



**PLANNING, BUILDING AND ZONING COMMISSION MEETING
VILLAGE OF HAWTHORN WOODS
2 LAGOON DRIVE, HAWTHORN WOODS, ILLINOIS
TUESDAY, MAY 24, 2016
6:00 p.m.**

MINUTES

I. Call to Order and Roll Call

Present: Commissioner Kaiser called the meeting to order at 6:04 p.m. The following members were present: Commissioners Sedlacek, Rychlik, Lindquist, Donovan, Merkel and Kaiser

Absent: None

Staff: Donna Lobaito, Chief Administrative Officer/Village Clerk
Michael Cassata, AICP, Community Development Director
Erika Frable, PE, Village Engineer/Public Works Director
Jennifer Paulus, Chief of Police

Consultants: Lee Fell, PE, Village Engineer
Brad Dethloff, Landscape Designer

Trustee Liaison: Dominick DiMaggio

Village Attorney: Patrick Brankin

A quorum was established.

II. Opportunity for the Public to Address the Commission

None this month.

III. Approval of Minutes

A. Approval of Minutes of the May 10, 2016 Planning, Building and Zoning Commission Meeting

Motion by Merkel, second by Rychlik to approve the minutes of the May 10, 2016 Planning, Building and Zoning Commission meeting.

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

IV. Continuation of a Public Hearing

A. Hawthorn Trails South/Phase 3 – Foxford Communities – Consideration, Review and Recommendation to the Village Board of a Request for:

- i. A Special Use Permit for a Planned Unit Development, Including a Special Use Permit to allow an Automobile Service Station (gas station) with an Automobile Laundry (Automatic) (car wash), Including Departures from the Zoning Ordinance, Land Subdivision Ordinance, and Building Regulations Ordinance of the Village to Allow the Property to be Developed as a Planned Unit Development as Set Forth in the Application or as Amended During the Course of the Public Hearing Process;
- ii. Preliminary Plat of Subdivision approval;
- iii. Special Use Permit to allow up to four (4) display homes on the Subject Property at any point in time;
- iv. Certificate of Approval/Architectural Review for the following:
 - 1. Single-Family Homes
 - 2. Lot 42 Gas Station and Car Wash; and
- v. Such Other Relief or Approvals as the Commission and the Village Board May Determine Reasonably Necessary.

Minutes of this portion of the public hearing were prepared by Joan M. Holub of Q & A Reporting, Inc. and are attached hereto as Exhibit "A".

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

Roll call vote.

Ayes: Sedlacek, Rychlik, Lindquist, Donovan and Merkel

Nays: None

Absent: None

Motion carried.

Motion by Rychlik to adhere to the 2010 public hearing as it relates to lot density, and to be consistent with the Hawthorn Woods Subdivision Code. There being no second, the motion died.

Motion by Donovan, second by Sedlacek to approve the plans with the addition and stipulation of fire protection systems as discussed by the fire specialist.

Lindquist requested of the motion maker and seconder to accept an additional condition that space be dedicated to provide for a park. Both Donovan and Sedlacek agreed to modify the motion.

Roll call vote.

Ayes: Lindquist, Donovan and Merkel

Nays: Sedlacek and Rychlik

Absent: None

Motion carried.

Motion by Rychlik, second by Sedlacek that the development adhere to quarter-acre minimum lot size. After discussion, Rychlik amended his motion to minimum 12,000 square foot lots. Sedlacek accepted the amended motion.

Roll call vote.

Ayes: Sedlacek, Rychlik, Lindquist, Donovan and Merkel

Nays: None

Absent: None

Motion carried.

Motion by Donovan to restrict the Village entrance signage on the corner so that it does not include any business logo. Second by Lindquist.

Sedlacek asked that a commercial sign be allowed for the commercial corner and the Village entrance sign be placed further down along Rt. 22 in the landscaped area facing the road. Donovan and Lindquist accepted the amended motion.

Roll call vote.

Ayes: Sedlacek, Rychlik, Lindquist, Donovan and Merkel

Nays: None

Absent: None

Motion carried.

Motion by Rychlik to accept the commercial use consistent with the exhibit of the 2010 Annexation Agreement. Second by Merkel.

Roll call vote.

Ayes: Rychlik, Lindquist, Donovan and Merkel

Nays: Sedlacek

Absent: None

Motion carried.

Roll call vote on the motions and the additions.

Ayes: Rychlik, Lindquist, Donovan and Merkel

Nays: Sedlacek

Absent: None

Motion carried.

V. New Business

- A. Consideration and Recommendation of the Findings of Fact – Hawthorn Trails South/Phase 3 Planned Unit Development – Foxford Communities
 - vi. Title 9 – Zoning, Section 9-14-4.B
 - vii. Title 9 – Zoning, Section 9-15-7
 - viii. Title 10 – Land Subdivisions, Section 10-5-2.A Hardships

Motion by Sedlacek, second by Donovan to adopt the 10-5-2.A. Findings of Fact subject to the previous motion that carried, and subject to staff incorporating the modifications into the Findings.

Roll call vote.

Ayes: Sedlacek, Rychlik, Lindquist, Donovan and Merkel

Nays: None

Absent: None

Motion carried.

Motion by Sedlacek, second by Lindquist to adopt the 9-14-4.B. Findings of Fact subject to the previous motion that carried, and subject to staff incorporating the modifications into the Findings.

Roll call vote.

Ayes: Sedlacek, Rychlik, Lindquist, Donovan and Merkel

Nays: None

Absent: None

Motion carried.

Motion by Sedlacek, second by Rychlik to adopt the 9-15-7.A. Findings of Fact subject to the previous motion that carried, and subject to staff incorporating the modifications into the Findings.

Roll call vote.

Ayes: Sedlacek, Rychlik, Lindquist, Donovan and Merkel

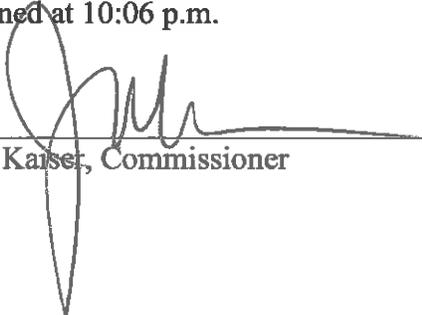
Nays: None

Absent: None

Motion carried.

VI. Adjournment

Motion by Merkel, second by Donovan to adjourn the meeting. Upon a voice vote, all voted aye, and the motion carried. There being no further business, the meeting adjourned at 10:06 p.m.



James Kaiser, Commissioner

IN THE MATTER OF THE APPLICATION
OF
HAWTHORN TRAILS SOUTH/PHASE 3-FOXFORD
COMMUNITIES-CONSIDERATION, REVIEW,
AND RECOMMENDATION TO THE VILLAGE BOARD OF
A REQUEST FOR A SPECIAL USE PERMIT FOR A
PLANNED UNIT DEVELOPMENT; PRELIMINARY PLAT
OF SUBDIVISION APPROVAL; SPECIAL USE PERMIT;
CERTIFICATE OF APPROVAL/ARCHITECTURAL
REVIEW; SUCH OTHER RELIEF OR APPROVALS AS
THE COMMISSION AND VILLAGE BOARD MAY
DETERMINE REASONABLY NECESSARY

(Public hearing held before the
Planning, Building and Zoning
Commission on Tuesday, May 24, 2016,
at the hour of 6:00 p.m., at
2 Lagoon Drive, Hawthorn Woods,
Illinois.

Q & A REPORTING, INC.
7115 Virginia Road, Suite 105
Crystal Lake, Illinois
(815)477-2230
qareportinginc.com

1 (Other Village business conducted.)
2 CHAIRMAN KAISER: At this point in time, we have a public
3 hearing. The public hearing was opened on May 10th, and it
4 will continue tonight with a presentation.
5 So we ask Mr. Burney if he's got his
6 presentation ready to go.
7 MR. BURNEY: I do, Mr. Chairman. My name is Tom Burney,
8 representing Foxford in connection with this application.
9 We'll be having several witnesses.
10 Unfortunately, he wasn't injured but our planning expert was
11 involved in a fender bender on I-355. He hopefully will be
12 here a little later. We're going to revise our presentation.
13 CHAIRMAN KAISER: We need to swear your whole group
14 though.
15 (Whereupon all witnesses present were sworn.)
16 Thank you. I'm sorry.
17 MR. BURNEY: No. Thank for reminding us.
18 So we're going to be having Mike Schoppe, the
19 one that was involved in the accident; John Graham from Graham
20 Enterprises, he'll be talking about the commercial portion of
21 the development. Charlie Murphy will be talking about the
22 residential portion of the development. Jarrod Cebulski -
23 I'll give Ms. Lobaito a copy of these business cards. I've
24 also provided them to the court reporter so we've got the

