



**PLAN COMMISSION/ZONING
BOARD OF APPEALS**

**VILLAGE OF
SOUTH BARRINGTON**

Date: September 23, 2024

Court Reporter: DEBORAH R. SANTI, CSR

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PLAN COMMISSION/ZONING BOARD OF APPEALS

VILLAGE OF SOUTH BARRINGTON

PUBLIC HEARING/MEETING

Continuation of Public Hearing: Forest View Estates

Continuation of Public Hearing: Area N Development

Proposed Amendment to a Special Use Permit - Landfill
Solar Project

The Woods of South Barrington
PUD Driveway Sizes and Ribbons

* * * * *

Monday, September 23, 2024

7:00 p.m.

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PLAN COMMISSION/ZONING BOARD OF APPEALS
VILLAGE OF SOUTH BARRINGTON

Continuation of Public Hearing: Forest View Estates

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Solar Project

The Woods of South Barrington
PUD Driveway Sizes and Ribbons

* * * * *

Held on Monday, September 23, 2024,
Commencing at the hour of approximately 7:00 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

Daniel Zierk, Village Clerk

Paula McCombie, Mayor of South Barrington

Carissa Smith, Gewalt Hamilton Associates

Damian Michalski, Building Officer

Members of the Public

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1 CHAIRMAN MCCOMBIE: This is the Planning
2 Commission and Zoning Board of Appeals Monday,
3 September 23rd.

4 Roll call.

5 VILLAGE CLERK ZIERK: McCombie?

6 CHAIRMAN MCCOMBIE: Yes.

7 VILLAGE CLERK ZIERK: Abri?

8 COMMISSIONER ABRI: Aye.

9 VILLAGE CLERK ZIERK: Fox?

10 COMMISSIONER FOX: Yes.

11 VILLAGE CLERK ZIERK: Gillis?

12 COMMISSIONER GILLIS: Here.

13 VILLAGE CLERK ZIERK: Kazi?

14 COMMISSIONER KAZI: Yes.

15 VILLAGE CLERK ZIERK: Kwasek?

16 COMMISSIONER KWASEK: Here.

17 CHAIRMAN MCCOMBIE: We have a quorum.

18 Okay. The first item on the agenda
19 is the minutes from the July 23rd meeting.

20 Did ever body get a chance to read
21 them? Any questions? Any comments?

22 COMMISSIONER KWASEK: No.

23 CHAIRMAN MCCOMBIE: A motion to approve?

24 COMMISSIONER GILLIS: You've got a motion.

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1 COMMISSIONER ABRI: Second.

2 CHAIRMAN MCCOMBIE: All those in favor, aye.

3 (Chorus of ayes.)

4 CHAIRMAN MCCOMBIE: Any opposed?

5 COMMISSIONER FOX: I abstain. I wasn't here,
6 so...

7 CHAIRMAN MCCOMBIE: Okay. Thank you.

8 The next item is the Plan Commission
9 and Zoning Board of Appeals meeting for August 9,
10 2024.

11 Did everybody get a chance to read
12 those?

13 COMMISSIONER GILLIS: Yeah, just page 17 --
14 Pages 62 to 65, it's just probably a typo, but
15 probably should have fixed it. It's the last line on
16 17. It says there will be a 1 percent open space.

17 CHAIRMAN MCCOMBIE: Yeah. Do you think what
18 they're saying is that there's just a 1 percent --
19 there will be a 1 percent of the land use?

20 COMMISSIONER GILLIS: Open space, and that's
21 a very, very high percent.

22 CHAIRMAN MCCOMBIE: Yes. There's -- That
23 really makes no sense at all; does it?

24 COMMISSIONER KWASEK: I wonder if that's

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1 supposed to be a hundred percent, like it says above
2 it.

3 COMMISSIONER GILLIS: It can't be a hundred
4 percent.

5 COMMISSIONER KWASEK: Now, the PUD says it's
6 supposed to be a hundred percent. Then it gets to
7 stay a hundred percent, which may not make sense, but
8 that may be what it actually says. 1 percent open
9 space is --

10 COMMISSIONER GILLIS: It's not a lot.

11 COMMISSIONER KWASEK: It's impossible to
12 achieve that.

13 COMMISSIONER KWASEK: You can't get it that
14 low.

15 COMMISSIONER GILLIS: I agree.

16 ATTORNEY VASSELLI: For a point of
17 clarification under Section 2.06 of the Opening
18 Meetings Act with regard to the minutes and the
19 accuracy of the minutes, this is a sworn transcript
20 under oath by the certified shorthand reporter, and
21 that is on page 32, page 123. That it is a sworn,
22 true and complete and correct transcript of the
23 proceedings as has appears in the stenographic notes
24 so taken to the best of my ability. So there is a

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1 little bit of veracity to that. The minutes are
2 often times not even this detailed or I don't want to
3 say accurate, but this detailed as we have before us.

4 COMMISSIONER KWASEK: You know, in the
5 paragraph before and later in that same paragraph, it
6 says a hundred percent. So I think if you read the
7 whole thing through that 1 probably is also a hundred
8 percent, but if you want to leave it, that's cool
9 too.

10 CHAIRMAN MCCOMBIE: I say that the rest of
11 the paragraph -- The rest of the information seems to
12 make sense. It would be a hundred percent open
13 space, unless what it is. I don't know what to think
14 of the 1 percent, and I don't know how to -- how to
15 change it to make it make any sense.

16 COMMISSIONER KAZI: So the hundred percent is
17 mentioned in a different paragraph, so I'm assuming
18 as you mentioned that's the same.

19 COMMISSIONER KWASEK: Why don't you just
20 approve it, knowing it's probably wrong. But nobody
21 remembers.

22 MR. NAUMANN: I assume this is on our
23 project.

24 CHAIRMAN MCCOMBIE: This is on your project.

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1 MR. NAUMANN: May I?

2 CHAIRMAN MCCOMBIE: Just a second. You have
3 to raise your hand to be sworn.

4 | (Witness sworn.)

5 CHAIRMAN MCCOMBIE: State your name for court
6 reporter.

7 MR. NAUMANN: My name is Robert Naumann, I'm
8 an attorney for Area N Development.

9 The original development, planned
10 development, called for a hundred percent open space,
11 which was probably silly because the Park District
12 would have developed something on it, okay. Our
13 response was 27.57 acres of open space, which
14 converts to 81 percent. So I'm not sure what you're
15 looking at in the notes, whether you're looking at
16 the prior planned development called for, it's a
17 hundred percent, or what you're looking at what we
18 promised to give, which was 81 percent, in which case
19 it could be that the 8 was dropped. But that is what
20 we have committed to in our application at this
21 point, 81 percent open space.

22 COMMISSIONER GILLIS: That would make more
23 sense.

24 CHAIRMAN MCCOMBIE: That does make a lot of

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1 sense. I do appreciate it.

2 Can we rectify this and just say
3 we're changing it to 81 percent?

4 ATTORNEY VASSELLI: Yes. Mr. Chair, you can
5 ask if anyone objects to that amendment or approving
6 the minutes as amended with the statement of Counsel,
7 and it was approved by the body.

8 CHAIRMAN MCCOMBIE: Okay.

9 ATTORNEY VASSELLI: As long as there's no
10 objection, you can make a motion.

11 CHAIRMAN MCCOMBIE: Make a motion to approve
12 the minutes with that one small change.

13 COMMISSIONER GILLIS: You have a motion.

14 ATTORNEY VASSELLI: There is no objection.

15 CHAIRMAN MCCOMBIE: Okay.

16 COMMISSIONER ABRI: I second.

17 CHAIRMAN MCCOMBIE: All those in favor, aye.

18 (Chorus of ayes.)

19 CHAIRMAN MCCOMBIE: Any opposed?

20 COMMISSIONER KAZI: I'm abstaining.

21 COMMISSIONER KWASEK: Opposed.

22 COMMISSIONER KAZI: I abstain because I was
23 not here.

24 CHAIRMAN MCCOMBIE: Okay.

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1 COMMISSIONER KWASEK: I oppose because I
2 don't think that's right. If you read through the
3 whole thing and read the paragraph before and
4 paragraph after, I think it's a hundred. They're
5 basically saying you can't do anything because it's
6 got to be a hundred.

7 CHAIRMAN MCCOMBIE: I think what we can do it
8 is we can approve it the way it is, the way it's been
9 presented to us, and we'll ask for a clarification.
10 Is that all right?

11 ATTORNEY VASSELLI: Motion to approve and
12 file for clarification later.

13 CHAIRMAN MCCOMBIE: Move to approve, and
14 clarification later.

15 All those in favor, aye.

16 (Chorus of ayes.)

17 CHAIRMAN MCCOMBIE: Any opposed?

18 (No response.)

19 CHAIRMAN MCCOMBIE: Hearing none, okay. The
20 second set of minutes -- third. This is the Board of
21 Appeals meeting from August 26, 2024. You have that
22 transcript also.

23 Are there any comments on that or
24 clarification?

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1 (No response.)

2 CHAIRMAN MCCOMBIE: Take a motion then to
3 approve.

4 COMMISSIONER KAZI: So moved.

5 CHAIRMAN MCCOMBIE: Second?

6 COMMISSIONER GILLIS: Second.

7 CHAIRMAN MCCOMBIE: Okay. All those in
8 favor, aye.

9 (Chorus of ayes.)

10 CHAIRMAN MCCOMBIE: Any opposed?

11 COMMISSIONER KWASEK: I abstain.

12 COMMISSIONER ABRI: I abstain, I wasn't here.

13 CHAIRMAN MCCOMBIE: Okay. The motion is
14 approved. Thank you.

15 The next item on the agenda is the
16 public comment section. Everybody, if you have a
17 chance to review -- you see what we're going to be
18 talking about, and you can always comment on the
19 items on the agenda during that time. But if there's
20 anything else that you would like to discuss, now
21 would be a time to raise your hand and come to the
22 podium and take your comments.

23 (No response.)

24 CHAIRMAN MCCOMBIE: Hearing none. Okay.

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1 So the first item on the agenda --
2 the fourth item on the agenda is a public hearing --
3 the continuation of the public hearing for the
4 proposed Forest View Estates.

5 Do we have somebody here to discuss
6 it?

7 (Witness sworn.)

8 CHAIRMAN MCCOMBIE: State your name.

9 MR. SHAPIRO: Good evening. My name is Dan
10 Shapiro, I represent Forest View, the applicant. I
11 appreciate you having us back.

12 When we were back here last time --

13 CHAIRMAN MCCOMBIE: I'm sorry, before we
14 continue. We need a motion to open back up the
15 public hearing.

16 COMMISSIONER KWASEK: So moved.

17 COMMISSIONER KAZI: Second.

18 CHAIRMAN MCCOMBIE: We have to take a roll
19 call vote for this.

20 VILLAGE CLERK ZIERK: McCombie?

21 CHAIRMAN MCCOMBIE: Yes.

22 VILLAGE CLERK ZIERK: Abri?

23 COMMISSIONER ABRI: Yes.

24 VILLAGE CLERK ZIERK: Fox?

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1 COMMISSIONER FOX: Yes.

2 VILLAGE CLERK ZIERK: Gillis?

3 COMMISSIONER GILLIS: Yes.

4 VILLAGE CLERK ZIERK: Kazi?

5 COMMISSIONER KAZI: Yes.

6 VILLAGE CLERK ZIERK: Kwasek?

7 COMMISSIONER KWASEK: Yes.

8 CHAIRMAN MCCOMBIE: Okay. Please.

9 MR. SHAPIRO: Thank you. When we were in
10 front of you last time, as you may recall there
11 was -- Our request was to ask for the 22 lot
12 subdivision that we have in front of you. You gave
13 us approval, and I don't want to -- I want to make
14 sure I get this straight, correct, as much as
15 possible, for up to 22 lots based upon the site plan
16 that we gave you.

17 Mr. Chair, you also said we've got a
18 lot of work to do. So we appreciate that direction,
19 and I want to give you an update of what has happened
20 since we came before you last time.

21 Staff has met with our team on two
22 occasions, one was shortly after we were here, and at
23 that time, there was a request for a drain tile
24 report, a letter from the MWRD and a request to

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1 update the stormwater management report. Sufficed to
2 say, it was mostly engineering. The second meeting
3 which was the 9th of this month, we submitted and
4 provided the drain tile report. We provided a letter
5 from the MWRD. We provided an updated stormwater
6 management report, and we provided updated
7 engineering and updated engineering set. We did
8 receive some response about a landscape plan, which
9 we're happy to do and we will do and we know we have
10 to do as we continue to move this process forward.
11 But we wanted to let you know that not only did we
12 submit the engineering plans, but we also submitted
13 some other information that was a concern. I
14 believe -- well to some of you about monotony or
15 anti-monotony. Most recently, we submitted different
16 elevations and renderings along with what I'll call
17 it the chart, which shows a spreadsheet which shows
18 how the houses will be different and the models will
19 be different. So as to ensure and assure you that
20 this will not be a monotonous development and that
21 the houses will be scattered, I suppose, or separated
22 with different architectural design. So I want to
23 make sure that you got that.

24 So we're here to update you on our

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1 progress and answer any questions you may have. We
2 think we've satisfied most of the engineering
3 concerns. I don't want to be presumptuous. I think
4 we satisfied most of the engineering concerns and
5 also submitted a plat of subdivision and a slightly
6 tweaked site plan.

7 CHAIRMAN MCCOMBIE: Okay. I received, and I
8 assume the rest of us received this packet with
9 information that was sent to us. I think I received
10 it on Thursday or Friday, before the weekend. I
11 didn't receive any of this information we received in
12 this folder. I didn't receive other than some
13 dialogue and information from our engineer, I
14 received no plat information, I received no monotony
15 information. I received no housing information. I
16 received none of that.

