disconnect from the
4 Village and go into the County, they will build
5 whatever they want. The ability for them -- They can
6 file for building permits and then build.

7 The threshold question for the
8 actual commencement of building is the issuance of a
9 building permit. So that is not -- I can't answer a
10 yes or no question other than saying that. But you
11 don't build unless you have a building permit.

12 MS. SAGE: But they can get the permit. I
13 understand it's a de-annexation. I understand that
14 now tonight they're coming through the Village. I'm
15 assuming that's the reason behind that, and that's
16 fine. For me, I want to make sure -- I get the sense
17 that you are going to vote yes. I get the sense the
18 Board of Trustees will vote yes. That's my personal
19 opinion. I just want to make sure -- I haven't seen
20 those plans. Sure, they have been presented. I
21 don't know if they've altered. There's additional
22 diligence. I don't know if they've been altered.

23 My question is: I wanted to make
24 sure there is no access to Acadia Drive. It's a

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1 pretty simple question. And as the Plan Commission,
2 those of you who have seen these plans, should be
3 able to answer that question to the community.

4 CHAIRMAN MCCOMBIE: There is no access to
5 Acadia Drive.

6 MS. SAGE: Thank you very much.

7 MR. PATEL: My name is Hemal Patel. I live
8 at 1 Acadia, South Barrington.

9 So I'm just trying to understand the
10 agenda what is here now. It says over here that
11 there is going to be a presentation for Area N
12 development, and then discussion and then finally
13 some motion to recommend a continuation or approval
14 or denial. But I'm hearing about these two
15 variances, which are not mentioned anywhere here.
16 May I ask the question why?

17 ATTORNEY VASSELLI: The agenda, as presented,
18 is adequate under the Open Meetings Act. It is
19 sufficient. That's what our goal is here. We have
20 put together an agenda that satisfies the legal
21 requirements to go forward with the meeting. The
22 application was filed sometime in between June and
23 August -- or let me rephrase. It was filed in 2024,
24 and we do not republish or repost the application

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1 every time there is a recess and then picked-up
2 hearing after that. It's just not how the Open
3 Meetings Act requires it. And so what we do is we
4 follow what the legal requirements are, and that's
5 where we're at.

6 So the two items that are here
7 tonight is regarding a fence variance and parking
8 variance.

9 MR. PATEL: So are we going to go through the
10 Section B, the presentation and comments of the
11 applicant?

12 ATTORNEY VASSELLI: They will be given -- The
13 Petitioner will be given the opportunity to present.
14 If they elect not to, that's their choice.

15 MR. PATEL: And if they do not present, then
16 how would we know about details about those two
17 variances, would you tell us?

18 ATTORNEY VASSELLI: No, we have had multiple
19 hearings with regards to this. I went through those
20 dates many times.

21 MR. PATEL: About those two variances?

22 COMMISSIONER GILLIS: Yeah. Both.

23 MR. PATEL: In those meetings?

24 COMMISSIONER GILLIS: Many meetings.

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1 CHAIRMAN MCCOMBIE: If you remember, I
2 remember especially, and at the last meeting, I
3 mentioned, remember, this is only about two
4 variances. That's all this is about.

5 MR. PATEL: You mentioned that?

6 CHAIRMAN MCCOMBIE: I said that.

7 MR. PATEL: When was that, June 2024?

8 CHAIRMAN MCCOMBIE: No, it would be probably
9 in October. Because we had a public hearing, and I
10 said remember, there has been a lot of comments about
11 a lot of different things going on; and always,
12 always we sort of lost direction that this is about
13 two variances. This was never about anything else.

14 The church is allowed to build on
15 that land and all we have is the ability, if they
16 need a variance, and they need two variances to move
17 forward.

18 MR. PATEL: And nobody can tell us details
19 about those two variances?

20 CHAIRMAN MCCOMBIE: Sure.

21 MR. PATEL: I certainly do not remember.

22 CHAIRMAN MCCOMBIE: We can talk about it --
23 During the presentation, we'll talk about it then,
24 okay?

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1 MR. PATEL: Thank you.

2 CHAIRMAN MCCOMBIE: And there's a section in
3 here for public comment again.

4 MR. PATEL: Thank you.

5 CHAIRMAN MCCOMBIE: Absolutely.

6 Any other public comment?

7 (No response.)

8 CHAIRMAN MCCOMBIE: Okay. Then what I would
9 like to do is --

10 ATTORNEY VASSELLI: Mr. Chair, we have one
11 more person.

12 CHAIRMAN MCCOMBIE: Oh, I'm sorry.

13 MS. RAJU: Hi.

14 CHAIRMAN MCCOMBIE: Hello. State your name.

15 MS. RAJU: My name is Bhanu Raju, 3 Brooke
16 Lane, South Barrington.

17 So who decided that you are going to
18 limit this decision only to two -- those two
19 variances? What about our concerns about traffic?
20 What about our concerns about the income for South
21 Barrington? Who decided to remove those concerns?

22 CHAIRMAN MCCOMBIE: Again, the church to
23 build here needs two variances to be able to build in
24 the form they want to build. Those variances -- For

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1 example, and this is a -- If they didn't need the two
2 variances, they would not have to come before
3 Planning & Zoning. They could apply directly to the
4 Village for a building permit.

5 MS. RAJU: So you guys have concluded that
6 the land is sold to them and they can go ahead and
7 build the church if they, you know, fulfill these two
8 obligations and get okayed by you guys, they can go
9 ahead and build the church. Is that what I'm
10 understanding?

11 COMMISSIONER KWASEK: I think there's a
12 little bit of confusion, and that revolves around
13 whether there can be a church or not. There
14 absolutely can be a church.

15 They are seeking a fence around the
16 school to give more security to the school, the
17 playground and the parking lot in front of the
18 school. That's where the fence is. That fence was,
19 for the most part, on my recollection, hidden behind
20 continuous landscaping. So from outside the school,
21 you won't see a fence. That was number one.

22 Number two, the way they were
23 configuring their parking lot, one row of cars on the
24 east encroached into the setback, and they wanted to

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1 keep the efficiency of having parking on both sides
2 of the aisle, so they were seeking a variance for
3 that.

4 Now, again, I don't remember the
5 exact dimensions, but I think that they were going to
6 have something like a hundred feet, and they were
7 supposed to have 120 feet. Now, they could have
8 taken those cars and moved them up and built their
9 parking lot further north, and in that case, they
10 would have not needed a variance for that.

11 So if they decided we don't need
12 security for the school and we're going to
13 reconfigure the parking lot, we wouldn't have any of
14 these meetings.