1
2 PRESENT: JAMES KAISER, CHAIRMAN
3 PAUL SEDLACEK
4 THOMAS RYCHLIK
5 DAVID LINDQUIST
6 CHRISTOPHER DONOVAN
7 JAMES MERKEL
8 DOMINICK DiMAGGIO, Trustee Liaison
9 VILLAGE STAFF:
10 DONNA LOBAITO, Village Administrator
11 MICHAEL CASSATA, Community Development Director
12 ERIKA FRABLE, Village Engineer
13 JENNIFER PAULUS, Chief of Police
14 LEE FELL, Christopher Burke & Associates
15 APPEARANCES:
16 SCHAIN, BANKS, KENNY & SCHWARZ, LTD, by
17 ROBERT C. KENNY,
18 On behalf of the Village of Hawthorn Woods;
19 LAW OFFICES OF THOMAS R. BURNEY, by
20 THOMAS R. BURNEY,
21 On behalf of Petitioner, Foxford Communities.
22 PETITIONER WITNESSES:
23 TIMOTHY J. KELLOGG
24 JOHN C. GRAHAM
25 CHARLIE MURPHY
26 JARROD CEBULSKI
27 RONALD A. ADAMS
28 MIKE SCHOPPE
29 PUBLIC SPEAKERS:
30 RINIDALTE EMY SHAM(phonetic spelling)
31 MEHUL VORA TED VALENTI
32 HIMANSHU DEOSKAR ANS AHMED
33 FARAH LAMAN STEVE PERLIN
34 JEFFERY SCHMIDT RAM RAMANAN
35 ESHANA VORA ANDREW FARHAT
36 SAMPATH NADELLA MICHAEL TALBETT
37 DAVID TO BOB KLEIMHEINZ
38 MIKE KRUG

1 spellings -- and then Ron Adams.
2 So just with that, the relief we've requested
3 is very accurately stated in the Staff report. We're here to
4 request your positive recommendation of approval of a
5 preliminary planned unit development plan.
6 With all these witnesses, we'd like the
7 opportunity to present them all in sequence, and then, if the
8 Plan Commission would permit us to hold off questioning until
9 our entire presentation is over. Of course, the neighbors will
10 have an opportunity to ask any questions as well.
11 CHAIRMAN KAISER: That's actually the procedure I was
12 hoping to accomplish, is exactly that. You do your
13 presentation, the Commission will take questions, and then
14 we'll take comment from the crowd. You also will have a chance
15 for rebuttal.
16 MR. BURNEY: Thank you, Mr. Kaiser.
17 Just to fill you all in on the background on
18 this site, this ground was annexed into the Village of Hawthorn
19 Woods in 2010. At the time, it was a county subdivision known
20 as Cypress Grove. It was accomplished through an annexation
21 that your counsel, Bob Kenny and Pat Brankin, were able to
22 accomplish. The Annexation Agreement was unusual because the
23 village fathers and leaders at the time recognized this is a
24 great location for commercial development, and so in the

1 Annexation Agreement, it provided that upon the approval of a
 2 site plan by the Village Board after a public hearing and
 3 recommendation from this body that up to 14 acres of this
 4 ground, the southern section of this ground, would be zoned for
 5 commercial, approved with a site plan. So the residential
 6 development took place with some stops and starts on it. The
 7 original developer was succeeded by Foxford, who sold the lots
 8 to – or a number of the lots to Icon Builders. And I think
 9 that everybody would agree that Icon Builders has done a
 10 terrific job of making this a very successful subdivision, and
 11 we're pleased to say that Icon Builders is the one that is
 12 proposing to develop the smaller lots, single-family product
 13 that you'll be seeing tonight.

14 But basically, the decision as to whether or
 15 not this ground, this 14 acres, should be zoned commercial was
 16 made six years ago in an Annexation Agreement, at which time
 17 the Village not only promised to zone it to commercial but
 18 changed its Comprehensive Plan, so that if you look at your
 19 Comprehensive Plan you'll see and you'll get an opportunity to
 20 see that in our slides that Comprehensive Plan shows this
 21 ground for commercial.

22 Peter Brenman of Foxford has had a number of
 23 conversations with the neighbors and tried – and we know that
 24 the Village always appreciates the fact that a developer

1 introduce Mr. Tim Kellogg. But at the end of our proceeding,
 2 we would respectfully request a positive recommendation of our
 3 site plan and the uses included thereon.

4 I'd just like to add one other thing. The
 5 Annexation Agreement approved in 2010 included provisions that
 6 prohibited gasoline stations and car washes, and we have begun
 7 the process of seeking an amendment to the Annexation Agreement
 8 to eliminate those prohibitions, and that is ultimately a
 9 decision that has to be made by the Village Board. But we will
 10 dot that I and cross the T. And if the Village Board sees that
 11 this is an appropriate use, it's not going to unduly burden the
 12 surrounding area, we would ask them to simultaneously amend the
 13 Annexation Agreement to change that prohibition and approve
 14 that site plan.

15 Tim Kellogg.

16 MR. KELLOGG: Good evening. Thank you for the
 17 opportunity to speak with you tonight. We really appreciate.

18 I'm here on behalf of Foxford Communities.
 19 Tom has already stolen a little bit of the thunder as far as
 20 some of the things I was going to mention here a little bit.
 21 But Foxford Communities has been around quite a while,
 22 especially those of us that have been on the team have decades
 23 of experience. In the more recent past, since 2009 we have
 24 acquired approximately \$70 million of properties both in the

1 reaches out to the neighbors, tries to allay their concerns.
 2 And 14 acres of commercial was more than the neighbors really
 3 wanted to see, the neighbors in Cypress Grove, the residents to
 4 see on this property.

5 What we're presenting to you is four acres of
 6 commercial, but what we've been able to bring to you is – and
 7 I know it's controversial, but in terms of the size, there
 8 isn't a better sales tax-producing use than a gasoline station.
 9 And you're going to hear testimony – and many of you travel on
 10 22. You know that you can go seven miles east and you can go
 11 seven miles west before you find another gasoline station on
 12 Route 22. And we know that things have changed on Route 22,
 13 especially in terms of the increased traffic. So in terms of a
 14 village which doesn't have a lot of opportunities for
 15 commercial development, this is a choice, prime location for a
 16 commercial development and one that suits the market as far as
 17 a need and demand for a gasoline station.

18 Now, this isn't any gasoline station. We
 19 call it an upscale gasoline station. But we worked with
 20 Mr. Cassata and his fine Staff. In terms of the architecture,
 21 the landscaping that you're going to see, this is a gasoline
 22 station that this community can be proud of. It's consistent
 23 with the standards it's applied.

24 So enough of my rhetoric. I'd like to

1 Chicago area and in Florida, with that being over about 20
 2 projects with the vast majority of that being here in the
 3 Chicago area of Illinois. And many of these have been ones
 4 that were distressed, abandoned, and we took them over and
 5 cleaned them up and have been able to very successfully create
 6 new, energetic communities wherever we've been. These have
 7 encompassed single-family lots, townhomes, condominiums, mixed
 8 use, partially-developed land, and even some raw farmland, so
 9 it kind of runs the gamut. And the one thing that's
 10 really – we're proud of is the fact that no one that's on the
 11 leadership team at Foxford Communities have ever been
 12 associated with any properties that were repossessed, taken
 13 back to the bank, or abandoned. So that's something that very
 14 few of the development community can say over the span of the
 15 Great Recession we've been come through here.

16 As far as Hawthorn Trails, as Tom mentioned,
 17 that was one of the communities that we were able to acquire
 18 from the bank, and it was about 2012 when we did that. There
 19 were 45 developed lots and 31 partially-developed lots that
 20 still needed some improvements done. Also, as Tom had
 21 mentioned, we were able to bring Charlie Murphy and Icon
 22 Building Group into the mix and have just been elated with the
 23 way he's been able to reinvigorate the community, interact with
 24 the community and the homeowners, and have a great

1 relationship, and he is very close now to selling out and
2 having the last of the homes built out there. So it's a
3 perfect time to come in and talk about another great
4 development community and create another facet to your
5 community.

6 I am not Mike Schoppe. As Tom had mentioned,
7 he is hopefully in route after having a minor accident. So I'm
8 going to go over the brief summary that he was going to have
9 for the planning. He will hopefully be here later, so if you
10 have specific questions for him, you can have his expert
11 opinion at that time.

12 This is a general location map, with
13 Hawthorn Trails being up in this area.

14 I apologize. Which would you prefer me to
15 highlight as far as --

16 CHAIRMAN KAISER: For us, down here. If you could just
17 do both a little bit, I guess.

18 MR. KELLOGG: I can be repetitive. Absolutely.

19 CHAIRMAN KAISER: All right.

20 MR. KELLOGG: So this area here is the existing phase 1
21 and 2 of Hawthorn Trails, and then Kildeer; to the east is
22 Beacon Hill; to the west is Lake Zurich with industrial and the
23 commercial. Lake Zurich is also down here and Kildeer; to the
24 south is the Groves and Foxborough Estates.

