

08/30/2022

PUBLIC HEARING AND MEETING  
PLAN COMMISSION/ZONING BOARD OF APPEALS  
VILLAGE OF SOUTH BARRINGTON

STENOGRAPHIC REPORT OF PROCEEDINGS had in the  
above-entitled matter on Thursday, August 30th, 2022, at  
the South Barrington Village Hall, William R. Rose Hall,  
30 South Barrington Road, South Barrington, Illinois,  
commencing at 7:00 p.m., CHAIRMAN MICHAEL McCOMBIE  
presiding.

1 COMMISSIONERS PRESENT:

2 MR. MICHAEL McCOMBIE, Chairman  
3 MR. ANTHONY ABRI, Commissioner  
4 MR. DAVID GILLIS, Commissioner  
5 MR. JULIUS KWASEK, Commissioner  
6 MS. NARAYAN MURARKA, Commissioner

7 OFFICIALS PRESENT:

8 MS. PAULA McCOMBIE, Mayor,  
9 Village of South Barrington.

10 ALSO PRESENT:

11 MR. JAMES VASSELLI, Attorney for the  
12 Village of South Barrington,  
13 MS. MELISSA MOELLER, Executive Assistant/Deputy  
14 Clerk, Village of South Barrington.

15 VILLAGE CONSULTANTS:

16 MS. JODI MCCARTHY, Manhard Consulting.

17 OTHERS PRESENT:

18 MR. JOE ELIAS, Vintage, Inc.,  
19 MR. TODD SHAFFER, Haeger Engineering.  
20  
21  
22  
23  
24

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1 (Whereupon, the Village of South  
2 Barrington Plan  
3 Commission/Zoning Board meeting  
4 was called to order at 7:02  
5 p.m.)

6 CHAIRMAN McCOMBIE: Okay. We're all set.  
7 This is a Plan Commission Zoning Board of  
8 Appeals meeting for August 30th. Roll call?

9 DEPUTY CLERK MOELLER: Commissioner Abri?

10 COMMISSIONER ABRI: Here.

11 DEPUTY CLERK MOELLER: Commissioner Fox is  
12 just walking in. Commissioner Gillis?

13 COMMISSIONER GILLIS: Here.

14 DEPUTY CLERK MOELLER: Commisioner Kwasek?

15 COMMISSIONER KWASEK: Here.

16 DEPUTY CLERK MOELLER: Commissioner  
17 Murarka?

18 COMMISSIONER MURARKA: Here.

19 DEPUTY CLERK MOELLER: Chairman McCombie?

20 CHAIRMAN McCOMBIE: Here. Okay. So  
21 before we begin, I know there's a series of  
22 agendas out there. We want to remove a couple  
23 of items from the agenda. So the first items  
24 we're going to remove is on 4 A. We're going

1 to remove items 3, 4 and 5. And then on B,  
2 we're going to remove item 2.  
3 So could I have a motion for that?  
4 COMMISSIONER ABRI: Yes.  
5 CHAIRMAN McCOMBIE: Second?  
6 COMMISSIONER MURARKA: Yes.  
7 CHAIRMAN McCOMBIE: Okay. We'll have a  
8 roll call vote.  
9 DEPUTY CLERK MOELLER: Commissioner Abri?  
10 COMMISSIONER ABRI: Here.  
11 DEPUTY CLERK MOELLER: Commissioner Fox?  
12 COMMISSIONER FOX: Here.  
13 DEPUTY CLERK MOELLER: Commissioner  
14 Gillis?  
15 COMMISSIONER GILLIS: Yes.  
16 DEPUTY CLERK MOELLER: Commissioner  
17 Kwasek?  
18 COMMISSIONER KWASEK: Yes.  
19 DEPUTY CLERK MOELLER: Commissioner  
20 Murarka?  
21 COMMISSIONER MURARKA: Yes.  
22 DEPUTY CLERK MOELLER: Chairman McCombie?  
23 CHAIRMAN McCOMBIE: Yes. Thank you.  
24 So the first item on the agenda, the

1 minutes from the previous Zoning Board of  
2 Appeals.

3 Did everybody get a chance to read them?  
4 And do I have a motion to approve?

5 COMMISSIONER GILLIS: You have a motion.

6 CHAIRMAN McCOMBIE: Second?

7 COMMISSIONER ABRI: Second.

8 CHAIRMAN McCOMBIE: Thank you. Roll call?

9 DEPUTY CLERK MOELLER: Commissioner Abri?

10 COMMISSIONER ABRI: Yes.

11 DEPUTY CLERK MOELLER: Commissioner Fox?

12 COMMISSIONER FOX: Abstain. I was absent.

13 DEPUTY CLERK MOELLER: Commissioner  
14 Gillis?

15 COMMISSIONER GILLIS: Yes.

16 DEPUTY CLERK MOELLER: Commissioner  
17 Kwasek?

18 COMMISSIONER KWASEK: Yes.

19 DEPUTY CLERK MOELLER: Commissioner  
20 Murarka?

21 COMMISSIONER MURARKA: Yes.

22 DEPUTY CLERK MOELLER: Commissioner  
23 McCombie?

24 CHAIRMAN McCOMBIE: Yes. So before we

1 begin the public hearings, there's a chance if  
2 anybody wishes to talk about any subject other  
3 than, I guess, our two public hearings, now  
4 would be a good time to do it, otherwise you  
5 will be allowed during the public hearing to  
6 talk about anything associated with the public  
7 hearing? If not, we'll start with the public  
8 hearing.

9 Can I have a motion to open the public  
10 hearing to consider the recommendation to the  
11 Village Board of Trustees land use adjustments,  
12 including, without limitation, for 61 East  
13 Palatine Road in South Barrington.