15 MS. RAJU: What about the concerns about the
16 residents?

17 COMMISSIONER KWASEK: We understand those
18 concerns. But those --

19 MS. RAJU: I'm talking. I'm talking. They
20 secretly applied to get this property here without
21 telling us that it's the same church, and we
22 protested against it. And when was the decision made
23 that it's okay for them to build a church provided
24 they fulfill these two provisions, who did that? We

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1 protested it.

2 CHAIRMAN MCCOMBIE: Are you talking about the
3 sale, the Park District sale of the church?

4 MS. RAJU: Yes.

5 CHAIRMAN MCCOMBIE: We're not the Park
6 District.

7 MS. RAJU: You're not the Park.

8 CHAIRMAN MCCOMBIE: We didn't do anything
9 about that.

10 MS. RAJU: I know, that is what you kept
11 saying, but you have to take our concerns. We do not
12 want that church in our neighborhood. And why are
13 you making decisions about giving the permit for that
14 church? And they didn't even tell us that it is them
15 who bid for that.

16 CHAIRMAN MCCOMBIE: Again, the Park District
17 was the one who sold the land to the church. It
18 didn't have anything to do with Planning & Zoning.
19 That's not us. That's the Park District sold the
20 land to the church.

21 MS. RAJU: And this lawyer is hired by this
22 Village. Is he paid for it? Is he salaried or --

23 CHAIRMAN MCCOMBIE: The attorney is paid by
24 the Village.

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1 MS. RAJU: Paid by the Village.

2 CHAIRMAN MCCOMBIE: Yeah.

3 MS. RAJU: Okay. He is very condescending.
4 Everybody is decent, okay. We like everybody else,
5 but this man is very condescending, okay. We don't
6 want this guy to be paid by the Village. You need to
7 find another lawyer, okay. We don't want to sit here
8 and listen to him, okay, just talking to us
9 condescendingly. We don't need that. And this
10 public hearing -- Is it really a public hearing? At
11 five o'clock, you want us to come, quit our jobs and
12 come? This is not a public hearing. And from the
13 beginning we have been telling you that we don't want
14 this kind of church in our neighborhood, but it
15 doesn't matter. You keep saying the Park District
16 sold it, and then you say, oh, they are here for two
17 provisions and have to be fulfilled, and they have to
18 right to get. Where did we go wrong?

19 I don't get it. That's it. Okay,
20 he needs to go.

21 (Applause.)

22 MS. ANSARI: Shayma Ansari, 8 Glacier Circle
23 in The Woods of South Barrington.

24 I've come to all of these meetings

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1 since I can't remember now. But I just have a
2 question. If this sale is still in litigation, am I
3 correct it's still in litigation. How are you even
4 having this vote?

5 I don't want to hear about the Park
6 District anymore. I want to know why you guys are
7 moving forward when it's in litigation. The proper
8 thing to do would be to wait until litigation is over
9 so we actually know the sale actually is legit. When
10 the sale is legit, then you have a right to do what
11 you're going to do. But it's not even a legitimate
12 sale yet, because it's in litigation. So doesn't
13 that stop you from not having this vote today.
14 Explain that to me.

15 ATTORNEY VASSELLI: There's a title from the
16 Chicago Title that does show them as the title
17 holder. There is a deed from the Park District to --
18 and I know you don't want to hear about the Park
19 District, but there's no way to say the transfer
20 didn't occur.

21 MS. ANSARI: So you're assuming that it's --

22 ATTORNEY VASSELLI: There is a deed that has
23 transferred the property.

24 MS. ANSARI: Even though that's the fight

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1 right now. You don't think as a Commission for the
2 Village of South Barrington -- You are being paid by
3 us, by our taxpayers. Do you know how frustrating it
4 is to have to constantly come and speak with somebody
5 who has only talked down to you from day one. Okay.
6 She already said. I have seen it from day one. I
7 was shocked. I'm sorry, I trust you're a great
8 lawyer, but something is not right when every moment
9 is adversarial towards us, as citizens. We're not a
10 bunch of idiots. We're not a bunch of like
11 uneducated fools, who don't care about our community.

12 And it's not really about the
13 church, it's about what you all have done and not
14 done, and I'm really disappointed of the constant,
15 they sold it, blah, blah, blah. I don't want to hear
16 about it anymore.

17 Right now it's in litigation. It's
18 still being fought. You know the residents are doing
19 this, so why don't you hold this off until that gets
20 completely to the satisfaction of every resident that
21 that litigation is over, we say we lost as a
22 community, and against our own Board, that they got
23 this fair and square, even though they came back
24 twice under a different name, in a very shady way.

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1 . Do you guys understand trust?
2 Even if it's not towards you. You guys have lost the
3 trust of the entire community, and we have -- we
4 can't do anything about you guys, because you're
5 appointed, except for you, I mean, she already said.
6 You know, so we are lost. We have nobody. And you
7 guys are going on and telling us you're going to vote
8 for it, even if it's two ordinances, it's a way to
9 say we're giving -- you know, if you say yes to this,
10 I mean you're already moving forward. Yes, the
11 Trustees will do it. Yes, you can say all that. You
12 have an obligation to listen and do what's fair and
13 right. I mean, this is not even like -- any
14 five-year-old can see what's going on. I don't
15 understand how you grown people are acting this way
16 and completely ignoring everybody. We're not, you
17 know, being -- We don't have animosity for no reason.
18 We're not complaining for no reason. We don't want
19 to be here. We have been here since 5:00. People
20 changed their job schedules to get here, and the
21 meeting didn't even start for an hour. Think about
22 that. That's how much we care. And you guys are
23 moving forward on this. I don't understand. I would
24 really love to understand how you think this is okay.

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1 And when we're asking you to postpone it at least
2 wait until the litigation is over, then feel free to
3 do the ordinances, to pass them. But what's the
4 point if they end up -- if it ends up not a
5 legitimate sale then what, you just gave them
6 permission for something that's not a legitimate
7 sale. And then a lawsuit. And it's going to go back
8 and forth. This is ridiculous. It's been going on
9 for over a year-and-a-half. I don't understand you
10 guys. Why are you doing this? Why do you guys like
11 coming here and saying this?

12 Please, think about rescheduling all
13 of this and wait until the litigation is over at
14 least, at the very least.

15 MS. RAJU: So we all can join.

16 MS. ANSARI: The last time the one thing we
17 talked about was transparency. Mayor McCombie always
18 said she is all about transparency, and today we
19 proved again that we weren't looked at. I follow
20 that newsletter. It was on Friday. It was on Friday
21 at the bottom of the newsletter. Not everybody is
22 even on that. That's their fault, yes, you can blame
23 the residents for not doing that, but it's on there
24 on Friday. You're trying to tell people Monday at

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1 five o'clock. I mean, come on, you guys, do better.