1 Here's Hawthorn Trails. Hawthorn Woods.
2 Kildeer with Beacon Hill. Kildeer here. Lake Zurich and the
3 Lake Zurich with the industrial and the commercial.

4 The area circled here is the highlight of the
5 area within your Comprehensive Plan that shows Hawthorn Trails.
6 You can see the south area there with the red is what the focus
7 here is, which I'll zoom in there with that. This is the area
8 that Tom mentioned was adjusted within the Comprehensive Plan
9 back in 2010, bringing that whole area in, is the idea of it
10 being commercial.

11 As far as kind of overall general within
12 Hawthorn Woods and looking through and kind of the
13 understanding of what we went through to work through things
14 is, we understand that the history of Hawthorn Woods was
15 generally larger-lot single-family. In the late 1990s, public
16 sewer and water were brought into the area which allowed some
17 other type of development other than single-family acre-plus
18 lots with well and septic to be able to built responsibly in.
19 Until that point, that was just limited development. Route 22
20 along the south boundary, which is here and there, has
21 experienced continuous increasing traffic volumes and expansion
22 and additional land being built as traffic has increased across
23 the property. Recognizing these changes, the Village annexed
24 this land and amended the comp plan to what you see here and

1 rezoned the area overall as B-2 with contingent zoning on the
2 south for it to be R-2 for the entire thing and then B-2 for
3 the southern 14 acres.

4 The idea of what we are presenting here is a
5 general transition of zoning. Instead of having a commercial
6 right there all the way up against the larger single-family
7 lots, we have where it transitioned to the perimeter 19 lots
8 are all front-garage single-family homes that back up to the
9 open space. The interior 20 lots are more of an urban
10 alley-access home, but once again, we didn't want to have any
11 of the homes backing up to Route 22 because it puts the better
12 face forward as you drive by and, also, it puts a little bit of
13 a separation. So these homes in this area here are all facing
14 out to the streets with the alley in the middle.

15 Just kind of taking a step back, as this area
16 was zoned -- or it was intended to be within comp plan
17 commercial, these are some of the concept plans that were
18 created when we first started to look at things.

19 As Tom had mentioned, Peter Brennan went and
20 talked with the homeowners and tried to get a feel for what's
21 going on and felt that this and this as far as it being that
22 intense use as far as being right up against -- and this is
23 very skewed. I'm not sure why it's coming up like this. But
24 this here is existing Hawthorn Trails, and then this is the

1 bigger box commercial, and this is the stormwater.

2 MR. BURNEY: Tim, could you point over there, too.

3 MR. KELLOGG: Here is the one thing with a bigger box
4 retail, outlet for retail, and then stormwater, and this is
5 existing Hawthorn Trails.

6 Let me go up a slide here.

7 This here was more of a retail, tenant retail
8 center with the outlots for commercial. And once again, this
9 is the existing Hawthorn Trails community.

10 I'm not sure why the slides didn't come
11 through as intended there.

12 So this is just more for reference. It isn't
13 something we're pushing or trying to scare anyone. It's just
14 the fact that this is the Comprehensive Plan. We're showing
15 what could be as we try to work towards something that we feel
16 is more transitional.

17 One thing also with this is that we looked at
18 the Comprehensive Plan that was just done I believe about two
19 years ago, and one of the key items that came up was your
20 research having to do with commercial. Given that this was
21 shown in the Comp Plan as commercial, we figured we should at
22 least look into that. One of the key points that was in the
23 study is that there is what's called leakage as far as
24 community dollars that aren't getting spent in Hawthorn Woods

1 or some of your surrounding communities but being spent other
 2 places, and there are several items within the report that were
 3 the key ones regionally that were seen as regional leakage of
 4 dollars that you could capture locally for taxes, whether it be
 5 a motor vehicle dealership for 65 million, gasoline station at
 6 208 million, food service and drinking places of 152 million.
 7 With gasoline stations being the largest one there, it just
 8 boded for us to look into that as a good responsible use
 9 according to what your plan had shown and some of your surveys.
 10 One of your residential surveys also even had the residents
 11 saying that one of it's things that was a convenience they'd
 12 looked for in Hawthorn Woods would be another gas station.
 13 Food services and drinking places, commercial could also have
 14 an establishment like that.

15 Coming back to -- this is the land plan.

16 Once again, I just want to talk through things in general.
 17 Over here is the stormwater, so the drainage will be generally
 18 from west to east across. And once again, it's a transitional
 19 zoning that we're looking at from the larger-lot residential to
 20 smaller lot, front-garage and into the alley-load and then on
 21 to the commercial.

22 So many communities and developments that
 23 I've developed with that transitional zoning area many times
 24 ends up being townhomes, condominiums, apartments as you

1 light industrial as far as the zoning in the area.

2 MR. BURNEY: One last thing. Are you aware of any
 3 presentations on the kitty corner to Lake Zurich in Lake Zurich
 4 in terms of development of that parcel?

5 Have there ever be any presentations or
 6 proposals on that site, the southwest corner?

7 COMMISSIONER MERKEL: Who are you asking?

8 MR. BURNEY: I'm asking Tim. I'm sorry.

9 MR. KELLOGG: Yes. We have come to the understanding
 10 that Lake Zurich has been approached with a proposed
 11 development there that would be age-targeted, single-family;
 12 smaller, row-home-type single-family detached homes; and, also,
 13 there, right up against the intersection, potentially a gas
 14 station and a retail center on that corner. We do not know
 15 where it is within the planning process, but we have heard and
 16 seen articles in the news about that.

17 MR. BURNEY: Thanks, Tim.

18 John.

19 MR. GRAHAM: All right. Good evening. I'm John Graham.
 20 It takes me a little time usually to figure out who I am in the
 21 room. Today I think I'm the bad guy.

22 I'll start by suggesting who I'm not and then
 23 tell you a little bit about who I am and who my family is as a
 24 matter of what we do for a living. I'm not a big oil company,

1 transition from single-family to commercial, but we really feel
 2 with the community here and everything else that trying to
 3 maintain that single-family feel was very important. That's
 4 why we're proposing this type of residential home in the area.

5 The commercial is about 4.4 acres, and
 6 Mr. Graham will be here later to speak a little bit on that.

7 As far as the single-family homes go, the
 8 larger ones around the outside are 35-foot wide -- or 45-foot
 9 wide, and the smaller ones are 32-foot-wide homes, homesites.
 10 And we just feel with this transitional zoning that we're
 11 proposing that this will fit well into the urbanizing of this
 12 corner with the large commercial to the west and residential
 13 and will not be detrimental to the public health, safety, and
 14 welfare of the surrounding properties.

15 And with that, I will --

16 MR. BURNEY: Tim, before you sit down, could you just go
 17 back to the slide showing the Lake Zurich side.

18 Just for the record, tell us what Lake Zurich
 19 has approved on that intersection at 22 and Quentin.

20 MR. KELLOGG: Absolutely. Over on the Lake Zurich side,
 21 there's Mariano's; there is a tire store, a McDonald's, and a
 22 bank around there. So they have added very strong, intensive
 23 commercial uses that they've come in the last several years.
 24 As I mentioned before, behind it is light manufacturing and

1 but I represent three world-class brands that everybody in the
 2 room would know: Exxon Mobile, Shell, and BP. We also do
 3 business with Citgo, Conoco Philips, and some other brands.
 4 We've been doing it for a number years, and we've been third
 5 generation in business doing things; really distant cousins to
 6 what we began -- or what my grandfather began back in 1922. On
 7 my business card it says Graham. It's a name associated with
 8 petroleum. Not too many people in the Chicagoland area have
 9 that kind of legacy, and I'm honored, I think, to have been
 10 asked by Peter Brennan to help develop the commercial piece,
 11 and I think that was maybe, more than anything, because of our
 12 reputation in the market, which I tend to protect and keep as a
 13 good one.

14 We employee approximately 400 people. Most
 15 of them are at service stations. We supply 200 stations
 16 throughout the Chicagoland area, of which 55 of those we own
 17 and operate in different capacities.

18 What we've proposed in front of you is a
 19 station that we think has a vacuum of need but certainly aware
 20 of some of the opposition that exists, but we are also capable
 21 and interested in developing something that protects the fabric
 22 of Hawthorn Woods and know exactly what some of the concerns of
 23 everyone are, from the residents to the civic community. Our
 24 intention generally is to just be a good citizen and operate a

1 successful business. I won't kid you, our hope is that this
2 site has the characteristics that will provide a return on
3 investment that is sizable. The industry continues to develop
4 into something that's more sophisticated than what everybody
5 was used to even 10 years ago. So what we intend to provide is
6 a pleasant experience, a safe and well-lit environment.