14 COMMISSIONER KWASEK: So moved.

15 CHAIRMAN McCOMBIE: Second?

16 COMMISSIONER GILLIS: Second.

17 CHAIRMAN McCOMBIE: Roll call?

18 DEPUTY CLERK MOELLER: Commissioner Abri?

19 COMMISSIONER ABRI: Yes.

20 DEPUTY CLERK MOELLER: Commissioner Fox?

21 COMMISSIONER FOX: Yes.

22 DEPUTY CLERK MOELLER: Commissioner  
23 Gillis?

24 COMMISSIONER GILLIS: Yes.

1           DEPUTY CLERK MOELLER: Commissioner  
2 Kwasek?

3           COMMISSIONER KWASEK: Yes.

4           DEPUTY CLERK MOELLER: Commissioner  
5 Murarka?

6           COMMISSIONER MURARKA: Yes.

7           DEPUTY CLERK MOELLER: And Chairman  
8 McCombie?

9           CHAIRMAN McCOMBIE: Yes. Okay.

10          We now are in the public hearing to hear  
11 testimony regarding a land use adjustments for  
12 East Palatine Road -- for 61 East Palatine  
13 Road, South Barrington.

14          All those who wish to testify, please  
15 stand, state your name and address and raise  
16 your hand and we will administer the oath.

17          Now, I think we'll administer it as we go  
18 through. As you come up, we'll swear you in.

19          MR. VASSELLI: The applicant asked if he  
20 can make a brief statement, a very brief  
21 statement. We have heard from him before on  
22 two different occasions for him to present in a  
23 town hall share, but I think the applicant  
24 asked, Mr. Chair, if he could be recognized



1 first.

2 CHAIRMAN McCOMBIE: Please.

3 (Witness sworn.)

4 JOE ELIAS,

5 Called as a witness herein, having been first duly sworn,  
6 was examined and testified as follows:

7 EXAMINATION

8 BY CHAIRMAN McCOMBIE:

9 Q State your name.

10 A Joe Elias, 9 Brook Lane, South Barrington.

11 Q Thank you.

12 A Thank you, Mr. Chairman. Thank you Plan  
13 Commissioner for hearing us tonight.

14 I am here on behalf of Vintage Luxury  
15 Homes, and our new development Sundance of South  
16 Barrington, which you are familiar with, and we have  
17 worked diligently over the last several months, not  
18 only presenting our preliminary plans and our final  
19 plans to the Plan Commission, but tonight we're back  
20 here for our final review -- or final approval of  
21 our final engineering plans that we have worked  
22 with -- worked on over the last several months,  
23 along with the staff, our engineers who are here  
24 tonight, along with village engineers. So I open

1 that up for any questions that you might have, but  
2 we're excited to take the next steps forward in the  
3 approval process and look forward to opening  
4 Sundance as soon as possible.

5 CHAIRMAN McCOMBIE: Thank you.

6 Does anybody have questions now or do we  
7 need to hear more testimony? Okay. Thank you.

8 MR. ELIAS: Thank you.

9 CHAIRMAN McCOMBIE: Jodi?

10 (Witness sworn.)

11 JODI McCARTHY,

12 Called as a witness herein, having been first duly sworn,  
13 was examined and testified as follows:

14 MS. McCARTHY: Good evening. My name is  
15 Jodi McCarthy. I am a civil engineer with  
16 Manhard Consulting, today representing on  
17 behalf of the Village. I am the overview  
18 engineer for this development.

19 So tonight you have in front of you a  
20 letter dated August 25th. This is part of our  
21 final engineering review No. 2. As Mr. Elias  
22 said, we have been going -- they have been  
23 submitting documentation and we have been  
24 reviewing as we have been proceeding with the

1 final engineering review process.

2 Currently we are in the mist of finalizing  
3 storm water and then also wetlands. There are  
4 other regulatory agencies that are still  
5 weighing in, but this is a very typical review  
6 letter for this -- for the final engineering  
7 process.

8 Also, if you approve this tonight based  
9 upon engineering conditions, with everything  
10 outlined in this letter, we have worked with  
11 Village staff and the attorneys to protect  
12 through ordinances and covenances to ensure  
13 that there would not be building department  
14 approvals going forward without all the  
15 collateral government agencies also issuing  
16 their approval, so like the Army Corps,  
17 Wetlands and MWRD permit, but they're all in  
18 process.

19 BY CHAIRMAN McCOMBIE:

20 Q I have read through all your things that  
21 you were looking for.

22 A I try to be thorough. So I want to make  
23 sure that we give a very inclusive list as we're  
24 going through, so it acts as a checklist.

1           Q     So, as I read it, I thought most of the  
2 items associated with it were items that would be  
3 picked up as you go through the process of bringing  
4 us on board. And that I think a little bit of the  
5 water motion, movement, I think that was -- I was a  
6 little bit concerned about that to see if it was in  
7 the right places and the right velocities and those  
8 things, but the rest of it I thought could be picked  
9 up pretty easily. Is that your --

10          A     Yes. I would say that's a good  
11 characterization. So storm water and wetlands are  
12 in a place where we are still progressing on getting  
13 information to complete the submittals and get the  
14 final approvals. But you are right, we spent a lot  
15 of time on -- we talked a lot about design speeds  
16 and roadways and all that during preliminary  
17 engineering in order to really get the roads and lot  
18 lines set. So you are right, that was the first  
19 step in the prelim to really get that plat and the  
20 lot lines down. Now we're into the nitty-gritty  
21 details about storm water models and protecting  
22 wetlands and Army Corps letters.

