



**PLANNING, BUILDING AND ZONING COMMISSION MEETING  
VILLAGE OF HAWTHORN WOODS  
2 LAGOON DRIVE, HAWTHORN WOODS, ILLINOIS  
TUESDAY, OCTOBER 13, 2015  
6:00 p.m.**

**MINUTES**

**I. Call to Order and Roll Call**

Present: Commissioner Rein called the meeting to order at 6:03 p.m. The following members were present: Commissioners Rein, Kaiser, Rychlik, Sedlacek and Donovan  
Absent: Merkel and Lindquist  
Staff: Michael Cassata, AICP, Community Development Director  
Trustee Liaison: None  
Village Attorney: Robert Kenny

A quorum was established.

**II. Opportunity for the Public to Address the Commission**

None this month.

**III. Approval of Minutes**

Commissioner Merkel arrived at 6:05 p.m.

**A. Approval of Minutes of the September 8, 2015 Planning, Building and Zoning Commission Meeting**

Motion by Kaiser, second by Donovan, to approve the minutes of the September 8, 2015 Planning, Building and Zoning Commission meeting.

Upon a voice vote, all voted aye, except for Sedlacek who abstained, and the motion carried.

Rein introduced the newest PB&Z commissioner, Paul Sedlacek, who talked a bit about his background.

The PB&Z commissioners introduced themselves to Sedlacek.

#### **IV. Public Hearing**

- A. Hawthorn Woods Country Club—Clubhouse Seasonal Outdoor Smoking Pavilion—  
Consideration for a Modification to the Hawthorn Woods Country Club Phase 2 Final  
Planned Unit Development Pursuant to Section 9-15-6.B.2c of the Village Code to  
Allow a Designated Smoking Area in the Form of a Partially-Enclosed Gazebo

This hearing is a continuation of the public hearing that was opened on September 8,  
2015.

Mr. Jeff Ryan, representing the applicant, Hawthorn Woods Country Club, explained  
the proposal with the primary intent to allow cigar smokers a place to smoke in the  
colder months. He indicated the pavilion use would be seasonal.

Rein opened the hearing to public comment. Hearing none, the PB&Z commissioners  
discussed the application.

Kaiser asked whether there would be a limit on the number of people allowed in the  
pavilion. Ryan said there wouldn't be. Ryan explained there would be seating inside  
the pavilion, a vented roof, clear flame-retardant PVC sides, and the pavilion would  
be moveable for seasonal storage.

Merkel asked if the pavilion would be at least 15 feet from the clubhouse door, which  
Ryan confirmed.

Upon inquiry from Rein, Ryan clarified the sides would not be Plexiglass, but a see-  
through plastic type material on all sides.

Donovan suggested a timed heater be used.

Motion by Merkel, second by Kaiser, to close the public hearing.

Upon a voice vote, all voted aye and the motion carried unanimously.

Motion by Merkel, second by Rychlik to modify the Hawthorn Woods Country Club  
Phase 2 Final Planned Unit Development Pursuant to Section 9-15-6.B.2c of the  
Village Code to Allow a Designated Smoking Area in the Form of a Partially-  
Enclosed Gazebo with the following conditions:

1. Consider installing a zipper on the pavilion door; and
2. Consider using a portable, timed heater.

Upon a voice vote, all voted aye and the motion carried unanimously.

- B. Book Exchange Boxes - Consideration, Review and Recommendation to the Village  
Board of a Request for Amendments of the Village Code of the Village of Hawthorn

Woods relating to Book Exchange Boxes in Title 9, Chapter 9-3-2.E—Permitted Accessory Buildings, Structures and Uses, and Title 11, Chapter 11-1-1—Fees for Certain Activities and Purposes

Motion by Kaiser, second by Rychlik to open the public hearing.

Upon a voice vote, all voted aye and the motion carried unanimously.

Rein provided a brief explanation of the proposed book exchange boxes, also known as Little Free Libraries.

Rein opened the hearing to public comment.

Ms. Nicole Schultes explained her daughter wants to put up one of the book exchange boxes at the pond in the Acorn Acres subdivision for use when the library is closed. She also provided the proposed height, stated it wouldn't have locks, and it would be aesthetically pleasing.

Upon inquiry from Merkel, Schultes stated her family would fund this particular box and that it would be purchased as a kit from the Little Free Library website.

Donovan asked if the HOA had to approve the box.

Cassata confirmed the box would have to be approved and submitted by the HOA.

Ms. Cathy Bayer, asked why the boxes couldn't be placed on private residential properties.

Cassata explained this would prevent an entire residential street from being lined with the boxes.

Kaiser asked what was to prevent the books from being left at the base of the structure on the ground.

Schultes said the HOA would monitor the box.

Bayer said she would email the Acorn Acres residents about the use of the box.

Rein announced that Bayer is the president of the Acorn Acres HOA.

Donovan suggested the Village only allow those purchased from the Little Free Library website.

Rychlik disagreed.

Donovan asked, Cassata confirmed, that Village staff would review the proposed structures.

Rein mentioned this could be a great project for the Boy Scouts to build.

Kaiser expressed the HOA is not designed to review this type of proposal. He stated since there isn't an inherent mechanism for the HOA to perform this task, it places an undue burden on the HOA.

A discussion on the insurance impacts took place. Schultes stated it would be better for the HOA if the box were placed on private residential property.

Rein asked whether a resident, HOA or Village would need to initiate the process for installing a box in a public park.

Cassata replied that all of the above could initiate the process.

Merkel asked, Schultes confirmed, the box would be weather proof.