17 MR. SHAPIRO: Okay. I don't --

18 CHAIRMAN MCCOMBIE: Has anybody here received
19 any of that?

20 COMMISSIONER FOX: No.

21 CHAIRMAN MCCOMBIE: So no one else has
22 received any of this information.

23 MR. SHAPIRO: I can only tell you, and I
24 don't mean to throw anyone under the bus, I can only

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1 tell you it was submitted, and what happened after
2 that, I don't know.

3 CHAIRMAN MCCOMBIE: I did see a -- that a
4 revised submission was received on 9/19, which was
5 Friday, but we received nothing of it.

6 MR. SHAPIRO: Okay. I mean, I don't know how
7 to respond to that other than to tell you what I've
8 told you in terms of there is really two components
9 of my report tonight, one is addressing engineering
10 concerns, which we think we have addressed and a
11 complete set of engineering docs have been submitted
12 to the engineering staff; and the other is -- The
13 other information that was submitted that you didn't
14 get, and I don't know how to address that other than
15 to tell you --

16 COMMISSIONER ABRI: How did you submit it?

17 MR. SHAPIRO: Electronically.

18 CHAIRMAN MCCOMBIE: And did you submit it on
19 the 19th?

20 MR. SHAPIRO: Some stuff was submitted on the
21 19th. A prior batch of information with the
22 engineering stuff was submitted before that time.

23 CHAIRMAN MCCOMBIE: So the last information
24 we have from our engineer, they gave us a preliminary

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1 review, we've got. And we were told our engineering
2 preliminary review for the above-referenced project,
3 we do not recommend to the Plan Commission without
4 stormwater and septic system comments addressed and
5 packet resubmitted. So they were -- Engineering was
6 looking for a resubmittal. Is that what you sent on
7 the 19th?

8 MR. SHAPIRO: We sent that earlier.

9 (Witness sworn.)

10 CHAIRMAN MCCOMBIE: Thank you. She wants to
11 know your name for the court reporter.

12 MR. PRASHANTHA: My name is Ram Prashantha, I
13 live at 27 Pentwater Drive, South Barrington.

14 We did submit the -- after we met
15 with the village engineer, we did submit all of the
16 information: drain tile, MWRD correspondence that
17 they have no issues with the setback from the water
18 control, the stormwater management. Those are the
19 three main issues that we did submit around 30 plus
20 documents. I also have numbered so it's easier. So
21 one of the engineer comments that we got from the
22 engineer, so we are referencing with the item number
23 that corresponds to the documents.

24 CHAIRMAN MCCOMBIE: Okay. When did you

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1 submit it?

2 MR. PRASHANTHA: Well, the latest one we had
3 was last week. It was submitted through an e-mail
4 and we got a comment back from the village manager
5 saying. I responded back saying click on the link,
6 there's 30 documents then you need to acknowledge it
7 has a full set. So that was last week, probably
8 Thursday.

9 CHAIRMAN MCCOMBIE: Okay.

10 MR. PRASHANTHA: From the previous time that
11 we submitted probably like three or four weeks back
12 when we got the comment, and the only thing that we
13 needed was the clarification on these three major
14 items, that we are addressing. So the rest of
15 documents pretty much stays the same.

16 CHAIRMAN MCCOMBIE: Okay. We have talked
17 about this, I've got to admit several times. You
18 have been in front of us several times, and we talked
19 about the amount of time, the engineering and this
20 group needs to look at your information. You have to
21 give us some time. And submitting it on a Thursday,
22 I mean, when did you -- I know you met with them
23 separately last week. When did you meet with them
24 last week?

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1 MR. SHAPIRO: The most recent meeting with
2 engineering staff was September 9th.

3 CHAIRMAN MCCOMBIE: September 9th, okay.

4 MR. SHAPIRO: And there was one before that,
5 but that was the most recent.

6 CHAIRMAN MCCOMBIE: And then you submitted 10
7 days later -- nine days later on that packet of
8 information. Coming to this meeting tonight, I know
9 she doesn't have time to review it, right?

10 MR. PRASHANTHA: I don't know. It's the same
11 information with a few clarifications. I mean, it's
12 not like something new. One of the biggest new
13 document -- two new documents that we, one was the
14 drain tile report, you know, that we got, and the
15 second one was the MWRD no objection on the volume
16 control.

17 CHAIRMAN MCCOMBIE: Then what about the
18 anti-monotony.

19 MR. PRASHANTHA: The same thing, nothing new.
20 So those were all submitted. They're dated with the
21 same previous.

22 CHAIRMAN MCCOMBIE: What's the date on that?

23 MR. PRASHANTHA: Probably it goes back more
24 than a month. I mean, with the list of documents

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1 that we currently submitted, each one has a volume to
2 it, so you can identify what was new or --

3 CHAIRMAN MCCOMBIE: And that was done during
4 this last submittal?

5 MR. PRASHANTHA: Yes.

6 CHAIRMAN MCCOMBIE: Okay. Does anybody have
7 any other questions for them?

8 COMMISSIONER KWASEK: I have a comment.
9 Getting drawings electronically does not do it for
10 me. I need hard copies. I can't review a drawing on
11 a screen and have to zoom in so you can actually read
12 it and then zoom out so you can see what's going on,
13 that don't work for me. I need hard copy. Anything
14 that people want me to review, I need a hard copy.

15 CHAIRMAN MCCOMBIE: That -- And I know that
16 we've talked about this previously about this, about
17 submitting drawings, and we pick drawings that we
18 think are important and gotten those printed and
19 whatnot. We -- If you submit all of those on the
20 19th, I -- There's just not enough time for us to do
21 this. We need to be able to look at these, spend
22 some time and get the information from the engineer.

23 I guess if I'm not asking engineer
24 to come up next and talk to her about where we're at

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1 with all of your information, whether she's
2 comfortable or not. But at the end of the day, each
3 one of us needs to look at this information and
4 understand it. And sending it to us, I mean, if the
5 Village got it on the 18th or the 19th, sending this
6 to us that we have all of these minutes and
7 everything to go over the weekend, but you know,
8 there was a lot of stuff that came to us. The
9 drawings and the details we need to have it early
10 enough and I know we've talked about this. I've
11 asked for 10 days and the engineer's asked for 10
12 days. But I don't know what we're going to do about
13 this. We have not reviewed this. We have not
14 reviewed it, so I can't ask them to make a decision
15 on things that we have not looked at.

16 MR. SHAPIRO: We would ask for a motion to
17 enter and continue this hearing for whatever date is
18 best for this body to give you adequate time to look
19 at the stuff that we submitted.

20 CHAIRMAN MCCOMBIE: Yeah. Does everybody
21 have their calendar with them? So today is the 23rd.
22 Let's look at -- So it sounds like the information is
23 readily available, but we have to talk to the
24 engineer, if she's had a chance to review and how

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1 long she needs to get to it. We need to look at it
2 the same time we need her comments in conjunction
3 with the information, so that we know how to go
4 through this stuff.

5 How about -- The Village Board
6 meeting is probably on the 10th. How about the 9th?

7 COMMISSIONER FOX: I'm not available that
8 week.

9 COMMISSIONER KWASEK: No.

10 CHAIRMAN MCCOMBIE: Let's move to the week
11 after that. How about that week of the 14th 15th,
12 16th 17th 18th?

13 COMMISSIONER ABRI: 16th.

14 CHAIRMAN MCCOMBIE: I'm fine with the 16th.

15 COMMISSIONER FOX: 16th.

16 COMMISSIONER GILLIS: 16th works.

17 CHAIRMAN MCCOMBIE: Okay. 16th it is.

18 MR. PRASHANTHA: Is it possible to have it on
19 the 8th so it goes --

20 CHAIRMAN MCCOMBIE: I'm sorry, what?

21 MR. PRASHANTHA: Is it possible to have it on
22 the 8th?

23 CHAIRMAN MCCOMBIE: I'm out of town, sorry.

24 MR. SHAPIRO: We'll see you on the 16th.

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1 MS. RONEN: Can I speak?

2 CHAIRMAN MCCOMBIE: We're not finished with
3 this.

4 MR. SHAPIRO: She's with us.

5 CHAIRMAN MCCOMBIE: Oh, okay. Please.

6 (Witness sworn.)

7 CHAIRMAN MCCOMBIE: State your name.

8 MS. RONEN: My name is Pinky Ronen (ph), 33
9 West Higgins Road. This particular thing we've been
10 working with us, you know, for quite a long time. We
11 have had meetings with engineers. I know we need two
12 weeks for the engineer, but it has been some time,
13 and we have had -- We are in a situation, a very,
14 very tight situation with the homeowners, with the
15 customers. We're trying to put things together.
16 Engineering we had a meeting like we said September
17 9th. We understood what all would be the major
18 concerns to address so that it can be moved or
19 recommended to be moved to the next step with
20 conditions, if need be. I did personally meet with
21 the engineer as well, Carissa, and she could probably
22 confirm that. I understand everybody needs some time
23 to review, and she mentioned it very clearly. But
24 most of the major concerns like you mentioned were

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1 addressed and are addressed. So if there is any way
2 we can figure out a quorum and figure this out, so we
3 can be at the recommended Board meeting for October
4 10th.

5 I did talk to Bob before he went on
6 vacation or not, I don't know, but if that is
7 possible and something we really, really want to
8 request, I guess.

9 CHAIRMAN MCCOMBIE: Okay. I would like to
10 accommodate you; however, none of us have seen any of
11 that. At the last meeting was the first time we ever
12 saw that you went to 22 lots. This is the first
13 time. I know you've been here many times, many
14 different plans and whatnot. This is the first time
15 we've seen 22 lots, the first time. So now, you
16 know, a month later, you're here, and I don't have
17 any additional drawings and any additional
18 information. None of us do. It's very preliminary
19 to say that you're ready, I think, maybe it isn't.
20 But we don't have anything from you.

21 MS. RONEN: If you can ask probably the
22 engineer, we have been working with them closely. If
23 you ask her maybe how comfortable it would be to
24 recommend to the planning or where we stand at this

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1 point.

2 CHAIRMAN MCCOMBIE: I'm trying to be very
3 accommodating, but we would never -- We respect our
4 engineering people and whatnot. We can never take a
5 vote on whether or not to approve a subdivision based
6 on our engineer's approval without us looking at it.
7 We need to look at it. We need to see it. We need
8 to understand. Think of all of the residents in this
9 village that are asking us to be responsible and to
10 look and see where we're at. We have to do this.

11 MS. RONEN: No, no, please don't take me
12 wrong. I want to do everything by code. Please
13 don't take me wrong. I just wanted to see if there
14 is any way possible to have this Plan Commission
15 meeting before the 10th, okay.

16 MR. SHAPIRO: Thank you for your time.

17 CHAIRMAN MCCOMBIE: Thank you.

18 At this point, we have our
19 engineer's comment.

20 (Witness sworn.)

21 CHAIRMAN MCCOMBIE: State your name.

22 MS. SMITH: Carissa Smith, Village engineer.
23 So we did receive an e-mail with the submission back
24 last Thursday, and it was submitted out to the

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1 Commissioners on Friday. We have seen it in our
2 meetings prior too that we need at least 10 days for
3 a review, not just ourselves, but obviously the
4 Commissioners as well. So at this point we have
5 received information. We haven't had the thorough
6 time to actually review everything that they've
7 submitted from our request to ensure that the
8 information is applicable to what we review. Just if
9 you get wrong information, you have to double check
10 it with everything that passes to make sure it all
11 upholds. So at this point we received it on the
12 19th. Then we will have a letter out by the 3rd,
13 which would be the 10-day review time that we do
14 request to go all documentation.

15 So again, we did receive
16 documentation which we haven't had our window of time
17 to do the accurate review and get you guys a memo of
18 our findings.

19 CHAIRMAN MCCOMBIE: Okay. Thank you.

20 So at this point I think we can
21 close -- Do we do it for a date certain before we
22 close?

23 ATTORNEY VASSELLI: No, we would make a
24 motion to recess for 10/16 at 7:00 p.m.

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1 CHAIRMAN MCCOMBIE: Yes.

2 ATTORNEY VASSELLI: There should be a motion
3 and second to that day as a day certain.

4 CHAIRMAN MCCOMBIE: Do we have a motion to
5 recess this review for the -- from now until 10/16 at
6 7:00 p.m.

7 COMMISSIONER GILLIS: You have that motion.

8 CHAIRMAN MCCOMBIE: Second?

9 COMMISSIONER ABRI: I second.

10 CHAIRMAN MCCOMBIE: Roll call.

11 VILLAGE CLERK ZIERK: McCombie?

12 CHAIRMAN MCCOMBIE: Yes.

13 VILLAGE CLERK ZIERK: Abri?

14 COMMISSIONER ABRI: Aye.

15 VILLAGE CLERK ZIERK: Fox?

16 COMMISSIONER FOX: Yes.

17 VILLAGE CLERK ZIERK: Gillis?

18 COMMISSIONER GILLIS: Yes.

19 VILLAGE CLERK ZIERK: Kazi?

20 COMMISSIONER KAZI: Yes.

21 VILLAGE CLERK ZIERK: Kwasek?

22 COMMISSIONER KWASEK: Yes.

23 CHAIRMAN MCCOMBIE: Okay. So we don't need
24 anything else?

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1 ATTORNEY VASSELLI: No, we stand in recess.