23           Q     There was one road that was in there that  
24 had more than a 10 percent rise to it?

1           **A     Correct.**

2           **Q     Has that been resolved? Has it yet to be**  
3           **resolved?**

4           **A     It has yet to be resolved. There have**  
5           **been some items in here that we have gotten interim**  
6           **submittals on, say pertaining to overland flow**  
7           **routes. We have been having dialogue between the**  
8           **applicant's engineer and us on how to enhance those**  
9           **and make them meet the ordinance. But you are**  
10          **right, so that area will have to be modified. I**  
11          **don't want to speak for the applicant's engineer,**  
12          **but I believe we could he make things work. I feel**  
13          **confident we can work through these issues.**

14          **Q     Okay. Was there anything on this list of**  
15          **things that you looked at that are like, oh, this is**  
16          **a really tough one, or not really?**

17          **A     I think that most of these can be**  
18          **addressed creatively. We need to make sure we're**  
19          **complying with all the MWRD requirements, since the**  
20          **Village is deemed with the responsibility of**  
21          **administering that ordinance. And you guys are very**  
22          **lucky to have that responsibility, not every**  
23          **community does. So we want to make sure every I is**  
24          **dotted and every T is crossed.**

1           So in terms of red flags, I feel like  
2 everything in here is just part of the final  
3 approval process. I think they can work with -- and  
4 I don't want to speak for their engineer. I can let  
5 him speak, but I don't think there's anything in  
6 here that they could not address.

7           COMMISSIONER GILLIS: Is there anything  
8 they're pushing back on?

9           MS. MCCARTHY: I don't think so. Their  
10 engineers who have been corresponding back and  
11 forth have been responsive. This is a -- not a  
12 small subdivision, so these things take time  
13 for me to generate the comments, for them to be  
14 able to create a new report, new calculation.  
15 There's a lot of back and forth in this process  
16 of final engineering.

17 BY CHAIRMAN McCOMBIE:

18           Q     Okay. So you can say that as our  
19 consultant, there's nothing here in this report that  
20 is lengthy that you would say we stop this  
21 development from going forward?

22           A     Correct. I don't think there's anything  
23 that would stop this development from going forward.  
24 In terms of wetlands, Army Corps or IDOT, things

1 like that could modify lot lines or roadway  
2 alignments, but I don't see anything that would stop  
3 it.

4 Q Okay. And the house count, do you think  
5 the house count is essentially correct? It's plus  
6 or minus something? That is really close to the  
7 right house count?

8 A It should be. A lot of that depends on  
9 the availability of septic systems in relation to what the  
10 footprint of the building is and the setbacks. We  
11 have been going back and forth about the different  
12 exhibits to show where the restricted areas are on  
13 the lot. The NSF 350 systems work that you cannot  
14 drive construction equipment over them or disturb  
15 them.

16 So when this subdivision goes in, there's  
17 going to be a lot of different fencing protecting  
18 where the future septic areas could be. So that  
19 could change in the future. We have discussed it  
20 with the applicant that some of these areas, if the  
21 soil doesn't work or if equipment were to destroy  
22 it, then it could potentially lose a lot.

23 CHAIRMAN McCOMBIE: You guys?

24 MR. VASSELLI: I would like to add one

1 thing that the engineer was saying. We have  
2 worked diligently with the development team.  
3 And we have worked with them to put us in a  
4 position where with the controls are in place  
5 as stated by Jodi in both the agreement and  
6 ordinances, that we feel confident the Village  
7 would be protected to go forward. We'll have  
8 to monitor it, but it's an evolving process and  
9 something we think we're comfortable with going  
10 forth in light of the parameters the ordinance  
11 authorizes us, we have sufficient projections  
12 to make sure the rest of the Village is  
13 protected as well as the people that are going  
14 to buy the lovely homes.

15 CHAIRMAN McCOMBIE: Okay. Anybody have  
16 any other questions? Thank you very much.

17 MS. MCCARTHY: Thank you.

18 CHAIRMAN McCOMBIE: John, can we talk to  
19 your engineer?

20 MR. ELIAS: Sure.

21 (Witness sworn.)

22 MR. SHAFFER: Todd Shaffer, principal with  
23 Haeger Engineering, 100 East State Parkway,  
24 Schaumburg, Illinois.



1 TODD SHAFFER,  
2 Called as a witness herein, having been first duly sworn,  
3 was examined and testified as follows:

4 EXAMINATION

5 BY CHAIRMAN McCOMBIE:

6 Q She said she had seen the list. I read  
7 the list. I went over the list. There are many  
8 things in here. Do you think there's any big things  
9 that would cause you to have consternation or can't  
10 work out something with the Village?

11 A No. But this is, just as Jodi said, it's  
12 the normal process. I always like to relate  
13 something that you guys can grab on to, so I'll  
14 point your attention to the Arboretum. If you  
15 recall we had two creeks going through the site,  
16 wetlands everywhere, we had the whole shopping  
17 center built before we had an IDOT permit in hand.  
18 We left Arboretum Boulevard out of the construction,  
19 so there's mechanisms. These outside agencies take  
20 time. That's the thing we can't control, the timing  
21 of the outside agency. It's a benefit the MWRD will  
22 help facilitate those, and also with respect to the  
23 wetlands in this case. I believe it's a benefit  
24 that they are co-jurisdictional with the exception

1 of the southeast corner. And once that process gets  
2 through, we just need to give a lot of supporting  
3 documents from our consultant, the village engineer.  
4 So those are the big issues on the site, is the  
5 storm water and the wetlands.

6 The road improvements, they're very  
7 straightforward for a single entrance subdivision.  
8 The water from the road comes to our site. There's  
9 a situation where water does discharge into the  
10 right-of-way but comes right back to us. So from a  
11 standpoint of reviewing from IDOT's perspective,  
12 there's a geometric concurrent on the location.  
13 There may be some comments about storages and tapers  
14 and stuff like that, but the big picture widening  
15 and stuff is our dividing line.

16 Q Okay. There was -- last time we met there  
17 was discussion about whether there would be a turn  
18 lane on Palatine Road. Is there anything further  
19 with that?