7 Everything that's offered in a convenience store continues to
8 change in terms of what the expectation is of the customers.
9 So we're on a daily basis trying to figure out how to inject
10 more healthy food, more fresh food. The car wash experience is
11 something that we intend to be within the surrounding area.

12 We have one place -- and I'll shortly move to
13 a slide that gives you an idea -- it's something we developed
14 in Arlington Heights. Actually, we don't as a general rule
15 develop things from the ground up. We're migrating towards
16 that being the next generation of who we are, but we acquire
17 most of what we have as the industry has changed, so our
18 evolution is constant. The scale of the industry causes us to
19 continue to grow. We're trying to grow in places we think
20 we're going to be successful.

21 It's the absence of gas stations within area
22 that make us feel that this is an opportunity worth pursuing.
23 I'm very familiar with the area. Our office is in Mundelein.
24 We have a number of retail sites just generally in the area,

1 but from this location, you can go seven miles to the east to
2 Lincolnshire and you can go the west to the town of Barrington
3 before you pass a gas station. If you were traveling to the
4 closest station, it would be at Quentin and Route 12, but you
5 can't turn left inn off of Quentin Road, so it becomes somewhat
6 of inconvenient location to get to for some of the residents
7 that I would assume are coming from this general area. So we
8 feel that we're providing a service that's needed for the
9 community. My intention is to provide that at the highest
10 level and have people recognize that they're doing business
11 with a family business that cares about the people they employ
12 and is on a daily basis involved in the operation.

13 What's up in front of you right now is a site
14 plan. This is how we've laid out the site to be able to handle
15 what we think is just the natural demand on that site. I will
16 tell you that stations are being built with bigger capacities,
17 so what you see on paper here has to be able to handle the peak
18 periods and provide a circulation and a comfortable feeling
19 onsite, and I think that we've accomplished that here. We do
20 feel that the investment that's required not only in the land
21 but in the industry these days with gasoline becoming a profit
22 center that is more about volume than it is about
23 profitability. It's a service that's created. The store and
24 the car wash are a big part of how the investment is actually

1 returned. So I will tell you, every piece of this operation is
2 something that's well thought out. We've entitled enough
3 parking for the customers. In the convenience store, we think
4 that the eight pumps serves well the demand that's there and
5 would offer enough circulation that you would be able to get in
6 and out of the location without interference or difficulties.

7 What's in front of you here is an elevation
8 that would be -- this is exactly what we built down in
9 Arlington Heights at the corner of Algonquin and
10 Arlington Heights Road. And I can assure you, Arlington
11 Heights had a number of concerns over design quality, the
12 operation, and I think all of these were addressed through a
13 conversation with the City.

14 CHAIRMAN KAISER: John, could you speak a little louder.
15 Either pull up the microphone or get a little shorter. But I
16 think it is hard to hear.

17 MR. GRAHAM: Okay. Sorry.

18 CHAIRMAN KAISER: It's hard to do that, I know. Continue
19 where you were.

20 MR. GRAHAM: So, ultimately, what you see in front of you
21 is an elevation of a station that's down in Arlington Heights.
22 It's at the corner of Algonquin and Arlington Heights Road.
23 And what I said previously is that we worked closely with
24 Arlington Heights to end up with something that not only they

1 were happy with but left us in a position to compete. I think
2 we probably are the nicest offering in that area, and as a
3 result, we're finding that a place to be productive.

4 The elevations of each of these from every
5 direction really has some purpose. When you look at a car wash
6 that's attached to a building, the big piece from the corner is
7 to be able to communicate that it's actually there. So what
8 you see is a little higher elevation here that brings to the
9 corner the logic that there's something more than just a
10 convenience store, yet ultimately presents itself as something
11 that people who are taking their car to us have, I think,
12 without question a prize possession that they want from the
13 corner to be able to tell that this is a quality offering and
14 not something that they're gonna end up with damage to their
15 car or otherwise. Our hope in everything that we present both
16 from the street and from the internal operation is something
17 that people will return to simply based on the experience that
18 they've had.

19 As I said earlier, we have the capability of
20 doing business with a number of brands. This is shown as a BP,
21 but we have other alternatives, although we believe that BP is
22 a good brand and are not afraid to bring that forward here.
23 There's no conflict with it with other stations. As I said,
24 there isn't anything close. There was a possibility of a

1 station developing on the southwest corner. We're aware of
2 that. Because of that possibility, I'm under the impression
3 that Shell is not an option to us at this time, but that
4 doesn't mean that that will come forward. It's just within our
5 understanding that that has been proposed, and so to the extent
6 that you can reserve the right of use, that is in play at the
7 moment.

8 What you're looking at here on the top is a
9 canopy to the presentation of the entrance of the car wash.
10 It's circled on the site plan below. There's payment terminals
11 there that, again, are intended to create an experience for the
12 customer that makes it so that they can go forward very easily
13 and that the experience is something that's pleasurable. We do
14 have RFID-type technology for the car wash to be club members,
15 and so when they're going up and to that point there is a point
16 of entry, and it's no different than passing through the IPass.
17 It's simply very smooth and easy traction and moves a line
18 along swiftly. And, again, the customer, everything about
19 speed with both this convenient gasoline refueling experience
20 and the car wash, and we try to provide all of that in a way
21 that the operation is designed and try to improve that as time
22 goes than.

23 What's in front of you is an attempt at
24 addressing the concern that the City has in having a

1 capability that we require.

2 MR. BURNEY: John, hours of operation for each of the
3 components?

4 MR. GRAHAM: Okay. In terms of hours of operation,
5 because Route 22 is such a transient road and it carries from a
6 strategic-arterial standpoint lots of traffic 24 hours a day we
7 feel that our operation needs to be 24 hours a day, and we
8 exist that way in many communities that have that type of road
9 structure. We also recognize that we're neighbors to people
10 that are residents, and we intend to be neighborly for sure.
11 Most of our operation at night, it's creating a convenience for
12 sure. It is a standard within the industry, but I think that
13 some of the concerns that naturally come in those hours are
14 mitigated just because of the level of business that exists on
15 an off-peak basis.

16 The car wash is not something that we would
17 operate 24 hours. The typical hours of operation in almost
18 every community we're in is 7:00 to 10:00, and we feel that
19 that's adequate to handle the traffic, although, again, there's
20 a peak presentation, and that can be in some cases based on the
21 weather more than anything. The winter months are generally
22 the heavier car-washing months in volume.

23 MR. BURNEY: Thank you, John.

24 We'll take questions later.

1 presentation and a presence of the City at the corner. We have
2 to have an ID sign. Actually, this is a brand that we
3 use -- I'm sorry. Maybe I'm getting a little ahead of the
4 slide. In many of the operations that we have, we've branded
5 our car wash operation, and we call it the Maverick brand. You
6 may see that in your travels. It's something that we're not
7 settled on as a brand. We really are in development of
8 something that may come forward a little differently, but this
9 is more of a place marker. We really do feel that a brand is
10 important, and we feel that we've got an opportunity to tie our
11 existing operation together with something that maybe is bigger
12 than that can be. So as any company that's trying to get
13 better, development is always underway, but as we are today,
14 this is how it would come forward.

15 The ID sign that I started to refer to would
16 be at the corner, and I think that, as Lake Zurich did,
17 Hawthorn Woods has an interest in letting people know that they
18 are within the community, and this would be a way to make that
19 possible and present it properly without interfering with our
20 capability to communicate at this corner. Although the drawing
21 is a little hard to see, the object is to make something that
22 is a stone and nice presentation of the Village's presence, and
23 then in addition to that and above it but separated by a
24 buffer, we would have our own the gasoline station and pricing

1 MR. KELLOGG: Charlie Murphy with Icon Building Group.

2 MR. CASSATA: Charlie needs to be sworn in.

3 (Whereupon the witness was sworn.)

4 MR. MURPHY: Good evening. Charlie Murphy with Icon
5 Building Group.

6 Icon builds homes in communities that we own,
7 on lots that our customers own, and we have a division that
8 does remodeling of entire homes, kitchen, bath, basements,
9 outdoor living spaces, et cetera.

10 The homes we build range in price from about
11 \$400,000 up to multiple millions. A majority of the building
12 we have done over the past seven or eight years has been in
13 Lake County, and a super majority of that has been in Hawthorn
14 Woods and the surrounding area. To my knowledge, no other firm
15 has built as many homes as we've built in Lake County, and as a
16 result, we feel at home here and very comfortable and connected
17 with the market. We will have built out -- there was two prior
18 phases in Hawthorn Trails. We will build out the remainder of
19 those lots in those two phases actually totalling 68 homes.

20 Now I'll get on to more of the specifics of
21 phase 3 here, which we are super excited about. Phase 3
22 consists of 39 single-family homes. On the perimeter are
23 two-car front load garages. There's an option to do a
24 three-car tandem. Homes will range in size from 2700 to 3200

1 square feet, and the starting price will be about \$589,000.
2 In the interior of the community are 20 single-family homes.
3 Those are rear-load garages, two-car, and those are range in
4 square footage from about 2400 to 2700 square feet, and those
5 will start at 539.