2 COMMISSIONER FOX: Do you think that we are
3 not all residents of South Barrington?

4 MS. ANSARI: That's what's shocking.

5 COMMISSIONER FOX: This is all -- This church
6 will affect every single one of us.

7 MS. ANSARI: Exactly.

8 COMMISSIONER FOX: The question before us has
9 never been whether this church should be there or
10 not.

11 MS. ANSARI: I hate the way you guys you have
12 done it. Do it right. Do right by the residents.

13 COMMISSIONER FOX: We have tried our best to
14 do it right.

15 MS. ANSARI: Why are you voting on this today
16 when there is litigation still going on whether it's
17 not even a legitimate sale, come on.

18 COMMISSIONER FOX: There is litigation still
19 going on it's --

20 MS. ANSARI: It is, yes.

21 COMMISSIONER FOX: It's still going on.

22 MR. PATEL: Can I ask a question of the
23 lawyer?

24 CHAIRMAN MCCOMBIE: Just a second. Be fair

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1 to the court reporter. She doesn't know who is
2 talking.

3 Thank you.

4 COMMISSIONER FOX: There is no person on this
5 Board who doesn't want whatever is best for the
6 Village and whatever is best to make all --

7 MS. ANSARI: I actually trust most of you
8 here.

9 COMMISSIONER FOX: But the question before us
10 has never been anything other than those two
11 variances --

12 MS. ANSARI: And I get that.

13 COMMISSIONER FOX: -- from the very first day.

14 MS. ANSARI: Well, why are we even going
15 through those variances, when we still don't know if
16 it's a legitimate sale. It makes no sense. You
17 would vote for variances for people who have bought
18 the -- have legitimately have the sale. I know the
19 deed is being fought. It's being fought. I mean,
20 this whole like -- by law, we get it. There are
21 laws, but that doesn't mean that we can't consider
22 other things. You're not even trying to fight for
23 us. It always sounds like that oh, well, we're still
24 doing everything by the book. We're still doing

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1 everything by the law, but you're not doing right by
2 your people. It's a lot of people. I mean, that's
3 what we're seeing. That's what we're feeling. It
4 just feels like every turn we're being just like
5 completely disregarded.

6 CHAIRMAN MCCOMBIE: Okay.

7 MS. ANSARI: Please, that's my request, at
8 least wait.

9 CHAIRMAN MCCOMBIE: You did hear that there's
10 a disconnection case coming up, right, you heard
11 that?

12 MS. ANSARI: Uh-huh.

13 CHAIRMAN MCCOMBIE: Do you remember the date
14 on it by any chance?

15 Someone mentioned it.

16 MS. GHOSH: The de-annexation is May 28th.

17 CHAIRMAN MCCOMBIE: May 28th. If they
18 vote -- If Cook County says yes, the church -- the
19 land is no longer ours.

20 MS. ANSARI: So even more reason not to do
21 this right now.

22 CHAIRMAN MCCOMBIE: No-no, just a second.
23 They can build anything they want. They don't have
24 to come before us.

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1 MS. ANSARI: But that will happen after May
2 28th anyway. If they -- Whether you vote on it now
3 or you can't vote on it afterwards obviously, if they
4 get de-annexed, right, so why are you voting on it
5 now?

6 COMMISSIONER FOX: Because we also can't make
7 any -- We can't have any control over whatever they
8 build.

9 MS. ANSARI: Exactly. I get that.

10 CHAIRMAN MCCOMBIE: Wouldn't it better --

11 COMMISSIONER FOX: What if they decide to put
12 up a chain-link fence, with barbed wire at the top.

13 MS. ANSARI: But that's a separate issue. If
14 they de-annex, we don't have any control of that land
15 anymore at all, correct?

16 CHAIRMAN MCCOMBIE: That's right.

17 Ms. ANSARI: So doing this now, how is
18 that -- even if -- Say you voted against it, okay.
19 Say I did right, and it just can't go forward. If
20 they are still having a separate de-annexation, and
21 that still gets accepted, then we still have no
22 control. They can still do whatever they want. It
23 doesn't matter what we already said prior to that.

24 CHAIRMAN MCCOMBIE: Doesn't it make sense

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1 though, I mean just logically thinking, if you have
2 the ability to make sure that what is built in the
3 backyard is really good. I mean, there's a lot of
4 features, there's a lot of stuff that was added to
5 those buildings.

6 MS. ANSARI: I thought it was the same as the
7 beginning, the first one we ever saw. Where is the
8 changes?

9 CHAIRMAN MCCOMBIE: You have to let me
10 complete a sentence.

11 MS. ANSARI: Sure.

12 CHAIRMAN MCCOMBIE: I've got to be able to
13 talk.

14 So we made a lot of changes. They
15 added a lot of features to the buildings, and they
16 added the features that allowed the buildings to look
17 like it belonged in South Barrington. The dormers,
18 the different things that were added, all of those
19 things were added, and they were added by us asking
20 them to make those changes. They're expensive. I
21 know they're expensive. And they cost a bunch of
22 money.

23 MS. ANSARI: That's their issue.

24 CHAIRMAN MCCOMBIE: And the landscaping that

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1 was there, is much more.

2 MS. ANSARI: Again, not our issue, theirs. I
3 don't know why you're telling me.

4 CHAIRMAN MCCOMBIE: Just a second. I'm
5 trying to explain something to you.

6 MS. ANSARI: Okay.

7 CHAIRMAN MCCOMBIE: I think you have to
8 understand they're spending more money than they
9 would need to spend if they went to Cook County.
10 That's what my point is. My point is that on the
11 north end of this town, it's still going to say South
12 Barrington on the sign. Their address is still going
13 to say 60010, but it's not going to be in South
14 Barrington, it will be in Cook County. And if they
15 want to put up a 10 foot fence, it's a 10 foot fence.
16 And if they want to take out those dormers and they
17 want to take out the stone, change the parking lots,
18 whatever, and when they come back and they want to
19 add more parking spaces and whatnot --

20 MS. ANSARI: You can't do anything about it.

21 CHAIRMAN MCCOMBIE: Cook County is going to
22 say yes.

23 Isn't it better that we make sure
24 that the building that's built at the end on -- in

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1 lot N is really high quality, a good building that we
2 believe represents the quality and the way that we
3 live our life in South Barrington?

4 MS. ANSARI: But again, if they're having a
5 de-annexation hearing for May 28th and no matter what
6 you have decided on all of that, if they're part of
7 Cook County, they can change all of that again, and
8 there is no guarantees.