20 MR. SHAFFER: I am picking up a baton for  
21 my business partner, and help facilitate the  
22 project moving forward, but that's a question I  
23 can't answer. Project.

24 MR. ELIAS: We're having a right-turn lane

1 and left-turn lane. So initially we had a  
2 proposed left-turn lane into the subdivision  
3 coming from the east, and now we have a  
4 right-turn lane coming from the west entering  
5 the subdivision.

6 CHAIRMAN McCOMBIE: Okay. Anybody have  
7 any questions? Thank you. Good to see you. I  
8 don't have any other questions. And Jodi was  
9 the only person on the list to appear before  
10 us, I thought.

11 Does anybody else want to give testimony  
12 to this? Okay.

13 So at this time I would assume we need to  
14 close the public hearing.

15 DEPUTY CLERK MOELLER: We have a second  
16 public hearing. Do you want to close it?

17 CHAIRMAN McCOMBIE: Yeah.

18 MR. VASSELLI: We will close the public  
19 hearing and take a vote all together.

20 CHAIRMAN McCOMBIE: Take the vote on this  
21 and vote on the other public?

22 MR. VASSELLI: Correct. There will be two  
23 votes, one is the general overall  
24 recommendation for the approval of the

1 development, and the second is approval of the  
2 final plans in connection with the development  
3 of property, and that's obviously based --  
4 contingent upon the engineering satisfaction.

5 CHAIRMAN McCOMBIE: So at this time I  
6 think we should close this public hearing.  
7 Motion to close it?

8 COMMISSIONER ABRI: Make a motion.

9 CHAIRMAN McCOMBIE: Second?

10 COMMISSIONER GILLIS: Second.

11 CHAIRMAN McCOMBIE: Roll call.

12 DEPUTY CLERK MOELLER: Commissioner Abri?

13 COMMISSIONER ABRI: Yes.

14 DEPUTY CLERK MOELLER: Commissioner Fox?

15 COMMISSIONER FOX: Yes.

16 DEPUTY CLERK MOELLER: Commissioner  
17 Gillis?

18 COMMISSIONER GILLIS: Yes.

19 DEPUTY CLERK MOELLER: Commissioner  
20 Kwasek?

21 COMMISSIONER KWASEK: Yes.

22 DEPUTY CLERK MOELLER: Commissioner  
23 Murarka?

24 COMMISSIONER MURARKA: Yes.

1 DEPUTY CLERK MOELLER: Chairman McCombie?

2 CHAIRMAN McCOMBIE: Yes. Okay. We have  
3 heard the testimony, and there's two subjects?

4 MR. VASSELLI: Yes, two items we will be  
5 voting on tonight. And if the board wants to,  
6 we can consolidate those with a motion to  
7 consolidate. The first one would be  
8 developing -- a general approval for the  
9 development of property and planning  
10 development at 61 East Palatine Road in the  
11 Village. And the second would be approving  
12 final plans in connection with development of  
13 property at 61 East Palatine Road, obviously  
14 contingent upon the engineers' recommendation.  
15 We could consolidate or vote separately,  
16 whatever your wishes may be.

17 COMMISSIONER GILLIS: Consolidate.

18 CHAIRMAN McCOMBIE: Consolidate them.

19 MR. VASSELLI: Could we get a motion to  
20 consolidate that?

21 COMMISSIONER GILLIS: Motion to  
22 consolidate.

23 COMMISSIONER ABRI: Second.

24 DEPUTY CLERK MOELLER: Do you need a roll

1 call?

2 MR. VASSELLI: Yes.

3 DEPUTY CLERK MOELLER: Commissioner Abri?

4 COMMISSIONER ABRI: Yes.

5 DEPUTY CLERK MOELLER: Commissioner Fox?

6 COMMISSIONER FOX: Yes.

7 DEPUTY CLERK MOELLER: Commissioner

8 Gillis?

9 COMMISSIONER GILLIS: Yes.

10 DEPUTY CLERK MOELLER: Commissioner

11 Kwasek?

12 COMMISSIONER KWASEK: Yes.

13 DEPUTY CLERK MOELLER: Commissioner

14 Murarka?

15 COMMISSIONER MURARKA: Yes.

16 DEPUTY CLERK MOELLER: Chairman McCombie?

17 CHAIRMAN McCOMBIE: Yes. Okay. So before

18 you we'd like to make a motion to make a

19 recommendation to present to the Village Board

20 to recommend the developed property at

21 planned-unit development at 61 East Palatine

22 Road, and that the final plans of connection

23 with the development of the property at 61 East

24 Palatine Road subject to its final engineering

1 review and changes, modifications that we  
2 approve this plan. Motion?  
3 COMMISSIONER ABRI: I make a motion to  
4 that.  
5 COMMISSIONER KWASEK: Second.  
6 CHAIRMAN McCOMBIE: Roll call.  
7 DEPUTY CLERK MOELLER: Commissioner Abri?  
8 COMMISSIONER ABRI: Yes.  
9 DEPUTY CLERK MOELLER: Commissioner Fox?  
10 COMMISSIONER FOX: Yes.  
11 DEPUTY CLERK MOELLER: Commissioner  
12 Gillis?  
13 COMMISSIONER GILLIS: Yes.  
14 DEPUTY CLERK MOELLER: Commission Kwasek?  
15 COMMISSIONER KWASEK: Yes.  
16 DEPUTY CLERK MOELLER: Commissioner  
17 Murarka?  
18 COMMISSIONER MURARKA: Yes.  
19 DEPUTY CLERK MOELLER: Chairman McCombie?  
20 CHAIRMAN McCOMBIE: Yes. Okay. So at  
21 this time we're going to open up another public  
22 hearing for the RV. This is the modification  
23 to a text amendment of the Village for the  
24 storage of RVs on the homeowner site.

