



HEARING

VILLAGE OF SOUTH BARRINGTON

Date: December 04, 2025

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PUBLIC HEARING

PLAN COMMISSION/ZONING BOARD OF APPEALS
VILLAGE OF SOUTH BARRINGTON

Proposed Declaration of Covenants, Conditions,
Restrictions, and By-Laws for the Park Pointe
Subdivision

Variance Request for Property Located at
5 Enclave Court, South Barrington, Illinois

Variance Request for Property Located at
6 Yosemite Court, South Barrington, Illinois

Variance Request for the Planned Unit
Development and Other Land Use Relief for the
Property Commonly Known as 61 East Palatine Road
in the Village of South Barrington (Sundance of
South Barrington - Unit 5)

* * *

30 South Barrington Road
South Barrington, Illinois 60010
South Barrington Village Hall
William R. Rose Hall

* * *

Thursday, December 4, 2025
7:00 p.m.

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PUBLIC HEARING

Thursday, December 4, 2025

7:00 p.m.

PLAN COMMISSION/ZONING BOARD OF APPEALS
VILLAGE OF SOUTH BARRINGTON

* * *

Held on Thursday, December 4, 2025,
commencing at 7:00 p.m., at 30 South Barrington
Road, South Barrington, Illinois.

PLAN COMMISSIONERS PRESENT:

Mike McCombie, Chairman
Anthony Abri, Commissioner
Louise Fox, Commissioner
David Gillis, Commissioner
Julius Kwasek, Commissioner
Tom Shuff, Commissioner

ALSO PRESENT:

Paula McCombie, Mayor
Michael Garrigan, Village Attorney
Michael Dropka, Village Administrator
Damian Michalski, Building & Zoning Officer
Jodi McCarthy, Manhard Consulting

1 CHAIRMAN MCCOMBIE: Okay. This the
2 Plan Commission/Zoning Board of Appeals,
3 Thursday, December 4.

4 Roll call.

5 VILLAGE ADMINISTRATOR DROPKA:
6 Commissioner Shuff?

7 COMMISSIONER SHUFF: Here.

8 VILLAGE ADMINISTRATOR DROPKA:
9 Commissioner Gillis?

10 COMMISSIONER GILLIS: Here.

11 VILLAGE ADMINISTRATOR DROPKA:
12 Commissioner Abri?

13 COMMISSIONER ABRI: Here.

14 VILLAGE ADMINISTRATOR DROPKA:
15 Commissioner Fox?

16 COMMISSIONER FOX: Here.

17 VILLAGE ADMINISTRATOR DROPKA:
18 Commissioner Kwasek?

19 COMMISSIONER KWASEK: Here.

20 VILLAGE ADMINISTRATOR DROPKA:
21 Chairman McCombie?

22 CHAIRMAN MCCOMBIE: Here.

23 VILLAGE ADMINISTRATOR DROPKA: Let the
24 record reflect Commission Kazmier is not

1 attendance.

2 We have a quorum.

3 CHAIRMAN MCCOMBIE: Thank you.

4 So the first item on the agenda
5 is the approval of the minutes, September 17.

6 Did you receive those in the packet? Any
7 comments, anybody?

8 Motion to approve?

9 COMMISSIONER GILLIS: You have a
10 motion.

11 CHAIRMAN MCCOMBIE: Second?

12 COMMISSIONER SHUFF: Second.

13 CHAIRMAN MCCOMBIE: Okay. All those
14 who approve say "aye."

15 (Chorus of ayes.)

16 CHAIRMAN MCCOMBIE: Any oppose?

17 (No response.)

18 CHAIRMAN MCCOMBIE: Hearing none,
19 minutes are approved.

20 Okay. The next item is, if
21 anybody would like to talk about any items you
22 saw on the agenda -- there's an agenda in the
23 front here where you walk in to sign up, but if
24 any items on the agenda that are -- if you want

1 to talk about anything else, now is the time to
2 stand up and talk, or you can talk during the
3 public hearing, so if anybody would like to talk
4 about now?

5 Hearing none. Okay. So let's
6 get to the first public hearing.

7 The first agenda item is a
8 proposed declaration of covenants, conditions,
9 restrictions, and by-laws for the Park Pointe
10 Subdivision.

11 Did you get a chance to read that
12 and go over that, everybody?

13 COMMISSIONER GILLIS: I think so. It
14 was straightforward.

15 CHAIRMAN MCCOMBIE: At this point, I
16 would take a motion to approve?

17 COMMISSIONER GILLIS: I make a motion.

18 CHAIRMAN MCCOMBIE: Second?

19 COMMISSIONER KWASEK: Second.

20 CHAIRMAN MCCOMBIE: Okay. Let's do a
21 roll call on this.

22 VILLAGE ADMINISTRATOR DROPKA:
23 Commissioner Shuff?

24 COMMISSIONER SHUFF: Aye.

1 VILLAGE ADMINISTRATOR DROPKA:

2 Commissioner Gillis?

3 COMMISSIONER GILLIS: Aye.

4 VILLAGE ADMINISTRATOR DROPKA:

5 Commissioner Abri?

6 COMMISSIONER ABRI: Aye.

7 VILLAGE ADMINISTRATOR DROPKA:

8 Commissioner Fox?

9 COMMISSIONER FOX: Yes.

10 VILLAGE ADMINISTRATOR DROPKA:

11 Commissioner Kwasek?

12 COMMISSIONER KWASEK: Yes.

13 VILLAGE ADMINISTRATOR DROPKA:

14 Chairman McCombie?

15 CHAIRMAN MCCOMBIE: Yes. Okay. Thank
16 you.

17 Okay. Now, the next item is the
18 public hearing for a variant request for
19 property located at 5 Enclave Court, South
20 Barrington.

21 At this time, I'd take a motion
22 to open the public hearing.

23 COMMISSIONER KWASEK: So moved.

24 CHAIRMAN MCCOMBIE: Second?

1 COMMISSIONER FOX: Second.
2 CHAIRMAN MCCOMBIE: Roll call.
3 VILLAGE ADMINISTRATOR DROPKA:
4 Commissioner Shuff?
5 COMMISSIONER SHUFF: Here.
6 VILLAGE ADMINISTRATOR DROPKA:
7 Commissioner Gillis?
8 COMMISSIONER GILLIS: Here.
9 VILLAGE ADMINISTRATOR DROPKA:
10 Commissioner Abri?
11 COMMISSIONER ABRI: Here.
12 VILLAGE ADMINISTRATOR DROPKA:
13 Commissioner Fox?
14 COMMISSIONER FOX: Here.
15 VILLAGE ADMINISTRATOR DROPKA:
16 Commissioner Kwasek?
17 COMMISSIONER KWASEK: Yes.
18 VILLAGE ADMINISTRATOR DROPKA:
19 Chairman McCombie?
20 CHAIRMAN MCCOMBIE: Yes.
21 Okay. Is the applicant here to
22 make a -- okay. Please stand. I got to swear
23 you in.
24 (So sworn.)

1 CHAIRMAN MCCOMBIE: State your name.

2 MR. PFLANZ: Chris Pflanz, 5 Enclave
3 Court.

4 CHAIRMAN MCCOMBIE: Okay.

5 MR. PFLANZ: I put together a little
6 PowerPoint presentation to give everybody, kind
7 of, a background, a visual of what I'm
8 requesting here.

9 So I moved in in September of
10 2024. The home was built by Vintage Luxury
11 Homes, I think you're familiar with.

12 The inspection report to the
13 exterior was completed at the end of October, so
14 there was a temporary permit, and I went in for
15 that.

16 In the report -- I had mentioned
17 my backyard has a pool, it has a proper fence,
18 there's four stone columns that kind of break up
19 the fence. They're 36 inches wide each, and the
20 stone itself doesn't reach up to the 48-inch
21 height, but I have affixed planters on top of
22 those that go well beyond the 48 inches.

23 I had communication with Damian
24 about this, so we walked through the house and I

1 was unaware, right, I don't see those plans, you
2 know, it's a custom home. It's a big project,
3 basic design and concepts for everything, but
4 the minutia of how it ends and that stuff works
5 out, I have no idea. I assumed that Vintage
6 being builders for however many decades working
7 with the Village knows all the rules, so I was a
8 little bit shocked that this isn't in code. I
9 didn't know that, well, what are you going to
10 do, right.

11 And I said, look, I've got my
12 cover, I've got cameras and all this stuff, I
13 don't know, is this something that is an updated
14 thing, it doesn't apply here, how do I get this
15 approved, is there an exception case or -- I
16 didn't hear anything back for months until the
17 builder reached out and said, hey, the pool
18 company is going to come in to do a final
19 inspection of the pool, but there's no permit
20 granted. This is in June, so at that point I
21 had heard nothing. I said, I didn't know. I
22 didn't hear anything back, I thought it was all
23 done, so I guess this is still open.

24 So I reached out to the Village

1 and it was, like, trying to find answers, what
2 do I need to do here, you know. This is an open
3 matter. I've been moved in for a while, you
4 know.

5 And then here we are. I filled
6 out a variance request, and we're going through
7 the motions here.

8 So here is an overlay of the lot.
9 You can see the four columns, hopefully, you can
10 see them, there's just the red dots there, so
11 the fence is completely surrounding the pool and
12 those four columns, that's the location.

13 And here is a picture of what it
14 looks like. I zoomed in on the left there, so
15 you can see the stone column gets pretty close,
16 and then I have those planters on top and
17 there's four of those. So that came gap or the
18 fence sticks out a little bit. That's the
19 issue.

20 I assume that this ordinance is
21 in place because of safety. There's many things
22 that are inherently safe about my property. So
23 this pool cover is closed 100 percent of the
24 time. It's, per the manufacturer, it can

1 literally hold an elephant. I have a video of
2 me walking on it. I can show that -- play that
3 for you, if you care, but I keep it closed not
4 just for safety, but it's efficient. It keeps
5 the pool warm and save a lot of energy, etc., it
6 keeps it clean.

7 I have cameras everywhere around
8 the house and installed a few cameras, even at
9 the gate. I'm a majority owner in the Enclave
10 development. We updated all the security around
11 the gate and the perimeters; even have AI built
12 in to detect a human from an animal. So if
13 somebody walks around the gate; the same thing
14 with the house, these are push notifications
15 that go to directly to my phone if somebody is
16 on the premises.

17 I think from a previous property
18 I've had, you know, the pool fences, the reason,
19 and correct me if I'm wrong on that, is to
20 protect somebody from accidentally wandering in
21 the yard, being pulled or falling in. I think
22 that's not going to happen in this scenario. If
23 somebody wanted to hop in or break into the
24 property, there's three gates, which I'm not

1 required to lock, that are a lot easier than
2 trying to climb over those stone planters.

3 Here is some screenshots showing
4 the camera coverage of -- there's more cameras
5 but as far as a single screenshot for that. And
6 on the right there is the gate, and you can see
7 some of the geofence zones that are specifically
8 looking for humans.

9 But that's about it. That
10 concludes my application.

11 CHAIRMAN MCCOMBIE: I have to tell
12 you, you have terrible penmanship and you should
13 have typed what you were trying to say. I read
14 this three ways from Sunday trying to figure out
15 what you were writing in this thing that says
16 "action requested." I couldn't figure out what
17 you requested.

18 MR. PFLANZ: My handwriting?

19 CHAIRMAN MCCOMBIE: Oh, he has
20 terrible. Can we correct that criticism?

21 MR. PFLANZ: I do have bad penmanship,
22 but you definitely freaked me out. I was trying
23 to type it.

24 CHAIRMAN MCCOMBIE: Okay. So I

1 think -- we talked amongst us, what I would like
2 is I would like Damian to make a presentation.

3 MR. MICHALSKI: Yes, thank you.

4 So the fence doesn't meet the
5 pool barrier requirement, that is the code
6 interpretation from Illinois Swimming Pool and
7 Spa Code that the Village adopted, and the
8 requirement is that the pool barriers are
9 required to be a minimum of 48 inches in height,
10 and the space between the pickets or balusters
11 cannot be greater than four inches. So those
12 pillars do not meet the height requirement.

13 I suggested to the developer to
14 take the caps off, round another course of stone
15 to meet the height requirement, that was not
16 done.

17 The other option was to create an
18 extension over the fence to get to 48 inches
19 over the -- beyond the top of the planters. He
20 didn't do that either.

21 The other issue is a retaining
22 wall. So in order to measure that 48 inches in
23 height pool barrier, you are required to have 36
24 inches of clear space, no objects or no

1 retaining wall. So the retaining wall, because
2 of the difference in elevation, it changes and
3 it comes right where your pool gazebo ends
4 per se to the pillar to the wall and there's a
5 difference in height elevation.

6 So I suggested that the pool
7 fence could be extended or retaining wall pushed
8 back, that wasn't completed.

9 So getting back to your story,
10 you have moved in in September when I granted a
11 temporary certificate of occupancy based on the
12 house only. We do have three permits still open
13 for your property.

14 A temporary certificate of
15 occupancy was in place only for the house
16 itself. In fact, I was returning after two days
17 because there was no guardrails on the exterior
18 staircases, so I had Joe block beyond the exit
19 with plywood so nobody would fall off. So I --
20 I went ahead and I worked with him so you could
21 move in.

22 So the house permit has never
23 been closed. The pool permit has never been
24 closed because of the pool barrier, and the

1 gazebo permit has never been closed because of
2 that outer grill that is not permitted by
3 manufacturing specifications on the combustible,
4 which is the framing is all wood, which is
5 combustible. There's a fix I shared with you on
6 three occasions. I sent you an email, we had a
7 conversation about that, that the manufacturer's
8 specifications do permit an exhaust vent over
9 the grill that wouldn't be an issue.

10 So this is in regards to the pool
11 code, safety code, not necessarily my, you know,
12 calling.

13 Also, in regards to the pool
14 cover, a pool cover is an exception to the code
15 to eliminate the alarm for any doors or any
16 windows lower than 48 inches that directly face
17 the pool. So that pool cover eliminates the
18 need of the alarm being installed in any of
19 those openings.

20 Now, going back to the fence,
21 it's a code, it's -- again, it's the code reads
22 that the gaps cannot be more than -- greater
23 than four inches or minimum of four feet high,
24 that's what I go off.

1 CHAIRMAN MCCOMBIE: So Damian, how
2 much -- is there a lot of money that's being
3 held beyond these --

4 MR. MICHALSKI: All this money is --
5 on the application Vintage is the owner of the
6 property and the building.

7 CHAIRMAN MCCOMBIE: I understand, but
8 how much money do they have?

9 MR. MICHALSKI: \$5,000 on the house,
10 and I don't recall, either 1500 or \$3,000 on the
11 pool.

12 CHAIRMAN MCCOMBIE: So, I mean, he's
13 got what, a performance bond on it?

14 MR. MICHALSKI: Yes.

15 CHAIRMAN MCCOMBIE: So have we told
16 him that -- fees pulled on the performance bond?

17 MR. MICHALSKI: Yes. So -- well, it's
18 a Life Safety Code.

19 So I did not charge for a permit
20 extension, because the permit has currently
21 expired. The permit is good for two years.
22 It's already expired. The R-Code allows for an
23 extension for six months for 50 percent; I did
24 not impose those costs to you or to the builder.

1 I wanted to work with the builder and try to
2 achieve the common ground to satisfy the code.
3 That's all I'm trying to do.

4 CHAIRMAN MCCOMBIE: So I don't
5 think -- you know, to ask for a variance for the
6 planters and the fence, we would have to offer
7 you a variance to the Illinois Municipal Code.
8 I don't think we can do that.

9 MR. PFLANZ: Well, you have adopted
10 that code, right, so it's in effect?

11 COMMISSIONER KWASEK: The Plan
12 Commission doesn't adopt the code.

13 CHAIRMAN MCCOMBIE: Yeah, so I
14 think -- I'm not -- what we should do here is
15 the mechanism is to get the builder to do what's
16 right.

17 MR. PFLANZ: So I want to make a
18 point. This variance is about, specifically,
19 the pool fence, and you are bringing up other
20 things that are irrelevant and are already
21 rectified and purposefully waiting to see the
22 result of the variance request before we come
23 out and do a final inspection. And this has
24 been delayed not because of me. I was trying to

1 get this meeting a long time ago; zero
2 communication with me.

3 Now, maybe I'm not meant to be
4 here. Maybe I'm doing Vintage's job. It sounds
5 like it. I don't need to be here, and it's not
6 my problem.

7 CHAIRMAN MCCOMBIE: It sounds like
8 you're correct about that. You are completely
9 correct.

10 MR. PFLANZ: So I don't know. I
11 figured if I can come out here and pitch my
12 case, if you look at this as humans, is there an
13 issue? The amount of aesthetic that's lost --
14 and we did already on the corners add the --
15 extended up the fence. So I know that he was
16 responding in doing that, but it made sense
17 because of the height of those planters and it's
18 something that they said -- I can bring up the
19 picture, you can see. But it just doesn't make
20 sense to do this. It's going to make it uglier
21 and it increases the safety by a factor of zero.
22 Everybody knows that.

23 COMMISSIONER KWASEK: When you're
24 dealing with safety issues within the code,

1 those can't be touched.

2 MR. PFLANZ: Nobody made me put on the
3 cover.

4 COMMISSIONER KWASEK: As far as the
5 letter of the law for the fence, you don't get
6 to mess with that. If you want to go to the
7 department that wrote the code, that's not our
8 purview.