9 CHAIRMAN MCCOMBIE: But if we get a guarantee
10 that if we vote yes on these two variances that they
11 stay in South Barrington, would you be happy to have
12 them here?

13 MS. ANSARI: Again --

14 CHAIRMAN MCCOMBIE: No, it's either a yes or
15 no.

16 MS. ANSARI: No. No. No. I want to make
17 sure it's actually legitimately sold to them first.
18 That's the issue. You're acting as if it's
19 already -- still all -- There is nothing else going
20 on and it's already been sold. Yes, that deed is
21 there. It's being fought. So while they're still
22 fighting, at least they have a fight, okay. Once
23 they say no -- and this is the thing, I mean, like,
24 you guys, man, it's just -- I can't understand. You

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1 know, if it's Cook County, and they become Cook
2 County, honestly, that's not our problem anymore.
3 Yes, when you're saying you'll have control, but if
4 they do de-annex after that, they can change what
5 they want anyway, and you took the whole community in
6 this situation to begin with. So I just -- Sorry, I
7 just don't think --

8 COMMISSIONER FOX: So you're saying you know
9 the church is going to be there.

10 MS. ANSARI: No, I don't know. I don't know
11 that they actually own the land yet.

12 COMMISSIONER FOX: But that litigation
13 doesn't get changed by anything that we do tonight.
14 That litigation is ongoing.

15 MS. ANSARI: But this helps it along. It
16 helps them know, right, we're going to know that
17 they're already going to let us do what we want to
18 do. They're already voting for the permits.

19 COMMISSIONER GILLIS: No, you're wrong there.
20 The annexation is not going to be as easy with these
21 two variances. Without these two variances, why
22 would the church --

23 MS. ANSARI: Why would they want to build
24 something when there's so much anti, you know, so

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1 much pushback.

2 COMMISSIONER GILLIS: That's a good question.
3 If we argued that out -- We don't know why.

4 MS. ANSARI: I can't predict that. I can't
5 predict that. But I can ask you to really reconsider
6 even voting for this tonight. But I know you're not
7 going to, but I just had to say it, so I did. Thank
8 you for listening.

9 (Applause.)

10 MR. PATEL: Hemal Patel, 1 Acadia Drive.

11 So, I mean, what you stated really
12 bothered me, because you said that by approving this
13 would mean then that Area N development not go for
14 de-annexation. Is that your final?

15 I mean, this is not nice things to
16 for the community to know that they're going for
17 de-annexation, and they are still talking to you guys
18 and have some sort of assurance that if you approve
19 it, and then eventually the Village approves it, then
20 they won't go for de-annexation. And our consolation
21 prize is that it will be built more suitable to our
22 homes. Is that the consolation price that you are
23 giving?

24 I mean, that's what it seems to me.

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1 Guys, let us approve this. Let's approve it, and
2 then the church will be built so it will be similar
3 to what -- It's still a church, still at school and
4 still opposite to what you guys vote. It will
5 look --

6 COMMISSIONER GILLIS: You know, really, all
7 of this is nonsense. All of this is really nonsense.
8 The only question is, we agreed that there will be a
9 church there. So there's only one question, will we
10 have control or does Cook County have control.
11 That's the only question you need. And if you want
12 Cook County, then we don't need to argue. We don't
13 need to do anything. So it will go to Cook County.

14 MR. PATEL: Again, I don't know if I agree
15 with you.

16 COMMISSIONER GILLIS: It's a definite. It
17 will go to Cook County.

18 MR. PATEL: Well, there is lawsuits. Why are
19 you so sure, you know, it's all a done deal. I mean,
20 we're trying to fight that the sale of the land was
21 not legitimate.

22 CHAIRMAN MCCOMBIE: Think about this, if the
23 thing is, the lawsuit is -- say the church doesn't
24 want it, it goes back to the Park District.

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1 MR. PATEL: Yes.

2 MR. MICHALSKI: For the third time.

3 CHAIRMAN MCCOMBIE: Remember, we don't have
4 anything to do with the Park District.

5 MR. PATEL: Yes.

6 CHAIRMAN MCCOMBIE: Okay. The Park District
7 gets it back. So whatever we decide on the variances
8 right now, doesn't go back with it. So therefore,
9 therefore, we're just being -- talking here.
10 Therefore, if we would vote yes to the variances, and
11 they would lose the argument about the Park District,
12 it would go back to the Park District, and then they
13 would have to do that.

14 MR. PATEL: Right. So if it goes back to the
15 Park District, the land, and we can move forward with
16 that.

17 I'm just thinking why are we wasting
18 time, your valuable time, paying this gentleman out
19 of taxpayer dollars, and we, as a community here --
20 It doesn't make any sense that why we are doing this
21 thing. If we are thinking that we don't know what is
22 going to happen, you know. You know, we, as a
23 community when the lawsuit and that sale is not
24 valid, then it's going to go back to the Park

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1 District, then why are you guys wasting your time,
2 why is this gentleman being paid out tax dollars,
3 including yours and mine.

4 We are here at five o'clock, you
5 know, somebody said executive session would be not
6 very long. It took about 40 minutes.

7 COMMISSIONER FOX: So what if you do lose the
8 lawsuit? What if you lose the lawsuit and they win
9 their lawsuit and they de-annex, and that church will
10 still go there, and it will be in Cook County, and
11 they will build whatever they want.

12 MR. PATEL: Why are we wasting time and
13 paying somebody?

14 COMMISSIONER FOX: They would have started
15 building if they just didn't decide to do their
16 parking a different way, and they decided --

17 MR. PATEL: I don't agree with it.

18 COMMISSIONER FOX: No, they could have.

19 MR. PATEL: They would still have to go to
20 the Village.

21 COMMISSIONER FOX: If they didn't come to us,
22 it would never go to the Village. It comes to us
23 because they want a variance, a very small variance.
24 And if they didn't make those changes, they would

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1 never have had to come, because they already own the
2 land, even though it's in dispute.

3 That may change if they -- if you
4 win the lawsuit, but you may not win the lawsuit.

5 MR. PATEL: Wait a minute. They can't get
6 approval from here, it still has to be approved from
7 the Village.

8 COMMISSIONER FOX: Only because we're working
9 on a variance.

10 CHAIRMAN MCCOMBIE: Think if you were
11 building a house and the lot was the right size, the
12 elevations the right size. What would you do, you
13 don't go to the Village Board, you go see that man
14 over there, and you ask to build a building, a house,
15 right. You don't come before us.