1           So motion to open up the public hearing?  
2           COMMISSIONER ABRI: I make a motion.  
3           CHAIRMAN McCOMBIE: Second?  
4           COMMISSIONER KWASEK: Second.  
5           CHAIRMAN McCOMBIE: Roll call.  
6           DEPUTY CLERK MOELLER: Commissioner Abri?  
7           COMMISSIONER ABRI: Yes.  
8           DEPUTY CLERK MOELLER: Commissioner Fox?  
9           COMMISSIONER FOX: Yes.  
10          DEPUTY CLERK MOELLER: Commissioner  
11          Gillis?  
12          COMMISSIONER GILLIS: Yes.  
13          DEPUTY CLERK MOELLER: Commissioner  
14          Murarka?  
15          COMMISSIONER MURARKA: Yes.  
16          DEPUTY CLERK MOELLER: Chairman McCombie?  
17          CHAIRMAN McCOMBIE: Yes. This is simply  
18          the parking of recreational vehicles on  
19          residential districts.  
20          Now, there was one change to the text  
21          amendment that we had seen.  
22          MR. VASSELLI: Yes. So the nature of this  
23          change is to regulate further our temporary RV  
24          parking within the village and actually allow



1 for not only one -- so, again, this ordinance  
2 will impose regulations regarding the  
3 permitting of RV, recreational vehicle, and  
4 there shall no more than 14 separate incidents  
5 when a resident may have a recreational vehicle  
6 parked in their residential driveway during any  
7 calendar year.

8       There is a slight change brought up on  
9 Page 5 under item C 2 thereon, and it changed  
10 the language to their, T-H-E-I-R. But  
11 essentially that's the nature of this. We're  
12 trying to impose additional regulations after  
13 much commentary came into the Village about  
14 this nuisance, these occurrences that are going  
15 on within the village, and we would recommend  
16 approval. This has been worked on multiple  
17 times by staff and the attorney's office.

18       COMMISSIONER KWASEK: I have a question,  
19 separate incidents, so here I am I have my RV,  
20 I am parked in the driveway and I need to get  
21 some gas. So I leave my property and my RV, I  
22 go get some gas and I come back. Are those two  
23 incidents? And if I leave in that same 24-hour  
24 period to go and get some camping supplies in

1 my RV, is that now another incident or should  
2 that be 14, 24-hour periods?

3 DEPUTY CLERK MOELLER: I want to point out  
4 the ordinance that you are voting on tonight is  
5 the zoning ordinance, which is on Page 59 of  
6 the packet. The other supplemental ordinance  
7 is just being referred in that zoning  
8 ordinance. That is not something on tonight's  
9 agenda, Commissioner Kwasek. That is part of  
10 the village code for building.

11 MR. VASSELLI: And that is to enforce it.

12 DEPUTY CLERK MOELLER: I want to make sure  
13 we're clear on what ordinance we're looking at.

14 MR. VASSELLI: So they do interrelate,  
15 because the definition as set forth on Page 4  
16 of the ordinance, Page 62 of your packet refers  
17 back to the definition of recreational vehicle,  
18 which is on Page 4, again, of the ordinance  
19 that was passed out in a supplemental manner.  
20 I know this is -- the intention of this is not  
21 to be necessarily punitive to people, but to  
22 ensure that it's regulated and department  
23 regulated and people are not there for a week.  
24 If you read on Page 4 it's a 48-hour period.

1 But, again, I would like some input from the  
2 Chair and from you as to your opinion on that.  
3 Do you believe those would be separate  
4 incidences or a break? I don't think we'll  
5 have a police officer doing a stake out on RVs  
6 that would be reasonably enforced, if that make  
7 sense.

8 COMMISSIONER KWASEK: So a separate  
9 incidence is a 48-hour period?

10 MR. VASSELLI: The purpose of the  
11 temporary RV parking is to allow users of  
12 recreational vehicles to park in the driveway  
13 of a residence to load, unload their  
14 recreational vehicle for a limited period of  
15 time not to exceed 48 hours.

16 COMMISSIONER KWASEK: So shouldn't that  
17 say that is a separate incident? Otherwise  
18 where is the definition of separate incident?

19 MR. VASSELLI: We don't have a definition  
20 of a separate incident. And part of that was  
21 to allow for some prosecutorial or police  
22 discretion on that, but we can add it in there  
23 if you'd like.

24 COMMISSIONER KWASEK: From an enforcement

1 standpoint, doesn't it make it clear if you  
2 define what a separate incidence is?

3 MR. VASSELLI: Yeah, but if it moves one  
4 foot off the property, is that a separate  
5 incidence? So we hope there would be some  
6 reasonability, but we can say any break in the  
7 property line then becomes a separate incident,  
8 if that would be --

9 COMMISSIONER KWASEK: I wasn't looking for  
10 that. I thought if you go and come back three  
11 times in one day, that isn't three incidents,  
12 that would be nuts, right?

13 MR. VASSELLI: That is what I am asking  
14 you. We don't shape public policy. If there  
15 is a separate incident, we'll take a  
16 recommendation.

17 COMMISSIONER KWASEK: Can separate  
18 incidents be concurrent? So you have two days  
19 times 14, you could have it there for 28 days  
20 right after each other concurrent?

21 MR. VASSELLI: So the idea would be, yes,  
22 it would be for that period of time. So you  
23 could do 14 straight periods, if that makes  
24 sense. So if you determine you want it to be

1 48 hours or 24 hours, then you could do it for  
2 that period of time. And any break in that  
3 period of time from the property line could be  
4 a separate incident.

5 CHAIRMAN McCOMBIE: I personally think  
6 what we should do is make a recommendation  
7 if -- I assume this went before a committee and  
8 they said 14 incidents?