9 Now, my background -- I was an
10 architect. I'm retired. But I had for a lot of
11 years and when you are dealing with any life
12 safety issues that relate to code, they are
13 untouchable. You can't vary them. Once you
14 adopt them, that's it. You vary them and
15 somebody gets hurt, well, you tell me. Are we
16 coming back after the Village?

17 ATTORNEY GARRIGAN: Actually, yes.

18 COMMISSIONER KWASEK: Okay.

19 MR. PFLANZ: This could have been
20 communicated to me a long time ago. It would
21 have been resolved.

22 CHAIRMAN MCCOMBIE: I would say that's
23 a good analysis. This is a problem with the
24 builder and he needs to get in here and he needs

1 to plead his case.

2 But a word to the wise, this case
3 can't be, it's fine the way it is, so because
4 it's not --

5 MR. PFLANZ: It's not my problem.

6 CHAIRMAN MCCOMBIE: It's not his
7 problem.

8 COMMISSIONER KWASEK: It's like a
9 bankruptcy on a construction job, it becomes
10 everybody.

11 MR. PFLANZ: Well, my problem is, you
12 know, the nuance about it, and I can't close
13 out. But ultimately, the rectification
14 responsibility is on him, but I also have to
15 stay around for that to happen.

16 COMMISSIONER ABRI: He hasn't met the
17 code, he should be --

18 COMMISSIONER SHUFF: He should have a
19 one-on-one. I got a pool. And in fact, I got
20 the same cover -- he's been around a long time.
21 I've known him for 20 years.

22 MR. PFLANZ: Which is why I didn't
23 look at stuff --

24 COMMISSIONER SHUFF: It looks

1 beautiful, but it's a shame, but Joel should
2 know better. I hate to say that.

3 MR. PFLANZ: All right.

4 Now, are you reaching out to
5 Vintage?

6 MR. MICHALSKI: I will. I definitely
7 will and then I'll just -- please check your
8 email. Whenever I send an email to you or
9 respond to your email, I send it to you and to
10 Vintage.

11 MR. PFLANZ: Okay. You can copy me on
12 stuff there, too? I got the reply, it will take
13 me off the cc. You keep me in the loop.

14 MR. MICHALSKI: I will certainly do
15 so.

16 MR. PFLANZ: All right. Thank you.

17 CHAIRMAN MCCOMBIE: Thank you for
18 coming in.

19 MR. MICHALSKI: Thank you.

20 COMMISSIONER ABRI: I want to ask you
21 a question. So he -- his product is not right.
22 Here is the issue, it's your problem, because
23 you are the owner, but you got to lean on that
24 guy.

1 MR. PFLANZ: Yes.

2 COMMISSIONER ABRI: He's got to come
3 out here and he's got to meet with us, and he's
4 not going to be able to because --

5 CHAIRMAN MCCOMBIE: Okay. So are
6 there any public comments that anybody wants to
7 have in regards to this?

8 Okay. The Village, we got your
9 comments, any other things anybody wants to talk
10 about, or at this time we can recess the public
11 hearing and --

12 COMMISSIONER SHUFF: Go to a vote?

13 COMMISSIONER KWASEK: We don't vote.
14 It's not our issue. A code item like that does
15 not fall under Plan Commission or Zoning Board
16 of Appeals. It's not a zoning issue.

17 CHAIRMAN MCCOMBIE: So, okay, how do
18 we end this?

19 ATTORNEY GARRIGAN: (Inaudible.)

20 CHAIRMAN MCCOMBIE: Do you want to do
21 that? Okay.

22 So at this time, take a motion to
23 table the matter.

24 COMMISSIONER KWASEK: So move.

1 COMMISSIONER FOX: Second.
2 CHAIRMAN MCCOMBIE: Roll call.
3 VILLAGE ADMINISTRATOR DROPKA:
4 Commissioner Shuff?
5 CHAIRMAN MCCOMBIE: Yes.
6 VILLAGE ADMINISTRATOR DROPKA:
7 Commissioner Gillis?
8 COMMISSIONER SHUFF: Yes.
9 VILLAGE ADMINISTRATOR DROPKA:
10 Commissioner Abri?
11 COMMISSIONER ABRI: Yes.
12 VILLAGE ADMINISTRATOR DROPKA:
13 Commissioner Fox?
14 COMMISSIONER FOX: Yes.
15 VILLAGE ADMINISTRATOR DROPKA:
16 Commissioner Kwasek?
17 COMMISSIONER KWASEK: Yes.
18 VILLAGE ADMINISTRATOR DROPKA:
19 Chairman McCombie?
20 CHAIRMAN MCCOMBIE: Yes.
21 VILLAGE ADMINISTRATOR DROPKA: Okay.
22 CHAIRMAN MCCOMBIE: Thank you.
23 Okay. The next item is a public
24 hearing for the variance requested for property

1 located at 6 Yosemite Court, South Barrington.

2 Okay. Take a motion to open the
3 public hearing.

4 COMMISSIONER KWASEK: So moved.

5 COMMISSIONER FOX: Second.

6 CHAIRMAN MCCOMBIE: Roll call.

7 VILLAGE ADMINISTRATOR DROPKA:

8 Commissioner Shuff?

9 CHAIRMAN MCCOMBIE: Here.

10 VILLAGE ADMINISTRATOR DROPKA:

11 Commissioner Gillis?

12 COMMISSIONER GILLIS: Yes.

13 VILLAGE ADMINISTRATOR DROPKA:

14 Commissioner Abri?

15 COMMISSIONER ABRI: Here.

16 VILLAGE ADMINISTRATOR DROPKA:

17 Commissioner Kwasek?

18 COMMISSIONER KWASEK: Yes.

19 VILLAGE ADMINISTRATOR DROPKA:

20 Chairman McCombie?

21 CHAIRMAN MCCOMBIE: Yes. Okay.

22 (So sworn.)

23 CHAIRMAN MCCOMBIE: State your name.

24 MR. PAN: Andrew Pan.

1 (Brief pause.)

2 MR. PAN: All right, sorry for the
3 technical issues.

4 CHAIRMAN MCCOMBIE: Okay. Begin.

5 MR. PAN: Starting from the top -- so
6 everybody can hear me all right, just making
7 sure it sounds good from your end. Okay. Cool.

8 So my name is Andrew. I'm here
9 to talk about my family's property today at
10 6 Yosemite Court, and our plans to put solar on
11 the roof. I'm joined by my mother, June; and
12 William McClain, our installer, he's back there.
13 And if you want to ask him any questions after I
14 finish, be my guest.

15 So first, I'll give you a little
16 bit of background. Our rooftop solar screen
17 being the woods, in the subdivision where we
18 live. We counted out at least seven properties
19 when we were driving around, just looking at all
20 the houses and stuff, and we just wanted to join
21 and see what the big deal is with this green
22 movement and, unfortunately, there are a couple
23 problems for us in having installation that's
24 really comparable to that of our neighbors if we

1 don't -- if we strictly follow the rules set by
2 the Village.

3 So the specific rule in question
4 is this one, is that the Village banned solar
5 panels on front-facing roof surfaces. I'm sure
6 the Commissioners are well aware since as
7 probably the ones who put the rules in place in
8 the first place.

9 So we're not looking to argue
10 about the merits of that rule. Our question is
11 from, like, the perspective of this variance
12 process. So there are a couple things that make
13 the rule especially bad for us, in our property
14 in particular, and goes to hardship. We're just
15 hoping that the Village will listen to us.

16 And so with respect to the letter
17 of the rule, right, so why not the back-facing
18 panels. If we were to put panels on the roof,
19 why can't we strictly adhere to it, right?

20 So first is the aesthetic
21 argument, which is, you know, speaking to the
22 spirit of the rule, which is, you know, the
23 panels -- panels are ugly and we should try to
24 minimize their visibility as much as possible,

1 right. That's kind of the intent of the rule,
2 to minimize the visibility of the panels.

3 So what we believe is that if we
4 put the panels in a way that avoids the
5 front-facing surfaces, it will actually be more
6 visible to the neighborhood at large, so that's
7 the first reason.

8 And the second reason is pretty
9 practical. If we put the panels on every
10 surface but our front surface, they just won't
11 work well at all, so they'll probably --
12 actually, extremely poorly on the back of the
13 roof, if you compare them to the front-facing
14 panels.

15 So I'm going to show you in a bit
16 why that is. But first, we're going to start
17 with some photos. Again, this is the one we
18 submitted with the application. There's a bit
19 of tree cover. But the main roof section that
20 the panels are going to be placed on, which is
21 the one to the left there with the skylights,
22 that's going to be in plain view. That's just
23 what we think.

24 They're going to continue to be

1 in plain view across the street because there's
2 less trees up there. You're going to -- if
3 you're a passenger and looking out the window in
4 a car, you're going to see them. That's what we
5 think.

6 So I took this photo recently.
7 It's further west compared to the previous
8 photo, so it's not the same trees. But one
9 thing to note here is that in the winter, the
10 trees are bare, when the leaves fall off the
11 trees, the leaves that are blocking the view of
12 our house in the rear are just going to --
13 they're not going to provide that same purpose.
14 They're not going to be blocking the view of our
15 house, so the panels are going to be even more
16 visible in winter. It is ugly.

17 And fortunately, these trees are
18 all green so -- and I've taken a video,
19 actually, walking up Mesa to further drive to
20 the point.

21 There you go. So I walked up
22 Mesa last week and in the video as you can see,
23 the same view that you would have that a
24 passenger in a car driving Mesa.

1 And something to share, I'll just
2 note. In the past, we put a vegetable garden in
3 our backyard. You might think that, well,
4 nobody is going to care about what's planted,
5 because the property is in a backyard, right, or
6 the roof. Nobody is going to be looking out
7 back. But we couldn't put a vegetable garden
8 in. We actually got a complaint about it years
9 ago, so -- from across the pond on Mesa, so
10 that's something we want to point out. That's
11 the aesthetics argument.

12 And now we're moving on to the
13 history argument. So here's kind of a rendering
14 of a theoretical rear-facing system.

15 So these are actually
16 representative of our actual panels of going --
17 putting on our roof. You can see here kind of
18 the way that they have those borders on them,
19 but the one that we'll putting it on, they are
20 all black, and so that's not what we're going to
21 be focusing on here, but these panels are facing
22 northwards toward the pond, right. So that's
23 something we're focusing on, the fact that the
24 panels are facing northwards.

1 So here is the other
2 non-compliant system in question that we are
3 also considering.

4 So they can produce actually
5 roughly 45 percent more electricity than the,
6 you know, facing the back. And the reason for
7 that is actually pretty interesting. So with
8 this system, they are facing northwards, and
9 what we get here is that the sun, you know,
10 rises in the east and sets in the west, but the
11 sun traces a path through the southern sky,
12 right, and what that really means practically is
13 that -- well, solar panels produce electricity
14 when they're exposed to direct sunlight, and
15 other panels in this regard would perform better
16 than the roof panels because they're getting
17 more sunlight when they're exposed to the
18 southern face of our roof.

19 And you can see on here that we
20 have kind of an overlay that shows you a
21 gradient of colors from orange-red to white in
22 terms of sun exposure. And the ones in the
23 front are getting the most sun exposure. So
24 this would be the most effective system. But,

1 you know, also it's not compliant, so the reason
2 for this variance request.

3 So next, I'd like to focus on
4 some hard numbers. This is something that's in
5 your packets, but the only one I want to flag is
6 that I started the axis, the y-axis, at 10,000
7 there. I just did that to make sure that the
8 system didn't draw all the other systems,
9 because if you put -- you started at zero, then
10 it would have made all the other systems
11 basically look like they were nothing.

12 So I just started it at 10,000
13 just to make differences between [inaudible].

14 But what you can see here is that
15 really this is the amount of energy that each of
16 these systems are supposed to produce. So these
17 are houses in our neighborhood that we've seen
18 that have installed solar, right.

19 What we did is we went and we
20 counted the panels on all those houses, and it
21 turns out if you just know the number of panels
22 on a house and which direction the house is
23 facing, and the direction that the panels are
24 facing, you can get a pretty good idea for how

1 much electricity that that system can produce,
2 right.

3 So these are the estimates that
4 we came up with, and as you can see, that
5 pond-facing system is basically the lowest. So
6 it's going to be producing around 11,000
7 kilowatt hours where everyone else is --
8 whereas, you know, the street-face system is
9 going to be kind of more in line with what we're
10 seeing. It's going to be at around 19,000
11 kilowatt hours, which is, you know, kind of
12 around the average of what a home in South
13 Barrington, in our subdivision, with this
14 system.

15 And here is another bar chart.
16 There's a -- for this one, I took the numbers
17 from this previous one, and I divided them by
18 number of panels. So you kind of can think of
19 this as kind of impact testing, right, the
20 amount of energy you're getting on these panels.

21 So here we can see that the
22 pond-facing one, the compliant one is going to
23 be at the lowest, as it was in the previous, and
24 the street-facing. So another way to think of

1 this is that -- you can also think of it as kind
2 of, like, impact, right. So how much energy are
3 you going to be producing relative to the impact
4 that you are going to be putting on your
5 neighbors in terms of, you know, having more
6 panels, having more usable panels, right.

7 And in this sense the street one
8 is going to produce, a respectable amount of
9 energy for the number of panels that are put in,
10 whereas, the pond-facing one, really, it's not
11 really -- it's not really much electricity being
12 produced from those panels at all. That's my
13 presentation. I look forward to answering any
14 questions.

15 CHAIRMAN MCCOMBIE: Thank you. So
16 yes, public comment. Would anybody like to have
17 public comment at this point about this?

18 VILLAGE ADMINISTRATOR DROPKA: So we
19 received correspondence, so I can read that into
20 the record.

21 This comes from the Parepally
22 family at 7 Yosemite Court. It was received two
23 days ago.

24 "We, the Parepally family are

1 residents and owners of the property located at
2 7 Yosemite Court, South Barrington. We are
3 writing to express our strong and complete
4 support for the solar energy project proposed by
5 our cross-street neighbors at 6 Yosemite Court,
6 which is currently undergoing the variance
7 process due to the necessary street-facing
8 orientation of the panels. Having known our
9 neighbors at 6 Yosemite Court for over 15 years,
10 we fully endorse their efforts to install these
11 solar panels on their property. We believe that
12 this is a worthwhile positive improvement for
13 our immediate vicinity. We are confident that
14 this project will be executed professionally and
15 thoughtfully, serving as an asset to our street
16 and the broader neighborhood. Furthermore, we
17 appreciate that the use of solar energy will
18 contribute positively to South Barrington's
19 pursuit of greater energy independence and
20 sustainability. Thank you for your time and
21 consideration of our support for this project."

22 COMMISSIONER FOX: Do you know where
23 they are located in relation to the house?

24 COMMISSIONER KWASEK: Across the

1 street.

2 COMMISSIONER FOX: They're directly
3 across. I didn't know if it was next door
4 or --

5 CHAIRMAN MCCOMBIE: Is it across the
6 street?

7 MR. PAN: Yeah, it's right across the
8 street.

9 MR. MICHALSKI: Can I ask a question?

10 CHAIRMAN MCCOMBIE: Please. Do you
11 swear to tell the truth?

12 MR. MICHALSKI: Yes, I do. Thank you.

13 (So sworn.)

14 MR. MICHALSKI: So probably this
15 question is for your consultant, how many panels
16 can you fit on the front plane?

17 MR. MCCLAIN: Twenty-seven on average.

18 CHAIRMAN MCCOMBIE: Do you swear to
19 tell the truth and the whole truth?

20 (So sworn.)

21 CHAIRMAN MCCOMBIE: State your name
22 for the reporter.

23 MR. MCCLAIN: William McClain.

24 CHAIRMAN MCCOMBIE: Okay. Thank you.

1 MR. PAN: So this is an interesting
2 question, right. I think on this one there are
3 33 panels. So you can see that there are six
4 panels on the side facing front there, and there
5 are 33, 6, 27, 27 panels on the front. So we
6 basically maximize, I think, in this rendition.

7 MR. MICHALSKI: So what is the maximum
8 wattage that you would achieve from these
9 panels?

10 MR. PAN: In terms of direct current
11 or the production?

12 MR. MICHALSKI: AC.

13 MR. PAN: Or AC.

14 So AC is about 19k for the
15 system.

16 MR. MICHALSKI: 19?

17 MR. PAN: Yeah, 19.

18 And this is all in the charts
19 that I sent over.

20 MR. MICHALSKI: If you were to install
21 those panels in the rear plane that are
22 permitted by the Village, so side and rear, how
23 many panels can you fit and how much would it
24 produce?

1 MR. PAN: Yeah, so this system would
2 be 34, so it's more panels.

3 And the same deal we can track
4 this, so 28, and it would be 11k.

5 MR. MICHALSKI: So on the rear plane
6 on the left-hand side is there a reason for two
7 panels, you know, the second line from the
8 bottom, or why wouldn't you fit one more
9 panel -- second line from the bottom, yeah.

10 MR. PAN: So here there are --

11 MR. MICHALSKI: A fence.

12 MR. PAN: Yeah.

13 MR. MICHALSKI: So you said 11,000?

14 MR. PAN: Yeah.

15 COMMISSIONER KWASEK: Those can be
16 offset and removed, can't they?

17 MR. MICHALSKI: They could.

18 COMMISSIONER KWASEK: Then it's not
19 that big of a deal.

20 MR. MICHALSKI: And they could be in
21 the front plane.

22 MR. MCCLAIN: You'd have to --

23 CHAIRMAN MCCOMBIE: Because you
24 weren't here during the time when we were

1 debating this and going over this, just maybe to
2 give you a history about what we had seen.