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

5 So at this point we would like to
6 reopen the -- A motion to reopen the meeting from the
7 recessed meeting.

8 COMMISSIONER KWASEK: I have a question.

9 CHAIRMAN MCCOMBIE: Yes.

10 COMMISSIONER KWASEK: Is the solar farm still
11 on the agenda?

12 CHAIRMAN MCCOMBIE: Yes, it is.

13 COMMISSIONER KWASEK: Okay.

14 CHAIRMAN MCCOMBIE: Okay. At this point,
15 I'll take a motion to reopen our public hearing on
16 Area N.

17 COMMISSIONER KWASEK: So moved.

18 COMMISSIONER FOX: Second.

19 CHAIRMAN MCCOMBIE: Roll call.

20 VILLAGE CLERK ZIERK: McCombie?

21 CHAIRMAN MCCOMBIE: Yes.

22 VILLAGE CLERK ZIERK: Abri?

23 COMMISSIONER ABRI: Yes.

24 VILLAGE CLERK ZIERK: Fox?

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1 COMMISSIONER FOX: Yes.

2 VILLAGE CLERK ZIERK: Gillis?

3 COMMISSIONER GILLIS: Yes.

4 VILLAGE CLERK ZIERK: Kazi?

5 COMMISSIONER KAZI: Yes.

6 VILLAGE CLERK ZIERK: Kwasek?

7 COMMISSIONER KWASEK: Yes.

8 CHAIRMAN MCCOMBIE: Okay. Is there going to
9 be a presentation on Area N.

10 MR. NAUMANN: No. We don't need a
11 presentation we anticipate discussion and
12 expecting -- hoping for your recommendation. That's
13 all. Thank you.

14 CHAIRMAN MCCOMBIE: Okay. Thank you.

15 There was some comments that I saw
16 from engineering, and in particular, a comment about
17 the wetland and how it was going to be handled. Has
18 this been -- Has this been handled in any way?

19 MR. NAUMANN: Is that question addressed to
20 me?

21 CHAIRMAN MCCOMBIE: Yes. It's either my
22 engineer or you.

23 MR. NAUMANN: Yes. There's been a small
24 matter of the outstanding issue on the wetlands,

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1 exploring ways to handle that. I don't think it's a
2 matter necessary for the Planning Commission not to
3 try to, you know, usurp your authority, but it's the
4 staff and the engineer. They are all kinds of issues
5 you may be aware of in various communities about how
6 to resolve this issue. One of them is wetland
7 banking. But even if wetland banking is an option
8 for us, as we mentioned before, just a few minutes
9 ago, we have 81 percent, you know, open land. We
10 have plenty of land to address any issue we have with
11 wetlands. We're not submitting to augment the plans.
12 What we need to do from an engineering standpoint to
13 make sure that we're satisfying that, and as I have
14 said before in front of this body, it's virtually no
15 possible use that you can imagine that would have
16 less impact on wetlands than what we're proposing.
17 But I yield to the engineer if she has any comment,
18 if she thinks this can't be addressed by the staff or
19 by engineering.

20 MS. SMITH: So we did receive comment from
21 Hey & Associates, who did a wetland review. So I'm
22 speaking on behalf of them. So I mean, I'm the
23 messenger. Basically, what they state is there's two
24 things: 1) it was the discrepancy in the amount of

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1 wetlands that we're going to be disturbed, as one
2 report had one flow amount and plan showed different.
3 We ask for clarification on that. And the secondary
4 one is what they agree to is how they're going to
5 address the impacts to the wetland. There is three
6 options, two of them which are viable. One is with
7 he was stating was you can do a banking, which
8 basically means that you can remove wetlands from our
9 property and basically purchase wetlands somewhere
10 else within the watershed in order -- in lieu of
11 doing mitigation on the actual property. Now the
12 cost and logistics and getting approval for that, you
13 have the applicant would have to go with that. To
14 our knowledge, there are no banking currently within
15 the watershed. There is a potential you can reach
16 out to other watersheds and see if that could be
17 approved. That's work for them to figure out and
18 come back to us with some sort of letter clarifying
19 where that banking is going to occur and that
20 approval.

21 The other option is to -- They
22 stated was to mitigate the wetland onsite. So if
23 they disturb X amount, they have to put X amount back
24 on their property. And they could do a study to make

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1 sure that's the appropriate soils, appropriate
2 receding of the water to maintain a healthy wetland
3 that they're destroying. So the report back from Hey
4 & Associates is that has not been determined. So
5 therefore, he can't make full recommendation until it
6 is determined how they're mitigating the wetlands.

7 MR. NAUMANN: My response to that would
8 simply be this is not the end of the road for us.
9 This is -- The Plan Commission is just like we heard
10 a little bit ago, let's take a look at elevations and
11 see how this may match the community. Let's see how
12 you're using open space. Are you doing other things.
13 I mean, wetlands along with the other engineering
14 comments received prior to the last meeting, highly
15 technical issues that your staff and your engineers
16 are more than capable of taking care of or you deny
17 us a permit. I mean, we still have to get building
18 permits. We still have to have approval from the
19 Village Board. So I don't think this is a stop point
20 for the Plan Commission. This is an okay, we
21 understand you're going to go forward subject to this
22 condition that has to be worked out. You know,
23 that's our view. Because you guys have reviewed
24 plans for a very, very long time, and you know, we

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1 made substantial changes on those plans. And as we
2 heard last time, that the engineering matters were
3 not substantial. Maybe a little bit more than minor,
4 but you know, things have to be worked out with staff
5 during the process of moving forward.

6 COMMISSIONER ABRI: Sir, are you telling us
7 how to do our job here?

8 MR. NAUMANN: No.

9 (Applause.)

10 MR. NAUMANN: No. I'm telling you that I
11 think you have a very, very competent staff and a
12 very, very competent set of engineers. And so you
13 know, that is why you have those people employed, why
14 you're paying them big money to do their job.

15 COMMISSIONER ABRI: Please allow us to be the
16 judge of that.

17 MR. NAUMANN: Well, I think they're
18 competent. I hope there's no argument about that,
19 yes.

20 ATTORNEY VASSELLI: I mean, the Commissioner
21 said it best, we'll be the judge of the facts as
22 presented, and it's a very reasonable request to get
23 the information to this Planning Board about how
24 water affects that site, water and water use, and

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1 these issues are often, as you know, Counsel,
2 reviewed before the Plan Commission before
3 recommendation is made. I'm sure you agree.

4 MR. NAUMANN: Actually, I don't, actually. I
5 mean Plan Commissions, you know, I've stood in front
6 of very, very many of them, and now I think we're
7 getting into as we said a discrepancy in the amount
8 of the disturbed and how we're going to deal with
9 that impact. We're talking about very, very minute
10 issue that we would expect to deal with on a
11 permitting process after, but...

12 ATTORNEY VASSELLI: So your position is that
13 water with issues to land has nothing to do with
14 zoning.

15 AUDIENCE MEMBER: It's been untouched for 20
16 years. We think it's a big issue.

17 CHAIRMAN MCCOMBIE: Just one second. I know
18 that we've talked about this before, that you have to
19 raise your hand, and you have to be sworn in.

20 AUDIENCE MEMBER: That's okay.

21 CHAIRMAN MCCOMBIE: Thank you.

22 Go ahead, continue.

23 MR. NAUMANN: Yeah. I, of course, generally
24 you know, whether it's going to be sewer connection,

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1 runoff, et cetera, you know, riparian rights,
2 whatever it may be, of course, I'm not denying that.
3 We're saying we've gotten to the point where, you
4 know, again, did the engineer report to you the
5 amount of the discrepancy, the difference in the
6 calculation?

7 MS. SMITH: They just said one of the reports
8 did not state the total acreage at all. They
9 couldn't confirm how much you guys were actually
10 withholding.

11 MR. NAUMANN: Yeah. I don't have those
12 numbers off -- Do you have them?

13 (Witness sworn.)

14 MR. PLACEK: My name is Jared, J-a-r-e-d,
15 last name Placek, P-l-a-c-e-k, Manhard Consulting.
16 And I can speak to the exact amount of wetlands
17 impact on the site which is 0.24 acres of the total
18 7.02 acres onsite representing approximately 3.4
19 percent of the total acreage onsite.

20 MR. NAUMANN: Thank you.

21 MR. PLACEK: You're welcome.

22 MR. NAUMANN: So my -- Staff can address that
23 because the engineer explained there are a couple
24 different ways that that can be handled and for

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1 mitigation onsite, we have more than adequate space
2 to do that.

3 CHAIRMAN MCCOMBIE: Okay. Thank you.

4 MR. NAUMANN: Thank you.

5 CHAIRMAN MCCOMBIE: At this point -- At this
6 point I would ask anybody who would like to give
7 public comment to give public comment.

8 Please.

9 (Witness sworn.)

10 MR. BOSE: Anirban Bose, 2 Wood Oaks Drive.

11 Thank you for hearing us out. I,
12 for one, have a serious problem with wetlands. I
13 think -- Undisturbed wetlands for the last two
14 decades affects me, affects our community, and I
15 would -- you know, if I had to take a vote here, I
16 would say most people are concerned about the
17 wetlands. So as much as we try to minimize it to get
18 something accomplished, that's a no-go. I mean, we
19 are a community where our environments are important
20 to us. We are a community that values our parks and
21 open space. We are a community that values wetlands.
22 So that has to be taken in to consideration.

23 I have a problem with wetlands
24 mitigation strategy, wetland abatement, wetland

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1 banking from taking wetlands from our community and
2 buying wetlands elsewhere. That also does not sit
3 well with me. For me, you know, the land is -- It's
4 earmarked for public use, open space. So unless
5 there's a zoning change, I don't see how not only
6 disturbing wetlands but building the project we're
7 talking about makes sense without having some sort of
8 a zoning change. So I would ask the Planning
9 Commission to consider that. I would ask them to
10 postpone until we have more clarity on this issue.
11 You know, I don't know what your understanding is
12 with the zoning change, but that, in conjunction with
13 the ownership of the land still being in dispute, I
14 see no possible path to continue down this path that
15 everyone seems to be headed down without taking some
16 time and researching in more detail how this affects
17 the community.

18 CHAIRMAN MCCOMBIE: Thank you.

19 (Applause.)

20 CHAIRMAN MCCOMBIE: Does anybody else wish to
21 comment?

22 (Witness sworn.)

23 MR. BERLIN: My name is Ed Berlin, 4 Rainier
24 Circle.

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1 We moved into this community in
2 2021. We started to get involved in our community
3 right out of the gate. We love the, you know, family
4 feel and everything like that about this community.

5 In early 2023, the referendum was
6 presented and a mailer was sent out only to targeted
7 neighborhoods within this community. We, in The
8 Woods Subdivision, were excluded from understanding
9 the impact of what that sale would end up being.

10 In March of 2023, the Mayor had sent
11 out a newsletter, and in her newsletter, it did state
12 that this referendum, if passed, would increase the
13 tax base for the community. And if you search the
14 website now and go back and take a look at those
15 notes, it now says could. So it went from it would
16 increase to it could increase, okay. Since 2021 my
17 property taxes have gone up 50 percent, okay. I'm
18 now frustrated that by voting for the referendum that
19 I supported because I thought this would be a benefit
20 to our community, I was misled.

21 This sale, if it's agreed upon and
22 agreed to go through, will not help increase the tax
23 base for the rest of the residents. It will also not
24 be a benefit to a majority of the community. It will

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1 be for the benefit of the small group that's looking
2 to utilize this land.

3 So based on that information, I
4 believe this project as it's presented to the
5 community should be represented as a vote to get
6 community opinion whether or not we should move
7 forward with this or you know, have just the Council
8 sitting up here make the final decisions. I just
9 feel it's been misrepresented, and I feel like I was
10 taken advantage of based on the information we were
11 given being told it would increase the tax base.

12 (Applause.)

13 CHAIRMAN MCCOMBIE: Thank you.

14 (Witness sworn.)

15 MR. GENTILE: Mike Gentile, G-e-n-t-i-l-e, 2
16 Aztec Court, Regency of the Woods.

17 A good segue to what I was planning
18 on talking about tonight, and that's taxes. I've
19 only lived here, in Illinois, four years, came from
20 Indiana where I had twice the size home and half the
21 property tax, and that's probably true for most
22 people here. We're living in a state with a 142
23 billion dollars in pension debt, the second
24 corporate -- highest corporate income tax rate, the

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1 second highest property tax rate in the country, the
2 second highest population decline: number one is New
3 York, Number two is Illinois. And to meet that,
4 that's 10 years in a row people have been moving out
5 of this state.

6 This is my tax bill. I think the
7 people in the -- How many people have South
8 Barrington tax bills here?

9 I have always felt that one of the
10 crucial responsibilities in municipal planning, not
11 only is a good land use, responsible land use, is
12 good fiscal policy. So when you're looking at
13 developments and proper land use, what does that do
14 to your tax bills, does it increase it or not. And
15 if you look at your tax bills, you continue to see
16 the levies go up, up, up a year. We know that. And
17 in Illinois, they can go up 5 percent. So everyone
18 increases 11.49, except the Village of South
19 Barrington, Mayor you've done a good job of keeping
20 it low.

21 So we are heading for a tax tsunami,
22 gentlemen, because we're approaching the tri-annual
23 reassessment year. If you think your tax bills went
24 up last time, wait, hold on to your seats when this

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1 tax rate goes up again because we're looking at the
2 last three years of significant appreciation in
3 value, your taxes are going to go up significantly.
4 We're also losing tax revenue. We don't know how
5 much tax revenue we'll lose with the Sears' property.
6 That, as you know was sold. It was a fire sale for
7 194 million dollars for data centers. We don't know.
8 That could dome in as a TIEFF, a tax incremental
9 financing district, which is a sweetheart deal where
10 they don't pay much taxes; and we also have a
11 referendum for the School District 220. My tax bill,
12 I pay 59 percent of my taxes go to District 220. I
13 believe in education. I was a former teacher. I had
14 three kids that went through public school, but I
15 don't have any kids in school now. So 60 percent is
16 going to that, and as we know, District 220 has come
17 out with a referendum in November. They want an
18 additional 64 million dollars for improvements,
19 capital improvements. I'm sure they're warranted and
20 reasonable, but that -- that additional 64 million
21 does not go on top of the levy, it is exempt from the
22 levy. So the levy goes up, the 64 million goes up,
23 so do your taxes.