9 MR. VASSELLI: Yes.

10 CHAIRMAN McCOMBIE: And I think we should  
11 ask the Village Board when they vote on it to  
12 determine what an incident -- what this is. If  
13 they consider that 14 days, they should say 14  
14 days. If they consider it 14, 48-hour times,  
15 they should say that.

16 MR. VASSELLI: Mr. Chairman, I believe a  
17 member of the public would like to address you.

18 MAYOR McCOMBIE: Are we in a public  
19 hearing?

20 CHAIRMAN McCOMBIE: You are.

21 MAYOR McCOMBIE: So I swear to tell the  
22 truth, the whole truth. Paula McCombie.

23 So the police department actually took  
24 this -- they were having trouble enforcing the

1 ordinances presently, the last ordinance that  
2 came before you. So the police department and  
3 sergeant and chief looked at this. This is  
4 what they recommended. A 14-day period -- you  
5 have 14 days, period, during an entire year.  
6 So if you want to do one day here or one day  
7 there, you are allowed to do that, but it's a  
8 max of 14. Because what was happening, people  
9 were taking advantage of the other ordinance,  
10 and they were like saying, okay, we were using  
11 this for some period of time and it shouldn't  
12 be counted as that. We still have so many days  
13 left. So they were having difficulty taking it  
14 to adjudication on this. And in the  
15 meantime -- and then we can't have them  
16 enforced by the way it was written, according  
17 to the adjudicator. So we needed to have it  
18 reduced.

19 So the police department looked at it, and  
20 the attorneys looked at what the police  
21 department wrote and gave it the okay, and it  
22 went through a committee. That's how that came  
23 up.

24 CHAIRMAN McCOMBIE: It's defined poorly.

1 In here it is defined poorly, because on Page 4  
2 it says, unload, maintain for a limited period  
3 of time not to exceed 48 hours.

4 COMMISSIONER KWASEK: It could be back to  
5 back. So you could not do more than two  
6 periods back to back?

7 CHAIRMAN McCOMBIE: Yeah, but then later  
8 on there's 14 incidents. So is it incidents 48  
9 hours?

10 MAYOR McCOMBIE: No. An incident is one  
11 day. An incident is the maximum 14 days in a  
12 one-year period that you are allowed to have  
13 the RV on your property.

14 MR. VASSELLI: We'll make sure that  
15 definition is cleared up from 48 to 24. And we  
16 will -- that would be that whole period. So if  
17 they go off to McDonald's or go to the store,  
18 that would be part of their 24-hour period.  
19 Mr. Chair, does that work?

20 CHAIRMAN McCOMBIE: It works.

21 MR. VASSELLI: Commission, does that work?

22 COMMISSIONER FOX: The only question I  
23 have is could they use two periods if they want  
24 to?

1 COMMISSIONER KWASEK: Concurrent.

2 MR. VASSELLI: 14 in a row. If you want  
3 to say from July the 4th to July 18th or 17th,  
4 days counting, you can use it for those 14  
5 days. The idea was that whatever limited  
6 period of time that they would have the  
7 discretion to use it for that limited period of  
8 time, but then not beyond that. So whatever  
9 period of time this is for recommended to the  
10 Village Board to approve, it would only be 14  
11 instances of that.

12 COMMISSIONER ABRI: 14 instances at the  
13 beginning is not really defined. So maybe he  
14 has to clean up this language and make it much  
15 more elaborate if you'd like to address some  
16 concerns.

17 COMMISSIONER KWASEK: Here's another case,  
18 I have an RV, I have had it for five years, but  
19 not on my property for five years, so I haven't  
20 used my 14 days for the last five years. Can I  
21 now use the past ones this year?

22 CHAIRMAN McCOMBIE: No.

23 MR. VASSELLI: During any calendar year.  
24 It's on Page 5, during any calendar year. So



1 whatever block of time becomes an incident,  
2 which we'll put in the revised ordinance  
3 provided we get a positive recommendation, it  
4 will be during that calendar year.

5 So if you were to theoretically park your  
6 car or RV on New Year's Eve, you would start  
7 the clock ticking on January 1st of that year,  
8 if that helps -- if that hypothetical helps.  
9 You cannot bank your days.

10 CHAIRMAN McCOMBIE: I think that's good.  
11 So a little re-wording of it. So if we're all  
12 right, we can close the public hearing.

13 COMMISSIONER KWASEK: I think that's good  
14 wording, you cannot bank your days.

15 CHAIRMAN McCOMBIE: Okay.

16 COMMISSIONER KWASEK: You cannot bank your  
17 days. If you had your RV for five years and  
18 never had it parked at your house, it was at  
19 grandma's house and grandma dies, you got to  
20 move it, you can't just get credit for the  
21 five, you have to use them.

22 COMMISSIONER GILLIS: I am confused about  
23 the 48 hours.

24 MR. VASSELLI: It's going to 24.

1           COMMISSIONER GILLIS: I don't like that  
2 either. You bring the thing home, they get it  
3 all the set up Saturday and late Sunday at  
4 noon, they can't. They got to get it out of  
5 the driveway on Saturday, 24 hours after they  
6 brought it home?

7           CHAIRMAN McCOMBIE: You have 14 days per  
8 calendar year. If you bring it home on a  
9 Saturday, don't leave it there for more than 14  
10 days. Every day is considered one instance.  
11 So you got 14 days available to you.

12          COMMISSIONER GILLIS: Does it say it here?

13          CHAIRMAN McCOMBIE: Now, it does not say  
14 that instance is one day, but he's going to fix  
15 that.

16          MR. VASELLI: We'll fix it.

17          COMMISSIONER GILLIS: That's what I want.

18          MR. VASELLI: I don't want to elongate  
19 this meeting any more than I necessarily have  
20 to, but the changes will, if it's okay, we are  
21 moving rapidly on that. It will be a 24-hour,  
22 rather than a 48-hour period. Each 24-hour  
23 period shall be an incident. Instead of single  
24 driveway, it will be their driveway, and it

1 will be 14 separate instances. Just to be  
2 clear, it's 14 separate instances, and we will  
3 add language that instances are not to be  
4 banked.