3 We had seen as solar panels
4 became more prevalent, we came to the
5 realization that we have to have some rules and
6 regulations associated with it. And we went
7 about, and we looked at them and said, okay,
8 what are the things that people do or do not
9 want to see. And we came up with the idea of
10 having it on the front of houses did not look
11 good. And so what we did is we said sides and
12 back. And we made a rule about it, and so the
13 reason for the rule was purely aesthetics.

14 And so as it turns out, there
15 have been other people who have come before us
16 and who have asked to have it on the front of
17 the house, having similar discussions where it's
18 better looking on the front, we get more power
19 because of on the front, there's a lot of other
20 reasons for it.

21 You know that what -- or you
22 should know what will happen is as soon as we
23 say "yes" to any front exposures, every house in
24 South Barrington can now put it on the front. I

1 cannot make -- I cannot say the variance is for
2 this building only and all of the other
3 buildings don't get that variance.

4 Once we create a variance that
5 you get to have it on the front, no longer can
6 Damian say to any person, you're not allowed to
7 put it on the front. Every house that's --
8 every house that's available to have it on the
9 front can now have it on the front.

10 MR. PAN: So that's kind of what we
11 were getting at, the question, right, so that's
12 something we also thought about in depth.

13 And one thing that's really --
14 that's why we were kind of pointing at the
15 north-south orientation of the house, right, so
16 the reason that we're actually asking for this
17 is if our house was oriented in any other way,
18 if there was any other plane besides the western
19 plane and the northern plane for our use, right,
20 it would not have been a problem, because then
21 at that point, we would have been able to
22 produce enough electricity, electricity that is
23 comparable to, you know, the electricity that
24 we're already producing.

1 So in our view, right, this --
2 the fact that our house faces south, and this
3 factor is kind of exceptional in terms of where
4 we are in the Village, the fact that the back of
5 our house is facing Mesa, which as you know is a
6 major entrance to the subdivision, and in light
7 of the fact that we are on a cul-de-sac, which
8 is not really a through-road, it's not going
9 to -- you don't really see all that -- people
10 are going to be driving through and seeing our
11 house. If they were to have an objection to
12 these panels on the front, we don't feel people
13 are driving down Yosemite as frequently as they
14 drive down Mesa, right --

15 CHAIRMAN MCCOMBIE: I think you are
16 missing the point. The point is not that your
17 house will look worse, and we don't want any
18 bad-looking houses.

19 The point is once we say "yes" to
20 you, just like you went to all the addresses of
21 the houses, you have to know that people will
22 see the panels being put on the front of your
23 house. They are going to see it. He's going to
24 get variance requests -- it's not a variance

1 request. He's going to get application after
2 application. They are going to reference your
3 house, it was allowed, and no longer will we be
4 able to stop panels from being installed in the
5 front of houses for any house, any house in the
6 Village of South Barrington.

7 MR. PAN: Well, that's why we want to
8 narrow -- and this -- in my understanding -- in
9 my understanding, variances are based off the
10 specific facts of our property; is that correct?

11 CHAIRMAN MCCOMBIE: Variances are
12 given for cases of hardship or for some other
13 reason.

14 MR. PAN: Yeah.

15 CHAIRMAN MCCOMBIE: And I will tell
16 you money is not a hardship. So I don't know
17 that the electricity is a hardship.

18 So I'm just saying to you that
19 this is a big ask, and I just don't think that
20 it makes any sense for us to allow houses
21 throughout the Village now to be allowed,
22 because it doesn't make any sense.

23 And I personally don't think the
24 Village Board is going to say "yes" to this,

1 even if we would say yes.

2 MR. PAN: I mean, we believe that it
3 is exceptional and we do believe that if you
4 were to grant something, it would be possible to
5 scope it to specific property that is not going
6 to create a precedent for you to have to legally
7 approve all subsequent installs. That is -- of
8 course, I'm not a commissioner, so I really do
9 not know for sure, but I believe that that is
10 the case and that's all I have.

11 COMMISSIONER ABRI: Previously, we
12 have had owners such as yourself that have come
13 here and asked for this very variance.

14 MR. PAN: Yes.

15 COMMISSIONER ABRI: And we have had a
16 lot of reasoning regarding the orientation of
17 the house and so forth and so on.

18 MR. PAN: Well, my understanding --

19 COMMISSIONER ABRI: Hold on. Let me
20 finish, please.

21 And we have turned them down,
22 because what's on the books, which really needs
23 to be enforced, limits that only to the back and
24 the side of the house. And here you're just

1 another case that for very legitimate reasons, I
2 might add, want to have a variance. We can't do
3 that. We can't treat your house differently
4 than anybody else's house and say this is a
5 variance that's acceptable here because it's
6 against our rule.

7 MR. PAN: I do -- I really do
8 empathize with the Board's position here and I
9 really do empathize with the commissioners about
10 the specifics around front-facing panels and how
11 they look. But as I said here, you have already
12 allowed solar panels -- essentially, solar panel
13 systems to be installed in the Village, and I
14 think that there are cases where those
15 systems -- well, that specific case you
16 mentioned, where there was a variance request
17 from, I believe, 30 Wood Oaks, they -- I don't
18 know if you've walked past 30 Wood Oaks
19 recently, but those panels are still very
20 visible from the front. And I know that the
21 intent of the variance is -- I'm sorry, I know
22 the intent of the code is to prevent those
23 panels from, you know, impacting the rest of the
24 neighbors in the subdivision. But I think you

1 have to take a look at really what kind of
2 standards you are -- what kind of standards have
3 been set, maybe in the past, you know, you
4 think, well, this doesn't face the front of the
5 house, it's not visible, but there are other
6 factors that are at play that I believe -- that
7 will determine beyond just whether or not it
8 faces the front in terms of visibility. And I
9 think that since, in our case, right, we are not
10 going to get any -- we are not going to get any,
11 like, exorbitant amount of electricity from
12 this. We are getting electricity that is
13 comparable to our neighbors and their systems;
14 the only difference in our system is that we are
15 facing -- our front-facing roof plane is facing
16 the street; and if we were -- if we were at 7
17 Yosemite, right, we would be able to install it
18 on the back of the house, and there would be no
19 issue whatsoever.

20 COMMISSIONER KWASEK: And there's many
21 houses in the Village where the streets are
22 curved, or you're looking across the lake and
23 you can see the panels, but the panels are on
24 the sides and the rear. It was just a standard

1 had to be set, and the rule for not on the front
2 was set.

3 Yeah, you can see a lot of them
4 driving down the street, you can look, true, and
5 see one on the side and on the back, that's just
6 the way it is.

7 MR. PAN: So I guess my question at
8 this point for you would be why -- not
9 actually -- now that you know -- now that you've
10 seen it deployed across the Village, would you
11 still be in support of solar -- in the Village
12 given that, you know, streets are curved, that
13 you can still see panels in many installations
14 even though -- even though that you prohibited
15 the front-facing panels, how would you kind of
16 reconcile what you have on the books with how
17 this is in reality?

18 CHAIRMAN MCCOMBIE: So what we tried
19 to do when we came up with it, is we tried to
20 balance aesthetics and practicality. And yes,
21 we could have made it a rule that if you see the
22 panels from the street, you can't put it in.
23 And that would have eliminated side panels and
24 all sorts of stuff.

1 So that would have been -- that
2 could have been crazy, because then people would
3 be, like, how far away they have to be from the
4 edge they can see it. We tried to balance the
5 two of them, and that's what we did. And I
6 think it was a good rule, and I think it still
7 has merit to it. And yes, there's going to be
8 some houses that face north that aren't going to
9 get as much benefit as they could as if they had
10 it on the front, but we're trying to protect the
11 Village, and we're trying to do the right thing.

12 I think your mother wanted to
13 talk. One second, swear to tell the truth?

14 (So sworn.)

15 MS. JIHONG SUN: Hello, My name is
16 Jihong Sun. I'm the owner of the property, 6
17 Yosemite, that Andrew spoke -- put together, so
18 thank you for your time to be here at our
19 request.

20 The one thing I do understand and
21 appreciate the rule of the Village. I
22 understand it's hard to say, hey, if I'm going
23 to approve yours, that you say that everybody
24 can come. The only thing I want to add is we're

1 not just looking for to, hey, I'm losing 45
2 percent of energy. I think the one thing is
3 we're truly trying to understand the initial
4 motivate why you put this rule in place, where
5 you're trying to preserve the beauty of South
6 Barrington, right, and making sure all these
7 panels do not distract the neighbors as much as
8 we can. That's our understanding. That's why
9 we say our house is a unique case.

10 We have here, as Andrew points
11 out, which I don't think everybody can have that
12 case. You have to be based on the facts that
13 are unique, right. Where it makes our
14 neighborhood is the main driving road.
15 Everybody is they come from north -- will drive
16 -- will see our property, right.

17 And as Andrew mentioned, Yosemite
18 Court is on a small cul-de-sac street; only the
19 owners that drive through and come through.
20 It's very quiet. Well, that's why we are hoping
21 we can make our case here, right, and if there
22 were some way -- understandable I cannot argue,
23 yes, you might get more requests to say, oh, I
24 want it on the front, but in that case, will

1 that be your whole job ensuring that they, hey,
2 I looked at your case, you don't have any
3 challenge here, you know, because anything as
4 similar to our case, I think of that as a black
5 hole, making sense for us to sort of say, hey,
6 there's a rule here we can do better to preserve
7 our neighborhood.

8 All I'm trying to say is I don't
9 think this rule will -- basically, people will
10 come to argue and say, hey, we have to put, hey,
11 you have to present --

12 CHAIRMAN MCCOMBIE: So sorry, are you
13 saying that the way we should now look at solar
14 panels is we should go through and somebody
15 should do a presentation like this, somebody
16 should analyze how many watts of power,
17 kilowatts they are going to be able to get,
18 analyze the slopes of the roof, figure out all
19 this stuff and do this, and give it to Damian so
20 that he can make a decision on whether it's good
21 enough to have it on the front?

22 Imagine -- I think -- I mean, I
23 understand your desire to have them. I get it.
24 It's really good. But you have to understand

1 there are -- there's all these people who live
2 in the Village, all these homes, all these other
3 people who want to do this. And we have to
4 limit it somehow. And Damian doesn't have the
5 wherewithal to spend that amount of time going
6 through each application to figure out if -- and
7 then, it's going to come before us, and then
8 we're going to have to analyze every single
9 thing, to show the angle of the house, they have
10 more pictures. I think it's really impactful
11 what you're thinking, so -- we have a -- we have
12 the rule associated with it. The Village Board
13 has said "yes" to this rule, they wanted this
14 rule. They approved it. And it's an ordinance.
15 It's an ordinance. And for us to make a
16 variation on an ordinance, there has to be
17 something, some compelling reason that we just
18 have to have it that way. And I think your
19 compelling reason is that you get more power and
20 it's -- but aesthetically it's not going to look
21 as good because it will be on the front of the
22 house and people will see it, and I will get --
23 I'm going to tell you, we have already
24 disapproved some people. People are going to

1 call and they are going to say, hey, you
2 disapproved me, I'm coming back in tomorrow.
3 And it just is going to happen, one after the
4 other.

5 And this is -- it's burdensome
6 for this Board that we are going to listen to
7 all these. I think it's inappropriate that we
8 give you a variance just because it's a variance
9 that is for you to have more power and that's
10 it.

11 MS. JIHONG SUN: I think you hear very
12 well one of the reasons. The other reason --
13 one of the reason we believe, put on the back,
14 you already touched on here, is because our
15 facing north, that it's facing a major crossing
16 road into and out of the subdivision. I think
17 that's one of the major reasons -- we listed two
18 major reason. I understand, you know, the
19 power -- ah, yeah, to me I cannot get enough
20 energy -- that's fine, right. But we -- we
21 wouldn't have put it on the back, to me. If I'm
22 going to my neighbor -- my neighbor across the
23 pond, they're going to see that more clear, and
24 anybody driving into our subdivision is going to

1 see that, that's another major reason we believe
2 that's unique about our house, and I'm hoping
3 nobody -- that's not -- many people don't have
4 that case.

5 MR. MICHALSKI: If I may say
6 something. There are multiple homes up in the
7 woods that do have solar panels on the rear
8 facing -- on the rear planes, roof planes that
9 are facing the entrance of the subdivisions or
10 different road because of the winding roads.

11 So the rule was -- the code was
12 established in the past for the reason of not
13 having solar panels on the front plane, to
14 maintain the visual look of the Village and the
15 beauty of the Village, and I believe that that
16 this is the reason why you're living here as
17 well.

18 So we may go through north of
19 Penny, enter Acadia and the house on the
20 left-hand side, has solar panels on the roof
21 plane which are facing the entrance as well.
22 They did comply with the building code, with the
23 municipal code, and install the panels on the
24 rear-facing roof -- I'm sorry, the rear plane

1 even though it was an entrance.

2 So I couldn't deny that
3 application because it's stating that, hey, you
4 cannot have solar panels because they are facing
5 the entrance. They did comply with the Village
6 code and install the solar panels on the rear
7 roof plane. Thank you.

8 COMMISSIONER KWASEK: There's
9 something I'd like to add. This is a
10 clarification.

11 This Board does not grant
12 variances. We make a recommendation to the
13 Village Board. The Village Board is the
14 ultimate for whether a variance is granted or
15 not.

16 The other thing is when this
17 whole discussion on solar panels came about,
18 everybody has a different opinion as to whether
19 they look bad, they look okay, you notice them,
20 you don't notice them. So there's a lot of
21 different opinions that come in and to
22 compromise, like in any other thing that you get
23 involved with, you usually end up with a
24 compromise, the compromise was not on the front.

1 MR. PAN: You know, as I said before,
2 we really empathize with the opposition that you
3 guys have to make that compromise, and we do
4 appreciate that compromises have to be made and
5 you have to draw the line somewhere, but as I
6 said, we have buy-in from our neighbors. We
7 walked up and down the street, they don't have a
8 problem with it, but I can assure you, if we put
9 it on the back, people are going to have
10 problems with it. And that's kind of the
11 situation that we're in today, and I just don't
12 know how you reconcile that with the rule, how
13 it is in the books.

14 Now again, I understand, you have
15 to draw the line somewhere, but you have to
16 weigh this.

17 MR. MICHALSKI: It's a Village code,
18 you know. I understand your desire of having
19 the solar panels. In my opinion, you purchased
20 the home because of its beauty and you moved
21 into this area because of the beauty of the
22 area. You could have purchased a house with a
23 gable roof with two straight planes of the solar
24 panels of the roof planes, you could have

1 installed a bunch of solar panels. That's not
2 the case. Those homes are custom or semi-custom
3 homes. They have multiple roof planes for the
4 visual -- for the aesthetics of the home. Okay.
5 And I think this is the reason of why you moved
6 here.

7 I believe it's a good rule. You
8 cannot avoid seeing solar panels on different
9 homes. On your rear roof plane, whatever, you
10 know, if you decide to install solar panels and
11 with the compliance of the code, there's a pond
12 before the street that enters the subdivision.
13 It's a distance. It's not -- people are not
14 going to look, I don't think that's a -- you
15 know, I understand that's the beauty of the
16 Village and that's appreciated, but it's not a
17 valid point, in my opinion, I'm sorry.

18 So you do have an option if you
19 want to install the solar panels, please comply
20 with the code. Thank you.

21 MR. PAN: Having it not on the front,
22 being forced to install on the back would be
23 prohibitive -- would be, in effect, prohibitive
24 to the project as it stands because of financial

1 reasons. We don't think it would be viable to
2 have it in the back, and I understand that's not
3 in the purview of the variance process, but I
4 just want that on the record.

5 CHAIRMAN MCCOMBIE: Okay. Does
6 anybody else have any comments at this time?
7 Anybody else want -- from the audience, public
8 comment?

9 MR. MCCLAIN: So two quick things.
10 So one of the things you brought
11 up in terms of reviewing these types of
12 variances was the difficulty of doing the
13 analysis and getting all that information, and
14 then setting that kind of groundwork. I just
15 want to express how simple that process actually
16 is, to be able to do the analysis and show you
17 the difference between these things.

18 Andrew and I went through this,
19 and we did this in less than five minutes. So
20 that piece of it, right, as you guys think about
21 the whole going forward and all the other things
22 that are happening and will happen, the second
23 piece, right, is obviously this is a huge push
24 from the Illinois legislature to try and allow

1 for more of these types of solar. There's
2 already law on the books right now that
3 prohibits HOAs from doing exactly what you guys
4 are doing, which is reducing the production by
5 more than ten percent by asking to be placed
6 elsewhere.

7 Once again, I know this is not a
8 hearing about are we going to change the rule,
9 but it's a variance conversation, but I think
10 it's worth asking. This is not a homeowners
11 association, it's an ordinance.

12 So like none of this is going
13 back. I'm not saying any of this is illegal by
14 any means.

15 And so the last piece, and I'm
16 more curious than anything, if you guys have
17 thought or talked about this within the confines
18 of this rule, but are solar shingles a different
19 conversation?

20 CHAIRMAN MCCOMBIE: We have not had
21 anybody present to us solar shingles, so we have
22 not had a conversation.

23 MR. PAN: Okay. Just in terms of the
24 future, I think that really ought to be a

1 conversation that you guys have, because I think
2 you guys might find it's not objectionable to
3 have solar panels facing the front.