24 So when you're looking at

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1 development, gentlemen and ladies, look at what you
2 are doing to the Village in terms of if you're
3 running a business and you want to improve and invest
4 in it, you either do two things, you increase your
5 revenue or cut your expenses. I don't know where you
6 have time to cut expenses, so where are you going to
7 increase your revenue, it's in development, and that
8 is where -- that is the responsible thing that you
9 all have to consider when you're looking at proper
10 land use, what does it do to tax base. Because you
11 are not going to control the tax levies in this
12 state, not going to do it. Thank you very much.

13 (Applause.)

14 CHAIRMAN MCCOMBIE: Any other comments?

15 (Witness sworn.)

16 MS. HOFHERR: Lisa Hofherr, 67 Wood Oaks
17 Drive. As the president of our homeowners
18 association, when the referendum was being put
19 forward again, information was shared by the Park
20 District with us to share with our community with the
21 flyer that they had created, which has been
22 previously noted, did state that our tax bills would
23 not go up, and that after the sale would happen, the
24 property would be subject to normal development

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1 requirements that would -- that could increase the
2 tax base.

3 This Park District flyer that was
4 sent out was shared with the community. Mind you,
5 the timing of it is after the community had also been
6 attending several public hearings and presentations
7 from your Board, the Planning Commission, who
8 recently had adopted the community development
9 Comprehensive Plan for us, which was adopted and
10 approved on April 13th.

11 When I read this flyer, my
12 assumption, as a homeowner nearby here, is that
13 reading subject to normal development requirements
14 would mean that it would be adhering to the just
15 recently approved Commission Comprehensive Plan,
16 which stated that this area, Area N, is to be
17 single-family residential development. I think if
18 you do not do that, the Board is completely
19 misleading everyone that voted for this referendum as
20 it was presented to be in line with the Comprehensive
21 Plan that you all presented to us, as residents; the
22 entire community; and we got on board with thinking
23 we were going to have residential development to
24 improve the tax base to share the wealth, to improve

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1 the community. Thank you.

2 (Applause.)

3 CHAIRMAN MCCOMBIE: Any other comments from
4 anybody?

5 (Witness sworn.)

6 MR. O'ROURKE: My name is Michael O'Rourke, I
7 live at 5 Brooke Lane in South Barrington.

8 I just wanted to speak one more time
9 about the appropriateness of this development for
10 South Barrington. The plans to this property call
11 for a 48 space parking lot for the school plus the
12 281 space surface parking lot which would be off
13 Bartlett Road across from my community. In addition,
14 plans described potential expansion of that large lot
15 and in the future to add additional 14 parking spots.
16 That is 443 parking spots in this plan we're talking
17 about.

18 So as a reminder, all the
19 developments between Bartlett Road and the Arboretum
20 and 59 are either residential or the South Barrington
21 Conservancy Park. This enormous parking lot does not
22 fit with the residential area.

23 As a resident of South Barrington, I
24 encourage this group to not support rezoning of this

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1 property to allow this structure and enormous parking
2 lot to be built. At least, from reading the code I
3 think we're here to kind of figure out what respects
4 the proposed plan would or would not be in the public
5 interest, and again, there's some metrics to be used
6 for that, which are listed in the municipal code.
7 The relationship and the adaptability to the proposed
8 plan to the adjacent properties in the neighborhood.
9 I live in the adjacent property and in the adjacent
10 neighborhood, and I'm here to tell you me and my
11 neighbors oppose this plan. The desirability of the
12 proposed plan in regards to the physical development,
13 tax base and economic well-being of the Village has
14 already been addressed. In the extent to which the
15 proposed plan will affect property values is the
16 same.

17 I'm a resident of South Barrington.
18 I live -- My house is directly across the street from
19 this development. I oppose it. I oppose putting
20 again this 443 spot parking lot in the middle of
21 South Barrington.

22 Thank you very much for all of your
23 time.

24 (Applause.)

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CHAIRMAN MCCOMBIE: Okay. Any other people who would like to comment?

(No response.)

CHAIRMAN MCCOMBIE: Okay. At this point then, does anybody on the Board have any comments?

COMMISSIONER GILLIS: I'd just like to make a few comments about the church, the Park District and our residents, and this has been going on now for over a year.

My first comment on the church is, I really question what the intent was in not declaring themselves as a bidder at the auction.

(Applause.)

COMMISSIONER GILLIS: On the plus side for the church, I have to give them a lot of credit for being accommodating to our request and to some of the concerns early on from the residents, such as closing off Acadia Drive. Later they presented their rapid response program, which certainly is to their credit; however, it takes a catastrophe before we would really see that being used here, in South Barrington. So it would be nice to see that type of thing on an everyday basis.

The Park District has been

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1 criticized over this whole process, and I understand
2 what the Park District -- why they're excited about
3 this or why they want to do it. All you have to do
4 go to Dunteman Park and some of the other parks and
5 see that we badly need the upgrade. We badly need to
6 fix their parking lots and so the money could be well
7 used, but that's a short-term fix. You get the
8 money, you fix those things, and now what?

9 (Applause.)

10 COMMISSIONER GILLIS: The property -- they
11 don't have other properties to sell, that I can see.
12 So this is just a short-term fix, not a long-term
13 fix.

14 Now, as for the residents, and all
15 of the people that came up and talked over the last
16 two or three meetings, I didn't hear one resident
17 make any statements that would indicate their against
18 freedom of religion or the teaching of the church or
19 the church school. While much of the earlier
20 resistance was from nearby neighbors to the site, who
21 had legitimate concerns about safety, traffic,
22 parking lot size and land use, most of the later
23 objections came from a much larger group of
24 Barrington residents. That objection, in my opinion,

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1 came down to one issue: why would we allow a church
2 that will have access to all city services; pay no
3 taxes; have few, if any parishioners from our
4 village; and would not be inclusive to our residents
5 to build here, why would we allow that? It just
6 seems to me it's not a good fit.

7 (Applause.)

8 CHAIRMAN MCCOMBIE: Please.

9 COMMISSIONER KAZI: So I've been thinking
10 about this as well, and my question is around the
11 location and the parishioners. If a church has
12 little to no parishioners living in South Barrington,
13 and I understand most of the parishioners live a
14 significant distance away, the church would not be
15 open to the residents of South Barrington because
16 they're not part of the church. And seeing a
17 significant opposition from the community, itself, if
18 I were in their place, why would I actually want to
19 build a church in this location?

20 I mean, you have no parishioners
21 here. Why would you actually relocate to a town
22 where you have no connections with the community?
23 And that's a big question in my mind. Thank you

24 (Applause.)

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CHAIRMAN MCCOMBIE: Any other comments or questions?

COMMISSIONER ABRI: Well, I have to admit, that I have been grappling with how to reconcile the community's almost unanimous opposition to this church with the proceedings that we have adopted here the last few times that many, many people showed up to tell us this is not a good idea. If you're not supposed to be listening to the citizens of the community, then why are we here to begin with?

(Applause.)

CHAIRMAN MCCOMBIE: Thank you. Okay, any other comments?

(No response.)

CHAIRMAN MCCOMBIE: I mean, I have always thought that the fact that the church and the school were mentioned in the PUD as a use for this land that that allowed this to happen. There's not -- They're not coming before us for a zoning change to make a church a use or make a school a use. That is not the zoning change that needs to happen. Those things are already built into the PUD. So that's not -- That's not what this is about. This is about a very, very -- two very small items that need to be modified

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for them to build it. One has to do with the distance from the parking lot to the street, which is -- I don't even know that that's -- that that's a very big deal at all. The other one I'm not quite sure, which it is. But there's two very small things. It's not about a church. It's not about a school. This is not what this is about.

MS. GHOSH: Can I speak up? Do you want me to swear in?

CHAIRMAN MCCOMBIE: Please.

(Witness sworn.)

MS. GHOSH: My name is Madhusree Ghosh (ph),
12 Acadia Drive, South Barrington.

Where, exactly, can you point to me to that exact place in your PUD where it says that you can build a church or a school? Can you point to the exact documents, the exact legal verbiage, anything, that shows me where they're allowed to come in and a small change apparently, to come and build what they're planning to build. Because I haven't seen that. Everyone here has done their research and hasn't seen that. Clearly, you have Commissioners here who see what we're seeing -- what we're coming here to speak about every time at every meeting, and

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1 yet you're here saying it's a small change.

2 So can you please point me to the
3 documents or website or pages that I should be
4 referring to. I would be happy to do that on my own
5 time.

6 ATTORNEY VASSELLI: The Village Code, itself,
7 talks about uses are in the PUD. That is online, and
8 you can find that -- I don't think the Chair was done
9 with his comment before he allowed you to come up,
10 but I think pointing he's out that the relief
11 requested by the Petitioner was a two-fold variance.
12 And there are still outstanding issues with regards
13 to wetlands that we talked about earlier tonight.

14 MS. GOSH: Right. I get the wetlands. But I
15 also want to make sure that everyone in this room
16 understands that unless we see proper documentation,
17 and again, maybe this is something we include as a
18 link in the newsletter, since the newsletter is a
19 public forum, where it says in the PUD that they can
20 come in and build a church and a school. I would
21 just love that information. You can e-mail it to me.
22 You can publicized it in the newsletter. I would
23 love to have that information available, because we
24 don't believe it's true. Thank you.

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1 (Applause.)

2 CHAIRMAN MCCOMBIE: I'm somewhat dumbfounded.
3 We had several discussions about this previously
4 about the school and the church, and there was
5 questions about it and there was questions whether a
6 church is a public church or not. So it is in there.
7 We'll get you the documentation, and so that you can
8 see that this is -- and again, this is not what
9 the -- what it is about.

10 We -- If we're voting here tonight,
11 we're voting on whether or not the -- It's not about
12 changing the zoning to allow a church in or to allow
13 a school. That's not what the zoning changes are.
14 So that is not what we would be voting on.

15 COMMISSIONER FOX: I have a question. We did
16 spend a lot of time on the Comprehensive Plan, and it
17 sounds like in terms of the information communicated,
18 there was an understanding that, you know, this is
19 what we would like for our different areas to be, and
20 that the sale of this property was going to function
21 to help decrease taxes. And it seems like there's a
22 disconnect between what the PUD allows, what the
23 Comprehensive Plan says.

24 So I'm very sympathetic to the

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1 concerns of those who now go we voted for this
2 because we thought it would allow for us to decrease
3 our tax base and increase development, and now we
4 are -- and I know that's not the question before us
5 here, because we're zoning and what were being asked
6 is wetland and everything else, but there seems like
7 there's this underlying problem, and I'm not really
8 sure how that gets addressed. I'm just asking.

9 CHAIRMAN MCCOMBIE: I will say that the
10 information that came out from the Park District, it
11 sounds like it didn't come to all of the residents,
12 but that came out from the Park District didn't
13 properly address, at least it seems like from the
14 conversation, and I don't remember seeing the flyer,
15 so I have to be honest, I don't remember reading it.
16 But it doesn't seem like they had correctly stated
17 all of the items in there. But there's no way that
18 they could have predicted whether it would be a tax
19 base or not. So I mean -- and when the Comprehensive
20 Plan was done, if you remember right, we had asked
21 him, Houseal, there's a possibility for a church
22 here. Remember we had talked to him about that. And
23 we had talked to him that this was a possibility, and
24 did we need to change the zoning so that if it did

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1 happen, that we change it. And as he said to us, and
2 this is -- I'm recollecting this, and I'm hoping it
3 is correct, but what he said to us was that if what
4 you do is start to break down all of the different
5 possibilities, and if you break down all the
6 different possibilities that can occur to the spaces,
7 that what will happen is you'll limit the
8 possibilities of what will be built. So rather than
9 to limit what will be built, we say residential with
10 the ability to come before Planning and Zoning and
11 change it into something different. And we have done
12 that a lot of properties. We have changed it from
13 something else to zoning -- zone it, and that's what
14 he felt was the way to do it.

15 Now, I went to every single meeting
16 that they had on the -- that Houseal had on this, and
17 I know that I had asked him point blank about it, and
18 that is what he said to me. Maybe not in those exact
19 terms, but I know that he said that was the reason
20 was.

21 COMMISSIONER ABRI: So how did we get here,
22 from those comments, to our vote right now to just
23 two small engineering issues?

24 CHAIRMAN MCCOMBIE: Again, this is -- The

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1 vote we're going -- If there is a vote tonight, the
2 vote is not whether or not a church can go there or
3 whether or not a school can go there. That's already
4 preordained. We cannot change that. So that's
5 allowed by zoning that it goes there. So we're not
6 voting on that, whether there's a school or a church
7 that's going to be there. We're only voting on the
8 distances associated from the road to the parking lot
9 and also about whether or not we want to accept the
10 wetlands without really having a mitigation plan for
11 it.

12 MR. NAUMANN: Mr. McCombie, may I approach
13 again?

14 CHAIRMAN MCCOMBIE: Please.

15 MR. NAUMANN: Again, Robert Naumann.

16 First of all, the Planned Unit
17 Development portion that allows these uses is under
18 6A-3-A. The reason the Planned Unit Development was
19 written to allow these uses is precisely because it
20 is the First Amendment and Fourteenth Amendment right
21 in the Constitution of the United States.

22 The reason that church uses are
23 allowed for an owner to take their land and develop
24 it into a church is for that exact reason. The First

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1 Amendment states that Congress shall make no laws
2 that establish religion or prohibiting the free
3 exercise of their own religion or freedom of speech
4 or of the press, basically to petition the Government
5 for a redress of grievances. That's incorporated
6 into a state obligation by the first section of the
7 Fourteenth Amendment which in the second sentence
8 says, that no state shall make or enforce any law
9 which will abridge the privileges or immunities of
10 citizens of the United States or nor shall any state
11 naming law that shall deny any person life, liberty
12 and property without due process of law, okay, or
13 deny any person in this jurisdiction protection of
14 the laws.