16 MR. PATEL: So the church has to get the
17 approval from the Commission -- the Plan Commission
18 and that's it?

19 CHAIRMAN MCCOMBIE: It wouldn't come before
20 us. The church wouldn't come before us, if they
21 didn't ask for these two variances.

22 MR. PATEL: Okay. Again, I still feel that
23 it's not needed to vote today because all the
24 community members wanted to come and be part of this

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1 discussion. It's just at an inconvenient time. I
2 mean, there is still a lawsuit pending, and we may
3 win it. And if we win it, then this is all like a
4 waste of time.

5 COMMISSIONER GILLIS: Well, just so you know,
6 most of these members, maybe I'm speaking out of
7 turn, did not favor that church. We're with the
8 people of South Barrington, but our responsibility is
9 to make sure we get the best deal we can. And our
10 feeling is we don't want a Cook-County-type facility
11 over there. If our only option is us or them, that's
12 where we're coming from.

13 MR. PATEL: I mean, that's a fair, a fair
14 explanation. Thank you. But it's just a couple
15 things bothers me. So thank you.

16 MS. SAGE: Okay. I'll make this quick.

17 I'm still confused about the zoning,
18 and you know, my understanding is that that PUD is
19 zoned for park and recreation. So it would seem to
20 me that the developer would have to come to you
21 regardless in order to be able to build something.
22 But I'm not -- I don't want to repeating that point.
23 That is what it is.

24 What I would like to say is that you

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1 know, this is coming before the Commission now. It's
2 going to get pushed through. The Board of Trustees
3 will move and vote tomorrow, and then they can file
4 for building permit and build on the land, and that
5 actually harms the litigation when it comes to sale.
6 Because once the developer starts to build on the
7 land, the Courts will be less likely to overturn that
8 sale, because they will see prejudicial harm to that
9 developer. So it matters. Thank you.

10 CHAIRMAN MCCOMBIE: Could you just mention
11 the timeline again what you're saying is going to
12 happen -- could happen?

13 MS. SAGE: So I understand the Board of
14 Trustees is meeting tomorrow. I don't know if
15 they're going to take a vote on this tomorrow.

16 CHAIRMAN MCCOMBIE: Thursday.

17 MS. SAGE: I'm not sure if they'll take a
18 vote on Thursday or not. I personally anticipate
19 that they would. The building permit I personally
20 anticipate won't take long. They could start
21 building. The Plaintiffs' litigation on the sale
22 against the Park District is ongoing. Once they
23 start building, it will be unlikely for a Court to
24 overturn the sale. They will look for another form

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1 of remedy for the Plaintiffs, which frankly, doesn't
2 exist.

3 CHAIRMAN MCCOMBIE: So the building permit --
4 We asked the building officer about the building
5 permit. For them, they've never submitted plans to
6 build a building, that is in a form that he can
7 review. So they need to submit those plans. We
8 estimate that 30 days, Damian?

9 MR. MICHALSKI: So as long as they provide us
10 with all of the documents, the review time frame is
11 about 14 days up to three weeks for the building, and
12 the engineering would be the second part of the
13 review.

14 COMMISSIONER KWASEK: Isn't it normal in a
15 review that comes back from being that technical that
16 they always have comments, no matter how good your
17 drawings are, they always have comments. Then the
18 petitioner has to respond to those comments.

19 MR. MICHALSKI: That's correct.

20 COMMISSIONER KWASEK: And make their changes
21 or say why they feel they're in the right, and then
22 that has to go back for another review.

23 MR. MICHALSKI: Re-review, yes.

24 COMMISSIONER KWASEK: So in this type of a

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1 facility, have you ever seen it go through one time
2 clean shot?

3 MR. MICHALSKI: Never.

4 COMMISSIONER KWASEK: That's my experience as
5 well.

6 MS. SAGE: Even if it goes multiple times,
7 we're talking 30 days, 60 days, 90 days. The
8 Plaintiffs' case is still ongoing when it comes to
9 sale of the land, and for them to be able to move
10 forward with breaking ground in any way, shape or
11 form will harm that case.

12 I don't know if that matters to you
13 or not, but that will be the outcome. And there's a
14 reason that this meeting is being had today. I
15 understand why to be part of the development within
16 the Village, so that it matches the Village, but the
17 Mayor has said all along there would be no vote until
18 that case has reached a resolution, and yet here we
19 are.

20 MR. MICHALSKI: Excuse me, ma'am, if I may.
21 The church has come before us almost a year, right,
22 we had multiple meetings. I sat down here multiple
23 times. The Commissioners, as well as I, we all heard
24 you -- your concerns. There is -- We are torn inside

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1 for the good of the Village and the good of the
2 residents, okay; however, the only situation that we
3 have right now that we face is whether we will allow
4 this property to go to Cook County and then do not
5 govern any of the buildings or not. Because we are
6 right now in the litigation. So the suit is ongoing
7 for the de-annexation. If they succeed to de-annex,
8 then they can change the plans for less appealing.
9 They could technically build any building that is
10 cinderblock, okay. They could -- According to Cook
11 County requirements, they could have solid 10 feet
12 fence. What would you rather see?

13 And that's -- And again, please,
14 think about the good of the whole Village. They will
15 still be there. There will still be -- If your suit
16 fails, there will still be a church built. Whether
17 that's -- It's still going to have a South Barrington
18 address, whether we can say something about it or
19 not, that is the only question.

20 MS. SAGE: I understand that. And as I said,
21 I understand and appreciate wanting to have that
22 ability to work with the developers. I just wanted
23 to mention that it matters and goes against the
24 Plaintiffs' case.

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1 MR. MICHALSKI: And if I may also add
2 something, the fact that your voice was heard and
3 everybody else's was a closing out the Acadia Drive
4 that was originally designed PUD to access for that
5 property. The church agreed upon that by the request
6 of the Commissioners. So that was one of the deals.
7 They -- We've asked for multiple different studies.
8 They provided everything that we've asked for. So I
9 don't think that there's anything else, that me,
10 personally, I can block for that.

11 We are here only for those two
12 variances, because the Village does not permit
13 fences. So the fence would be around the property
14 and the other variance was for the parking lot. They
15 would encroach into the building setback line, a
16 building setback, I believe that was a hundred feet
17 away from the street. That was the only variance
18 that we're here for right now, okay. Thank you.

19 MS. SAGE: Thank you.

20 MS. ANSARI: One question, a scenario that
21 might come up. What if Cook County does not -- Is
22 not able to annex?

23 ATTORNEY VASSELLI: It's a default. So if
24 they win their petition to disconnect, they'll just

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1 go into Cook County. And I'm not trying to be
2 condescending. You go back into Cook County. You
3 say you are out of the village, they have to take
4 you. I don't know if I'm explaining that. I'm not
5 trying to be rude.