5 COMMISSIONER ABRI: These are the issues  
6 that he thought about just thinking about it  
7 from this minute. Maybe somebody else thinking  
8 about it can come up with another four items  
9 that need to be addressed. This document  
10 received enough coverage as far as even  
11 considering the scope of it and what it means  
12 and how is it going to be applied. We can come  
13 up with another six examples, he by himself can  
14 come up with a couple that he's made right now.  
15 If he limits it to what we just said or what he  
16 just suggested, that closes the door at least  
17 implicitly to further changes.

18 MR. VASSELLI: Not accurate, Commissioner.  
19 This is the seventh iteration. We have gone  
20 through one permutation. We met with the  
21 police department on this before. And because  
22 the prior enforcement scheme was not  
23 successful, we came up with this, the new  
24 enforcement scheme, which is why we have to

1 come back for a public policy conference.

2 I know public members or members of the  
3 public would like to speak and ask they could  
4 be recognized afterwards, Mr. Chair. But the  
5 passage of this ordinance only means the  
6 ordinance is passed, just like any other  
7 ordinance, we can amend it. So if things come  
8 up and we don't like how it's going or it's too  
9 short or too long, or it should be 48 hours or  
10 12 hours, we can make the changes. That's the  
11 beauty of legislation, it can be amended. But  
12 we feel comfortable after a positive  
13 recommendation from the police department, plus  
14 all your input, that we can work with this and  
15 see how it evolves after a period of time.

16 CHAIRMAN McCOMBIE: Okay.

17 MAYOR McCOMBIE: The only thing is people  
18 do play games. We have a couple of residents  
19 that upset people in the woods right now, for  
20 instance, and so with the RV rentals they have  
21 in their yard, so what they're doing is  
22 bringing it in, keeping it there for a couple  
23 of days and bringing it back. So the people  
24 that live next door to the people don't want to

1 see big RVs in their yard next door to them.  
2 So this is what the problem is. So on the one  
3 day the 24-hour period you are going to have  
4 the same individuals will probably say, well, I  
5 had it here for -- I am going to have extra  
6 days, because I had it here for 12 hours, so  
7 I'll get back 12 hours now, because that's the  
8 24-hour period. So if you start saying 24-hour  
9 period, you have the game playing on extending  
10 the amount of days the neighbors are going to  
11 see the RVs, just to let you know on the 24  
12 hours.

13 CHAIRMAN McCOMBIE: It's an easy thing to  
14 fix. All they need to do is say 24 hours or  
15 any part thereof, and that means that is one  
16 instance. It's a pretty easy thing he can fix,  
17 right, Jim?

18 MR. VASSELLI: Sir, that is better than  
19 what I came up with myself.

20 CHAIRMAN McCOMBIE: Any other comments to  
21 this public hearing?

22 MR. STAGNO: Anthony Stagno. I just have  
23 something about the beauty of legislation. Do  
24 we need language like this in Section 6 of what

1 is up tonight. And at the end it says, if some  
2 provision is deemed inoperative, unenforceable,  
3 and as though not provided for herein and all  
4 of the provisions shall remain unaffected,  
5 unimpaired, valid and in full force and effect.  
6 It's five times, so it must be good. Can we be  
7 concise and clear?

8 This repeats in quite a few different  
9 paragraphs where everything is just repeated  
10 twice. I think it used to be in English law  
11 there was the French and the English, so we  
12 have lamb and mutton, so things like that were  
13 repeated twice. We don't have anymore -- even  
14 then it wouldn't go five times to say --

15 CHAIRMAN McCOMBIE: So I think a lot of  
16 this goes back to the fact what happens is that  
17 in part of a law or an ordinance is found to be  
18 at fault or found to not be correct, then the  
19 whole ordinance -- if this isn't in, the whole  
20 ordinance is canceled.

21 MR. STAGNO: That's correct. The whole  
22 ordinance is not to be -- no, but what my point  
23 is that the information shall remain  
24 unaffected, unimpaired, valid and in full force

1 and effect.

2 Come on, can't you say it in one word? Do  
3 you really make it -- the thing is, because  
4 reading it, I just saw it before the meeting,  
5 it goes on for five or six pages. You have  
6 been talking for 20 or 30 minutes about one  
7 sentence, that is really the change. But with  
8 all this obfuscation of five pages, it gets  
9 silly.

10 So I went to John Marshall Law School, and  
11 we were taught to be concise, use plain  
12 language. And there are some laws for the  
13 federal law that they have to get their  
14 communication down to I think it's 7th grade  
15 level or 5th grade level. So just my  
16 suggestion.

17 COMMISSIONER KWASEK: Is that why they  
18 pass laws that are 1,000 pages long and nobody  
19 reads them before they pass them?

20 MR. STAGNO: Or maybe like Dicken's, you  
21 are paid by the line you write down. I had a  
22 discussion with the president of the Flock  
23 Company, and there are some of this language as  
24 well. I said why do you do it? He said

1 actually we have done paragraphs where it's  
2 concise, it's plain English, but then they  
3 complain it doesn't sound legal. It doesn't  
4 sound like it's correct. And I don't know. I  
5 think if it's correct, it follows the law,  
6 that's legal. And all this not following the  
7 law is not legal, anyway. I would encourage to  
8 have a consensus.

9 CHAIRMAN McCOMBIE: We will ask our  
10 attorney here to on future ordinances to be as  
11 concise as possible. How is that?