4 CHAIRMAN MCCOMBIE: Okay.

5 MR. MCCLAIN: In your mind, would that
6 fall under solar stuff?

7 MR. MICHALSKI: I'm sorry, solar
8 shingles?

9 MR. MCCLAIN: Or is that --

10 MR. MICHALSKI: I think that would
11 be -- that would have to be discussed with the
12 Village Board and the Commissioners as well.

13 COMMISSIONER FOX: At what point are
14 you at with solar shingles?

15 MR. MCCLAIN: If they decided they
16 wanted to go forward with certainty to provide
17 it, I can put it in. So they would have the --
18 we're talking about cost, that's right where we
19 are talking about, hey, the back is highly cost
20 prohibitive, it's not going to produce enough,
21 but the front would change that. It's the solar
22 roof is a very similar concept in terms of cost
23 that you already have production on.

24 COMMISSIONER FOX: Because I think we

1 actually did mention the idea of a shingle would
2 be something we would have to look into, because
3 they would maybe not be as unattractive. It's
4 not something that we've really seen anything
5 shown what it looks like, and I think that that
6 would kind of -- we said it when we had a person
7 come up for this variance, we had kind of a
8 similar situation where they really -- the way
9 they faced, people could see their panels
10 because their house was not oriented directly to
11 the road, and they wanted to have it, and we
12 discussed that at the point where people were
13 starting to use shingles, that would maybe be a
14 different issue because now it's not panels, but
15 an actual coherent roof so...

16 COMMISSIONER KWASEK: So then you have
17 solar shingles on all the phases or just the
18 primary phase that gives you the most benefit?

19 COMMISSIONER FOX: I think that it
20 depends on what it looks like, but if it's just
21 on the primary -- I think they're going to be
22 cost prohibitive, so it would have to be
23 probably on the primary for most people, and I
24 don't know, you know, what that looks like, but

1 at some point I think they're going to want
2 alternative energy for their homes, you know, it
3 gets cost prohibitive to have the old form -- I
4 don't know, but it's something, you know, we may
5 have to discuss at some point.

6 CHAIRMAN MCCOMBIE: I agree.

7 MR. MCCLAIN: If you're looking like
8 an asphalt shingle, like a standard roof that
9 most people have -- if you're talking about a
10 slate roof, which I'm sure you guys are aware
11 of, very expensive to replace. Replacing it is
12 like a solar shingle, CertainTeed or Tesla,
13 those are the two main providers of those, these
14 are a lot more, like in line.

15 So, you know, a panel, like
16 arrangement like this is still going to cost a
17 lot of money, but actually doing a roof panel,
18 it's going to cost probably 30 to 40 percent
19 more.

20 CHAIRMAN MCCOMBIE: Okay. Thank you
21 very much.

22 If there are no other questions,
23 we'll take a motion to close the public hearing.

24 COMMISSIONER GILLIS: I make a motion.

1 COMMISSIONER ABRI: I second.
2 CHAIRMAN MCCOMBIE: Roll call.
3 VILLAGE ADMINISTRATOR DROPKA:
4 Commissioner Shuff?
5 COMMISSIONER SHUFF: Yes.
6 VILLAGE ADMINISTRATOR DROPKA:
7 Commissioner Gillis?
8 COMMISSIONER GILLIS: Yes.
9 VILLAGE ADMINISTRATOR DROPKA:
10 Commissioner Abri?
11 COMMISSIONER ABRI: Yes.
12 VILLAGE ADMINISTRATOR DROPKA:
13 Commissioner Fox?
14 COMMISSIONER FOX: Yes.
15 VILLAGE ADMINISTRATOR DROPKA:
16 Commissioner Kwasek?
17 COMMISSIONER KWASEK: Yes.
18 VILLAGE ADMINISTRATOR DROPKA:
19 Chairman McCombie?
20 CHAIRMAN MCCOMBIE: Yes.
21 So at this point, we can make a
22 recommendation to the Board whether to approve
23 or deny the variance request for the solar
24 panels.

1 What's your pleasure?

2 COMMISSIONER GILLIS: I think we make
3 a recommendation to deny.

4 COMMISSIONER ABRI: I second.

5 CHAIRMAN MCCOMBIE: I agree as a
6 motion.

7 Let's have a roll call.

8 VILLAGE ADMINISTRATOR DROPKA:
9 Commissioner Shuff?

10 COMMISSIONER SHUFF: Yes.

11 VILLAGE ADMINISTRATOR DROPKA:
12 Commissioner Gillis?

13 COMMISSIONER GILLIS: Yes.

14 VILLAGE ADMINISTRATOR DROPKA:
15 Commissioner Abri?

16 COMMISSIONER ABRI: Aye.

17 VILLAGE ADMINISTRATOR DROPKA:
18 Commissioner Fox?

19 COMMISSIONER FOX: Yes.

20 VILLAGE ADMINISTRATOR DROPKA:
21 Commissioner Kwasek?

22 COMMISSIONER KWASEK: Yes.

23 VILLAGE ADMINISTRATOR DROPKA:
24 Chairman McCombie?

1 CHAIRMAN MCCOMBIE: Yes.

2 MR. PAN: Thank you very much.

3 Is it possible to have a
4 conversation with you afterwards?

5 COMMISSIONER KWASEK: Now, just to
6 clarify, they still can take their case before
7 the Village Board.

8 CHAIRMAN MCCOMBIE: Of course, they
9 can. Thank you all.

10 Okay. The next public hearing is
11 a variance request for the planned unit
12 development and other land use relief for the
13 property commonly known as 61 East Palatine Road
14 in the Village of South Barrington (Sundance of
15 South Barrington Unit 5.)

16 At this time, I'll take a motion
17 to open the public hearing.

18 COMMISSIONER FOX: I'll move.

19 COMMISSIONER SHUFF: Second.

20 CHAIRMAN MCCOMBIE: Roll call.

21 VILLAGE ADMINISTRATOR DROPKA:

22 Commissioner Shuff?

23 COMMISSIONER SHUFF: Yes.

24 VILLAGE ADMINISTRATOR DROPKA:

1 Commissioner Gillis?

2 COMMISSIONER GILLIS: Yes.

3 VILLAGE ADMINISTRATOR DROPKA:

4 Commissioner Abri?

5 COMMISSIONER ABRI: Yes.

6 VILLAGE ADMINISTRATOR DROPKA:

7 Commissioner Fox?

8 COMMISSIONER FOX: Yes.

9 VILLAGE ADMINISTRATOR DROPKA:

10 Commissioner Kwasek?

11 COMMISSIONER KWASEK: Yes.

12 VILLAGE ADMINISTRATOR DROPKA:

13 Chairman McCombie?

14 CHAIRMAN MCCOMBIE: Yes.

15 Okay. Is there a presenter? Do
16 you promise to tell the truth and the whole
17 truth?

18 (So sworn.)

19 MS. ELIAS: My name is Brooke Elias.
20 9 Brooke Lane.

21 So just to give you a little
22 background on the request, we are requesting
23 modification in the setbacks, because when the
24 site was initially planned and engineered and

1 approved to have smaller lot sizes, the setbacks
2 were proportionally reduced to have those small
3 lot sizes. So for example, we have a lot that's
4 100 feet wide, we have 25-foot setback on either
5 side, the building envelope is now 50 feet, so
6 the result is a narrower building envelope. And
7 I would like to emphasize that the intent here
8 is not to build bigger homes. We're not asking
9 to increase the impervious surface, we're not
10 asking to increase the allowable square footage
11 either.

12 The intent is to have a little
13 bit more flexibility with design, and we
14 received a review from Manhard, and they
15 outlined some conditions where it follows would
16 it impact the engineering on the site at all,
17 and those conditions will absolutely be
18 followed.

19 And the last thing that I would
20 add is that the existing easements will not be
21 impacted because they still sit within the
22 proposed setbacks.

23 CHAIRMAN MCCOMBIE: So when I first
24 saw this, when I first saw that you were asking

1 for a variance, I know that -- your dad did.

2 MS. ELIAS: Correct, that was my dad.

3 CHAIRMAN MCCOMBIE: He came in and we
4 gave him a variance for the subdivision. We did
5 not tell him where to put the lots. We did not
6 tell him what size the lots were, much like we
7 worked with Jay, and Jay started out at 30 lots
8 and because of the setbacks and the rest of it,
9 ended up with 22 lots.

10 I think the problem here -- this
11 is just me talking, just me talking, is that
12 someone laid out the subdivision without
13 thinking about the setbacks that were required.
14 And the setbacks were part of the deal we made
15 to get the property the way that Joe wanted it.
16 So we had agreed to that. We did not agree to
17 20 lots or 30 lots or 80 lots or whatever the
18 number of lots, we didn't agree to that. What
19 we agreed to was the size of the square footage
20 and the setbacks.

21 And I feel by asking for a
22 variance is going against the spirit of what we
23 did and voted for. Do you see what I'm saying?

24 MS. ELIAS: I understand where you're

1 coming from, but is there a specific issue that
2 you have with the reduced setbacks?

3 CHAIRMAN MCCOMBIE: Yes, because
4 what's going to happen is if you're going to
5 have houses now, and the houses as you look at
6 them, as you look at the streets, the streets
7 and there's houses that go around the corners
8 and whatnot, and some of the houses are going to
9 be 25 feet and some are going to be 15 feet.
10 And there's 15 on one side and 15 on the house
11 next to it, so there's 30 feet between the two
12 houses where the next house could be 25 and 25
13 or 50. So it's going to seem like, oh, God,
14 look at that, they're building houses in
15 Chicago, you know, and they have signs asking
16 for a side fence or the people to walk between
17 them.

18 But anyway, the point is that
19 it's going to be some mismatch of sizes now of
20 between 25 and 15, and I hope not. Joe's not
21 asking for every lot to lot to be 15, is he?

22 MS. ELIAS: No.

23 CHAIRMAN MCCOMBIE: Okay.

24 MS. ELIAS: I believe there could

1 still be a mismatch with every home, some
2 designs, ranches that will have wider and longer
3 foundations and will be --

4 CHAIRMAN MCCOMBIE: Are you telling me
5 that he won't put all the houses 15 on either
6 side?

7 MS. ELIAS: Correct. Each house is
8 custom designed, the allowable square footage.

9 CHAIRMAN MCCOMBIE: How many of the
10 houses are you going to ask for 15 feet?

11 MS. ELIAS: Well, we are asking for it
12 for all of the lots.

13 CHAIRMAN MCCOMBIE: No, you said you
14 are not going to do all the lots that way. So I
15 would like to know how many do you want to do,
16 15? Do you want to do ten? Is there ten lots
17 you're worried about?

18 MS. ELIAS: No, sorry.

19 The point I was making is that as
20 it currently stands, there still could be a
21 mismatch, like this one is 25, this one is up to
22 25-yard setback, this one is still 10 feet away
23 from the side area setbacks, there would still
24 be variability because all the homes are custom

1 designed.

2 CHAIRMAN MCCOMBIE: Okay. How many
3 lots are you looking for to change?

4 MS. ELIAS: Sixty-five.

5 CHAIRMAN MCCOMBIE: That's the wrong
6 answer. I really feel that we made a deal with
7 Joe to take this land and to create a
8 subdivision of lots that had the setbacks that
9 he agreed to.

10 I mean, it wasn't like we twisted
11 his arm, no. He agreed to these setbacks. He
12 said yes to the setbacks. He's laying out the
13 lots. We're not involved in the lots. If he
14 has to reduce the sheer number of lots by five
15 because of this, it may have to happen. And
16 that's what we were saying happened, or I was
17 saying what happened, that Jay found out that he
18 couldn't put that number -- he couldn't put 30
19 buildings on that acreage and had to go to 22.

20 So I think the setbacks was the
21 deal we made. We made the deal on the
22 setbacks.

23 COMMISSIONER ABRI: What is driving
24 this?

1 MS. ELIAS: What's driving this is
2 that there's a bunch of pie-shaped lots, and so
3 in the back it was obviously larger, and it
4 caused messes for those homes further back. And
5 on a lot of lots where the widths are smaller,
6 and then we have 25-foot setbacks, we're looking
7 at a very narrow building envelope that's half
8 the size of the lot, of 50 feet.

9 COMMISSIONER ABRI: So essentially,
10 you're not asking, like, to reduce the number of
11 houses that you propose?

12 MS. ELIAS: No.

13 COMMISSIONER ABRI: What do you mean,
14 "no"?

15 COMMISSIONER GILLIS: You just won't
16 put the house that you want on that lot, because
17 it's going to be deep enough but not -- you
18 can't get enough width, right, you want more
19 width?

20 MS. ELIAS: Correct.

21 COMMISSIONER KWASEK: As I look at
22 this, and I think I'm looking at the right
23 document, I personally, as someone who can read
24 this, who has laid out this stuff, I can't see

1 this without having lot dimensions and having
2 the setbacks shown on every lot so I can look at
3 it and say, okay, I got 135-foot front, I'm
4 going to lose 50, I got an 85-foot building.
5 Without having the dimensions, I can't evaluate
6 this.

7 CHAIRMAN MCCOMBIE: I absolutely agree
8 with you. If we are going to do this lot by
9 lot, but --

10 COMMISSIONER KWASEK: And then we'd
11 also have to go back to what was originally
12 presented and what was shown on what was
13 presented and compare the two.

14 CHAIRMAN MCCOMBIE: Yeah. I'm going
15 to say this, if you look at the one lot here,
16 I'm just looking at one. And I'm looking at 40,
17 41, 45, 46, 34. Those one, two, three, four,
18 five, those five lots, those five lots are
19 probably not lots, because we don't have any
20 dimensions on here, I can't say for sure, but
21 they're probably -- so maybe of those five you
22 need to lose one. And then suddenly, all the
23 building numbers work.

24 MS. ELIAS: I'm not saying that any of

1 them are problem lots. I think we're just
2 asking for a little bit more flexibility in
3 design, and it's not impractical for the
4 engineering of the site, doesn't impact the
5 overall square footage, the FAR.

6 COMMISSIONER KWASEK: It impacts the
7 look -- it impacts the visual between how much
8 space you got between the houses.

9 CHAIRMAN MCCOMBIE: Aren't you
10 concerned about impervious areas on these lots
11 when you reduce it like that, and you extend it
12 out?

13 MS. ELIAS: No, we are not requesting
14 modification to impervious area at all.

15 CHAIRMAN MCCOMBIE: Can I -- Jodi?

16 MS. MCCARTHY: Good afternoon. Jodi
17 McCarthy from Manhard Consulting. I swear to
18 tell the truth, the whole truth and nothing but
19 the true.

20 (So sworn.)

21 MS. MCCARTHY: It's great to see many
22 of you here again as we've discussed this how
23 many years ago.

24 So I guess the first thing I

1 would kind of like to point out, we were talking
2 about the original plat, you have plats in front
3 of you. As submitted with this particular
4 application was the plat for Unit 5. So the
5 village has been very accommodating to the
6 developer. There was an original PUD plat, a
7 preliminary plat -- you'll find it on the back
8 of my letter that I had, that was on the dais
9 tonight, that was the original maximum 65 lots
10 that were going to be allowed by the
11 subdivision. It was the framework for all of
12 the subdivision.

13 Now, the Village has allowed the
14 developer to proceed with recording the plats
15 and Unit 1, Unit 2, Unit 3, so as the lots came
16 in, if there was a house that was bigger, they
17 could consolidate two and put it on one larger
18 lot.

19 So what you have in front of you
20 is the maximum allowable 65 lots, but they had
21 requested the flexibility to be able to combine
22 lots. They can't move property lines, but they
23 can eliminate property lines to make lots
24 bigger. So we are on Unit 5 right now, so we

1 see that we've already done this multiple times
2 in order to accommodate the buildings that are
3 coming in as they sell them.

4 CHAIRMAN MCCOMBIE: Are setbacks, are
5 being maintained at 25 and 40?

6 MS. MCCARTHY: As originally proposed,
7 yes, that is what -- so I guess, there is a
8 procedural discussion that I had with the
9 Village attorney before this. What we have in
10 front of you tonight is a letter from the
11 applicant requesting a modification to the side
12 yard and front yard setback, but it only
13 represents Unit 5. So the testimony tonight,
14 the request for all 45 lots doesn't match what
15 the letter is saying, and we also do not have an
16 actual variance or a PUD amendment -- I don't
17 have anything in front of me that you can sign
18 and that you could pass to the Village Board and
19 recommend that they sign.

20 So what is here tonight is a
21 letter for consideration requesting, you know,
22 the setbacks, not an actual variant in
23 procedural form at this point.

24 And I would like the Village

1 attorney speak to, you know, or speak with the
2 applicant about what is required for that.

3 ATTORNEY GARRIGAN: So there appears
4 to be not only a question about the merits of
5 the requested variance, but there's also a
6 procedural question about whether an amendment
7 to the PUD is required. I think in regards to
8 this analysis or discussion by the Plan
9 Commission at a minimum, the matter should be
10 continued for -- at least discuss the merits.
11 There appears to be some concerns about the
12 requested variance, all the setbacks, which
13 really in substance is what this matter is
14 about, but there also appears to be a procedural
15 issue as it relates to what's requested.

16 So I think there are multiple
17 challenges on behalf of the applicant this
18 evening that need --

19 CHAIRMAN MCCOMBIE: Yeah, so the --
20 this evening, before you is a variance for
21 Lot 5 -- Unit 5, sorry, Unit 5.

22 Now, what's happening is that
23 there is a discussion about going through all of
24 them. There's a lot of information, and I agree

1 with Julius that if I'm going to take a look at
2 this and make some recommendations, I would like
3 to see how it's laid out.