6 All right. What you see here is a
7 representation of one of the front-load two-car options. And
8 to the north, the plan is in the third phase to maintain the
9 same architectural quality, consistency, material, et cetera.
10 So what you see here is the types of siding architectural
11 shingles, solid windows, lots of trim. The idea is to create
12 curb appeal, and we've really focused here on additional curb
13 appeal, full curb appeal and backyard appeal seeing as how the
14 interior lots have a street-facing elevation and the rear
15 elevation as well. And then the perimeter lots, of course, are
16 front-load, front elevation to the street and rear-load to open
17 space.

18 This is just a quick representation of the
19 landscape we plan on doing. We are very committed to creating
20 a curb appeal and feel like landscaping -- you know, a home
21 without landscaping seems very barren, like something's
22 missing. As much as we did on the northern 68 lots, it
23 included landscaping. Every home we build, landscaping is a
24 big part of the final picture.

1 This is an example of a rear-load two-car
2 garage. And the kind of the concept here is TND, which is
3 Traditional Neighborhood Development. Some characteristics of
4 that you'll see on the rear-loads here; lots of front porches,
5 different roof heights, the ability on the rear-load to build
6 on the third floor which creates lots of variation in
7 architectural elements from home to home. Another example here
8 of a front-load -- I'm sorry -- a rear-load again with a third
9 floor opportunity for a finished space.

10 This is a landscaping representation of what
11 we do on those rear-loads; again, landscaping, wherever we
12 could put it we put it; the idea being to really dress the
13 homes up.

14 I won't read through all this line by-line,
15 but the general idea here is to have monotony guidelines which
16 limit or prohibit the idea of having the same color, same
17 architecture too close together. On the 68 homes to the
18 north -- let me back up a second and say that everything we do,
19 400,000 to most a million, is custom. I've never built the
20 same home twice, and so the odds of monotony never came into
21 question in the first two phases because every home is
22 different.

23 Let's go on to the next one, Tim.

24 The architectural-grade asphalt shingles.

1 Exterior materials will be brick, aluminum soffit and fascia,
2 stone, smart trim, aluminum gutters. Garages will be similar
3 in architectural style to the home. Again, the idea is to
4 maintain consistency. The garage doors is paneled. All
5 windows to have same mullion design, and all homes have at
6 minimum a covered entry.

7 This is a streetscape showing you just four
8 ideas on the rear-load garage on top and then four ideas
9 concept for front-load garages on the bottom.

10 Thank you.

11 MR. BURNEY: Jarrod Cebulski.

12 MR. CEBULSKI: Good evening. My name is Jarrod Cebulski,
13 the Director of Transportation for Patrick Engineering. I'm a
14 licensed civil engineer with 25 years of experience preparing
15 traffic studies and traffic engineering for developments and
16 highway improvements for numerous municipalities, counties, as
17 well as with IDOT. My firm analyzed the traffic conditions of
18 the proposed Hawthorn Woods development using industry-accepted
19 highway traffic engineering principles.

20 Some base information, Illinois Route 22 is
21 under the jurisdiction of Illinois Department of
22 Transportation. Quentin Road is under the jurisdiction of the
23 Lake County Division of transportation.

24 Now, the development is proposed to have

1 three access points. One will be a right-in right-out access
2 point along Route 22. One will be a right-in right-out access
3 point along Quentin Road, and then there will be a full access
4 point to the north along Quentin Road.

5 Again, the right-in right-out on 22, right-in
6 right-out on Quentin, and the full access point to the north on
7 Quentin.

8 The full access will be located opposite the
9 full access for the Mariano's development to the west. That
10 will have one right-turn lane coming out of that access point,
11 out of that full-access point, and then it will have a shared
12 through- and left-turn lane similar to the configuration across
13 the street. The right-in right-out access point on Quentin
14 will require a separate northbound right-turn lane for
15 deceleration along Quentin Road.

16 So we used the traffic data from the recent
17 Mariano's development from their approved traffic study, and we
18 used that as a basis for the traffic in the study for that
19 development. We projected the traffic out to a year of 2021,
20 which is the design year that the agencies of IDOT and Lake
21 County require us to look at. Next, what we do is estimated
22 the vehicle trips from the proposed development that the
23 development will generate. We used an industry-accepted
24 document called the Institute of Transportation Engineers Trip

1 Generation Manual. Then we added that site-generated traffic
 2 to the background traffic for the year 2021 to do our analysis.
 3 We used a tool called the Highway Capacity Software Program to
 4 analyze that traffic. We typically analyze a peak hour in the
 5 morning and a peak hour in the afternoon. Now, the afternoon
 6 peak hour tends to be the one -- that's the heavier one, so
 7 that's the one I'll focus on now. And we generate a level of
 8 service based on that analysis.

9 So what we found in that afternoon peak hour
 10 was the site will generate approximately 232 vehicle trips.
 11 Now, this is combined trips entering and exiting in that PM
 12 peak hour. Now, by comparison, the development across the
 13 street in Lake Zurich, the Mariano's development, their traffic
 14 study anticipated they would generate 1,215 trips in the same
 15 peak hour, PM peak hour. So what we did for further comparison
 16 purposes was we wanted to see what traffic this Hawthorn Woods
 17 site would generate if it was developed in a similar manner as
 18 the Mariano's site would be, and we determined that would
 19 generate 1,142 trips in that PM peak hour.

20 So the site as currently proposed would
 21 include 39 residences along with three commercial outlots, so
 22 in essence, the current proposed configuration would generate
 23 only 20 percent of the traffic that the site could potentially
 24 generate if it were developed in a different manner in the

1 We also took a look at the internal site
 2 circulation and the mix between the residential and the
 3 commercial traffic and found that it is adequately separated.
 4 The commercial access will primarily use an internal
 5 north-south road to access Roman Lane up to the north. They'll
 6 use this road here to access Roman Lane which will have the
 7 full-access intersection. The residents will use a separate
 8 north-south road which becomes Roman Lane up at the north, this
 9 road here. However, the business access will have a stop sign
 10 located right here, allowing the residential traffic more
 11 free-flow movement, easier access to the intersection at
 12 Quentin Road. The stop sign will be right here, allowing the
 13 residential access to be more free flow and easier access to
 14 get to Quentin Road.

15 Therefore, in conclusion, we found that the
 16 proposed Hawthorn Trails development is not anticipated to have
 17 a substantial impact on area traffic patterns. Thank you.

18 MR. KELLOGG: Now I'll introduce Mike Schoppe.

19 (Whereupon the witness was sworn.)

20 MR. SCHOPPE: Hi. I'm Mike Schoppe. I'm with Schoppe
 21 Design Associates. We're a landscape architectural firm
 22 located at 126 South Main Street in Oswego. We've been
 23 preparing development plans for commercial and residential
 24 developments for over 30 years now, and I'm going to talk about

1 manner that the Mariano's site was developed.

2 We took a look at the intersection of
 3 Route 22 and Quentin Road, and we projected the site-generated
 4 traffic onto that, and we found out that it would operate at
 5 the same level of service as it does today. So with the
 6 site-generated traffic in the PM peak hour from this site as
 7 currently proposed here, the level of service at the
 8 intersection of 22 and Quentin would not change. The right-in
 9 right-out access points along both 22 and Quentin were also
 10 modeled and based on the expected volumes are anticipated to
 11 operate very well with acceptable levels of service in the
 12 proposed condition mainly because there's minimal stopping for
 13 right-in right-out access points.

14 The full-access driveway to the north along
 15 Quentin Road is very well located in relation to other adjacent
 16 intersections. Now, that full access point north on Quentin
 17 Road is only about 800 feet from Route 22. However, it's 1500
 18 feet from the next intersection to the north, which is Ensell
 19 Road. So as such, what we found that vehicles heading
 20 northbound are not going to be anticipating the next downstream
 21 intersection to occur immediately after this intersection, so
 22 they won't be activating their right-turn signals to enter into
 23 this driveway, thereby creating a more expected situation for
 24 all motorists and a safer access point.

1 the landscape design, and at the end of that, I'm going to
 2 touch base on just a couple other items relative to the site
 3 plan.

4 The landscape plan that you've got up in
 5 front of you, it works well with the site plan, and it's
 6 designed to take care of some buffering and some
 7 interrelationships between the two different land uses, the
 8 commercial and residential, and as well as buffering along
 9 Route 22. Between the commercial and the residential, running
 10 north and south along Roman Lane there is a very dense buffer
 11 provided. That's an evergreen buffer. The plants are planted
 12 very close together. It's an eastern red cedar. It's a very
 13 tough plant material because that is a tough-growing
 14 environment, and we know that providing separation and a dense
 15 screen is imperative along that strip, and as that plant grows,
 16 it is the intention that will all be a solid screen, although
 17 the plants would be located so that they don't interfere with
 18 any of our site triangles, and we have a pedestrian-way that
 19 will cross from the residential back to the commercial, and the
 20 plants have been located to allow that walking can safely take
 21 place.