15 This is a denial of property right
16 to somebody who own a property who wants to exercise
17 religious use of that property. That is the
18 reason -- The reason that was in the Code is because
19 this has been decided by the Supreme Court and by,
20 you know, Illinois courts, open District Courts over
21 and over again.

22 The same way that you have a right
23 to exercise your religious prerogatives and do with
24 what you want on your home if it is a religious use.

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1 We have similar right to that as the owners of the
2 property. That is why it was written in the Planned
3 Unit Development and written into most. It's not
4 because it's a Christian church. It could be a Hindi
5 temple or a Buddhist temple or a Muslim mosque. This
6 is an issue that the villages are facing around the
7 area. This is part of the reason we fought so hard
8 to have a Constitution in the first place and
9 particularly a Bill of Rights.

10 CHAIRMAN MCCOMBIE: Thank you.

11 Okay. Any other comments?

12 ATTORNEY VASSELLI: The issue of wetlands.
13 And I understand everyone made comments and
14 everything like that, but we have the issue
15 outstanding before this Board as a focal point. As
16 we heard, water rights have to do with zoning. And I
17 know we talked about a lot of things, the
18 Constitution and whatnot, But we still have the issue
19 of whether the engineer can make a recommendation
20 about whether this is properly controlling for water
21 rights on the property, and I don't think she can.

22 MS. SMITH: As stated, that was one of the
23 main concerns coming back was they have some
24 documentation how the wetlands would be mitigated

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1 onsite.

2 COMMISSIONER KWASEK: But that's 3 percent.
3 3 percent of the wetlands need to be mitigated. It's
4 a very large site and attaching another 3 percent to
5 an existing wetland, should that be a problem for
6 Manhard? I mean, they're very competent engineers.
7 Would you say they can't achieve that? Could you
8 achieve that?

9 MS. SMITH: Could, but my only thing is I'm
10 not -- I'm just communicating that that's the concern
11 as shown. And yes, it is a small portion, but
12 potentially, if you can't get baiting and you can't
13 get the condition to mitigate on site, there's a
14 potential site plan change. Now, maybe that's afar
15 fetched percentage that occurs, but that is the
16 reason why that stipulation was put in the comments
17 that until something is put into writing how much
18 wetland is mitigated, that would be a big concern.

19 MR. PLACEK: May I approach?

20 CHAIRMAN MCCOMBIE: Please.

21 MR. PLACEK: As a representative of Manhard
22 Consulting, I can speak that I'm very confident that
23 we can handle any onsite mitigation without any
24 concern because of the large amount of open-space

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1 area that remains available. I know that there may
2 be a soil report done, as part of the process, as we
3 move through the permitting and approval process, but
4 I believe that because of the large open space that
5 is available onsite, that there is the ability to
6 find the roughly 0.2 acres or 3 percent within that
7 27.51 acres of open-space area that is suitable for
8 wetlands to be mitigated onsite, should we not be
9 able to find a wetland banking option, which we are
10 still looking to pursue as an alternative option.

11 And I believe earlier it was stated that these were
12 both viable wetland mitigation options by the
13 engineer here, and therefore, we believe that both of
14 those options still remain viable. We also believe
15 that those can be pursued as part of normal
16 permitting and approve process would not be something
17 that should hold up the Plan Commission's
18 recommendation.

19 COMMISSIONER KWASEK: Just to be clear,
20 talk -- The percentage of an acre that we're talking
21 about, how many square feet is that?

22 MR. PLACEK: 0.2 acres is roughly 8,000
23 square feet.

24 COMMISSIONER KWASEK: Okay.

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1 MR. JASKOT: Can I ask a question?

2 CHAIRMAN MCCOMBIE: Please.

3 | (Witness sworn.)

4 MR. JASKOT: Raymond Jaskot, 12 Mohawk Drive,
5 South Barrington.

6 I just want a clarification on the
7 percentage, because I -- we're saying 7 acres of
8 wetlands and we're saying 0.2 acres of wetlands is
9 being impacted, correct? Is that the correct
10 numbers?

11	MR. PLACEK: 0.24.
----	-------------------

12 MR. JASKOT: So it's not 3 percent of the
13 wetlands being impacted, it's 3 percent of the total
14 property.

15 MR. PLACEK: No. No. 0.24 over 7.02 acres is
16 3.4 percent. To be clear, 0.24 over 27.75 acres,
17 which is the available open space area that's being
18 requested is 0.8 percent. Less than 1 percent of the
19 available open-space area would be mitigated onsite
20 for wetlands in that scenario.

21 CHAIRMAN MCCOMBIE: Okay.

22 MS. HOFHERR: Lisa Hofherr. We were just
23 doing some research, and I wanted to clarify to the
24 point made earlier about the section of the code that

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1 talks about PUD can and cannot permit. Is that 6A-3
2 of the Code that states that permitted uses would be
3 either A) a single-family detached dwelling,
4 churches, temples, institutions for public worship,
5 convents, monasteries, rectories or parish houses,
6 public schools, park district recreation park and
7 facilities, municipal building and other improvements
8 and recreation areas and open spaces.

9 CHAIRMAN MCCOMBIE: You have me at a lost.
10 You have a lot more information there than I have
11 right here.

12 MS. HOFHERR: Would you like me to read the
13 whole section?

14 CHAIRMAN MCCOMBIE: No. I'm saying that
15 sounds like -- I'm not saying --

16 MS. HOFHERR: If it sounds correct, can you
17 please advise us all in public where you think that
18 fits with permitted use for this Area N organization.

19 CHAIRMAN MCCOMBIE: Where the church is --

20 MS. HOFHERR: Where they fit a public use
21 under this, where it's a public church or public
22 school --

23 CHAIRMAN MCCOMBIE: Okay. We already -- We
24 already discussed the word sale associated with this.

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Saying public doesn't mean that a church that has rules and regulations is not a public church.

MS. HOFHERR: Is it a public school? Can I send my children there?

CHAIRMAN MCCOMBIE: If you become part of the church, you can.

MS. HOFHERR: You have to become part of the church. Is it a public church?

CHAIRMAN MCCOMBIE: You can become part of the church. I don't know what the rules are about it.

MS. HOFHERR: That seems to make it very non-public.

ATTORNEY VASSELLI: The rules of how the church operates are not the province of this Board.

MS. HOFHERR: But they are part of the rules --

ATTORNEY VASSELLI: They are not the province
of this Board.

MS. HOFHERR: When you are deciding use of this land and how it's currently zoned and what is currently permitted is what you are deciding upon. Thank you.

(Applause.)

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1 CHAIRMAN MCCOMBIE: Okay. At this point we
2 have -- I think we have two options here, one is that
3 we could allow a vote to happen and allow a vote to
4 happen with some caveats that there are some items
5 here that we don't know what's going on mitigation of
6 the wetlands, on the changes that we need or we can
7 say that we would like to see the final information
8 about how the wetlands -- the wetlands are going to
9 be mitigated so that we can move forward at that
10 point.

11 COMMISSIONER GILLIS: It sounds like a simple
12 process, but mitigation isn't simple. So I would
13 like to see how that's going to happen.

14 CHAIRMAN MCCOMBIE: Okay. Is that a motion?

15 COMMISSIONER GILLIS: Yes.

16 CHAIRMAN MCCOMBIE: I would take a second.
17 Is there a second to that?

18 COMMISSIONER FOX: I second.

19 CHAIRMAN MCCOMBIE: Okay. Roll call.

20 VILLAGE CLERK ZIERK: McCombie?

21 CHAIRMAN MCCOMBIE: Yes.

22 VILLAGE CLERK ZIERK: Abri?

23 COMMISSIONER ABRI: Yes.

24 VILLAGE CLERK ZIERK: Fox?

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1 COMMISSIONER FOX: Yes.

2 VILLAGE CLERK ZIERK: Gillis?

3 COMMISSIONER GILLIS: Yes.

4 VILLAGE CLERK ZIERK: Kazi?

5 COMMISSIONER KAZI: Yes.

6 VILLAGE CLERK ZIERK: Kwasek?

7 COMMISSIONER KWASEK: Abstain.

8 CHAIRMAN MCCOMBIE: Okay. I know you think
9 it's going to take a short period of time. Can you
10 please resolve this, we're going to have a meting on
11 the 16th.

12 MR. PLACEK: Can I ask a quick question
13 relative to timeline?

14 I think there's a lot of commentary
15 in the previous person who came forth relative to the
16 development. October 16th, being the date that
17 you've set for that public hearing, that would be the
18 potential for this public hearing as well. What is
19 the date that we need to be supplying --

20 ATTORNEY VASSELLI: Why don't we say the 1st.
21 Can we say the 1st. That's really two weeks
22 beforehand, and I think the engineer said 10 days.
23 If we could say the 1st or the 2nd, is that
24 sufficient time?

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1 MS. SMITH: (Nodding head.)

2 MR. PLACEK: And we would be submitting -- I
3 want to make sure we're providing appropriate
4 submittals at that time. We would be submitting that
5 to the engineer and to the staff and making sure that
6 the hard copies of whatever we're submitting,
7 relative to the change, also make its way in your
8 hands in that same frame, correct?

9 CHAIRMAN MCCOMBIE: Yes. Yes.

10 MR. PLACEK: That would be an acceptable time
11 frame for all parties, who have reviewed the
12 information presented relative to any of the wetland
13 strategies.

14 CHAIRMAN MCCOMBIE: Okay. At this point,
15 I'll take a motion to --

16 ATTORNEY VASSELLI: A motion to recess to
17 10/16.

18 CHAIRMAN MCCOMBIE: Let's make a motion to
19 10/16.

20 COMMISSIONER GILLIS: I make a motion to
21 10/16.

22 CHAIRMAN MCCOMBIE: Second.

23 COMMISSIONER KAZI: Second.

24 CHAIRMAN MCCOMBIE: Roll call.

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1 VILLAGE CLERK ZIERK: McCombie?

2 CHAIRMAN MCCOMBIE: Yes.

3 VILLAGE CLERK ZIERK: Abri?

4 COMMISSIONER ABRI: Yes.

5 VILLAGE CLERK ZIERK: Fox?

6 COMMISSIONER FOX: Yes.

7 VILLAGE CLERK ZIERK: Gillis?

8 COMMISSIONER GILLIS: Yes.

9 VILLAGE CLERK ZIERK: Kazi?

10 COMMISSIONER KAZI: Yes.

11 VILLAGE CLERK ZIERK: Kwasek?

12 COMMISSIONER KWASEK: Yes.

13 CHAIRMAN MCCOMBIE: Okay. The next item
14 before us is the proposed amendment special use
15 permit for the landfill solar project on property
16 located at 541 East Mundhank Road.

17 So before us there was a document
18 that came from water -- from the surface water runoff
19 calculation from TRC, which is a corporation located
20 at 230 West Monroe Street, Suite 1840, Chicago.

21 I started to read the information.
22 I read a lot of it. And then I was very happy that
23 at the end of it they gave us a CliffsNotes version.
24 So in conclusion, it was noted that based on the

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1 results of the model, it is expected there will be a
2 decrease in stormwater runoff from the project's
3 proposed conditions due to the improvements and land
4 cover with a friendly seed mix and the project, as
5 proposed, for the majority of the project area.
6 Further, flow off the landfill in both the existing
7 and proposed conditions is not concentrated in any
8 one area to design topography.

9 So this is what we had hoped for
10 that there was going -- that there would not be any
11 runoff that would be detrimental to the people that
12 lived in the area. And it seems that this is a
13 confirmation of that, this report.

14 I was very impressed with the
15 information they did, the study that they did and the
16 information that confirmed what AC Power had said,
17 which was that will be a reduction. It will not be a
18 positive --

19 COMMISSIONER GILLIS: Well, given that that's
20 true, and it's always hard to calculate water because
21 you don't know what the heck is going to happen with
22 a storm. I think we should, and I don't know if the
23 engineer had a chance to get out there. The people
24 brought up the fact that the lake across the street

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1 right now when it's a heavy rain floods their yards.
2 So let's just say that we're wrong, and a little more
3 water comes than normal. Have we been out there to
4 see what that problem is with that lake?

5 MS. SMITH: Yes. We did go out with some
6 property owners. We walked. We did walk up to where
7 discharge is coming underneath the road, and what we
8 observed was that culvert is disconnected. So too
9 much water is causing the erosion. They did admit to
10 us that is a main feed to that lake, and they need to
11 at least maintain the water that does come to it,
12 otherwise, it's basically going to kill the lake. If
13 it doesn't get a refreshment of water, you're going
14 to have stagnant lake, which means it's going to kill
15 fish life and you're going to have algae. Basically,
16 it turns it into like a marsh. So they did admit to
17 us that they don't really have an issue with the
18 water coming to them. They need that water to
19 replenish the lake. What they were more concerned on
20 was the dilution water that would be more high in
21 intensity. They still want the water, for sure,
22 because it helps with their lake. I think they were
23 just concerned that you look at it as a whole,
24 there's a lot of panels, you can see surface being

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1 covered. Realistically, water can run through the
2 grass area underneath the panels, and that allows
3 that -- their calculation shows that they are
4 actually not increasing, which is what you're not
5 allowing to do. You can increase the intensity
6 coming to a receding body. You can keep the existing
7 or you can reduce it. And so, that's what they've
8 shown reducing some. We're still doing final
9 analysis on that, but that is just what we did, met
10 with the residents.

11 COMMISSIONER GILLIS: Were they satisfied
12 with that information?

13 MS. SMITH: Yeah.

14 COMMISSIONER GILLIS: Okay.

15 COMMISSIONER KWASEK: In the calculation, do
16 their footings count as impervious?

17 MS. SMITH: Yes.

18 COMMISSIONER KWASEK: So then somebody
19 calculated the area -- you know, a small footing
20 isn't that much, but when you have a couple thousand
21 of them, it adds up.