6 MS. ANSARI: So by them applying to become --
7 to be annexed by Cook County.

8 ATTORNEY VASSELLI: Disconnected. Because
9 think of it take the layer off, and it's -- They get
10 out of the village and they're just in the county.

11 MS. ANSARI: They're not -- They are just in
12 Cook County but not South Barrington?

13 ATTORNEY VASSELLI: That's correct. They'll
14 have a South Barrington address. They'll have --
15 likely have South Barrington zip code almost sure of
16 it, but they will not technically be under the
17 jurisdiction of South Barrington for --

18 MS. ANSARI: For anything.

19 ATTORNEY VASSELLI: Anything. Obviously, if
20 there was a police incident, we would assist.

21 MS. ANSARI: Sure.

22 ATTORNEY VASSELLI: They would be outside of
23 our control.

24 MS. ANSARI: I totally understand where you

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1 guys are coming from here, but I mean, it seems like
2 they knew how to get to this point, like to kind of
3 back us into a corner. It feels that way. I mean,
4 this is a pretty -- This is a big point to go and try
5 to take a piece of land that's part of South
6 Barrington we had for so long and suddenly go we want
7 this whole land to be taken out of South Barrington.

8 COMMISSIONER KWASEK: Can I clarify
9 something?

10 MS. ANSARI: Yes.

11 COMMISSIONER KWASEK: Can you tell us, Jimmy,
12 how many de-annexations in the State of Illinois have
13 failed? How many were unable to de-annex?

14 ATTORNEY VASSELLI: So courts favor
15 disconnections from municipalities. It's very much
16 in favor of the person who is asking to disconnect or
17 de-annex from the municipality. It's literally --
18 It's an all the appellant cases. Out of all the
19 cases, and we had to read all of them for a different
20 matter, not involving the Village, there was one case
21 where the property owner was denied the
22 disconnection. So it's really -- The courts really
23 favor disconnection over requiring the property owner
24 to stay in the municipality if they don't want to

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1 stay.

2 And I understand it is a drastic
3 step. I a hundred percent agree with you. It is a
4 drastic step that involves -- and people keep asking
5 the same question, what is this involving, literally
6 two variances. It's two aspects of the code. I
7 understand the bigger issue. I've been here at all
8 of these hearings. It is about those two issues.

9 Someone asked why are we here --
10 we're here, and that's the only thing they asked for,
11 that is why we're here, right. It's not -- They
12 didn't ask about a use. They didn't ask about Acadia
13 Drive. They are here another those two things, and
14 if they don't get those two things, we're out.

15 Does that help at all?

16 MS. ANSARI: It does. My question is because
17 this is happening, you know, so it's not just about
18 the two -- these variances. But I just want to be
19 completely clear about the -- So you're saying the --
20 So you're saying the chances of the property owner,
21 and again, we're saying property owner and though
22 it's still in litigation, gets -- if they request to
23 be taken out of South Barrington, it's a likely
24 chance that they will get it?

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1 ATTORNEY VASSELLI: Almost always the
2 disconnect wins.

3 MS. ANSARI: Again, I -- They're still not --
4 To me, with litigation, I still feel like you guys
5 should push that point for us. You know, I don't
6 who -- you know, I don't know what representatives
7 are actually fighting litigation or are involved in
8 litigation with the annexation. If you can at least
9 say this property is still in litigation, move -- at
10 least move the -- how can you -- when something is
11 being fought, and yes, they were given the deed when
12 technically they own the property, how can you still,
13 you know, be not using that for us. You know, the
14 residents are fighting for the actual validity of the
15 sale. So property owner itself is in question. So
16 it's already assuming the property is theirs. If
17 that were the case --

18 ATTORNEY VASSELLI: The deed is the
19 presumption. The deed is the presumption. So I just
20 want to stop you because that's an important point.
21 I know that you don't want to hear this, okay, but
22 there is no way to say the Park District -- the Park
23 District took the money and gave a deed, right. That
24 is -- That is a fact. The lawsuit, as I understand

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1 it, is whether the process was followed for the sale.

2 MS. ANSARI: If found to be legitimate.

3 ATTORNEY VASSELLI: They're waiting for a
4 Court order. We've have been waiting for a Court
5 order on it since '24. I believe since '24. We've
6 been to court. We tried to get involved. The judge
7 wouldn't let us get involved. The judge -- We've
8 asked, and he said no. It's between them.

9 MS. ANSARI: Okay.

10 ATTORNEY VASSELLI: We fought that fight and
11 the judge said no, this is between them.

12 MS. ANSARI: I see. Thank you.

13 CHAIRMAN MCCOMBIE: Okay. Any other
14 comments?

15 (No response.)

16 CHAIRMAN MCCOMBIE: At this point, I would
17 like to call the public hearing for the continuation
18 on Area N, LLC, application for approval of
19 development plan for construction of a church and
20 school and school store on existing site adjacent to
21 an existing plat subdivision.

22 Motion to open the meeting?

23 COMMISSIONER GILLIS: You have a motion.

24 COMMISSIONER FOX: Second.

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1 CHAIRMAN MCCOMBIE: Roll call.

2 VILLAGE ADMINISTRATOR DROPKA: Commissioner

3 Kazi?

4 COMMISSIONER KAZI: Yes.

5 VILLAGE ADMINISTRATOR DROPKA: Commissioner

6 Gillis?

7 COMMISSIONER GILLIS: Yes.

8 VILLAGE ADMINISTRATOR DROPKA: Commissioner

9 Abri?

10 COMMISSIONER ABRI: Yes.

11 VILLAGE ADMINISTRATOR DROPKA: Commissioner

12 Fox?

13 COMMISSIONER FOX: Yes.

14 VILLAGE ADMINISTRATOR DROPKA: Commissioner

15 Kwasek?

16 COMMISSIONER KWASEK: Yes.

17 VILLAGE ADMINISTRATOR DROPKA: Chairman

18 McCombie?

19 CHAIRMAN MCCOMBIE: Yes. Okay.

20 Is the church here to make a
21 presentation?

22 ATTORNEY VASSELLI: They are not here,
23 Mr. Chairman.

24 CHAIRMAN MCCOMBIE: Okay. Procedural

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1 background.

2 ATTORNEY VASSELLI: So that has been talked
3 about, Mr. Chair. We wanted to make sure that we
4 knew what the scope of the request was, the scope of
5 the request was regards to those two variances that
6 I'm going to ask the Building Commissioner to give a
7 little bit more background on what is going on and to
8 go through -- The fact this is a recess and a lot of
9 this was said during the general public comment, but
10 to go through the idea that this was or is to remind
11 everyone that this is off of a recessed hearing from
12 the initial application and state that there have
13 been certain accommodations, for lack of better word
14 made, such as closing the right-of-way at Acadia
15 Drive.