4 And again, it was -- we gave this
5 variance for the subdivision based on a maximum
6 of 65 lots, right?

7 MS. MCCARTHY: Correct.

8 COMMISSIONER FOX: There's no
9 requirement for 65 lots. It's the maximum that
10 you can have. And they have already sold 5
11 lots, or they sold some lots, that have all
12 conformed to the current setbacks and everything
13 else. But now if we grant variances for the
14 other lots, they won't be in line with the lots
15 that have already been purchased. I'm not
16 really seeing the reason for us to give these
17 variances. I don't see -- you know, other than
18 to allow them to have more room you could have
19 to a lot.

20 MS. ELIAS: I think there's been a
21 little bit of misrepresentation on Unit 5 in
22 that we have changed the lots as we record each
23 unit, but that's not the case. We just record
24 lots as we go.

1 COMMISSIONER FOX: But you have to
2 conform to the setbacks currently.

3 MS. ELIAS: Correct. But we haven't
4 changed it five times. We just record lots as
5 we go.

6 COMMISSIONER FOX: But you've already
7 sold lots and the requirements goes with that,
8 doesn't it, so those lots have to have the
9 requirements that we approved to begin with.
10 I'm not seeing the reason why we would change
11 that for any of the lots, and you don't have to
12 have 65 lots.

13 MS. ELIAS: The Village attorney can
14 correct me if I'm wrong, but I think if Unit 5
15 was updated and had this lot easement and
16 setback detail shown on it, it would apply to
17 all of the lots including those that have
18 already been sold.

19 COMMISSIONER FOX: Yeah, I don't see
20 how we could say yes to that.

21 CHAIRMAN MCCOMBIE: That's the point.
22 So if we grant a variance for Lot 5, do then the
23 rest of the PUD get the same variance?

24 ATTORNEY GARRIGAN: No, if that's the

1 case, you are just talking about Unit 5, that
2 would not provide relief for other units within
3 the PUD, but that goes back to deal that was
4 offered at the time. So the PUD should be
5 amended.

6 CHAIRMAN MCCOMBIE: Yes, because I
7 think because a lot of us feel -- I feel that we
8 made a deal with Joe for, you know, that he can
9 have up to 65 lots on this, and there would be
10 setbacks at 40 and 25.

11 COMMISSIONER KWASEK: And it was his
12 responsibility as the developer to know what he
13 could fit on what he was presenting.

14 CHAIRMAN MCCOMBIE: Yes.

15 COMMISSIONER KWASEK: And in order to
16 evaluate a change, I need areas, I need to see
17 those setback lines, and I need it fully
18 dimensioned.

19 MS. ELIAS: I can provide that.

20 CHAIRMAN MCCOMBIE: Okay. So --

21 COMMISSIONER KWASEK: When I say I
22 want to see setback line, the existing setback
23 lines. The approved setback lines, not what you
24 proposed.

1 MS. ELIAS: Okay.

2 COMMISSIONER GILLIS: 25 and 50 -- or
3 25 and 40.

4 MS. ELIAS: Those are shown on Unit 4
5 and Unit 3, Unit 2 and 1.

6 CHAIRMAN MCCOMBIE: Okay. So what we
7 could do is we could hold this public hearing
8 off until a date certain and continue it and
9 have us come before with the additional
10 information that you can generate. You feel
11 confident you're going to be able to generate
12 that on all the lots?

13 COMMISSIONER KWASEK: They've probably
14 got it already.

15 MS. ELIAS: Are you looking for the
16 individual surveys for the lots?

17 COMMISSIONER KWASEK: The overall
18 plat -- this, showing setbacks on every lot,
19 dimensions on all sides of all lots -- I don't
20 need bearings. I just need dimensions, and --

21 MS. MCCARTHY: Just to clarify, you're
22 talking about the full 45 lots as shown on the
23 preliminary PUD?

24 COMMISSIONER KWASEK: If that's what

1 they're looking for a variance on, you bet, for
2 all the lots.

3 MS. MCCARTHY: Because right now the
4 only thing that shows the full 45 lots is the
5 preliminary plat. That's the only thing.
6 Everything subsequent to that has been lots that
7 have been broken out into Phase 1, Phase 2.

8 COMMISSIONER KWASEK: Did that show
9 all the setbacks?

10 MS. MCCARTHY: Yeah, and easements as
11 well, yes.

12 COMMISSIONER KWASEK: So we're just
13 looking for an existing document?

14 MS. MCCARTHY: Yes, so -- I mean, I
15 think it would be beneficial if you would show
16 the -- what was originally provided, and then
17 what the variance would be, because as a part of
18 the variance process, we are going to -- you
19 know, variance to the PUD, we're going to have
20 to see what was being proposed. We would need
21 an exhibit showing the proposed setbacks.

22 COMMISSIONER KWASEK: Two separate
23 pages?

24 MS. MCCARTHY: Exactly.

1 COMMISSIONER KWASEK: Small scale is
2 too much. It's going to get messy.

3 MS. MCCARTHY: Yes, two completely
4 separate documents.

5 MS. ELIAS: Okay. One showing all 64
6 lots, one as --

7 MS. MCCARTHY: Proposed.

8 MS. ELIAS: As proposed.

9 MS. MCCARTHY: And as would be
10 requested in the amendment, because what we
11 would want to do is approve a PUD amendment that
12 would have an exhibit attached to it that would
13 clearly lay out all of these setbacks and what
14 the subdivision would look like with the
15 dimensions, the outlots, everything that you had
16 listed as well.

17 MS. ELIAS: We're happy to do that.

18 CHAIRMAN MCCOMBIE: Excellent. So how
19 long will it take you to do it, and what does
20 everybody's schedule look like, because we have
21 to -- we have to adjourn to a date certain.

22 ATTORNEY GARRIGAN: It behooves
23 everybody to continue to a set date.

24 CHAIRMAN MCCOMBIE: So I mean, looking

1 at January, some folks in January, does
2 everybody have some time?

3 COMMISSIONER KWASEK: It ain't going
4 to take that long.

5 CHAIRMAN MCCOMBIE: Okay. So there's
6 been a request to skip Thursdays, which I don't
7 have a problem with. How about the 21st of
8 January? That should give you enough time with
9 the holidays --

10 MS. ELIAS: Is there a potential to do
11 it sooner, before the holidays perhaps?

12 CHAIRMAN MCCOMBIE: What's wrong with
13 a week from now, Christmas?

14 COMMISSIONER KWASEK: Christmas? This
15 is the fucking 4th. This ain't the 24th.
16 Jesus. Make sure you get that in there.

17 CHAIRMAN MCCOMBIE: Okay. So the 10th
18 is really busy for me.

19 How about -- you want to it --
20 how about Tuesday the 16th?

21 MS. ELIAS: I can do that.

22 CHAIRMAN MCCOMBIE: Can you get it
23 done by then?

24 MS. ELIAS: Absolutely.

1 CHAIRMAN MCCOMBIE: So we're going to
2 look for the details, that's what we're all
3 about, the details. We want to see -- and we
4 want to understand.

5 So again, the dimensions we are
6 looking for. We're looking for dimensions that
7 are 25 and 40, and then we want to see how long
8 the lots are.

9 MS. ELIAS: Okay.

10 CHAIRMAN MCCOMBIE: Along the front
11 and along the sides, along the back --

12 COMMISSIONER KWASEK: All the property
13 dimensions, all the setbacks shown.

14 CHAIRMAN MCCOMBIE: Right.

15 COMMISSIONER KWASEK: And the lot
16 areas. It's not rocket science.

17 CHAIRMAN MCCOMBIE: Okay.

18 MS. ELIAS: Yes.

19 MR. MICHALSKI: How many days do you
20 need this before distributing it? So do you
21 need it by?

22 VILLAGE ADMINISTRATOR DROPKA: I would
23 like to get you guys stuff ten days in advance
24 is what we are trying to do.

1 COMMISSIONER KWASEK: To compare what
2 we are talking about here, this is not going to
3 take a lot of studying.

4 CHAIRMAN MCCOMBIE: Can you get it
5 done in the week?

6 MS. ELIAS: Yes.

7 CHAIRMAN MCCOMBIE: If you get it done
8 in a week, the Village can distribute it to us,
9 okay, and then we'll have a week to look at it.

10 VILLAGE ADMINISTRATOR DROPKA: I've
11 been fine with the ten days. If you guys are
12 okay with it --

13 COMMISSIONER KWASEK: This is a one
14 sheeter. If you can't evaluate it in 15
15 minutes, it took you too long by 10.

16 CHAIRMAN MCCOMBIE: Okay.

17 MS. MCCARTHY: I just want to make a
18 quick commentary here, too.

19 So the letter that I generated
20 and put in front of you, which I apologize for,
21 but lot of this is putting the onus -- when they
22 had done the original subdivision, like, well
23 locations, septic restrictions, all of that was
24 considered with the building setback line, to

1 your point, all kind of just one cohesive unit.
2 These conditions will put a lot on Damian and
3 the building department to confirm that all of
4 these are met as they go along.

5 So I guess I would request also,
6 since we're going this far, to also have wells,
7 septic areas, all of the engineering items
8 considered as well as the -- you know, some sort
9 of an exhibit put together by Haeger to show
10 that there's no major modifications to those as
11 well.

12 MS. ELIAS: The wells and septic
13 varies from home to home during individual
14 permits, but the easements all fall still within
15 the setbacks, proposed setbacks.

16 MS. MCCARTHY: So on the original mass
17 grading plan when you went out to the site,
18 there were -- the back of the lots were
19 physically boarded off in order to maintain
20 septic suitability, because they couldn't be
21 driven on. So if any of that would be
22 potentially impacted, that's something I think
23 we would need to know now, so the onus wouldn't
24 be on Damian in the future if we're going to

1 look at this very comprehensively.

2 CHAIRMAN MCCOMBIE: There was no
3 process. They show like a well and then a
4 circle, and they can't be within that range of
5 it?

6 MS. MCCARTHY: Correct.

7 CHAIRMAN MCCOMBIE: And it had -- and
8 a 4 or 5 now that they're looking at it, has
9 there been any problems with any of that,
10 distances?

11 MR. MICHALSKI: Not in that
12 subdivision.

13 MS. MCCARTHY: With the current
14 setbacks and everything and easements as
15 approved.

16 CHAIRMAN MCCOMBIE: I get your concern
17 about it, because it's a real concern.

18 I really would like some of it to
19 be done. I know it's a bag ask. I know you
20 don't have a lot of time. You have a week until
21 we're going to have this meeting or try to have
22 a meeting. And maybe if you want -- I mean,
23 this is more like a thing that if it works or it
24 doesn't work. So if you come to the meeting on

1 the 16th and we see that the septic and the
2 water looks good, you know, that the circles are
3 all right and everything, we should be fine. I
4 don't know -- I mean, for us --

5 MS. MCCARTHY: Yeah, that's absolutely
6 fair, right.

7 CHAIRMAN MCCOMBIE: This is even
8 easier than Julius' request, because this is a
9 variance, the daily work of the zone.

10 So if you want to do -- if you
11 can get all the dimensions of these lots for us,
12 two different ways, that's the biggest thing.
13 We're going to look at that, and then on the
14 16th, why don't you just bring the septic and
15 the water, and it's going to be just a cursory
16 review to make sure it works. Okay?

17 MS. ELIAS: Okay. On a couple example
18 lots, because again -- maybe I'm not
19 understanding, but the septic and wells are
20 differently on every lot that we design.

21 MS. MCCARTHY: So if you go back to
22 the original mass grading plan, there were
23 actually areas blocked out on there couldn't be
24 touched or graded, and then there were, like,

1 areas of approximate well locations, because
2 they were also close to each other, we had to
3 make sure that they were not going to be within
4 the range of each other and meet the setback.

5 So if you go back and talk to
6 Mike Anderson, if you go back to the original
7 mass grading plan, and they were denoted on
8 there -- if he has any questions, too, you guys
9 can call me, just copy Damian on any emails, and
10 we can talk about it as well.

11 MS. ELIAS: I'm happy to.

12 CHAIRMAN MCCOMBIE: So I'm going to,
13 at this point, take a motion to continue this
14 public hearing until December 16 at 7:00
15 o'clock.

16 COMMISSIONER KWASEK: So move.

17 CHAIRMAN MCCOMBIE: Second?

18 COMMISSIONER FOX: Second.

19 Roll call.

20 VILLAGE ADMINISTRATOR DROPKA:
21 Commissioner Shuff?

22 COMMISSIONER SHUFF: Yes.

23 VILLAGE ADMINISTRATOR DROPKA:
24 Commissioner Gillis?

1 COMMISSIONER GILLIS: Yes.
2 VILLAGE ADMINISTRATOR DROPKA:
3 Commissioner Abri?
4 COMMISSIONER ABRI: Yes.
5 VILLAGE ADMINISTRATOR DROPKA:
6 Commissioner Fox?
7 COMMISSIONER FOX: Yes.
8 VILLAGE ADMINISTRATOR DROPKA:
9 Commissioner Kwasek?
10 COMMISSIONER KWASEK: Yes.
11 VILLAGE ADMINISTRATOR DROPKA:
12 Chairman McCombie?
13 CHAIRMAN MCCOMBIE: Yes.
14 Okay. See you on the 16th.
15 MS. ELIAS: All right.
16 CHAIRMAN MCCOMBIE: Okay. At this
17 point then, there's no executive session.
18 So at this point, any old
19 business?
20 Any new business?
21 I'll take a motion to adjourn.
22 COMMISSIONER KWASEK: I make a motion.
23 CHAIRMAN MCCOMBIE: All those in favor
24 say aye.

1 (Chorus of ayes.)

2 CHAIRMAN MCCOMBIE: Any opposed?

3 Hearing none, we'll see you all
4 on the 16th.

5 (Whereupon, at 8:43 p.m., the
6 hearing/meeting adjourned until
7 December 16, 2025, 7:00 p.m.)

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I, Carla P. Letellier, CSR, RPR, a
Certified Shorthand Reporter and Registered
Professional Reporter of the State of Illinois,
CSR No. 084-003315, do hereby certify that I
reported in shorthand the proceedings had in the
aforesaid matter, and that the foregoing is a
true, complete and correct transcript of the
proceedings had as appears from my stenographic
notes so taken to the best of my ability.

IN WITNESS WHEREOF, I have hereunto set my
hand this 11th day of December 2025.


CERTIFIED SHORTHAND REPORTER

<hr/> \$ <hr/>	25-yard 67:22	<hr/> 7 <hr/>	adjourn 80:21 88:21
\$3,000 16:10	27 36:5	7 33:22 34:2 44:16	adjourned 89:6
\$5,000 16:9	28 37:4	7:00 87:14 89:7	ADMINISTRATOR 3:5, 8,11,14,17,20,23 5:22 6:1,4,7,10,13 7:3,6,9, 12,15,18 23:3,6,9,12, 15,18,21 24:7,10,13,16, 19 33:18 60:3,6,9,12, 15,18 61:8,11,14,17,20, 23 62:21,24 63:3,6,9,12 82:22 83:10 87:20,23 88:2,5,8,11
<hr/> 1 <hr/>	<hr/> 3 <hr/>	<hr/> 8 <hr/>	adopt 17:12 19:14
1 72:15 78:5 79:7	3 72:15 78:5	80 65:17	adopted 13:7 17:9
10 67:22 83:15	30 43:17,18 59:18 65:7, 17 66:11 68:18	85-foot 70:4	advance 82:23
10,000 31:6,12	33 36:3,5	8:43 89:5	aesthetic 18:13 26:20
100 10:23 64:4	34 37:2 70:17	<hr/> 9 <hr/>	aesthetically 49:20
10th 81:17	36 8:19 13:23	9 63:20	aesthetics 29:11 38:13 45:20 54:4
11,000 32:6 37:13	<hr/> 4 <hr/>	<hr/> A <hr/>	affixed 8:21
11k 37:4	4 3:3 78:4 85:8	Abri 3:12,13 6:5,6 7:10, 11 20:16 21:20 22:2 23:10,11 24:14,15 42:11,15,19 60:1,10,11 61:4,15,16 63:4,5 68:23 69:9,13 88:3,4	afternoon 71:16
135-foot 70:3	40 59:18 70:16 73:5 77:10 78:3 82:7	absolutely 64:17 70:7 81:24 86:5	agenda 4:4,22,24 5:7
15 34:9 66:9,10,20,21 67:5,10,16 83:14	41 70:17	AC 36:12,13,14	agree 59:6 61:5 65:16, 18 70:7 74:24
1500 16:10	45 30:5 47:1 70:17 73:14 78:22 79:4	Acadia 51:19	agreed 65:16,19 68:9,11
16 87:14 89:7	46 70:17	acceptable 43:5	ahead 14:20
16th 81:20 86:1,14 88:14 89:4	48 8:22 13:9,18,22 15:16	accidentally 11:20	AI 11:11
17 4:5	48-inch 8:20	accommodate 73:2	alarm 15:15,18
19 36:16,17	4th 81:15	accommodating 72:5	allowable 64:10 67:8 72:20
19,000 32:10	<hr/> 5 <hr/>	achieve 17:2 36:8	allowed 39:6 41:3,21 43:12 72:10,13
19k 36:14	5 6:19 8:2 62:15 72:4,24 73:13 74:21 75:10,21 76:14,22 77:1 85:8	acreage 68:19	alternative 59:2
<hr/> 2 <hr/>	<hr/> 6 <hr/>	action 12:16	amended 77:5
2 72:15 78:5 79:7	6 24:1 25:10 34:5,9 36:5 46:16	actual 29:16 58:15 73:16,22	amendment 73:16 74:6 80:10,11
20 20:21 65:17	61 62:13	add 18:14 43:2 46:24 52:9 64:20	amount 18:13 31:15 32:20 33:8 44:11 49:5
2024 8:10	64 80:5	additional 78:9	analysis 19:23 55:13,16 74:8
2025 89:7	65 72:9,20 75:6,9 76:12 77:9	addresses 40:20	analyze 48:16,18 49:8
21st 81:7		adhere 26:19	
22 65:9 68:19			
24th 81:15			
25 66:9,12,20 67:21 73:5 77:10 78:2,3 82:7			
25-foot 64:4 69:6			