22 Similarly, down along Route 22, just south of
 23 the residential there is a significant berm that will run along
 24 there. That's primarily to buffer the residential, those

1 single-family homes that are facing Route 22. That will be a
2 buffer for them, and that's about 30 feet wide, comprised of a
3 variety of types of plant material, shade trees, evergreen
4 trees, and things such as that.

5 Going off to the far right, that's the
6 stormwater basin. It's designed for a naturalized stormwater
7 basin. We would like that basin to look very similar to the
8 large piece of open space that runs along the north side of the
9 residential area so that that whole piece of open space will
10 read as one cohesive community. That's the intent behind it,
11 the grasses and all the plant material that we'll be putting in
12 that stormwater basin.

13 Also, you can see that the suggested
14 landscaping around the gas station, the landscaping around the
15 other two commercial lots that will be developed as those site
16 plans are developed, but we've got a very attractive landscape
17 program for the gas station. There's lot of open space
18 provided within the gas station site plan, a lot of islands, a
19 lot of places to add landscaping to break it up. You can see
20 we have the perimeter right-of-way trees provided, and there's
21 landscaping provided, small bushes and grasses along the
22 outside edge of the pavement to, again, break up the view of
23 the gas station facility from the surrounding -- from Quentin
24 as well as Route 22.

1 Interior to the residential area, you can see
2 there's a small open space element that was talked about during
3 the site plan review, and that's a common area that's owned by
4 HOA, but that's landscaped with walks. It's got benches to it,
5 shrubs and trees just to provide a small area for the residents
6 to go take a walk, to take a break, sit and read, and just
7 enjoy that public space.

8 Tim, you want to flip to the next one.
9 And this is a prototype of the two
10 prototypical landscape treatments that Charlie mentioned.
11 Those would be for the single-family products. You can see we
12 do have the full complement of street trees running all along
13 Roman Lane, and then around each building there will be the
14 foundation plantings. They're smaller plantings, so they don't
15 overtake the homes. This is comprised of shrub material and
16 grasses and materials that wrap around the house and down both
17 sides of the home.

18 And then, lastly, the important area, the
19 presentation into the development. We spent a lot of time
20 coming up with ideas of that and how to announce the
21 presentation of the subdivision. This is the enlargement of
22 the landscaping that will take place at the full-access
23 entrance off of Quentin. You can see we've got our main entry
24 monument. It's a masonry stone monument announcing Hawthorn

1 Place, similar in character to the Hawthorn Trail monument
2 that's further north on Quentin; and then we have another piece
3 of signage that's a little bit further into the site just as
4 you start to make the curve announcing where the residential
5 component of the project is. And you can see behind there
6 there is dense planting of evergreen trees that's put there
7 intentionally so that as traffic is heading east into the site
8 we know that there's homes on the other side of that open
9 space. Those evergreens are large spruce-type of evergreen
10 trees, and they will serve to block the headlights of the
11 traffic as it comes into the development heading east, and then
12 another monument similarly announcing Hawthorn Center that will
13 be the counterpart to the Hawthorn Place monument to announce
14 the direction of the commercial area of Hawthorn Center. And
15 then a pavilion that's placed as part of the entry
16 presentation, and that's intended to make it more of a
17 residential feel being that you have to drive a certain
18 distance before you get to the single-family homes. We wanted
19 to announce the residential component and make it feel more
20 residential right as you turn in.

21 Those are the highlights of the landscape
22 design.

23 And I just wanted to mention a few other
24 components of the site plan that we put together. We worked

1 with the team a long time on it. We've read the Comprehensive
2 Plan and had a lot of discussion with the Staff, and given the
3 surrounding land uses, the traffic on Quentin, the traffic on
4 Route 22, and the continued commercial development, we think
5 that this is a very logical place for commercial development at
6 this intersection. It's identified in the Comprehensive Plan
7 as well. As I'm sure you've heard from Tim's presentation, the
8 creation of a land use transition between the commercial and
9 the single-family to the north that's very logical for this
10 type of use. It's a very logical type of land use to create
11 that land use buffer or land use transition between the
12 commercial and the single-family to the north.

13 There are a number of departures that we're
14 proposing. I'm sure that's included in your packet. And
15 that's normal when we have a new type of development,
16 particularly the single-family. As we look at the zoning code,
17 there is not a zoning classification that this single-family
18 project fits neatly into. What we're doing is creating our own
19 design standards to guide the development of that, and just as
20 a function of that, there are a number of departures which
21 essentially are the design standards for this specific type of
22 project, and that's exactly what your PUD ordinance is designed
23 to do, to allow creative use of developments that don't fit
24 nicely into one of your existing zoning classifications.

1 That's primarily the reason why you see the number of
2 departures that you do.

3 Also, on the gas station, of course it is a
4 benefit to the Village with a gas station. John had run some
5 numbers, and, preliminary estimates, we have to make some gross
6 assumptions at this point. The generalization would be an
7 estimated \$85,000 a year to Hawthorn Woods for the sales tax
8 that's generated just out of the gas station. Obviously,
9 there's additional sales tax as the two other commercial lots
10 would get developed.

11 So, in conclusion, we've looked at the
12 traffic; we've looked at the surrounding land uses, the
13 drainage pattern, the access points and feel that this
14 development is a logical extension of the village's development
15 in this part of town and that it wouldn't negatively affect the
16 surrounding property owners, the public health, safety, and
17 welfare of the surrounding property or of the residents in the
18 area.

19 MR. BURNEY: Mr. Chairman, that completes our
20 presentation. I'd indicated that Mr. Adams might be
21 testifying, but he is available. He's our civil engineer. If
22 there's any questions about any of the public infrastructure,
23 the surface development, he'll be happy to answer those
24 questions.

1 we're talking about the same level of service.

2 What was the level of service at the
3 intersection? Was it all Cs and Ds?

4 MR. CEBULSKI: It was a D.

5 CHAIRMAN KAISER: What does that mean?

6 MR. CEBULSKI: The level of service is on an A through F
7 scale, and typically, D and above is acceptable based on delay.
8 And at this intersection, it was a D currently, and it would be
9 a D after the development.

10 CHAIRMAN KAISER: Thank you.

11 COMMISSIONER RYCHLIK: Thank you for that.

12 Was there any of additional coordination with
13 Lake DOT or IDOT?

14 MR. CEBULSKI: Yes. We provided them our traffic
15 analysis, and they're currently reviewing it.

16 COMMISSIONER RYCHLIK: Okay. That's all I have.

17 COMMISSIONER MERKEL: I have of a question.

18 You had mentioned the traffic that could be
19 if we follow the same model of Mariano's.

20 What is the size of that property? The lot
21 size of Mariano's?

22 MR. CEBULSKI: 20 acres, I believe.

23 COMMISSIONER MERKEL: It's five times bigger than what
24 we're talking about.

1 But thank you for your patience, and we're
2 ready to move on to the next portion of the meeting.

3 CHAIRMAN KAISER: Thank you for your presentation.

4 I'm going to ask the Commissioners if you
5 have any questions at this point in time regarding the
6 presentation. We'll have a few minutes to look at the plans
7 again.

8 COMMISSIONER RYCHLIK: Jarrod -- coming through loud and
9 clear now? Was the traffic study part of the submittal? It
10 wasn't in our packets.

11 MR. CEBULSKI: There was a traffic memorandum prepared
12 that summarized the results of the study.

13 COMMISSIONER RYCHLIK: It wasn't in what we had to
14 review. Okay. Just making sure I didn't miss it.

15 Projected 2020 was your projection for
16 growth.

17 Why only the five-year projection?

18 MR. CEBULSKI: That's the requirement for developments
19 by IDOT and Lake County.

20 COMMISSIONER RYCHLIK: What was the peak hour that you
21 guys used?

22 MR. CEBULSKI: I would have to check the traffic study.
23 It was either 4:00 to 5:00 or 5:00 to 6:00.

24 COMMISSIONER RYCHLIK: What was the -- you mentioned that

1 MR. CEBULSKI: This site was 14 acres.

2 COMMISSIONER MERKEL: You said just the 4 acres, I
3 thought you said. I heard 4 acres.

4 MR. CEBULSKI: 4 acres of commercial on the site,
5 correct.

6 COMMISSIONER MERKEL: I don't know if it's an appropriate
7 correlation from 4 acres to the Mariano's from the 20 percent.
8 This seems like a pretty big reach.

9 MR. BURNEY: Mr. Merkel, if I could clarify, the ground
10 that the Village agreed to rezone to commercial is 14 acres,
11 14.7 acres. So you're right, it's two-thirds. My math --

12 COMMISSIONER MERKEL: I thought we said we were just
13 comparing the car wash and commercial, and that's only 4 acres
14 for the traffic study.