22 MS. SMITH: Correct. And in the development
23 anything over an acre of impervious will require
24 detention just shy of that. So right now -- But

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1 they've also explained this is still preliminary.
2 They don't have their final count until they get into
3 final design. So there might be a potential that
4 gets triggered into some sort of stormwater once they
5 come with the final footings and the final number.
6 But as of preliminary, they haven't triggered the
7 detention required for it.

8 ATTORNEY VASSELLI: May I -- You are under
9 oath, correct?

10 MS. SMITH: Yes.

11 ATTORNEY VASSELLI: And we did bring this
12 back solely for the determination on how water would
13 run off the site.

14 MS. SMITH: Correct. I need to make a final
15 memo to the Plan Commission.

16 ATTORNEY VASSELLI: And you did bring it back
17 solely for this purpose, correct?

18 MS. SMITH: Correct.

19 ATTORNEY VASSELLI: Okay. Thanks.

20 CHAIRMAN MCCOMBIE: Okay. So at this point
21 we had been -- They had been asked to -- AC Power to
22 reconfirm that the water runoff was not going to be
23 dangerous or a problem for the community surrounding
24 the AC Power solar panels. I think they have proven

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1 that. So I would like to take a I guess a motion to
2 send a recommendation to the Board --

3 MAYOR MCCOMBIE: Excuse me, Paula McCombie,
4 South Barrington. They asked to be put on your
5 Planning Commission agenda for October. They didn't
6 want to be on tonight's agenda for a referral or
7 whatever they want to bring the rest of the material
8 in. They talked to Bob Palmer about that. They
9 wanted the date of the 8th, but the 8th isn't going
10 to happen. So I don't know if you want to, you know,
11 reevaluate this again on the 16th. But they in
12 particular asked not to be on tonight as far as a
13 referral until they get the proper information. So
14 that we don't have to send it back to you again. I
15 don't believe that you've got the Geotech information
16 yet; do you?

17 MS. SMITH: It was Geotech soils. I know
18 we're engaging another consultant for a landfill
19 review.

20 CHAIRMAN MCCOMBIE: Okay. We can -- I see
21 that now that they asked for the 8th. I know we're
22 not available for the 8th. I wasn't available for
23 the 8th. But we can set it for the 16th, and bring
24 this before us.

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1 Did they say how long it was going
2 to take to get the rest of the information?

3 MAYOR MCCOMBIE: They just said -- Well, I'm
4 assuming that by the 8th that they would have the
5 information. That is why they asked to be put on the
6 8th. So I would assume that they'd be done by the
7 16th if they asked to be put on the 8th.

8 CHAIRMAN MCCOMBIE: So I would ask that the
9 Village engineer to confirm they can get the
10 information by the 1st or 2nd so that you can review
11 it properly.

12 MS. SMITH: Yes. We'll send an e-mail out.

13 CHAIRMAN MCCOMBIE: Okay. So at this point
14 then, I think there's nothing we're going to do with
15 this. We're just going to wait for the next meeting
16 on the 16th.

17 MAYOR MCCOMBIE: I don't believe there's
18 public hearing on this, because it was referred back
19 to the Plan Commission.

20 ATTORNEY VASSELLI: I mean, I would still
21 take a motion to move it over.

22 CHAIRMAN MCCOMBIE: Okay. Take a motion to
23 move it over --

24 COMMISSIONER KWASEK: Do we have other

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1 opportunities for other comments, because we did get
2 the site plans, so is there comment on that?

3 CHAIRMAN MCCOMBIE: The only -- You can
4 comment on it, but since they're not here to say
5 anything about it, there is nobody to respond. If
6 you want to wait until the 16th.

7 COMMISSIONER KWASEK: No. No. I want to
8 comment.

9 CHAIRMAN MCCOMBIE: Okay.

10 COMMISSIONER KWASEK: It seems to me that the
11 issue of screening has been brought up in the past,
12 and as I look at this current set of drawings that
13 were submitted, there has been no change in the
14 height of the screening on the north side, which the
15 residents of Hoffman Estates would be looking from
16 the north. There is no change on the south side, so
17 we're still 5 to 6 foot Evergreens, but there has
18 been a change on the east side. So the landscape
19 strip has been widened, and they've included other
20 tree materials of 1 inch caliber, an inch, inch and a
21 half, so one step above a stick. Got that, one step
22 above a stick. And in doing so, they've reduced the
23 height of the Evergreen screening down from 5 to 6
24 feet down to 3 to 4 feet. So where the hell is 4

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1 feet, is that about here?

2 So this material is down sloped from
3 the solar panels. So if the 5 to 6 feet wasn't going
4 to screen much, I don't even know if this is going to
5 be as high as the footing, which means you basically
6 leave it out. I mean, you're just wasting money. 3
7 to 4 feet seems to be --

8 COMMISSIONER GILLIS: 25 years.

9 COMMISSIONER KWASEK: You bet, 25 years.

10 COMMISSIONER GILLIS: Yeah, that's what it
11 will take.

12 COMMISSIONER KWASEK: Yes. Shit, I'll be
13 dead by then.

14 COMMISSIONER GILLIS: You're not alone,
15 Julius.

16 COMMISSIONER KWASEK: I'd be a hundred. The
17 old man made it to 98 1/2. I don't think I'll beat
18 him. But that's my comment.

19 CHAIRMAN MCCOMBIE: Thank you for that
20 comment. We'll bring it before them. I had assumed
21 when they sent this to us that the only change they
22 made was they were sending this to us about the water
23 flow coming up. So that was very good that we found
24 that out. So let's address that to them.

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1 So would you mind, as you're
2 addressing this to them, that you say you've made
3 some changes. You need to -- They need to identify
4 any changes and they need to circle it, so that we
5 know they are making changes so that we're not
6 thinking it's where it was before. When they do make
7 a change, we can comment on it.

8 MR. MICHALSKI: Sure.

9 CHAIRMAN MCCOMBIE: Thank you. Okay. We'll
10 wait for the 16th for the rest of the information.

11 The next item was a referral from
12 the Board for The Woods of South Barrington PUD
13 driveway sizes and ribbons.

14 I'm assuming we all got to see this.
15 I'm in complete amazement that would happen. That
16 there is an ordinance that says driveways, we have
17 to, you know, when we do make copies of this and then
18 you line them through, it makes it hard for me to
19 read.

20 MR. MICHALSKI: Sorry.

21 CHAIRMAN MCCOMBIE: So anyway, it says here a
22 maximum of 15 feet wide with up to 18 inches of --

23 COMMISSIONER GILLIS: Flare.

24 CHAIRMAN MCCOMBIE: -- flare at the street.

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1 If special paving materials are used, wider widths
2 may be approved. The pad within 35 feet of the
3 garage may widen to provide access.

4 So I actually went with my wife and
5 we measured our ribbons and the rest of it. 15 feet
6 is not a bad driveway, and if you put a ribbon on it.
7 We have ribbons on our driveway, and they're
8 really -- ribbons are 16 inches. 16 inches and now
9 you're at 17, nearly 18 feet wide.

10 COMMISSIONER KWASEK: That might be an
11 interpretation thing, but your pavement width
12 includes the ribbons. So if you say you're allowed
13 15 feet, you don't get to tack ribbons on to the 15
14 feet.

15 CHAIRMAN MCCOMBIE: Well, they're saying here
16 that the special materials -- you can actually change
17 this, and you can add dimensions to it based on the
18 special material.

19 So why don't we, before we talk
20 about it, why don't we ask Damian a little bit about
21 what he's found out, because he did the research for
22 us on this.

23 MR. MICHALSKI: Thank you. So what triggered
24 that was in one of the applicants, it was at 4 Acadia

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1 Drive. The gentleman applied for the ribbons, 3 feet
2 ribbons on either side of his driveway plus extension
3 for his pad of 3 feet in the back as well. So I
4 went -- I referred to PUD stating that the maximum
5 width is 15. I found his plat from the was house
6 built, and his driveway was built at 14 feet wide.
7 Therefore, I denied that permit application because
8 it did not comply with a PUD.

9 The reason I asked for a, you know,
10 a -- for this subject to be brought up is because by
11 driving and inspecting other homes within The Woods
12 Subdivision, I noticed that every other -- almost
13 every other property has ribbons. Some of them were
14 approved; some of them were not.

15 There is also a concrete driveway
16 that was poured without a permit, and it exceeds 36
17 feet wide. So it's an air strip.

18 What I need is guidance of the
19 maximum allowable or acceptable width of the
20 driveways. I understand that people would like to
21 park cars on the side and pass with the other car.
22 So I have parked on similar driveways, and it was 17
23 feet wide. I -- When I drove next to the vehicle, I
24 was about 6 inches apart from mirrors. So that's --

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1 In my opinion, that's not sufficient even to get out
2 and walk on the pavement.

3 In reference to Village Code, we do
4 not limit the maximum width of the driveway. The
5 Village Code states that we have minimum width of the
6 driveway, which is 12 feet, but we don't govern the
7 maximum width.

8 COMMISSIONER KWASEK: The width that you
9 identified, so it says ribbons and then in
10 parenthesis width, is the width between the ribbons
11 or including the ribbons?

12 MR. MICHALSKI: It's still a driveway. So
13 whether you have ribbons from pavers, brick or
14 whatever, it's still considered a drivable surface.
15 So it's still considered a driveway.

16 COMMISSIONER KWASEK: So your width is the
17 out-to-out dimension of the ribbon.

18 MR. MICHALSKI: Grass to grass, yes.

19 CHAIRMAN MCCOMBIE: So we get into a very
20 interesting thing. I think here that there is a PUD
21 that was directed. That what happens is the PUD had
22 definitive numbers to it and now there's changes that
23 need to be made in it. How do we make changes to a
24 PUD?

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1 COMMISSIONER KWASEK: We don't.

2 ATTORNEY VASSELLI: So changing a PUD,
3 changing the ordinance you have to have a hearing,
4 and PUDs are generally strictly construed. I don't
5 know if there's a recommendation from the Building
6 Director or Commissioner, and I don't know if it
7 would be wise for the Village to go in and require
8 everyone to change their driveways -- I don't know if
9 there's an appetite for that, for lack of a better
10 word.

11 So I don't know if the Village
12 Commissioner has a recommendation or I don't want to
13 put him on the spot. Let's just put him on spot and
14 see if he has a recommendation.

15 MR. MICHALSKI: Yes, I would like to
16 recommend the change to the PUD because that will
17 allow me or help me for the future permit
18 applications.

19 ATTORNEY VASSELLI: And what is that change,
20 Mr. Building Commissioner?

21 MR. MICHALSKI: To govern the maximum
22 allowable width of the driveway. And my suggestion
23 would be -- Let's say the driveway that I tried out
24 was 17 feet wide, two vehicles next to each other. I

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1 believe that we could allow 20 feet wide driveways so
2 when you open the door, you can still walk on the
3 pavement rather than walking on the grass. That's my
4 personal opinion.

5 COMMISSIONER GILLIS: Would that include the
6 trim?

7 MR. MICHALSKI: Yes.

8 COMMISSIONER GILLIS: That's everything,
9 okay.

10 MR. MICHALSKI: The only issue that may arise
11 from that situation is a horseshoe driveway, how we
12 would like to address that.

13 CHAIRMAN MCCOMBIE: So are we going to run
14 into problems if we allow the width to go up to this
15 size with impervious area on some of these lots?

16 MR. MICHALSKI: So yes, we've been asked to
17 enforce impervious charts, and I have been
18 investigating The Woods Subdivision north of Penny,
19 because residents were applying for a backyard build
20 out, so a lot of pools, patios and so on. That could
21 have triggered an impervious chart for a storage
22 detention for the whole subdivision, I have -- So far
23 we've measured out -- actually, Kristin Bilar, from
24 GIS, she helped me measure it out from satellite the

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1 impervious area and most concerned addresses. So far
2 they were right on the border right under that, but I
3 don't believe that it has been monitored as strictly
4 as it should.

5 CHAIRMAN MCCOMBIE: So is there some point
6 that we continue -- if we would allow more driveways
7 to go to 20 feet, would there be at some point that
8 we would exceed impervious area for that area?

9 MR. MICHALSKI: They might. However, all of
10 the new submittals we are requesting the impervious
11 chart per property.

12 CHAIRMAN MCCOMBIE: Oh, I see.

13 MR. MICHALSKI: So we could govern that. And
14 let's say the proposed driveway or impervious would
15 exceed the allowable impervious, it would not be
16 approved.

17 CHAIRMAN MCCOMBIE: Okay.

18 MR. MICHALSKI: It would have to be reduced
19 in order to fit --

20 CHAIRMAN MCCOMBIE: So do we have the ability
21 to -- I guess I'm asking you, do we have the ability
22 to change the PUD to a different dimension for the
23 driveways?

24 ATTORNEY VASSELLI: We do. Obviously, there

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1 are some procedural steps. Mr. Chair, none of these
2 have been prosecuted, if they were not in strict
3 compliance with regards to the property. More so
4 than me, I think that would be a recommendation of
5 the Building Commissioner. We've been living this
6 way for so long that they would not be prosecuted,
7 and we go back and take the appropriate steps to make
8 that amendment going forward. I think that's a
9 recommendation.

10 MR. MICHALSKI: Yes.

11 COMMISSIONER KWASEK: But you're still going
12 to have one that is so far out in left field, what
13 are going to do with the 36 footer?

14 MR. MICHALSKI: We would ask for a variance.
15 If the variance would not be granted, it's a
16 difficult --

17 COMMISSIONER GILLIS: You know when you back
18 out of a three-car garage, you always have a big pad,
19 so you can back out, turn and go out the driveway.
20 And normally, that pad narrows down. What these
21 people did, where you back out, they went straight to
22 the street at 36 feet.