16 And I will actually, if it's okay
17 with the Chair, I will ask the Building Commissioner
18 to discuss those changes that are the actual reason
19 why we are here tonight.

20 (Witness sworn.)

21 MR. MICHALSKI: Damian Michalski, Building &
22 Zoning Officer.

23 So the reason we are here is for two
24 variances of the -- for the applicant. One would be

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1 a six feet fence around the property, around the
2 school, and the other variance is to enlarge the
3 parking lot and encroach the building setback.

4 ATTORNEY VASSELLI: Which would have an
5 effect to change the subdivision plat too because it
6 would cut the lot line.

7 MR. MICHALSKI: That's correct.

8 ATTORNEY VASSELLI: Okay.

9 CHAIRMAN MCCOMBIE: Okay. Anything else?

10 (No response.)

11 CHAIRMAN MCCOMBIE: Okay. Then it's time for
12 public comment.

13 ATTORNEY VASSELLI: They can make whatever
14 comment in the public hearing.

15 MR. PATEL: Is there a presentation?

16 CHAIRMAN MCCOMBIE: There is no presentation.
17 The discussion was the presentation.

18 Actually, I have to swear you in for
19 comment.

20 (Witness sworn.)

21 CHAIRMAN MCCOMBIE: State your name.

22 MR. PATEL: Hemal Patel, 1 Acadia Drive.

23 So I was under the impression there
24 would be some type of presentation, a piece of paper

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1 to tell us how it looks or how it would look.

2 Do we have that?

3 ATTORNEY VASSELLI: Yeah. I actually told
4 them that there would be a hearing. I did invite the
5 Petitioners, Area N Development, LLC, to come. I
6 asked them to come here. They are not here tonight.

7 MR. PATEL: Do you all know what exactly how
8 it will look, the fence?

9 COMMISSIONER GILLIS: Oh, yes.

10 MR. PATEL: Can I see the paper?

11 CHAIRMAN MCCOMBIE: I mean, when is the last
12 time that you've looked at those drawings, Damian?

13 MR. MICHALSKI: I believe, if I recall
14 correctly, sometime last year in 2024, either October
15 or September. Because it's been -- It's been a
16 continuous discussion. Yeah.

17 MR. PATEL: So nobody has seen it or?

18 COMMISSIONER FOX: We don't have it here.
19 They are from previous meetings. So nothing has
20 changed since this has been --

21 MR. PATEL: It has or has not?

22 COMMISSIONER FOX: It has not from the time
23 they made the final, you know, changes that we saw.
24 It hasn't changed.

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1 MR. PATEL: Did you all see it?

2 COMMISSIONER FOX: I believe it's available
3 for everyone to see.

4 MS. ANSARI: There is nowhere to access it at
5 this point.

6 MR. PATEL: I certainly don't remember seeing
7 it. I'm not sure if you guys all remember.

8 MR. MICHALSKI: It was presented on the
9 screen when they showed up for the variance. And
10 again, that was, I want to say three continuations
11 ago.

12 MR. PATEL: And so then enlighten me. If
13 they requested a variance, why did the Zoning
14 Commission did not vote at that time if it meant the
15 requirements? Why delay for eight months or six
16 months or four months, whatever we did? Why did we
17 wait, and why we decide to vote today?

18 If it was all presented, it was all
19 acceptable, right, like wait, wait, wait, recess,
20 recess, whatever we call the legal term, and then all
21 of a sudden on Cinco de Mayo, I could be eating
22 tacos.

23 CHAIRMAN MCCOMBIE: Think about this, until
24 they decided that they wanted -- they were going to

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1 de-annex, then we had to make a change in our
2 direction.

3 MR. PATEL: I mean, I'm not satisfied with
4 the answer, but if that is your answer, I'll take it.
5 Thank you.

6 CHAIRMAN MCCOMBIE: Any other public
7 comments?

8 (Witness sworn.)

9 MS. RAJU: My name is Bhanu Raju, 3 Brooke
10 Lane, South Barrington.

11 I just want to know which advocate,
12 lawyer will represent us for the arguments for
13 de-annexation, you know, of that Area N, which lawyer
14 will represent us?

15 ATTORNEY VASSELLI: There are numerous
16 lawyers that we have working on that matter.

17 MS. RAJU: How many?

18 ATTORNEY VASSELLI: Two. Two or three.

19 MS. RAJU: And you are one of them?

20 ATTORNEY VASSELLI: I'm one of them.

21 MS. RAJU: And we can trust you?

22 ATTORNEY VASSELLI: Ma'am -- I can't -- Yes,
23 I'm an advocate. I'm sworn to the Bar. I have
24 argued with -- I argue many times before the State

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1 and Appellate Courts, and I don't know what else to
2 say. I don't -- This is going -- Your choice to
3 trust me is your choice, right? But I will zealously
4 defend my clients in all instances.

5 MS. RAJU: But you already sold on the idea
6 that it's going to de-annex. You have said that many
7 times.

8 ATTORNEY VASSELLI: No, that's not what I
9 said. I said in reviewing the case law that
10 disconnection happens almost all of the time. That
11 doesn't mean that always happens. That doesn't mean
12 we would argue -- we wouldn't have arguments for
13 that. That would then mean --

14 MS. RAJU: You shouldn't even be saying that.
15 You should go with full, you know, confidence that
16 you are going to fight for us so it won't de-annex.

17 ATTORNEY VASSELLI: I appreciate your advice.

18 MS. RAJU: So that bothers me that you
19 already think -- I know it's ten times it's going to
20 de-annex. With that attitude, okay, I'm not sure if
21 you are going to fully represent us. That is my
22 concern.

23 ATTORNEY VASSELLI: Thank you.

24 CHAIRMAN MCCOMBIE: Okay. Any other

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comments?

(No response.)

CHAIRMAN MCCOMBIE: Hearing none, I'll take a motion to close the public hearing.

COMMISSIONER KAZI: So moved.

CHAIRMAN MCCOMBIE: Second?

COMMISSIONER KWASEK: Second.

CHAIRMAN MCCOMBIE: Roll call.

VILLAGE ADMINISTRATOR DROPKA: Commissioner
Kazi?

COMMISSIONER KAZI: Yes.

VILLAGE ADMINISTRATOR DROPKA: Commissioner
Gillis?

COMMISSIONER GILLIS: Yes.

VILLAGE ADMINISTRATOR DROPKA: Commissioner
Abri?