Anderson 87:6	assumed 9:5	barrier 13:5,23 14:24	books 42:22 45:16 53:13 56:2
Andrew 24:24 25:8 46:17 47:10,17 55:18	assure 53:8	barriers 13:8	borders 29:18
angle 49:9	attached 80:12	Barrington 6:20 24:1 32:13 34:2 38:24 41:6 47:6 62:14,15	bottom 37:8,9
animal 11:12	attendance 4:1	Barrington's 34:18	break 8:18 11:23
answering 33:13	attorney 19:17 22:19 73:9 74:1,3 76:13,24 80:22	based 14:11 41:9 47:12 75:5	bring 18:18 86:14
answers 10:1	audience 55:7	basic 9:3	bringing 17:19
apologize 83:20	average 32:12 35:17	basically 31:11 32:5 36:6 48:9	broader 34:16
Appeals 3:2 22:16	avoid 54:8	bearings 78:20	broken 79:7
appears 74:3,11,14	avoids 27:4	beautiful 21:1	Brooke 63:19,20
applicant 7:21 73:11 74:2,17	aware 26:6 59:10	beauty 47:5 51:15 53:20,21 54:15	brought 55:10
application 12:10 16:5 27:18 41:1,2 49:6 52:3 72:4	axis 31:6	begin 25:4 76:9	build 64:8
apply 9:14 76:16	aye 4:14 5:24 6:3,6 61:16 88:24	behalf 74:17	builder 9:17 16:24 17:1, 15 19:24
appreciated 54:16	eyes 4:15 89:1	behooves 80:22	builders 9:6
approval 4:5	B	beneficial 79:15	building 16:6 39:2 51:22 64:5,6 66:14 69:7 70:4, 23 83:24 84:3
approve 4:8,14 5:16 42:7 46:23 60:22 80:11	back 9:16,22 14:8,9 15:20 19:16 25:12 27:12 29:7 30:6 38:12 40:4 42:23 44:18 45:5 50:2,13,21 53:9 54:22 55:2 56:13 57:19 69:3,4 70:11 72:7 77:3 82:11 84:18 86:21 87:5,6	benefit 46:9 58:18	buildings 39:3 68:19 73:2
approved 4:19 9:15 49:14 64:1 76:9 77:23 85:15	back-facing 26:17	bet 79:1	built 8:10 11:11
approximate 87:1	background 8:7 19:9 25:16 63:22	big 9:2 25:21 37:19 41:19	bunch 54:1 69:2
architect 19:10	backyard 8:17 29:3,5	bigger 64:8 72:16,24	burdensome 50:5
area 53:21,22 67:23 71:14	bad 12:21 26:13 52:19	biggest 86:12	business 88:19,20
areas 71:10 77:16 82:16 84:7 86:23 87:1	bad-looking 40:18	bit 9:8 10:18 25:16 27:15,18 64:13 71:2 75:21	busy 81:18
argue 26:9 47:22 48:10	bag 85:19	black 29:20 48:4	buy-in 53:6
argument 26:21 29:11, 13	balance 45:20 46:4	block 14:18	by-laws 5:9
arm 68:11	balusters 13:10	blocked 86:23	C
arrangement 59:16	bankruptcy 20:9	blocking 28:11,14	call 3:4 5:21 7:2 23:2 24:6 50:1 60:2 61:7 62:20 87:9,19
asphalt 59:8	banned 26:4	Board 3:2 22:15 41:24 49:12 50:6 52:11,13 57:12 60:22 62:7 73:18	calling 15:12
asset 34:15	bar 32:15	Board's 43:8	camera 12:4
association 56:11	bare 28:10	boarded 84:19	cameras 9:12 11:7,8 12:4
assume 10:20		bond 16:13,16	caps 13:14
			car 28:4,24

<p>care 11:3 29:4</p> <p>case 9:15 18:12 20:1,2 42:10 43:1,15 44:9 47:9,12,21,24 48:2,4 51:4 54:2 62:6 75:23 77:1</p> <p>cases 41:12 43:14</p> <p>caused 69:4</p> <p>Certainteed 59:12</p> <p>certainty 57:16</p> <p>certificate 14:11,14</p> <p>Chairman 3:1,21,22 4:3, 11,13,16,18 5:15,18,20 6:14,15,24 7:2,19,20 8:1,4 12:11,19,24 16:1, 7,12,15 17:4,13 18:7 19:22 20:6 21:17 22:5, 17,20 23:2,5,19,20,22 24:6,9,20,21,23 25:4 33:15 35:5,10,18,21,24 37:23 40:15 41:11,15 45:18 48:12 55:5 56:20 57:4 59:6,20 60:2,19,20 61:5,24 62:1,8,20 63:13,14 64:23 65:3 66:3,23 67:4,9,13 68:2, 5 70:7,14 71:9,15 73:4 74:19 76:21 77:6,14,20 78:6 80:18,24 81:5,12, 17,22 82:1,10,14,17 83:4,7,16 85:2,7,16 86:7 87:12,17 88:12,13, 16,23 89:2</p> <p>challenge 48:3</p> <p>challenges 74:17</p> <p>chance 5:11</p> <p>change 56:8 57:21 68:3 76:10 77:16</p> <p>changed 75:22 76:4</p> <p>charge 16:19</p> <p>chart 32:15</p> <p>charts 36:18</p> <p>check 21:7</p> <p>Chicago 66:15</p>	<p>chorus 4:15 89:1</p> <p>Chris 8:2</p> <p>Christmas 81:13,14</p> <p>circle 85:4</p> <p>circles 86:2</p> <p>clarification 52:10</p> <p>clarify 62:6 78:21</p> <p>clean 11:6</p> <p>clear 13:24 50:23</p> <p>climb 12:2</p> <p>close 10:15 20:12 59:23 87:2</p> <p>closed 10:23 11:3 14:23,24 15:1</p> <p>code 9:8 13:5,7 15:11, 14,21 16:18 17:2,7,10, 12 18:24 19:7,12 20:17 22:14 43:22 51:11,22, 23 52:6 53:17 54:11,20</p> <p>coherent 58:15</p> <p>cohesive 84:1</p> <p>colors 30:21</p> <p>column 10:15</p> <p>columns 8:18 10:9,12</p> <p>combine 72:21</p> <p>combustible 15:3,5</p> <p>comment 33:16,17 55:8</p> <p>commentary 83:18</p> <p>comments 4:7 22:6,9 55:6</p> <p>Commission 3:24 17:12 22:15 74:9</p> <p>Commission/zoning 3:2</p> <p>commissioner 3:6,7,9, 10,12,13,15,16,18,19 4:9,12 5:13,17,19,23,24 6:2,3,5,6,8,9,11,12,23 7:1,4,5,7,8,10,11,13,14, 16,17 17:11 18:23 19:4,</p>	<p>18 20:8,16,18,24 21:20 22:2,12,13,24 23:1,4,7, 8,10,11,13,14,16,17 24:4,5,8,11,12,14,15, 17,18 34:22,24 35:2 37:15,18 42:8,11,15,19 44:20 52:8 57:13,24 58:16,19 59:24 60:1,4, 5,7,8,10,11,13,14,16,17 61:2,4,9,10,12,13,15, 16,18,19,21,22 62:5,18, 19,22,23 63:1,2,4,5,7,8, 10,11 68:23 69:9,13,15, 21 70:10 71:6 75:8 76:1,6,19 77:11,15,21 78:2,13,17,24 79:8,12, 22 80:1 81:3,14 82:12, 15 83:1,13 87:16,18,21, 22,24 88:1,3,4,6,7,9,10, 22</p> <p>commissioners 26:6 43:9 57:12</p> <p>common 17:2</p> <p>commonly 62:13</p> <p>communicated 19:20</p> <p>communication 8:23 18:2</p> <p>company 9:18</p> <p>comparable 25:24 39:23 44:13</p> <p>compare 27:13 70:13 83:1</p> <p>compared 28:7</p> <p>compelling 49:17,19</p> <p>complaint 29:8</p> <p>complete 34:3</p> <p>completed 8:13 14:8</p> <p>completely 10:11 18:8 80:3</p> <p>compliance 54:11</p> <p>compliant 31:1 32:22</p> <p>comply 51:22 52:5 54:19</p> <p>comprehensively 85:1</p>	<p>compromise 52:22,24 53:3</p> <p>compromises 53:4</p> <p>concept 57:22</p> <p>concepts 9:3</p> <p>concern 85:16,17</p> <p>concerned 71:10</p> <p>concerns 74:11</p> <p>concludes 12:10</p> <p>conditions 5:8 64:15,17 84:2</p> <p>confident 34:13 78:11</p> <p>confines 56:17</p> <p>confirm 84:3</p> <p>conform 76:2</p> <p>conformed 75:12</p> <p>consideration 34:21 73:21</p> <p>considered 83:24 84:8</p> <p>consolidate 72:17</p> <p>construction 20:9</p> <p>consultant 35:15</p> <p>Consulting 71:17</p> <p>continue 27:24 78:8 80:23 87:13</p> <p>continued 74:10</p> <p>contribute 34:18</p> <p>conversation 15:7 56:9, 19,22 57:1 62:4</p> <p>Cool 25:7</p> <p>copy 21:11 87:9</p> <p>corners 18:14 66:7</p> <p>correct 11:19 12:20 18:8,9 41:10 65:2 67:7 69:20 75:7 76:3,14 85:6</p> <p>correspondence 33:19</p> <p>cost 57:18,19,22 58:22 59:3,16,18</p>
---	---	---	--

<p>costs 16:24</p> <p>counted 25:18 31:20</p> <p>couple 25:22 26:12 86:17</p> <p>Court 6:19 8:3 24:1 25:10 33:22 34:2,5,9 47:18</p> <p>covenants 5:8</p> <p>cover 9:12 10:23 15:14, 17 19:3 20:20 27:19</p> <p>coverage 12:4</p> <p>crazy 46:2</p> <p>create 13:17 39:4 42:6 68:7</p> <p>criticism 12:20</p> <p>cross-street 34:5</p> <p>crossing 50:15</p> <p>cul-de-sac 40:7 47:18</p> <p>curious 56:16</p> <p>current 36:10 75:12 85:13</p> <p>cursory 86:15</p> <p>curved 44:22 45:12</p> <p>custom 9:2 54:2 67:8,24</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>dad 65:1,2</p> <p>daily 86:9</p> <p>dais 72:8</p> <p>Damian 8:23 13:2 16:1 39:6 48:19 49:4 84:2,24 87:9</p> <p>date 78:8 80:21,23</p> <p>days 14:16 33:23 82:19, 23 83:11</p> <p>deal 25:21 37:3,19 65:14 68:6,21 77:3,8</p> <p>dealing 18:24 19:11</p>	<p>debating 38:1</p> <p>decades 9:6</p> <p>December 3:3 87:14 89:7</p> <p>decide 54:10</p> <p>decided 57:15</p> <p>decision 48:20</p> <p>declaration 5:8</p> <p>deep 69:17</p> <p>delayed 17:24</p> <p>denoted 87:7</p> <p>deny 52:2 60:23 61:3</p> <p>department 19:7 84:3</p> <p>depends 58:20</p> <p>deployed 45:10</p> <p>depth 39:12</p> <p>design 9:3 64:13 71:3 86:20</p> <p>designed 67:8 68:1</p> <p>designs 67:2</p> <p>desire 48:23 53:18</p> <p>detail 76:16</p> <p>details 82:2,3</p> <p>detect 11:12</p> <p>determine 44:7</p> <p>developer 13:13 72:6,14 77:12</p> <p>development 11:10 62:12</p> <p>difference 14:2,5 44:14 55:17</p> <p>differences 31:13</p> <p>differently 43:3 86:20</p> <p>difficulty 55:12</p> <p>dimensioned 77:18</p> <p>dimensions 70:1,5,20 78:19,20 80:15 82:5,6, 13 86:11</p>	<p>direct 30:14 36:10</p> <p>direction 31:22,23</p> <p>directly 11:15 15:16 35:2 58:10</p> <p>disapproved 49:24 50:2</p> <p>discuss 59:5 74:10</p> <p>discussed 57:11 58:12 71:22</p> <p>discussion 52:17 73:8 74:8,23</p> <p>discussions 38:17</p> <p>distance 54:13</p> <p>distances 85:10</p> <p>distract 47:7</p> <p>distribute 83:8</p> <p>distributing 82:20</p> <p>divided 32:17</p> <p>document 69:23 79:13</p> <p>documents 80:4</p> <p>door 35:3</p> <p>doors 15:15</p> <p>dots 10:10</p> <p>draw 31:8 53:5,15</p> <p>drive 28:19 40:14 47:15, 19</p> <p>driven 84:21</p> <p>driving 25:19 28:24 40:10,13 45:4 47:14 50:24 68:23 69:1</p> <p>DROPKA 3:5,8,11,14, 17,20,23 5:22 6:1,4,7, 10,13 7:3,6,9,12,15,18 23:3,6,9,12,15,18,21 24:7,10,13,16,19 33:18 60:3,6,9,12,15,18 61:8, 11,14,17,20,23 62:21, 24 63:3,6,9,12 82:22 83:10 87:20,23 88:2,5, 8,11</p> <p>due 34:7</p>	<hr/> <p style="text-align: center;">E</p> <hr/> <p>easement 76:15</p> <p>easements 64:20 79:10 84:14 85:14</p> <p>easier 12:1 86:8</p> <p>east 30:10 62:13</p> <p>edge 46:4</p> <p>effect 17:10 54:23</p> <p>effective 30:24</p> <p>efficient 11:4</p> <p>efforts 34:10</p> <p>electricity 30:5,13 32:1 33:11 39:22,23 41:17 44:11,12</p> <p>elephant 11:1</p> <p>elevation 14:2,5</p> <p>Elias 63:19 65:2,24 66:22,24 67:7,11,18 68:4 69:1,12,20 70:24 71:13 75:20 76:3,13 77:19 78:1,4,15 80:5,8, 17 81:10,21,24 82:9,18 83:6 84:12 86:17 87:11 88:15</p> <p>eliminate 15:15 72:23</p> <p>eliminated 45:23</p> <p>eliminates 15:17</p> <p>else's 43:4</p> <p>email 15:6 21:8,9</p> <p>emails 87:9</p> <p>empathize 43:8,9 53:2</p> <p>emphasize 64:7</p> <p>Enclave 6:19 8:2 11:9</p> <p>end 8:13 22:18 25:7 52:23</p> <p>ended 65:9</p> <p>endorse 34:10</p> <p>ends 9:4 14:3</p>
---	--	--	--

energy 11:5 31:15 32:20 33:2,9 34:4,17,19 47:2 50:20 59:2	extend 71:11	figure 12:14,16 48:18 49:6	front 4:23 27:10 30:23 35:16 36:4,5 37:21 38:10,16,18,19,23,24 39:5,7,9 40:12,22 41:5 43:20 44:4,8 45:1 46:10 47:24 48:21 49:21 51:13 52:24 54:21 57:3, 21 70:3 72:2,19 73:10, 12,17 82:10 83:20
enforced 42:23	extended 14:7 18:15	figured 18:11	front-facing 26:5 27:5, 13 43:10 44:15 45:15
engineered 63:24	extension 13:18 16:20, 23	filled 10:5	fucking 81:15
engineering 64:16 71:4 84:7	exterior 8:13 14:17	final 9:18 17:23	full 78:22 79:4
ensuring 48:1	extremely 27:12	financial 54:24	fully 34:10 77:17
enter 51:19	<hr/> F <hr/>	find 10:1 57:2 72:7	future 56:24 84:24
enters 54:12	face 15:16 30:18 44:4 46:8	fine 20:3 50:20 83:11 86:3	<hr/> G <hr/>
entrance 40:6 51:9,21 52:1,5	faced 58:9	finish 25:14 42:20	gable 53:23
envelope 64:5,6 69:7	faces 40:2 44:8	fit 35:16 36:23 37:8 77:13	gap 10:17
essentially 43:12 69:9	facing 29:21,24 30:6,8 31:23,24 36:4 40:5 44:15 50:15 51:8,9,21 52:4 57:3	fix 15:5	gaps 15:22
established 51:12	fact 14:16 20:19 29:23 40:2,4,7	flag 31:5	garden 29:2,7
estimates 32:3	factor 18:21 40:3	flexibility 64:13 71:2 72:21	GARRIGAN 19:17 22:19 74:3 76:24 80:22
evaluate 70:5 77:16 83:14	factors 44:6	focus 31:3	gate 11:9,11,13 12:6
evening 74:18,20	facts 41:10 47:12	focusing 29:21,23	gates 11:24
everybody's 80:20	fair 86:6	folks 81:1	gave 65:4 75:4
Excellent 80:18	fall 14:19 22:15 28:10 57:6 84:14	follow 26:1	gazebo 14:3 15:1
exception 9:15 15:14	falling 11:21	footage 64:10 65:19 67:8 71:5	generate 78:10,11
exceptional 40:3 42:3	familiar 8:11	forced 54:22	generated 83:19
executed 34:14	family 33:22,24	form 59:3 73:23	geofence 12:7
executive 88:17	family's 25:9	fortunately 28:17	get all 86:11
exhaust 15:8	favor 88:23	forward 33:13 55:21 57:16	Gillis 3:9,10 4:9 5:13,17 6:2,3 7:7,8 23:7 24:11, 12 59:24 60:7,8 61:2, 12,13 63:1,2 69:15 78:2 87:24 88:1
exhibit 79:21 80:12 84:9	feel 40:12 65:21 68:6 77:7 78:10	found 68:17	give 8:6 25:15 38:2 48:19 50:8 63:21 75:16 81:8
existing 64:20 77:22 79:13	fees 16:16	foundations 67:3	God 66:13
exit 14:18	feet 15:23 64:4,5 66:9, 11 67:10,22 69:8	Fox 3:15,16 6:8,9 7:1, 13,14 23:1,13,14 24:5 34:22 35:2 57:13,24 58:19 60:13,14 61:18, 19 62:18 63:7,8 75:8 76:1,6,19 87:18 88:6,7	good 16:21 19:23 25:7
exorbitant 44:11	fence 8:17,19 10:11,18 13:4,18 14:7 15:20 17:6,19 18:15 19:5 37:11 66:16	framework 72:11	
expensive 59:11	fences 11:18	framing 15:4	
expired 16:21,22		freaked 12:22	
exposed 30:14,17		frequently 40:13	
exposure 30:22,23			
exposures 38:23			
express 34:3 55:15			