23 CHAIRMAN MCCOMBIE: Oh, okay.

24 COMMISSIONER GILLIS: That's what they did.

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1 COMMISSIONER ABRI: It looks like a
2 basketball court.

3 COMMISSIONER GILLIS: It's the biggest
4 driveway I've ever seen.

5 COMMISSIONER KAZI: But it's pretty common.
6 I've seen these wide driveways in California or
7 Florida and Texas. So it's very common.

8 COMMISSIONER KWASEK: Yeah, but those aren't
9 governed by this PUD.

10 COMMISSIONER KAZI: Now the question is,
11 should we have a maximum at all?

12 I don't think we should in the
13 ordinance, because now we're saying only one PUD,
14 what if there are other subdivisions, other areas in
15 South Barrington where we have --

16 COMMISSIONER FOX: Well, we don't have it in
17 other areas. It's not -- it's for the PUD. So like
18 if you don't live in that -- if you live in one of
19 the other houses or I don't know subdivisions,
20 there's a minimum you have to have. Part of the
21 reason it's prevalent is because our zoning is 2 1/2
22 acres, and you know, even if you're in The Coves,
23 where you know, maybe you have an acre but you
24 include the lake, you're not getting -- you're not

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1 going to cover your entire property with a driveway.
2 In The Woods, you know, there's some much smaller or
3 Regency there's very small lots. If we start having
4 these giant driveways, then you don't have grass
5 anymore. And so you know, there's just no place --

6 MR. MICHALSKI: So what I'm asking for is to
7 help me or guidance for the future of executing
8 either a PUD and then adding permit applications that
9 people would like to widen their driveways. Because
10 the gentleman for Acadia pointed out all of his
11 neighbors have widened their driveways, and some of
12 them were already -- let's say most of them were
13 approved by the Building Department. So we did not,
14 in the past, follow the PUD.

15 Now, if I want to follow the PUD,
16 because I like to do it right, what's right for the
17 Village, then I'm denying all of those permits --
18 applicants of widening those driveways.

19 COMMISSIONER KWASEK: I have a question on
20 that new application. What's his total width?

21 MR. MICHALSKI: Right now he has 14 feet,
22 maximum is 15.

23 COMMISSIONER KWASEK: So he has 14 plus the 3
24 foot on each side?

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1 MR. KWASEK: No. He has 14 feet only. He
2 asked for 3 feet ribbons on either side.

3 COMMISSIONER KWASEK: Visually, and I don't
4 know if they have pavers or what they have, but it
5 feels like a 14 foot center with 3 foot on each side,
6 that 3 foot is almost like a sidewalk.

7 MR. MICHALSKI: Yes, a residential sidewalk.

8 COMMISSIONER KWASEK: Where I don't feel
9 that's a ribbon anymore.

10 CHAIRMAN MCCOMBIE: So, I mean, does the
11 Village want to have -- to take this back and go
12 before Building to come up with something or does the
13 Village want us to make recommendations?

14 MAYOR MCCOMBIE: Well, I think we wanted you
15 to discuss it here, in this Committee, because any
16 kind of change to a PUD goes to your Committee before
17 it goes to the Village. The Village just can't
18 automatically make a decision on this. It
19 involves -- it has to go through you.

20 CHAIRMAN MCCOMBIE: Right. And I want to say
21 that if we're going to do this for The Woods, we
22 should probably do it for the rest of it.

23 MAYOR MCCOMBIE: That's not at issue for
24 every other subdivision in town. It's only the issue

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1 where what's being monitored at the present or
2 supposed to have been monitored by our last building
3 inspector and evidently it wasn't done, as we thought
4 it was being done, so now it has a parameter around
5 it. We don't have that parameter in the rest of the
6 Village with most of the homes in South Barrington.
7 We only have a minimum. And we don't want to change
8 the maximum or minimum at this point. We need to
9 work with the FAR, which is the permeable surfaces
10 that we're allowing within subdivisions so that we
11 don't turn into a city like cement community.

12 But this is not what's up tonight.
13 We don't want you to change anything. We're not
14 asking for you to make a decision on that. The Board
15 is not asking you that. They're only asking you to
16 address the problem we're having in The Woods so that
17 Damian can either issue driving permit -- the
18 driveway permit he's being asked to issue, which he
19 has to hold back right now, or the ones they want a
20 bigger driveway than the 15 feet, that's what
21 we're -- that's what -- This is the only thing that
22 you're asked to do tonight, not the Village.

23 CHAIRMAN MCCOMBIE: Okay. I would like to do
24 the Village also.

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1 Please.

2 MS. PATEL: Dipale Patel. I live at 4 Acadia
3 Drive. My husband is the one who actually submitted
4 the permit. Just a point of clarification, the
5 pavers we were wanting to add, I believe was 2 feet
6 on both sides, not 3 feet. So that would change it
7 from a total of 6 feet addition to 4 feet addition.
8 And even if we -- let's say my husband had submitted
9 a 3 footer, I think we would be amenable to reducing
10 it down so it didn't look like a sidewalk.

11 But one of the things I wanted to
12 say is that we had the luxury of being the last
13 homeowners on our street, so we were under the
14 impression that, you know, might not have been an
15 issue getting these pavers added. We were trying to
16 follow the right process of applying for a permit and
17 not doing the work, you know, Damian found this
18 issue. Now, what happened in the past is not
19 something we want to do to jeopardize our neighbors
20 and say oh, you didn't follow whatever. But I do
21 think it would be not fair to us to not be able to
22 add something to our home that we would like.

23 To Damian's point one of the big
24 things is that we have a big family. We have a lot

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1 of people coming and have a lot of cars. So often
2 times what's happening is they're driving on grass or
3 going over some of our mulch when they're coming in
4 and out and trying not to hit each other's cars. So
5 that's apart of the thing.

6 The other thing is when there's snow
7 and we're trying to plow our driveways, they become
8 really hard to actually get in and out of the
9 driveways during wintertime because when you're
10 plowing and the snowbanks build up, that driveway
11 would actually become smaller. And unfortunately, in
12 Chicago, we live in more of a winter than we do in
13 summer or better weather. So I do think that I would
14 hope this Plan Commission, whichever we have to go,
15 would consider amending the PUD. Damian said maybe
16 he would like to add a 20 foot maximum, but maybe I
17 would propose if there are other subdivisions that
18 don't have a maximum limit, that maybe our PUD gets
19 amended so we that we also don't have a maximum. But
20 that is just you have a minimum and you look at kind
21 of it sounds like impervious land with grass and
22 other greenery is looked at in your total plat and
23 how that impacts your driveway. That's something I
24 would ask the Commission -- the Commissioners to look

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1 at.

2 The other thing is we actually have
3 to ask our HOA for an approval. So my question would
4 be does the PUD not go to the HOA since they approved
5 it. So I'm not sure why we need an HOA approval
6 anyway to begin with.

7 CHAIRMAN MCCOMBIE: So usually the way the
8 approval process works in the Village, it's supposed
9 to work this way, is what happens is the homeowners
10 association approves the design, whatever it is the
11 change: the color, modification whatever, and then
12 that is submitted to the Village and then the Village
13 based on that recommendation takes a look at it to
14 give final approval.

15 MS. PATEL: The home or is the association
16 looking at it from a size perspective and not the
17 enforcement of the PUD?

18 CHAIRMAN MCCOMBIE: Well, we could say that
19 it would be really nice if they looked at it both
20 ways. I'm just saying that that's typically what
21 happens is they are more worried about how does it
22 blend into the community, does it work well, how does
23 it sit with the neighbors, do they like it. They're
24 supposed to work within the subdivision.

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1 MS. PATEL: The HOA board.

2 CHAIRMAN MCCOMBIE: Yeah, the HOA board to
3 make sure it fits in well. But they to have that
4 approval before they come to the Village. The
5 Village is not allowed to make a recommendation on
6 your request without the homeowners association.

7 MS. PATEL: Right. Which we were able to
8 obtain approval from our HOA, and that's when we sent
9 in our application. And just so I'm clear, is that
10 from what Mayor said, is that we are asking for what
11 today from the Commission?

12 MAYOR MCCOMBIE: Well, you're asking to
13 discuss the parameters and whether the width is too
14 narrow and to increase it, just because when you
15 moved into that subdivision all those restrictions
16 were already made. So every subdivision has some
17 different restrictions in it, depending on what the
18 developer came in to town with long before I was
19 here. And so what they're supposed to look at is how
20 wide can these driveways go, including the ribbons,
21 because our building officer believes that it should
22 be widened, so that's why we're looking at this.

23 MS. PATEL: So then my question would be if
24 our maximum of 15 feet, can we do a survey to see

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1 what other PUDs in other subdivisions within the
2 South Barrington say, just so we can make it some
3 consistency.

4 CHAIRMAN MCCOMBIE: I think you'll be
5 disappointed with the number of PUDs.

6 MS. PATEL: Yeah, can you remove the maximum
7 limit and the width in the South Barrington PUD?

8 COMMISSIONER FOX: I don't think the maximum
9 being removed is a good idea because The Woods have
10 much smaller lots than is generally the case in the
11 rest of the Village. The reason other houses don't
12 have that is because if they widen, you know, their
13 driveways, it's probably still not going to impact
14 how much permeable area there is.

15 In The Woods, if you start widening
16 all the driveways it may be that that's all you see,
17 you know, when you drive down the road or up, you
18 know, one of the streets is nothing but driveways.
19 So I think there needs to be a maximum, and I think
20 that would be my feeling of how wide you want to go.

21 MR. MICHALSKI: So the reason I requested or
22 I asked for the maximum width is because otherwise,
23 it would be up to my interpretation of how wide the
24 driveway may -- might be. So let's say in my mind 20

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1 feet -- 25 feet wide driveway is large enough so we
2 can comfortably open the door and walk on the
3 pavement. But in your mind, it may not be enough.
4 So let's say if you come to me and apply for 40 feet
5 wide driveway, and I don't have the limit of the
6 maximum width or any parameters that I can state my
7 decision upon, then how can I either say that you
8 know what I'm thinking is better than yours. I
9 cannot state that.

10 MS. PATEL: Very true. And unfortunately,
11 the person before you did make some decisions that
12 maybe were not appropriate, based on their role. But
13 I guess that was just a question.

14 I do think 20 feet seems to be an
15 okay amount. I have gone and measured it myself, but
16 I do think that might be reasonable. One thing to
17 keep in consideration cars, that probably depends on
18 the size of the cars passing each other, depending on
19 what you're doing. So I'm not sure 20 feet is the
20 right number or not. It's something to have a
21 conversation.

22 MR. MICHALSKI: What I did was my little, you
23 know, I parked next to -- I parked my SUV, which is
24 an Explorer next to another SUV of a very similar

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1 size. So on a 17 wide driveway, and I think the
2 width between or space between mirrors was about 6 to
3 8 inches. That's why -- This is a 17. By adding
4 those 3 -- you know, 3 feet total, at least you can
5 have people use the walkway to walk on the pavement
6 rather than on the grass. I'm taking into
7 consideration that it may rain or it may snow, and I
8 don't want residents to be walking on slippery
9 surfaces, you know, either.

10 MS. PATEL: Yeah, I appreciate it. Thank
11 you.

12 COMMISSIONER KAZI: And you're good with 16
13 1/2 right now because 15 plus ribbon takes you to 16
14 1/2.

15 MS. PATEL: So I think the request was for 2
16 feet on each side.

17 MR. MICHALSKI: I'm sorry, the application
18 states it's from two to three ribbons on either side
19 of the driveway and 3 feet in the back.

20 MS. PATEL: Yeah, so the 3 feet in the back,
21 just for context, is essentially where our garage to
22 the end of our home is. There's like a little area
23 of mulch, no sunlight. It's pretty much open to dirt
24 in the wintertime. So expanding that so we could

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1 push our snow out when we plow our driveway, so
2 rather than becoming dirt and muddy, it would just
3 add concrete there or not concrete pavers.

4 CHAIRMAN MCCOMBIE: Okay. Thank you.

5 COMMISSIONER GILLIS: Mr. Chairman, I think
6 that if the engineer, who worked on this, would make
7 a recommendation to us to send it to the Trustees,
8 that way at least we can discuss and vote on it. Are
9 we saying 20 feet or?

10 CHAIRMAN MCCOMBIE: Yeah. I mean, if you're
11 saying on the numbers 20 feet, that is your
12 suggestion.

13 MR. MICHALSKI: That is my suggestion.

14 CHAIRMAN MCCOMBIE: I don't see a reason any
15 of us up here are going to vote it down.

16 COMMISSIONER KWASEK: Oh, yeah. So she has
17 14 feet. She wants to add 2 feet each side. That
18 gives you a total of 18. Except for one, the biggest
19 is 19. I would say 19 should be the limit. The
20 reason I say that is there is nothing that says your
21 driveway is intended to park two cars parallel. Mine
22 isn't that wide.

23 COMMISSIONER FOX: Mine isn't that wide.

24 COMMISSIONER KWASEK: Louise's isn't that

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1 wide, and she's got five acres. So the intent is not
2 to build a street coming to your garage.

3 I have no problem with 3 feet or 4
4 feet or 5 feet beyond that maneuvering area. That's
5 not the driveway width. Also, I personally think 18
6 inches for a flare is a joke, but people seem to
7 think that, you know, when UPS comes and any other
8 truck that comes, they're going to do the same thing
9 a car does. Of course if you have 19 feet, hopefully
10 the guy is in the center, and it all works out. But
11 I don't think you need to give them more just so that
12 they can walk on the concrete. I'll tell you that
13 walking on the pavers when it's icy, you're better
14 off walking in the snow on the grass. Because if you
15 have black ice, you'll end up with a wife with a
16 broken wrist, and if that happens on a Sunday, you're
17 screwed, because the good orthopedics are gone, and
18 you're going to the emergency room to the hackers.
19 Personal experience.