15 MR. BURNEY: The point of this comparison was to compare
16 what if we maximize the amount of commercial at this ground to
17 what they did at Mariano's.

18 But thank you for the clarification.

19 COMMISSIONER MERKEL: Okay. Thank you.

20 COMMISSIONER SEDLACEK: I have a question.

21 In the residential area, is it anticipated
22 that there will be on-street parking in that area?

23 MR. MURPHY: Yes.

24 COMMISSIONER SEDLACEK: And that allows for the emergency

1 vehicles to still navigate through the area?
 2 MR. MURPHY: Correct. That's been worked out with
 3 engineers.
 4 COMMISSIONER SEDLACEK: Okay.
 5 COMMISSIONER DONOVAN: Are we planning overnight street
 6 parking?
 7 I don't know if that's in village codes,
 8 isn't it?
 9 MR. CASSATA: No, we're not. It's not permitted.
 10 COMMISSIONER DONOVAN: I just wanted to clarify.
 11 MR. CASSATA: They'll have to follow the code.
 12 COMMISSIONER DONOVAN: Right. So just to clarify, it's
 13 not overnight?
 14 MR. CASSATA: Correct.
 15 CHAIRMAN KAISER: Anything else?
 16 COMMISSIONER SEDLACEK: I do have a couple for
 17 Mr. Graham.
 18 Do you anticipate having diesel sales in the
 19 station?
 20 MR. GRAHAM: We do. In the layout that you see up front
 21 of a store, there is diesel pumps. But our experience with the
 22 layout like this is that it would only attract light-duty
 23 vehicles. The fleet is migrating to a bigger percentage of
 24 diesel cars, so we're finding that it's a product that's

1 Heights which was very successful and upscaled the image.
 2 How big of a lot was that property?
 3 MR. GRAHAM: It's substantially smaller than this.
 4 COMMISSIONER MERKEL: Smaller.
 5 MR. GRAHAM: I think it's - I can give you the square
 6 footage and then an estimate. It's in the 40,000 square foot.
 7 COMMISSIONER MERKEL: Okay.
 8 MR. GRAHAM: A little bit less than that actually.
 9 COMMISSIONER MERKEL: My initial thought when I saw the
 10 renderings - you just commented about this is not a high
 11 truck-traffic route. I'm concerned about the turning radiuses
 12 and some of your trucks getting in to unload fuel.
 13 Is that going to be a challenge, getting in
 14 that tight corner and wrapping around that? How do you foresee
 15 that happening?
 16 MR. GRAHAM: We have done the site-specific measurements
 17 that are necessary. The architect and engineers provide that,
 18 so we know we can get fire vehicles in and out, and the
 19 gasoline storage really leaves us in a position where we can
 20 deliver off-peak hours, and that's what we intend to do to
 21 alleviate any difficulties. That's not our option in every
 22 place. It can't be done because we're hauling fuel 24 hours a
 23 day. But we don't anticipate any difficulty.
 24 COMMISSIONER MERKEL: The other question, obviously the

1 expected. We also have E-85 as another offering, but there's
 2 eight dispensers shown in the layout, and it would be a second
 3 hose on one of those pumps, not just one of them but on a pump.
 4 COMMISSIONER SEDLACEK: Okay. But you don't anticipate
 5 any heavy truck traffic?
 6 MR. GRAHAM: No, we don't. And what I've seen on
 7 Route 22 in terms of the truck counts is that it's a fairly
 8 reduced count. This type of site just doesn't attract the
 9 inconvenience of a semi coming in. They know better than to
 10 try to circulate around it. But we do get light-duty vehicles,
 11 and surprisingly, a number of cars continue to move towards
 12 diesel injection.
 13 COMMISSIONER SEDLACEK: Okay. And another question is,
 14 do you anticipate any video gaming at that site?
 15 MR. GRAHAM: Well, the City doesn't allow it. I will
 16 tell you as a company we have it on sites. The industry hasn't
 17 embraced it. It doesn't meet the qualifications that are
 18 necessary, and the City of Hawthorn Woods is the first place
 19 that that starts as an option. I would say that we've not
 20 considered it here.
 21 COMMISSIONER SEDLACEK: Okay. Thank you.
 22 COMMISSIONER MERKEL: I have a question on the
 23 gas station and car wash.
 24 You'd mentioned a similar site in Arlington

1 renderings look nice. It's a nice viewpoint from an artist's
 2 standpoint.
 3 Do you have any imagery or pictures of the
 4 current site that you keep referencing of how nice that looks?
 5 Do we have any images of that?
 6 MR. GRAHAM: The one that I showed you tonight was
 7 Arlington Heights, and that has been built and that is a
 8 rendering.
 9 COMMISSIONER MERKEL: I meant - I apologize -
 10 non-rendering. An actual photo image.
 11 MR. GRAHAM: I don't have one of those. But I can
 12 provide that.
 13 COMMISSIONER MERKEL: Thank you. That will be helpful.
 14 COMMISSIONER LINDQUIST: With respect to your car wash,
 15 are you using a water-recovery estimates? And if so, what's
 16 the recovery rate?
 17 MR. GRAHAM: You know what, that's somewhat specific to
 18 the villages that we're operating within. We're certainly well
 19 aware of water reclamation and some of the requirements that
 20 exist, but on an everyday basis, at this time we are using more
 21 fresh water than we are reclaimed water. But we don't have any
 22 trouble meeting the requirements and/or the industry standards
 23 as they move forward. We find that it's a little more
 24 difficult, you know, to treat that reclaimed water, but it's

1 certain understanding the environmental impact of migrating
2 towards that. And as an industry, I believe we're following
3 the lead. I can't give you the technical reclaim percentages,
4 but I can tell you that we would meet any and all standards
5 that we're faced with.

6 COMMISSIONER LINDQUIST: Okay.

7 CHAIRMAN KAISER: I have a question on the whole project
8 and the BP sites, while you're standing here. It's good
9 timing.

10 The lighting. Right across the street is
11 residential on the south side of 22. And what is the
12 anticipated lighting effect?

13 MR. GRAHAM: One of the things that's kind of required to
14 have the confidence of the customers is create a safe
15 environment. LED technology has evolved so quickly --

16 CHAIRMAN KAISER: You know what, it's getting bounced
17 off the microphone. I'm sure everybody there wants to hear
18 about the lighting. It's going to be important.

19 MR. GRAHAM: I think, as I was saying, the lighting is
20 kind of synonymous with safety in our industry. LED technology
21 has evolved quite a bit in the recent past. So the lights that
22 we have here -- I don't have a photometric study to present
23 tonight, but LED lights in general are something that are
24 fairly well contained on a site from its -- take the canopy

1 light, for instance, there isn't a lot of spillage. It's a
2 directional light. I don't want to talk from a technical
3 standpoint, but we're aware of what the spillage requirements
4 are and/or the lumens that are required at the property line.
5 We never have any trouble meeting that. That's simply
6 something that happens to exist within a community we're in.
7 We're aware of the conflict from the standpoint of people
8 feeling that it's -- that lighting can be somewhat in conflict
9 with residential tranquility, but ultimately, we really feel
10 that we can contain the light on the site, and what we're
11 providing is a safe environment and one that attracts the
12 motoring public going by the site, which speaks to the
13 capability of us producing sales tax for the community.

14 Really, it comes down to curb appeal and that
15 folks from a distance it appears to be safe, well-lit, and easy
16 to circulate in. And I think we've got a shot at it.

17 CHAIRMAN KAISER: Okay. Well, I don't know if there's
18 anybody else that can answer that question. I know spillage is
19 a big deal, especially to across the street. I don't know if
20 there's anybody else that can answer that more fully.

21 And I'd like to know about the residential
22 lighting. I know we've got a lot of landscape screening.

23 But how will that be lit?

24 You may not know that, Mr. Graham.

1 COMMISSIONER DONOVAN: One other question before he goes
2 down; that is, I think one of the other things the residents
3 are concerned about is noise. I mean, obviously, you've dealt
4 with this in other communities.

5 What about the technology? How do you dampen
6 the noise pollution that may occur?

7 MR. GRAHAM: We would present a sound study and are fully
8 aware of how neighborly we have to be. Somebody that's not
9 brought back, you know, through forums like this to handle
10 problems but could have been anticipated. But honestly, the
11 road noise that comes off of Route 22 probably exceeds most of
12 the noise that's created on a site like ours. The peak
13 operations that we have are no different than what the
14 residents and you as the motoring public know. People are
15 generally fueling in the busy times of the day, and our
16 dealings with the public detail the hours when the people are
17 the most concerned. I'm not going to say that all these issues
18 exist in every meeting that we are faced with and every update
19 we try to make to a site, but I think the industry in general
20 is aware of, you know, how necessary it is to be neighborly,
21 and that speaks to both how much noise is created. We have a
22 car wash, and that is something that creates some activity, but
23 we feel that we can show that that noise is controlled by not
24 only the directional engineering of the site but also in some

1 of the technologies that exist within the car wash operation to
2 contain some of the noise and/or, you know, defer it with
3 landscaping and some of the other things that's already
4 required of our concept plan here.