31:24 38:11 46:6 48:20, 24 49:21 54:7 71:16 86:2	16,17	houses 25:20 31:17,20 38:10 40:18,21 41:5,20 44:21 46:8 66:5,7,8,12, 14 67:5,10 69:11 71:8	initial 47:3
graded 86:24	hate 21:2	huge 55:23	initially 63:24
gradient 30:21	hear 9:16,22 25:6 50:11	human 11:12	inspection 8:12 9:19 17:23
grading 84:17 86:22 87:7	heard 9:21	humans 12:8 18:12	install 34:10 36:20 44:17 51:23 52:6 54:10, 19,22
grant 42:4 52:11 75:13 76:22	hearing 4:18 5:3,5,6 6:18,22 22:11 23:24 24:3 56:8 59:23 62:10, 17 78:7 87:14 89:3	hurt 19:15	installation 25:23
granted 9:20 14:10 52:14	hearing/meeting 89:6	<hr/>	installations 45:13
great 71:21	height 8:21 13:9,12,15, 23 14:5 18:17	I	installed 11:8 15:18 31:18 41:4 43:13 54:1
greater 13:11 15:22 34:19	held 16:3	idea 9:5 31:24 38:9 58:1	installer 25:12
green 25:21 28:18	hey 9:17 46:22 47:1 48:1,5,10 50:1 52:3 57:19	illegal 56:13	installs 42:7
grill 15:2,9	high 15:23	Illinois 13:6 17:7 55:24	intent 27:1 43:21,22 64:7,12
ground 17:2	highly 57:19	Imagine 48:22	interesting 30:7 36:1
groundwork 55:14	history 29:13 38:2	impact 32:19 33:2,3 64:16 71:4	interpretation 13:6
guardrails 14:17	HOAS 56:3	impacted 64:21 84:22	involved 52:23 68:13
guess 9:23 45:7 71:24 73:7 84:5	hold 11:1 42:19 78:7	impactful 49:10	irrelevant 17:20
guest 25:14	hole 48:5	impacting 43:23	issue 10:19 13:21 15:9 18:13 21:22 22:14,16 44:19 58:14 66:1 74:15
guy 21:24	holidays 81:9,11	impacts 71:6,7	issues 18:24 19:12 25:3
guys 53:3 55:20 56:3,16 57:1,2 59:10 82:23 83:11 87:8	home 8:10 9:2 32:12 53:20 54:4 67:1 84:13	impervious 64:9 71:10, 14	item 4:4,20 5:7 6:17 22:14 23:23
<hr/>	homeowners 56:10	impose 16:24	items 4:21,24 84:7
H	homes 8:11 49:2 51:6 54:2,3,9 59:2 64:8 67:24 69:4	impractical 71:3	<hr/>
<hr/>	hop 11:23	improvement 34:12	J
Haeger 84:9	hope 66:20	inappropriate 50:7	<hr/>
half 69:7	hoping 26:15 47:20 51:2	inaudible 22:19 31:13	January 81:1,8
handwriting 12:18	hours 32:7,11	inches 8:19,22 13:9,11, 18,22,24 15:16,23	Jay 65:7 68:17
happen 11:22 20:15 38:22 50:3 55:22 66:4 68:15	house 8:24 11:8,14 14:12,15,22 16:9 28:12, 15 31:22 34:23 38:17, 23 39:7,8,15,17 40:2,5, 11,17,23 41:3,5 42:17, 24 43:3,4 44:5,18 47:9 49:9,22 51:2,19 53:22 58:10 66:10,12 67:7 69:16 72:16	including 76:17	Jesus 81:16
happened 68:16,17		increase 64:9,10	Jihong 46:15,16 50:11
happening 55:22 74:22		increases 18:21	job 18:4 20:9 48:1
happy 80:17 87:11		independence 34:19	Jodi 71:15,16
hard 31:4 46:22		individual 78:16 84:13	Joe 14:18 65:15 68:7 77:8
hardship 26:14 41:12,		information 55:13 74:24 78:10	Joe's 66:20
		inherently 10:22	Joel 21:1

<p>mess 19:6</p> <p>messes 69:4</p> <p>messy 80:2</p> <p>met 20:16 84:4</p> <p>MICHALSKI 13:3 16:4,9, 14,17 21:6,14,19 35:9, 12,14 36:7,12,16,20 37:5,11,13,17,20 51:5 53:17 57:7,10 82:19 85:11</p> <p>Mike 87:6</p> <p>mind 57:5</p> <p>minimize 26:24 27:2</p> <p>minimum 13:9 15:23 74:9</p> <p>minutes 4:5,19 55:19 83:15</p> <p>minutia 9:4</p> <p>mismatch 66:19 67:1,21</p> <p>misrepresentation 75:21</p> <p>missing 40:16</p> <p>modification 63:23 71:14 73:11</p> <p>modifications 84:10</p> <p>money 16:2,4,8 41:16 59:17</p> <p>months 9:16 16:23</p> <p>mother 25:11 46:12</p> <p>motion 4:8,10 5:16,17 6:21 22:22 24:2 59:23, 24 61:6 62:16 87:13 88:21,22</p> <p>motions 10:7</p> <p>motivate 47:4</p> <p>move 14:21 22:24 62:18 72:22 87:16</p> <p>moved 6:23 8:9 10:3 14:10 24:4 53:20 54:5</p> <p>movement 25:22</p>	<p>moving 29:12</p> <p>multiple 51:6 54:3 73:1 74:16</p> <p>municipal 17:7 51:23</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>narrow 41:8 69:7</p> <p>narrower 64:6</p> <p>necessarily 15:11</p> <p>neighbor 50:22</p> <p>neighborhood 27:6 31:17 34:16 47:14 48:7</p> <p>neighbors 25:24 33:5 34:5,9 43:24 44:13 47:7 53:6</p> <p>non-compliant 30:2</p> <p>north 46:8 47:15 50:15 51:18</p> <p>north-south 39:15</p> <p>northern 39:19</p> <p>northwards 29:22,24 30:8</p> <p>note 28:9 29:2</p> <p>notice 52:19,20</p> <p>notifications 11:14</p> <p>nuance 20:12</p> <p>number 31:21 32:18 33:9 65:18 68:14,18 69:10</p> <p>numbers 31:4 32:16 70:23</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>Oaks 43:17,18</p> <p>objection 40:11</p> <p>objectionable 57:2</p> <p>objects 13:24</p> <p>occasions 15:6</p>	<p>occupancy 14:11,15</p> <p>October 8:13</p> <p>offer 17:6</p> <p>offered 77:4</p> <p>offset 37:16</p> <p>one-on-one 20:19</p> <p>onus 83:21 84:23</p> <p>open 6:22 9:23 10:2 14:12 24:2 62:17</p> <p>openings 15:19</p> <p>opinion 52:18 53:19 54:17</p> <p>opinions 52:21</p> <p>oppose 4:16</p> <p>opposed 89:2</p> <p>opposition 53:2</p> <p>option 13:17 54:18</p> <p>orange-red 30:21</p> <p>order 13:22 73:2 77:15 84:19</p> <p>ordinance 10:20 49:14, 15,16 56:11</p> <p>orientation 34:8 39:15 42:16</p> <p>oriented 39:17 58:10</p> <p>original 72:2,6,9 83:22 84:16 86:22 87:6</p> <p>originally 70:11 73:6 79:16</p> <p>outer 15:2</p> <p>outlined 64:15</p> <p>outlots 80:15</p> <p>overlay 10:8 30:20</p> <p>owner 11:9 16:5 21:23 46:16</p> <p>owners 34:1 42:12 47:19</p>	<hr/> <p style="text-align: center;">P</p> <hr/> <p>p.m. 89:5,7</p> <p>packet 4:6</p> <p>packets 31:5</p> <p>pages 79:23</p> <p>Palatine 62:13</p> <p>Pan 24:24 25:2,5 35:7 36:1,10,13,17 37:1,10, 12,14 39:10 41:7,14 42:2,14,18 43:7 45:7 53:1 54:21 56:23 62:2</p> <p>panel 37:9 43:12 59:15, 17</p> <p>panels 26:5,18,23 27:2, 4,9,14,20 28:15 29:16, 21,24 30:13,15,16 31:20,21,23 32:18,20 33:6,9,12 34:8,11 35:15 36:3,4,5,9,21,23 37:2,7 38:3 40:12,22 41:4 43:10,12,19,23 44:23 45:13,15,22,23 47:7 48:14 51:7,13,20,23 52:4,6,17 53:19,24 54:1,8,10,19 57:3 58:9, 14 60:24</p> <p>Parepally 33:21,24</p> <p>Park 5:9</p> <p>part 65:14 79:17</p> <p>pass 73:18</p> <p>passenger 28:3,24</p> <p>past 29:2 43:18 44:3 51:12</p> <p>path 30:11</p> <p>pause 25:1</p> <p>penmanship 12:12,21</p> <p>Penny 51:19</p> <p>people 38:8,15 40:9,12, 21 46:2 48:9 49:1,3,22, 24 51:3 53:9 54:13 58:9,12,23 59:9 66:16</p>
---	--	--	---

<p>percent 10:23 16:23 30:5 47:2 56:5 59:18</p> <p>perform 30:15</p> <p>performance 16:13,16</p> <p>perimeters 11:11</p> <p>permit 8:14 9:19 14:22, 23 15:1,8 16:19,20,21</p> <p>permits 14:12 84:14</p> <p>permitted 15:2 36:22</p> <p>person 39:6 58:6</p> <p>personally 41:23 69:23</p> <p>perspective 26:11</p> <p>Pflanz 8:2,5 12:18,21 17:9,17 18:10 19:2,19 20:5,11,22 21:3,11,16 22:1</p> <p>phase 58:18 79:7</p> <p>phases 58:17</p> <p>phone 11:15</p> <p>photo 28:6,8</p> <p>photos 27:17</p> <p>physically 84:19</p> <p>pickets 13:10</p> <p>picture 10:13 18:19</p> <p>pictures 49:10</p> <p>pie-shaped 69:2</p> <p>piece 55:20,23 56:15</p> <p>pillar 14:4</p> <p>pillars 13:12</p> <p>pitch 18:11</p> <p>place 10:21 14:15 26:7, 8 47:4</p> <p>plain 27:22 28:1</p> <p>plan 3:2 17:11 22:15 74:8 84:17 86:22 87:7</p> <p>plane 35:16 36:21 37:5, 21 39:18,19 44:15 51:13,21,24 52:7 54:9</p>	<p>planes 51:8 53:23,24 54:3</p> <p>planned 62:11 63:24</p> <p>plans 9:1 25:10</p> <p>planted 29:4</p> <p>planters 8:21 10:16 12:2 13:19 17:6 18:17</p> <p>plat 72:2,4,6,7 78:18 79:5</p> <p>plats 72:2,14</p> <p>play 11:2 44:6</p> <p>plead 20:1</p> <p>pleasure 61:1</p> <p>plywood 14:19</p> <p>point 5:15 9:20 17:18 28:20 29:10 33:17 39:21 40:16,19 45:8 54:17 57:13 58:12 59:1, 5 60:21 66:18 67:19 72:1 73:23 76:21 84:1 87:13 88:17,18</p> <p>Pointe 5:9</p> <p>pointing 39:14</p> <p>points 47:10</p> <p>pond 29:9,22 50:23 54:11</p> <p>pond-facing 32:5,22 33:10</p> <p>pool 8:17 9:17,19 10:11, 23 11:5,18 13:5,6,8,23 14:3,6,23,24 15:10,13, 14,17 16:11 17:19 20:19</p> <p>poorly 27:12</p> <p>position 43:8</p> <p>positive 34:12</p> <p>positively 34:18</p> <p>potential 81:10</p> <p>potentially 84:22</p> <p>power 38:18 48:16 49:19 50:9,19</p>	<p>Powerpoint 8:6</p> <p>practical 27:9</p> <p>practicality 45:20</p> <p>practically 30:12</p> <p>precedent 42:6</p> <p>preliminary 72:7 78:23 79:5</p> <p>premises 11:16</p> <p>present 48:11 56:21</p> <p>presentation 8:6 13:2 33:13 48:15</p> <p>presented 70:12,13</p> <p>presenter 63:15</p> <p>presenting 77:13</p> <p>preserve 47:5 48:6</p> <p>pretty 10:15 27:8 30:7 31:24</p> <p>prevalent 38:4</p> <p>prevent 43:22</p> <p>previous 11:17 28:7 32:17,23</p> <p>Previously 42:11</p> <p>primary 58:18,21,23</p> <p>problem 18:6 19:23 20:5,7,11 21:22 39:20 53:8 65:10 71:1 81:7</p> <p>problems 25:23 53:10 85:9</p> <p>procedural 73:8,23 74:6,14</p> <p>proceed 72:14</p> <p>process 26:12 34:7 55:3,15 79:18 85:3</p> <p>produce 30:4,13 31:16 32:1 33:8 36:24 39:22 57:20</p> <p>produced 33:12</p> <p>producing 32:6 33:3 39:24</p>	<p>product 21:21</p> <p>production 36:11 56:4 57:23</p> <p>professionally 34:14</p> <p>prohibited 45:14</p> <p>prohibitive 54:23 57:20 58:22 59:3</p> <p>prohibits 56:3</p> <p>project 9:2 34:4,14,21 54:24</p> <p>promise 63:16</p> <p>proper 8:17</p> <p>properties 25:18</p> <p>property 6:19 10:22 11:17,24 14:13 16:6 23:24 25:9 26:13 29:5 34:1,11 41:10 42:5 46:16 47:16 62:13 65:15 72:22,23 82:12</p> <p>proportionally 64:2</p> <p>propose 69:11</p> <p>proposed 5:8 34:4 64:22 73:6 77:24 79:20, 21 80:7,8 84:15</p> <p>protect 11:20 46:10</p> <p>provide 28:13 57:16 77:2,19</p> <p>provided 79:16</p> <p>providers 59:13</p> <p>public 5:3,6 6:18,22 22:6,10 23:23 24:3 33:16,17 55:7 59:23 62:10,17 78:7 87:14</p> <p>PUD 72:6 73:16 74:7 76:23 77:3,4 78:23 79:19 80:11</p> <p>pulled 11:21 16:16</p> <p>purchased 53:19,22 75:15</p> <p>purely 38:13</p> <p>purpose 28:13</p>
--	--	---	--

purposefully 17:21	44:24 51:7,8,24 52:6 54:9	relative 33:3	result 17:22 64:6
pursuit 34:19	rear-facing 29:14 51:24	relief 62:12 77:2	retaining 13:21 14:1,7
purview 19:8 55:3	reason 11:18 27:7,8 30:6 31:1 37:6 38:13 39:16 41:13 49:17,19 50:12,13,18 51:1,12,16 54:5 75:16 76:10	removed 37:16	retired 19:10
push 11:14 55:23	reasoning 42:16	rendering 29:13	returning 14:16
pushed 14:7	reasons 38:20 43:1 50:12,17 55:1	rendition 36:6	review 64:14 86:16
put 8:5 19:2 25:10 26:7, 18 27:4,9 29:2,7 31:9 33:9 38:24 39:7 40:22 45:22 46:17 47:4 48:10 50:13,21 53:8 57:17 65:5 67:5 68:18 69:16 72:17 83:20 84:2,9	recall 16:10	replace 59:11	reviewing 55:11
putting 29:17,19 33:4 83:21	receive 4:6	Replacing 59:11	rises 30:10
<hr/> Q <hr/>	received 33:19,22 64:14	reply 21:12	road 47:14 50:16 51:10 58:11 62:13
question 21:21 26:3,10 30:2 35:9,15 36:2 39:11 45:7 74:4,6	recently 28:6 43:19	report 8:12,16	roads 51:10
questions 25:13 33:14 59:22 87:8	recess 22:10	reporter 35:22	rocket 82:16
quick 55:9 83:18	recommend 73:19	representative 29:16	roll 3:4 5:21 7:2 23:2 24:6 60:2 61:7 62:20 87:19
quiet 47:20	recommendation 52:12 60:22 61:3	represents 73:13	roof 25:11 26:5,18 27:13,19 29:6,17 30:16, 18 44:15 48:18 51:8,20, 24 52:7 53:23,24 54:3,9 57:22 58:15 59:8,10,17
quorum 4:2	recommendations 75:2	request 6:18 10:6 17:22 31:2 41:1 43:16 46:19 60:23 62:11 63:22 73:14 81:6 84:5 86:8	rooftop 25:16
<hr/> R <hr/>	reconcile 45:16 53:12	requested 12:16,17 23:24 72:21 74:5,12,15 80:10	room 75:18
R-CODE 16:22	record 3:24 33:20 55:4 75:22,23 76:4	requesting 8:8 63:22 71:13 73:11,21	roughly 30:5
ranches 67:2	recording 72:14	requests 40:24 47:23	round 13:14
range 85:4 87:4	rectification 20:13	required 12:1 13:9,23 65:13 74:2,7	rule 26:3,10,13,17,22 27:1 38:12,13 43:6 45:1,21 46:6,21 47:4 48:6,9 49:12,13,14 51:11 53:12 54:7 56:8, 18
reach 8:20	rectified 17:21	requirement 13:5,8,12, 15 75:9	rules 9:7 26:1,7 38:5
reached 9:17,24	red 10:10	requirements 76:7,9	<hr/> S <hr/>
reaching 21:4	reduce 68:14 69:10 71:11	residents 34:1	safe 10:22
read 5:11 12:13 33:19 69:23	reduced 64:2 66:2	resolved 19:21	safety 10:21 11:4 15:11 16:18 18:21,24 19:12
reads 15:21	reducing 56:4	respect 26:16	satisfy 17:2
real 85:17	reference 41:2	respectable 33:8	save 11:5
reality 45:17	reflect 3:24	respond 21:9	scale 80:1
realization 38:5	regard 30:15	responding 18:16	scenario 11:22
rear 28:12 36:21,22 37:5	regulations 38:6	response 4:17	schedule 80:20
	relate 19:12	responsibility 20:14 77:12	
	relates 74:15	rest 43:23 65:8 76:23	
	relation 34:23	restrictions 5:9 83:23	