COMMISSIONER ABRI: Aye.

VILLAGE ADMINISTRATOR DROPKA: Commissioner
Fox?

COMMISSIONER FOX: Yes.

VILLAGE ADMINISTRATOR DROPKA: Commissioner
Kwasek?

COMMISSIONER KWASEK: Yes.

VILLAGE ADMINISTRATOR DROPKA: Chairman

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1 McCombie?

2 CHAIRMAN MCCOMBIE: Yes.

3 Now we have before us a discussion
4 here on our -- in our group to whether or not to
5 recommend either the two variances or not the two
6 variances for the Board of Trustees.

7 I will say that we do not take this
8 lightly, and that we have thought about this and
9 thought about this for a long time. And you can see
10 the number of meetings that we've had and number of
11 meetings that we've already participated in.

12 I think that to have the development
13 in South Barrington, where we can make with the
14 church the decisions on how the church is being built
15 is best for our community. I -- I think this is the
16 correct thing to do.

17 But at this point, I would take a
18 motion to approve the two variances for the church on
19 Area N.

20 COMMISSIONER FOX: But it's with final
21 engineering and everything else?

22 CHAIRMAN MCCOMBIE: All the final and
23 engineering for that has to be done with the Village.
24 So we're not approving anything engineering-wise.

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1 All we're approving is these two variances.

2 And the thing to remember is that --
3 from my mind to remember is that if they didn't ask
4 for these two variances, they wouldn't be in front of
5 us anyway. They would be applying to the Village
6 directly for a building permit.

7 ATTORNEY VASSELLI: You mean to recommend it
8 to the Board for approval in regards to the fence --
9 the fence and parking lot as the Building
10 Commissioner said.

11 CHAIRMAN MCCOMBIE: Correct. Correct.

12 And I would further recommend that
13 Damian, you present those drawings to the Board.

14 MR. MICHALSKI: I'll make sure.

15 CHAIRMAN MCCOMBIE: Thank you.

16 Okay. So at this time I would take
17 a motion.

18 COMMISSIONER KWASEK: So moved.

19 CHAIRMAN MCCOMBIE: Second?

20 COMMISSIONER GILLIS: You have a second.

21 CHAIRMAN MCCOMBIE: Okay. Roll call vote.

22 COMMISSIONER KWASEK: Can we have just a
23 little bit more discussion?

24 CHAIRMAN MCCOMBIE: We definitely could.

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1 COMMISSIONER KWASEK: Joe, you probably have
2 the most history here out of anybody.

3 When did you Union Pacific de-annex?
4 What year was that, was that '89 or '91?

5 UNIDENTIFIED SPEAKER: Probably '89.

6 COMMISSIONER KWASEK: '89. So we have the
7 AMC because prior to AMC, a group called Union
8 Pacific Realty owned that whole parcel. They wanted
9 to build office buildings, and they met with the
10 Village and went back and forth and determined that
11 it wasn't going to happen, and they de-annexed. And
12 it's my understanding they won. And it was in the
13 eleventh hour that AMC came in and took that property
14 and kept it in the Village.

15 That's your recollection, Joe?

16 UNIDENTIFIED SPEAKER: Yep.

17 COMMISSIONER KWASEK: Allstate had a nice
18 facility, they tore it down. There was a proposal on
19 that property, and the timeline wasn't working and
20 then the interest rates changed, and that proposal
21 fell apart. And it's my understanding Allstate is
22 also de-annexed; is that correct?

23 ATTORNEY VASSELLI: That's correct.

24 COMMISSIONER KWASEK: That's a done deal.

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1 Allstate is gone.

2 So it's nice to think that
3 de-annexations can't happen and can't happen to me,
4 it can't happen here, but it does happen. It's a
5 reality.

6 This proposal had a very intensive
7 landscape plan. That was a tremendously expensive
8 landscape plan. This goes in the County, they don't
9 have to do anything. The County doesn't have
10 landscape requirements.

11 I'm ready to vote.

12 CHAIRMAN MCCOMBIE: Any other comments?

13 (No response.)

14 CHAIRMAN MCCOMBIE: Okay. Roll-call vote.

15 VILLAGE ADMINISTRATOR DROPKA: Commissioner
16 Kazi?

17 COMMISSIONER KAZI: So we're taking a vote on
18 the motion?

19 CHAIRMAN MCCOMBIE: We're taking a vote on
20 the motion to approve the two variances.

21 COMMISSIONER KAZI: So no.

22 VILLAGE ADMINISTRATOR DROPKA: Commissioner
23 Gillis?

24 COMMISSIONER GILLIS: Yes.

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1 VILLAGE ADMINISTRATOR DROPKA: Commissioner
2 Abri?

3 COMMISSIONER ABRI: No.

4 VILLAGE ADMINISTRATOR DROPKA: Commissioner
5 Fox?

6 COMMISSIONER FOX: Yes.

7 VILLAGE ADMINISTRATOR DROPKA: Commissioner
8 Kwasek?

9 COMMISSIONER KWASEK: Yes.

10 VILLAGE ADMINISTRATOR DROPKA: Chairman
11 McCombie?

12 CHAIRMAN MCCOMBIE: Yes.

13 VILLAGE ADMINISTRATOR DROPKA: Motion passes.

14 CHAIRMAN MCCOMBIE: Okay. Thank you.

15 At this time any old business?

16 (No response.)

17 CHAIRMAN MCCOMBIE: Any new business?

18 Oh, the next meeting I see is May
19 20th at seven o'clock.

20 Okay. Take a motion to adjourn.

21 COMMISSIONER KAZI: So moved.

22 COMMISSIONER ABRI: I second.

23 CHAIRMAN MCCOMBIE: All those in favor, aye.

24 (Chorus of ayes.)

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1 CHAIRMAN MCCOMBIE: Any opposed?

2 (No response.)

3 CHAIRMAN MCCOMBIE: Hearing none, we are
4 adjourned.

5 (The meeting adjourned
6 at 7:16 p.m.)

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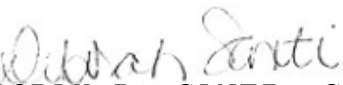
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1 STATE OF ILLINOIS)
2)
3 COUNTY OF COOK)

4 I, DEBORAH R. SANTI, Certified Shorthand
5 Reporter, of the State of Illinois, do hereby certify
6 that I reported in shorthand the proceedings had in
7 the aforesaid matter, and that the foregoing is a
8 true, complete and correct transcript of the
9 proceedings had as appears from the stenographic
10 notes so taken to the best of my ability.

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15 DEBORAH R. SANTI, CSR
16 CSR # 084-004107
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23
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