12 MR. STAGNO: Thank you. I appreciate it.

13 CHAIRMAN McCOMBIE: He doesn't get paid by  
14 the word, so it won't interrupt anything.

15 So is there anything else for this?

16 COMMISSIONER FOX: Just a quick question.  
17 So if it can be made more concise, is there a  
18 reason it is put in?

19 MR. VASSELLI: Absolutely. Each one is a  
20 different type of challenge that the ordinance  
21 has received, whether it's in error, changed or  
22 otherwise. A lot of this language comes in  
23 because of prior challenges to ordinances or  
24 contracts, which when courts review ordinances,



1 they look at contract or statutes as well. So  
2 we make sure, because the one thing they don't  
3 want to do is come back and say the ordinance  
4 was deemed null, because we didn't have some  
5 nuance word in there.

6 COMMISSIONER FOX: Thank you.

7 CHAIRMAN McCOMBIE: Okay. So at this  
8 time, if there's nothing else, I will take a  
9 motion to close the public hearing.

10 COMMISSIONER KWASEK: I make the motion.

11 COMMISSIONER ABRI: I second.

12 CHAIRMAN McCOMBIE: Roll call.

13 DEPUTY CLERK MOELLER: Commissioner Abri?

14 COMMISSIONER ABRI: Yes.

15 DEPUTY CLERK MOELLER: Commissioner Fox?

16 COMMISSIONER FOX: Yes.

17 DEPUTY CLERK MOELLER: Commissioner  
18 Gillis?

19 COMMISSIONER GILLIS: Yes.

20 DEPUTY CLERK MOELLER: Commissioner  
21 Kwasek?

22 COMMISSIONER KWASEK: Yes.

23 DEPUTY CLERK MOELLER: Commissioner  
24 Murarka?

1 COMMISSIONER MURARKA: Yes.

2 DEPUTY CLERK MOELLER: Chairman McCombie?

3 CHAIRMAN McCOMBIE: Yes. Okay. So now we  
4 have listened to the public hearing. We have  
5 made a series of changes and modifications to  
6 the text amendment to the ordinance.

7 MR. VASSELLI: Could I add to that? What  
8 you all changed was the supplemental material  
9 that, while we love your input, is going to go  
10 directly to the board tomorrow. What is on --  
11 starts on Page 59 of the packet is the actual  
12 zoning language, and the zoning language that  
13 we need your positive recommendation to bring  
14 to the Village Board tomorrow. So while your  
15 input is great and glad we got it, the  
16 jurisdiction of the Board extends to what is on  
17 Page 59 on here. But, again, thank you this.  
18 We'll make sure to incorporate for tomorrow's  
19 meeting.

20 CHAIRMAN McCOMBIE: We're voting to add  
21 the information to the text amendment?

22 MR. VASSELLI: We're voting to actually  
23 change the text amendment as set forth in your  
24 board packet. It's collateral to how it gets

1 enforced going forward.

2 CHAIRMAN McCOMBIE: Okay. So are we  
3 making a motion to accept the text and also to  
4 request that you forward the information to the  
5 Board for review on their side?

6 MR. VASSELLI: Yep, and it will be changed  
7 this evening.

8 CHAIRMAN McCOMBIE: Okay. So at this  
9 point I would take a motion to change the text  
10 amendment and to also make recommendations to  
11 the Board to add language, as we discussed in  
12 regards to instances, 24-hour periods instead  
13 of 48, and those item so they can see our  
14 recommendations on how to modify it further.

15 COMMISSIONER KWASEK: You have a motion.

16 COMMISSIONER ABRI: I will second.

17 CHAIRMAN McCOMBIE: Roll call.

18 DEPUTY CLERK MOELLER: Commissioner Abri?

19 COMMISSIONER ABRI: Yes.

20 DEPUTY CLERK MOELLER: Commissioner Fox?

21 COMMISSIONER FOX: Yes.

22 DEPUTY CLERK MOELLER: Commissioner  
23 Gillis?

24 COMMISSIONER GILLIS: Yes.

1           DEPUTY CLERK MOELLER: Commissioner  
2       Kwasek?  
3           COMMISSIONER KWASEK: Yes.  
4           DEPUTY CLERK MOELLER: Commissioner  
5       Murarka?  
6           COMMISSIONER MURARKA: Yes.  
7           DEPUTY CLERK MOELLER: Chairman McCombie?  
8           CHAIRMAN McCOMBIE: Yes. Okay. Two  
9       public hearings. At this time, any old  
10      business? Any new business?  
11                                (No audible response.)  
12           CHAIRMAN McCOMBIE: Okay. I take a motion  
13      to adjourn.  
14           COMMISSIONER KWASEK: So move.  
15           CHAIRMAN McCOMBIE: Second?  
16           COMMISSIONER ABRI: I'll second.  
17           CHAIRMAN McCOMBIE: All of those in favor,  
18      aye?  
19                                (Chorus of ayes.)  
20           CHAIRMAN McCOMBIE: Any opposed?  
21                                (No audible response.)  
22           CHAIRMAN McCOMBIE: Hearing none, thank  
23      you.  
24                                (The hearing in the above cause

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1 was adjourned at 7:50 p.m. on  
2 said date.)  
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08/30/2022

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1 STATE OF ILLINOIS )

2 ) SS:

3 COUNTY OF C O O K )

4 I, STACEY JOHN, a Certified Shorthand Reporter  
5 of the State of Illinois, do hereby certify that I  
6 reported in shorthand the proceedings had at the hearing  
7 aforesaid, and that the foregoing is a true, complete and  
8 correct transcript of the proceedings of said hearing as  
9 appears from my stenographic notes so taken and  
10 transcribed under my personal direction.

11 IN WITNESS WHEREOF, I do hereunto set my hand  
12 at Chicago, Illinois, this 19th day of October, 2022.

13  
14   
15

16 Stacey John

17 Certified Shorthand Reporter

18 C.S.R Certificate No. 84-003560.  
19  
20  
21  
22  
23  
24

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