<p>science 82:16</p> <p>scope 42:5</p> <p>screen 25:16</p> <p>screenshot 12:5</p> <p>screenshots 12:3</p> <p>section 27:19</p> <p>security 11:10</p> <p>sell 73:3</p> <p>semi-custom 54:2</p> <p>send 21:8,9</p> <p>sense 18:16,20 33:7 41:20,22 48:5</p> <p>separate 79:22 80:4</p> <p>September 4:5 8:9 14:10</p> <p>septic 83:23 84:7,12,20 86:1,14,19</p> <p>serving 34:15</p> <p>session 88:17</p> <p>set 26:1 44:3 45:1,2 80:23</p> <p>setback 64:4 67:22 73:12 76:16 77:17,22, 23 83:24 87:4</p> <p>setbacks 63:23 64:1,22 65:8,13,14,20 66:2 67:23 68:8,11,12,20,22 69:6 70:2 73:4,22 74:12 75:12 76:2 77:10 78:18 79:9,21 80:13 82:13 84:15 85:14</p> <p>sets 30:10</p> <p>setting 55:14</p> <p>shame 21:1</p> <p>share 29:1</p> <p>shared 15:5</p> <p>sheer 68:14</p> <p>sheeter 83:14</p> <p>shingle 58:1 59:8,12</p>	<p>shingles 56:18,21 57:8, 14 58:13,17</p> <p>shocked 9:8</p> <p>show 11:2 27:15 49:9 55:16 79:8,15 84:9 85:3</p> <p>showing 12:3 78:18 79:21 80:5</p> <p>shown 58:5 70:2,12 76:16 78:4,22 82:13</p> <p>shows 30:20 79:4</p> <p>Shuff 3:6,7 4:12 5:23,24 7:4,5 20:18,24 22:12 23:4,8 24:8 60:4,5 61:9, 10 62:19,22,23 87:21, 22</p> <p>side 36:4,22 37:6 42:24 45:5,23 51:20 64:5 66:10,16 67:6,23 73:11</p> <p>sides 38:11 44:24 78:19 82:11</p> <p>sign 4:23 73:17,19</p> <p>signs 66:15</p> <p>similar 38:17 48:4 57:22 58:8</p> <p>simple 55:15</p> <p>single 12:5 49:8</p> <p>sit 64:21</p> <p>site 63:24 64:16 71:4 84:17</p> <p>situation 53:11 58:8</p> <p>Sixty-five 68:4</p> <p>size 65:6,19 69:8</p> <p>sizes 64:1,3 66:19</p> <p>skip 81:6</p> <p>sky 30:11</p> <p>skylights 27:21</p> <p>slate 59:10</p> <p>slopes 48:18</p> <p>small 47:18 64:2 80:1</p>	<p>smaller 64:1 69:5</p> <p>solar 25:10,16 26:4 30:13 31:18 34:4,11,17 38:3 43:12 45:11 48:13 51:7,13,20 52:4,6,17 53:19,23 54:1,8,10,19 56:1,18,21 57:3,6,7,14, 21 58:17 59:12 60:23</p> <p>sold 75:10,11 76:7,18</p> <p>sooner 81:11</p> <p>sort 48:5 84:8</p> <p>sorts 45:24</p> <p>sounds 18:4,7 25:7</p> <p>south 6:19 24:1 32:12 34:2,18 38:24 40:2 41:6 47:5 62:14,15</p> <p>southern 30:11,18</p> <p>Spa 13:7</p> <p>space 13:10,24 71:8</p> <p>speak 74:1</p> <p>speaking 26:21</p> <p>specific 26:3 41:10 42:5 43:15 66:1</p> <p>specifically 12:7 17:18</p> <p>specifications 15:3,8</p> <p>specifics 43:10</p> <p>spend 49:5</p> <p>spirit 26:22 65:22</p> <p>spoke 46:17</p> <p>square 64:10 65:19 67:8 71:5</p> <p>staircases 14:18</p> <p>stand 5:2 7:22</p> <p>standard 44:24 59:8</p> <p>standards 44:2</p> <p>stands 54:24 67:20</p> <p>start 27:16</p> <p>started 31:6,9,12 65:7</p>	<p>starting 25:5 58:13</p> <p>State 8:1 24:23 35:21</p> <p>stating 52:3</p> <p>stay 20:15</p> <p>sticks 10:18</p> <p>stone 8:18,20 10:15 12:2 13:14</p> <p>stop 41:4</p> <p>story 14:9</p> <p>straight 53:23</p> <p>straightforward 5:14</p> <p>street 28:1 33:7 34:15 35:1,6,8 44:16 45:4,22 47:18 53:7 54:12</p> <p>street-face 32:8</p> <p>street-facing 32:24 34:7</p> <p>streets 44:21 45:12 66:6</p> <p>strictly 26:1,19</p> <p>strong 34:3</p> <p>studying 83:3</p> <p>stuff 9:4,12 20:23 21:12 25:20 45:24 48:19 57:6 69:24 82:23</p> <p>subdivision 5:10 25:17 32:13 40:6 43:24 50:16, 24 54:12 65:4,12 68:8 72:11,12 75:5 80:14 83:22 85:12</p> <p>subdivisions 51:9</p> <p>submitted 27:18 72:3</p> <p>subsequent 42:7 79:6</p> <p>substance 74:13</p> <p>suddenly 70:22</p> <p>suggested 13:13 14:6</p> <p>suitability 84:20</p> <p>sun 30:9,11,22,23 46:15,16 50:11</p> <p>sundance 62:14</p>
---	--	---	--

Sunday 12:14	testimony 73:13	63:16,17 71:18	variability 67:24
sunlight 30:14,17	testing 32:19	Tuesday 81:20	variance 10:6 17:5,7,18, 22 23:24 26:11 31:2 34:6 39:1,3,4 40:24 42:13 43:2,5,16,21 50:8 52:14 55:3 56:9 58:7 60:23 62:11 65:1,4,22 73:16 74:5,12,20 75:5 76:22,23 79:1,17,18,19 86:9
support 34:4,21 45:11	theoretical 29:14	turned 42:21	variances 41:9,11 52:12 55:12 75:13,17
supposed 31:16	thing 9:14 11:13 12:15 28:9 39:13 46:11,20,24 47:2 49:9 52:16,22 64:19 71:24 79:4,5 85:23 86:12	turns 31:21 38:14	variant 6:18 73:22
surface 27:10 64:9	things 10:21 17:20 22:9 26:12 38:8 55:9,10,17, 21	Twenty-seven 35:17	variation 49:16
surfaces 26:5 27:5	thinking 49:11 65:13	twisted 68:10	varies 84:13
surrounding 10:11	thought 9:22 39:12 56:17	type 12:23	vary 19:13,14
surveys 78:16	thoughtfully 34:15	typed 12:13	vegetable 29:2,7
sustainability 34:20	through-road 40:8	types 55:11 56:1	vent 15:8
swear 7:22 35:11,18 46:13 71:17	Thursday 3:3	<hr/> U <hr/>	viable 55:1
Swimming 13:6	Thursdays 81:6	uglier 18:20	vicinity 34:13
sworn 7:24 24:22 35:13, 20 46:14 63:18 71:20	time 5:1 6:21 10:24 18:1 19:20 20:20 22:10,22 34:20 37:24 46:18 49:5 55:6 62:16 77:4 81:2,8 85:20	ugly 26:23 28:16	video 11:1 28:18,22
system 29:14 30:2,8,24 31:8 32:1,5,8,14 36:15 37:1 44:14	times 73:1 76:4	ultimate 52:14	view 27:22 28:1,11,14, 23 40:1
systems 31:8,10,16 43:13,15 44:13	today 25:9 53:11	ultimately 20:13	village 3:5,8,11,14,17, 20,23 5:22 6:1,4,7,10, 13 7:3,6,9,12,15,18 9:7, 24 13:7 19:16 22:8 23:3,6,9,12,15,18,21 24:7,10,13,16,19 26:2, 4,15 33:18 36:22 40:4 41:6,21,24 43:13 44:21 45:10,11 46:11,21 49:2, 12 51:14,15 52:5,13 53:17 54:16 57:12 60:3, 6,9,12,15,18 61:8,11, 14,17,20,23 62:7,14,21, 24 63:3,6,9,12 72:5,13 73:9,18,24 76:13 82:22 83:8,10 87:20,23 88:2, 5,8,11
<hr/> T <hr/>	told 16:15	unattractive 58:3	vent 15:8
table 22:23	tomorrow 50:2	unaware 9:1	viable 55:1
talk 4:21 5:1,2,3 22:9 25:9 46:13 87:5,10	tonight 72:9 73:10,13, 20	undergoing 34:6	vicinity 34:13
talked 13:1 56:17	top 8:21 10:16 13:19 25:5	understand 16:7 46:20, 22 47:3 48:23,24 50:18 53:14,18 54:15 55:2 65:24 82:4	video 11:1 28:18,22
talking 57:18,19 59:9 65:11 72:1 77:1 78:22 83:2	touched 19:1 50:14 86:24	understandable 47:22	view 27:22 28:1,11,14, 23 40:1
technical 25:3	traces 30:11	understanding 41:8,9 42:18 47:8 86:19	village 3:5,8,11,14,17, 20,23 5:22 6:1,4,7,10, 13 7:3,6,9,12,15,18 9:7, 24 13:7 19:16 22:8 23:3,6,9,12,15,18,21 24:7,10,13,16,19 26:2, 4,15 33:18 36:22 40:4 41:6,21,24 43:13 44:21 45:10,11 46:11,21 49:2, 12 51:14,15 52:5,13 53:17 54:16 57:12 60:3, 6,9,12,15,18 61:8,11, 14,17,20,23 62:7,14,21, 24 63:3,6,9,12 72:5,13 73:9,18,24 76:13 82:22 83:8,10 87:20,23 88:2, 5,8,11
telling 67:4	tree 27:19	unique 47:9,13 51:2	vide 11:1 28:18,22
temporary 8:14 14:11, 14	trees 28:2,8,10,11,17	unit 62:11,15 72:4,15,24 73:13 74:21 75:21,23 76:14 77:1 78:4,5 84:1	view 27:22 28:1,11,14, 23 40:1
ten 56:5 67:16 82:23 83:11	true 45:4 71:19	units 77:2	village 3:5,8,11,14,17, 20,23 5:22 6:1,4,7,10, 13 7:3,6,9,12,15,18 9:7, 24 13:7 19:16 22:8 23:3,6,9,12,15,18,21 24:7,10,13,16,19 26:2, 4,15 33:18 36:22 40:4 41:6,21,24 43:13 44:21 45:10,11 46:11,21 49:2, 12 51:14,15 52:5,13 53:17 54:16 57:12 60:3, 6,9,12,15,18 61:8,11, 14,17,20,23 62:7,14,21, 24 63:3,6,9,12 72:5,13 73:9,18,24 76:13 82:22 83:8,10 87:20,23 88:2, 5,8,11
terms 30:22 33:5 36:10 40:3 44:8 55:11 56:23 57:22	truth 35:11,19 46:13	untouchable 19:13	video 11:1 28:18,22
terrible 12:12,20		updated 9:13 11:10 76:15	view 27:22 28:1,11,14, 23 40:1
Tesla 59:12		usable 33:6	village 3:5,8,11,14,17, 20,23 5:22 6:1,4,7,10, 13 7:3,6,9,12,15,18 9:7, 24 13:7 19:16 22:8 23:3,6,9,12,15,18,21 24:7,10,13,16,19 26:2, 4,15 33:18 36:22 40:4 41:6,21,24 43:13 44:21 45:10,11 46:11,21 49:2, 12 51:14,15 52:5,13 53:17 54:16 57:12 60:3, 6,9,12,15,18 61:8,11, 14,17,20,23 62:7,14,21, 24 63:3,6,9,12 72:5,13 73:9,18,24 76:13 82:22 83:8,10 87:20,23 88:2, 5,8,11
		<hr/> V <hr/>	vide 11:1 28:18,22
		valid 54:17	view 27:22 28:1,11,14, 23 40:1
			village 3:5,8,11,14,17, 20,23 5:22 6:1,4,7,10, 13 7:3,6,9,12,15,18 9:7, 24 13:7 19:16 22:8 23:3,6,9,12,15,18,21 24:7,10,13,16,19 26:2, 4,15 33:18 36:22 40:4 41:6,21,24 43:13 44:21 45:10,11 46:11,21 49:2, 12 51:14,15 52:5,13 53:17 54:16 57:12 60:3, 6,9,12,15,18 61:8,11, 14,17,20,23 62:7,14,21, 24 63:3,6,9,12 72:5,13 73:9,18,24 76:13 82:22 83:8,10 87:20,23 88:2, 5,8,11

<p>visible 27:6 28:16 43:20 44:5</p> <p>visual 8:7 51:14 54:4 71:7</p> <p>vote 22:12,13</p> <p>voted 65:23</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>waiting 17:21</p> <p>walk 4:23 66:16</p> <p>walked 8:24 28:21 43:18 53:7</p> <p>walking 11:2 28:19</p> <p>walks 11:13</p> <p>wall 13:22 14:1,4,7</p> <p>wandering 11:20</p> <p>wanted 11:23 17:1 25:20 46:12 49:13 57:16 58:11 65:15</p> <p>warm 11:5</p> <p>water 86:2,15</p> <p>wattage 36:8</p> <p>watts 48:16</p> <p>ways 12:14 86:12</p> <p>week 28:22 81:13 83:5, 8,9 85:20</p> <p>weigh 53:16</p> <p>wells 84:6,12 86:19</p> <p>west 28:7 30:10</p> <p>western 39:18</p> <p>whatnot 66:8</p> <p>whatsoever 44:19</p> <p>wherewithal 49:5</p> <p>white 30:21</p> <p>wide 8:19 64:4</p> <p>wider 67:2</p> <p>width 69:18,19</p>	<p>widths 69:5</p> <p>William 25:12 35:23</p> <p>winding 51:10</p> <p>window 28:3</p> <p>windows 15:16</p> <p>winter 28:9,16</p> <p>wise 20:2</p> <p>wood 15:4 43:17,18</p> <p>woods 25:17 51:7</p> <p>word 20:2</p> <p>work 17:1 27:11 70:23 85:24 86:9</p> <p>worked 14:20 65:7</p> <p>working 9:6</p> <p>works 9:4 85:23 86:16</p> <p>worried 67:17</p> <p>worse 40:17</p> <p>worth 56:10</p> <p>worthwhile 34:12</p> <p>writing 12:15 34:3</p> <p>wrong 11:19 68:5 76:14 81:12</p> <p>wrote 19:7</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>y-axis 31:6</p> <p>yard 11:21 73:12</p> <p>years 16:21 19:11 20:21 29:8 34:9 71:23</p> <p>Yosemite 24:1 25:10 33:22 34:2,5,9 40:13 44:17 46:17 47:17</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p>zone 86:9</p> <p>zones 12:7</p> <p>zoning 22:15,16</p>	<p>zoomed 10:14</p>
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