20 MR. MICHALSKI: The reason why I suggested 20
21 was because if you drive through The Woods
22 Subdivision, there are multiple vehicles parked on
23 the side of the driveway so the other vehicle can
24 pass through and approach the garage. And the -- you

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1 know, if you have children that are driving and you
2 know, other family members that may be living with
3 you, that was the only one --

4 COMMISSIONER KWASEK: The garage door for a
5 double width garage is how wide?

6 MR. MICHALSKI: 16 feet.

7 COMMISSIONER KWASEK: Okay. So people seem
8 to be able to pull into 16 and be side by side and in
9 their garage, I guess they get out of their car.
10 They don't live in the car.

11 MR. MICHALSKI: Well, you do have a wall next
12 to the garage.

13 COMMISSIONER KWASEK: Well, usually that's
14 another foot or so, or generally speaking 8 inches,
15 but you're not getting not more, because they don't
16 sell garage space, they're selling what's in the
17 house.

18 MS. PATEL: And to be fair, the garages are
19 very tight to get into. Almost every one of my
20 neighbors has hit the car on the side of the garage.
21 So yes, we do make it happen. Unfortunately, it
22 comes at a cost of damaging our vehicles.

23 MR. KWASEK: Well, the good news is on your
24 driveway, and you don't have a wall.

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1 MS. PATEL: Right, unless there's snow.

2 Honestly, I can understand your
3 concerns, but I'm just thinking this is something we
4 have to deal with. If it was approved, it would be
5 very nice when we have others in our neighborhood who
6 have something like this. And I know I heard Damian
7 say we would ask for a variance of the one person who
8 has in excess of 30 feet driveway. That was
9 something that was done without permit. But I think
10 18 seems reasonable.

11 COMMISSIONER KWASEK: I was going 19.

12 MS. PATEL: Right. If I had 2 feet to my 14
13 feet that brings me to 18. So it's still within that
14 PUD that you are recommending.

15 COMMISSIONER KWASEK: You could even go to 30
16 inches on each side, and you would be good.

17 CHAIRMAN MCCOMBIE: Okay. So we have two
18 recommendations here, one from Julius for 19 feet and
19 one from Damian for 20 feet.

20 MS. MAUER: Jean Mauer, 25 Denali Court South
21 Barrington.

22 My question is because where The
23 Regency is a master plan with The Woods, would this
24 also dictate to The Regency?

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1 So I want to know this so we could
2 tell the people of The Regency and put that in their
3 HOA rules and regs that whatever recommendation is,
4 we have to follow it also.

5 MR. MICHALSKI: So the only thing with The
6 Regency changes is the percentage of impervious.
7 Because of the -- the lots are so small, the
8 impervious chart, I believe from the top of my head,
9 I believe that the -- it is permitted to be 60
10 percent of impervious because of the lots being so
11 small. But based on the impervious chart, this is
12 how the detention -- stormwater detention was
13 designed for the whole subdivision.

14 COMMISSIONER FOX: So were they given the
15 same 15 foot wide for The Regency and maybe that's
16 because that kept it from getting past the impervious
17 issue.

18 MR. MICHALSKI: I did not check any of the
19 driveways in The Regency. There is not much that you
20 can build in The Regency to the driveways; however
21 they have two car garage. I believe all the homes,
22 two car garages. So it's a minimum of 16 feet wide.

23 COMMISSIONER KWASEK: But they can face the
24 street.

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1 MR. MICHALSKI: True. Yes.

2 COMMISSIONER KWASEK: Their driveways are
3 still going to be narrower. I would suggest no
4 change to The Regency and don't go look at The
5 Regency. If it's done, it's done.

6 CHAIRMAN MCCOMBIE: Is The Regency completely
7 built out?

8 MR. MICHALSKI: I believe so.

9 CHAIRMAN MCCOMBIE: Are there any building
10 permits you're getting in The Regency?

11 MR. MICHALSKI: Remodeling, but nothing to be
12 added or additions or a build out.

13 CHAIRMAN MCCOMBIE: I think we should
14 probably just leave The Regency alone.

15 COMMISSIONER FOX: Yeah.

16 COMMISSIONER GILLIS: I agree.

17 CHAIRMAN MCCOMBIE: I think that's a good.
18 Idea. So we're going to leave The Regency alone.

19 MS. MAUER: Thank you.

20 CHAIRMAN MCCOMBIE: Oh, please.

21 MS. PATEL: Dipale Patel. One more question,
22 is there something in the PUD what can be pervious
23 versus impervious in percentage-wise based on your
24 lot size?

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1 I know there's different lot sizes
2 within The Woods. So is there some sort of
3 percentage that will guide you when you do get
4 permits?

5 MR. MICHALSKI: So there are -- The
6 impervious chart is based on different area that the
7 developer built homes, and so some of them have a
8 maximum of 40 percent per parcel, some of them have
9 50 percent and The Regency has 60 percent maximum
10 impervious.

11 MS. PATEL: But is that based on lot or just
12 for the entire community, I guess?

13 MR. MICHALSKI: So I wasn't present when The
14 Woods was being built, but I believe it was built by
15 sections: A, B, C, D and so on. So each letter
16 refers to different impervious.

17 MS. PATEL: So the section that we were built
18 in, do you know what that would be, by any chance?

19 MR. MICHALSKI: Not from the time of my head.

20 MS. PATEL: And for my clarity, can you look
21 into -- maybe we can connect offline later this week.
22 Can you look into it for the entire community as a
23 whole or is it based on my own lot?

24 MR. MICHALSKI: So it's based per lot.

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1 MS. PATEL: Okay. So I guess maybe this is a
2 conversation to have offline. What is my request
3 going to be in comparison to how does that meet the
4 rules of the pervious versus impervious?

5 CHAIRMAN MCCOMBIE: If you'll give us one
6 second, we'll make a recommendation about the width,
7 the maximum width, and you'll know.

8 MS. PATEL: Thank you.

9 CHAIRMAN MCCOMBIE: There is one thing, I
10 assume that her lot as any width whatever it be is
11 not going to exceed the impervious area.

12 MR. MICHALSKI: We will request the charts as
13 well, yes.

14 CHAIRMAN MCCOMBIE: That portion he doesn't
15 know for sure yet until he works on it, but in all
16 likelihood, it's probably not going to be a problem.
17 But just so you're aware, he needs to finish that
18 calculation for you.

19 MS. PATEL: Then I guess to follow-up for
20 future planning, if we were to add backyard patio
21 space, this would be -- whatever we would do now to
22 our driveway is essentially take away for options in
23 the back space?

24 MR. MICHALSKI: That's correct.

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1 MS. PATEL: Thank you.

2 CHAIRMAN MCCOMBIE: Okay. So we can make a
3 recommendation. The recommendation seems to boil
4 down to two numbers, either 19 feet total width for
5 the driveways in The Woods Subdivision other than The
6 Regency or 20, which is -- Do you want to discuss it?

7 COMMISSIONER GILLIS: What would you do?

8 MR. MICHALSKI: Me?

9 So, I was hired to enforce the code,
10 whatever that code might be.

11 COMMISSIONER FOX: I like 19.

12 CHAIRMAN MCCOMBIE: Wow...Have you heard the
13 term doing the moonwalk?

14 COMMISSIONER FOX: 19. I think so.

15 COMMISSIONER KWASEK: Basically 19 allows
16 everything in that exists.

17 CHAIRMAN MCCOMBIE: Okay. So I would take a
18 motion to increase The Woods to 19 feet maximum, no
19 change in The Regency.

20 COMMISSIONER KWASEK: So moved.

21 COMMISSIONER ABRI: I second.

22 CHAIRMAN MCCOMBIE: Roll call.

23 VILLAGE CLERK ZIERK: McCombie?

24 CHAIRMAN MCCOMBIE: Yes.

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1 VILLAGE CLERK ZIERK: Abri?

2 COMMISSIONER ABRI: Aye.

3 VILLAGE CLERK ZIERK: Fox?

4 COMMISSIONER FOX: Yes.

5 VILLAGE CLERK ZIERK: Gillis?

6 COMMISSIONER GILLIS: Yes.

7 VILLAGE CLERK ZIERK: Kazi?

8 COMMISSIONER KAZI: Yes.

9 VILLAGE CLERK ZIERK: Kwasek?

10 COMMISSIONER KWASEK: Yes.

11 CHAIRMAN MCCOMBIE: So now is that time, any
12 new business?

13 Oh, please. You stayed for a long
14 time.

15 MS. RONEN: Pinky Ronen. First, I wanted to
16 apologize for letting my emotions take over here
17 today to all present over here today.

18 My question is, I understand
19 engineering reviewed all of this we submitted our 22
20 lots on August 21st. The Village was kind enough to
21 meet with us in person on September 9th, where we got
22 a response of engineering. We able to able to submit
23 September 19th. Now, I understand -- I don't know
24 what actually was decided, that probably would have

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1 to be repeated to me one more time. And the
2 following questions would be hard copies, how many
3 sets and what sizes so I come prepared the next time
4 and we won't be in this situation. So what is
5 recommended?

6 CHAIRMAN MCCOMBIE: So, you know, the
7 recommendation that we made last time because we were
8 just seeing the drawings for the first time and
9 seeing 22 lots, we had said up to 22 lots because we
10 realize the engineering is associated with septic
11 fields and wells and all of that had not been done
12 yet. So because it hadn't been done yet, we didn't
13 know if you end up reducing the total number of lots.
14 So we said up to 22 lots. So that is what we had
15 done with the dimensions that you had placed around
16 the homes that you were looking at. So that's really
17 what the preliminary approval was.

18 Now, here when you send through the
19 drawings, when you send through the information, if
20 you could -- if the Village could send me a copy of
21 it, I'll go through all of the drawings and tell you
22 which ones we need to have printed out for Julius and
23 the rest of us to be able to look at the drawings.
24 We don't need all of them, but we do need to have a

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1 fair^ affair number of them that have the information
2 on them that we're going to take a look it. So if
3 you would send it to the Village, they'll send it to
4 me, and then I'll make some recommendations.

5 MS. RONEN: So I'm assuming you have that
6 e-mail already and you are going to make that
7 recommendation.

8 CHAIRMAN MCCOMBIE: Actually, we don't have
9 that e-mail. That e-mail was sent to the Village on
10 the 18th.

11 MR. MICHALSKI: On Thursday.

12 CHAIRMAN MCCOMBIE: So --

13 MS. RONEN: Not something that I need to
14 forward to you, the Village would have to forward it.

15 CHAIRMAN MCCOMBIE: The Village will forward
16 to me.

17 MS. RONEN: That is fine. And just help me
18 understand a little bit. On the 16th is the Planning
19 and Zoning voting thing. If everything goes well and
20 everything is responded, and you know, reviewed and
21 all of that stuff, it gets moved to the Board, right?
22 How does it work? Please help me understand.

23 CHAIRMAN MCCOMBIE: So what we do is we make
24 recommendation to the Board. So we take -- We make a

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1 recommendation to the Board. We say that we've
2 studied this and we feel for these reasons that is --
3 this is a reasonable thing going on in the Village,
4 and we recommend it to the Board that they say yes or
5 we recommend to the Board they say no.

6 So the Board then, at the next
7 meeting, the Board will put it on their agenda, and
8 they will -- You'll will come before them, and they
9 have some questions. Some of the Trustees are here
10 this evening, and they may be at the next meeting
11 also, so they'll hear a lot of the -- a lot of the
12 information that's being presented by you. They may
13 have some additional information request and at that
14 point, they'll vote to accept it or not.

15 MS. RONEN: When would that be held?

16 CHAIRMAN MCCOMBIE: It's the second Tuesday
17 of each month.

18 MAYOR MCCOMBIE: Thursday.

19 MS. RONEN: Second Thursday of each month.

20 Can it still be done in October if
21 it's the second Thursday of each month after October
22 16th?

23 CHAIRMAN MCCOMBIE: There will be for sure a
24 meeting then. Sometimes they'll have earlier

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1 meetings, and I know that the Mayor likes to hold
2 surprise meetings. So you can ask her.

3 MS. RONEN: Okay. Is there any other
4 documentation that needs to be submitted?

5 My intention -- Well, our intention
6 is to get to the final. Is there any recommendation
7 or any other documents that need to be submitted as
8 well?

9 ATTORNEY VASSELLI: Ma'am, if you would like
10 to stay -- Obviously, you're represented by your
11 Counsel. If you want to stay after, myself, the
12 engineer and the Village Commissioner, we would love
13 to sit with you and go through these questions.
14 There is an ordinance that governs this. We'll take
15 you through it. You have a very good lawyer.

16 MS. RONEN: All right.

17 CHAIRMAN MCCOMBIE: Thank you.

18 And at this time, any new
19 business -- any old business?

20 (No response.)

21 CHAIRMAN MCCOMBIE: Motion to adjourn?

22 COMMISSIONER KWASEK: So moved.

23 COMMISSIONER FOX: Second.

24 CHAIRMAN MCCOMBIE: All those in favor, aye.

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1 (Chorus of ayes.)

2 CHAIRMAN MCCOMBIE: Any opposed?

3 (No response.)

4 CHAIRMAN MCCOMBIE: Hearing none. The
5 meeting is adjourned.

6 Thank you for so many people staying
7 so long.

8 (The meeting adjourned
9 at 9:16 p.m.)

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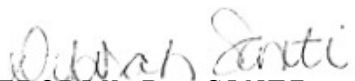
24

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1 STATE OF ILLINOIS)
)
2 COUNTY OF COOK)

3
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.

11
12
13
14 
15 DEBORAH R. SANTI, CSR
16 CSR # 084-004107
17
18
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24

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