Rein opened a discussion on approval condition number seven in the staff memo regarding the non-permanent structure language. A discussion ensued regarding the types of foundation installation techniques.

Motion by Donovan, second by Sedlacek, to close the public hearing.

Upon a voice vote, all voted aye and the motion carried unanimously.

Motion by Rychlik, second by Donovan, to recommend to the Village Board approval of amendments of the Village Code of the Village of Hawthorn Woods relating to Book Exchange Boxes in Title 9, Chapter 9-3-2.E—Permitted Accessory Buildings, Structures and Uses, and Title 11, Chapter 11-1-1—Fees for Certain Activities and Purposes.

The PB&Z discussed possible changes to the proposed conditions.

Motion by Rychlik, second by Donovan, to amend condition number seven as follows:

Structure shall be non-permanent in construction; that is, a temporary foundation comprised of concrete or masonry pavers or other similar movable material, or consistent with installation methods for Village street signs and residential mailboxes, as approved by the Village.

Upon a voice vote, all voted aye, except for Kaiser who voted nay, and the motion carried.

Rein explained the Findings of Fact are available for PB&Z consideration, which would allow for Village Board consideration next week on October 19, 2015.

Motion by Sedlacek, second by Merkel, to approve the Findings of Fact for amendments of the Village Code of the Village of Hawthorn Woods relating to Book Exchange Boxes in Title 9, Chapter 9-3-2.E—Permitted Accessory Buildings, Structures and Uses, and Title 11, Chapter 11-1-1—Fees for Certain Activities and Purposes.

Upon a voice vote, all voted aye, except for Kaiser who voted nay, and the motion carried.

## **V. Public Meeting**

### **A. Firewood – Consideration, Review and Recommendation to the Village Board of a Request for an Amendment of the Village Code of the Village of Hawthorn Woods relating to firewood in Title 8, Chapter 8-1-6—Property Maintenance Code**

Rein provided background information on why the text amendment on firewood was being proposed and read the text amendment language.

Rein opened the meeting to public comment.

Ms. Courtney Sasiadek, on behalf of Corey Miller, read a letter from Miller expressing opposition to the proposed text amendment.

Ms. Nicole Schultes seconded Sasiadek's comments.

Ms. Cathy Bayer stated pest control recommends not storing firewood next to the home. She also pointed out that residents can't store the firewood in sheds since those are not allowed in the Village. She suggested a sunset on firewood storage similar to what was provided in the shed prohibition ordinance.

Mr. George Heim said the police can already address the issue via the nuisance regulation in the Village Code.

Cassata stated the nuisance language in the Village Code is vague; whereas, the proposed language is specific and would allow Village staff to address complaints without being open to the criticism of interpreting the Code. He also cited several examples of complaints received regarding firewood.

Ms. Pernetta Deemer requested clarification on the whether the text amendment was restricting firewood storage to a face cord or a cord.

Rein confirmed it was a cord and provided the dimensions. She also mentioned the average size tree on her lot and stated each tree would equal to two to three cords.

Mr. Brian Vanderbilt asked what a resident is supposed to do if they have two cords already being stored and they have to take down a tree that would create a surplus. He asked if they would need to sell it or have it hauled away.

Kenny stated most towns are not proactive when it comes to code enforcement; that is, they are not driving around looking for violations.

Ms. Trudy Heim urged the Village to use common sense.

Motion by Merkel, second by Kaiser, to recommend to the Village Board approval of a request for an amendment of the Village Code of the Village of Hawthorn Woods relating to firewood in Title 8, Chapter 8-1-6—Property Maintenance Code

The PB&Z discussed possible changes to the proposed text amendment language.

Motion by Merkel, second by Kaiser, to amend the text amendment language to read as follows:

Section 302.10 Firewood. The exterior storage of firewood on private residential property shall not be stored within the front yard, shall meet the required side and rear yard areas (setbacks), shall be stored and stacked neatly so as not to create a dangerous condition or be offensive to the neighborhood, and in no event shall any firewood be stacked taller than four feet six inches (4'-6") above grade.

Upon a voice vote, all voted aye and the motion carried unanimously.

## **VI. New Business**

- A. Commissioner Rein announced that she is retiring after 12.5 years of public service on the PB&Z Commission.

Commissioner Rein stated she and her husband will be moving out of state in the near future. She shared how she became a member of the PB&Z Commission and mentioned it was a bittersweet night.

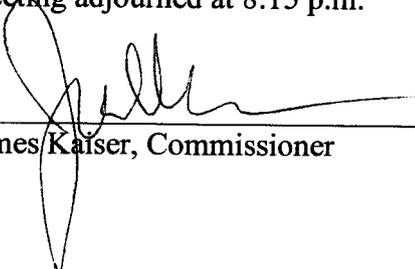
Commissioner Rein reminded the commission that a commitment was made to the Kildeer residents regarding the property at the corner of Quentin Road and Illinois Route 22 in that they would be noticed regarding any development proposals, even if they were beyond the 250-foot noticing requirement.

Commissioner Rein encouraged the other commissioners to pay particular attention to the details of upcoming proposals and said she looks forward to coming back to see the town's progress.

Commissioner Rein closed by announcing that Commissioner Kaiser will become the new chairperson and presented him with the Robert's Rules of Order.

**VII. Adjournment**

Motion by Rychlik, second by Kaiser to adjourn the meeting. Upon a voice vote, all voted aye, and the motion carried unanimously. There being no further business, the meeting adjourned at 8:15 p.m.



---

James Kaiser, Commissioner