5 MR. KELLOGG: Regarding the question on the residential
6 lighting, if you go to your binder, tab 13 has a photometric
7 study in there that was done by a lighting contractor utilizing
8 the light standard that was provided by your Staff, and it's
9 also the light that's being used in the current Pulte
10 development in town. So you'll see that the impact of light
11 goes down to zero lumens very quickly. It's very directional
12 just at the intersection of the key points. But as far as
13 spillage from the residential lights, it is not of any concern.

14 CHAIRMAN KAISER: That's number 13. That's only on the
15 residential.

16 MR. KELLOGG: The question was regarding residential.

17 CHAIRMAN KAISER: Yes, it was. Thank you.

18 It does stay onsite more, the lighting. When
19 you have this type of lighting, it stays right there.

20 MR. KELLOGG: That is my understanding talking to some
21 light contractors. LED is much more precise on the line
22 instead of it being fuzzy continuing on. It's a more
23 directional. That's what Mr. Graham was also referring to as
24 far as that. The technology is so much better for keeping the

1 light where you want it, and also with these items, especially
2 with our residential ones, I believe they meet the night-sky
3 desire of the community also.

4 CHAIRMAN KAISER: Yes, that's also correct.

5 I'm just wondering, though, the landscaping
6 that's on the south border there right by the residential, will
7 that be able to be blocking quite a bit of the lighting? Is
8 that anticipated to be doing that? Do we know?

9 I know there's always reflection of light off
10 the surfaces.

11 MR. KELLOGG: You're speaking of the residential
12 streetlights?

13 CHAIRMAN KAISER: Residential, yes.

14 MR. KELLOGG: In the south area, there are only two
15 streetlights. As far as the commercial one, they're just at
16 the corners, southwest and southeast corner of Roman Lane, as
17 it curves around, and they are faced just pretty much put light
18 down on those corners.

19 Mr. Schoppe can speak to the landscape buffer
20 there, but it is very limited lighting in that area.

21 CHAIRMAN KAISER: Thank you.

22 MR. SCHOPPE: What lighting is there would be blocked by
23 that buffering that's planted on the south side. Those are
24 shade trees and evergreen trees that would be at maturity at

1 40, 50 feet tall. Those would act to help buffer that lighting
2 along the street from right.

3 CHAIRMAN KAISER: That's what I was wondering. It looks
4 it. You had even mentioned there was quite a bit of landscape
5 buffer there.

6 COMMISSIONER MERKEL: Mr. Schoppe, question for you.

7 And I know you can't give me an exact
8 figure, but from the northernmost homes up to the phase -
9 whatever it is - phase 1 or 2, back of those lots, what's the
10 distance?

11 MR. SCHOPPE: I'm going to ask you to clarify that.

12 COMMISSIONER MERKEL: So from any of those houses on that
13 L up to those lots in phase 1 straight up.

14 MR. SCHOPPE: The distance?

15 COMMISSIONER MERKEL: Yes.

16 MR. SCHOPPE: Just for reference, that single-family lot
17 that I was pointing to is about 105-foot deep. That's probably
18 maybe double, 200 feet.

19 COMMISSIONER MERKEL: From the closest one, it's probably
20 a couple hundred feet?

21 MR. SCHOPPE: Yes.

22 COMMISSIONER MERKEL: I'm just curious why we didn't
23 consider buffering or landscape screening behind those homes.
24 As we try to separate the neighborhoods in some sort, we didn't

1 do anything there.

2 MR. SCHOPPE: Well, we want to take advantage of the open
3 space and the views of the open space. Rather than closing the
4 backyard view of those homes there, we actually wanted to try
5 to enhance that.

6 COMMISSIONER MERKEL: If I had that lot straight above it
7 and the lot below me has five houses on the same size lot, I'd
8 want some screening.

9 COMMISSIONER DONOVAN: In those open spaces, are there
10 plans to do removal of the nuisance trees?

11 I notice on the existing there's a lot of
12 boxwood, a lot of not-desirable plant material.

13 Are we leaving that area as is, to not
14 disturb it?

15 MR. SCHOPPE: The first sheet of that landscape plan, the
16 tree preservation plan, and you can see on the plan what the
17 existing trees are. There is in the southeast - southwest
18 corner of the site, there's a grove of trees, primarily
19 box elder and silver maple. All of those trees are coming
20 down. They're all invasive species. The only species that we
21 found that are good quality are at the far east end of the
22 development. There's two or three lindens. I think they were
23 put in as part of phase 1. Those will be staying. All of the
24 other trees as you can see identified on the tree preservation

1 plan will be removed and replaced with the plantings that we're
2 proposing.

3 COMMISSIONER RYCHLIK: A planning question for you.

4 I know we were looking at the transition from
5 the larger half-acre site lots and into the earlier phases of
6 Icon's development. But then you go south in Kildeer we're at
7 acre zoning; right? We go west into Lake Zurich, we've got
8 half-acre zoning to a quarter. Here we're looking at lots a
9 tenth of an acre. Would it be wrong to suggest that transition
10 may be too steep. I don't know where within another 10 miles
11 that you have density - homes that dense, that close together.

12 MR. SCHOPPE: Are you saying homes that close together?

13 COMMISSIONER RYCHLIK: Yeah. Within 10 miles in any
14 direction.

15 MR. SCHOPPE: This is a unique project for Hawthorn
16 Woods, there's no question about it.

17 As we looked at it again, the goal was to
18 create some buffer, some land use transition. In removing some
19 of that commercial, that has already been approved. So the
20 options are apartments, townhomes, single-family, and looking
21 at those transitions, just to create the buffer we thought that
22 a single-family, a small single-family lot would best fit the
23 bill in this application. And granted, there are no homes like
24 this; there are no lots like this in Hawthorn Woods. But we

1 thought in lieu of what a traditional buffer might be, which
2 would be townhomes, a band of townhomes, we thought this is a
3 better transition. It's a little less intense than what
4 townhome units would be, and that's the logic behind the
5 proposal.

6 MR. KELLOGG: Mike, about how many townhomes in this --

7 MR. SCHOPPE: In the area that we've shown the
8 single-family lots, if that were to develop as townhomes, there
9 would be 55 to 60 townhomes on this same acreage that we are
10 talking about here, and we're proposing 39 single-family homes.

11 CHAIRMAN KAISER: But you are proposing a more dense
12 usage, but the home prices are 500,000 and right next to a gas
13 station.

14 (Audience clapping.)

15 Do you have some information how that works?

16 MR. SCHOPPE: Well, I'm going to turn it over to Charlie
17 to talk about the price of home.

18 CHAIRMAN KAISER: That would be great.

19 (Audience clapping.)

20 MR. MURPHY: The question again, please?

21 CHAIRMAN KAISER: Well, we're talking about the price of
22 the homes. We have a denser use, houses being \$500,000 right
23 next to a gas station. As a buyer -- I mean, you guys do the
24 marketing of these things.

1 having -- there ends up being a bird bath. So concrete is a
2 much more stable product that's able to be poured at a better
3 slope to make sure drainage works through there.

4 COMMISSIONER DONOVAN: I was just looking at the traffic
5 flow, because everything goes up to the entrance you have, and
6 I was trying to -- you know, it's kind of somewhat designed as
7 a little bit of a walking neighborhood. It's still really
8 isolated. There is a pedestrian path going out, I've noticed,
9 before at Mariano's. That's where we go all the time. I have
10 seen neighbors coming down, coming and then cutting across
11 Quentin and this will add significant volume.

12 Is there any -- has the Village or has
13 anybody addressed how pedestrians might go across Quentin?
14 Because you're going to be adding 40 homes additional, quite a
15 bit of additional traffic.

16 MR. KELLOGG: As far as internal pedestrian movement, we
17 are showing a pedestrian path along right through this area
18 here that will connect up to the current path system that's
19 along Quentin, and then IDOT also in the future is working to
20 design a path system along here. So as far as connections up
21 here, the crossing actually at Quentin and Roman is something
22 we'd have to work through with Lake DOT because it becomes
23 something as far as their jurisdiction as far as the
24 intersection control there.

1 MR. MURPHY: It's a great question. And I have a high
2 degree of confidence that -- in a very high degree, number one,
3 that the commercial gas station is there prior to somebody
4 buying a home in the phase 3, so it's not a surprise. The next
5 thing is, you know, the demand that exists in this area for
6 more competitive home-pricing. A single-family home is quite
7 large. By taking the architectural, the curb appeal, the
8 ability to customize whatever somebody wants to do, the price
9 point, the open space, you know, getting -- having the 539 and
10 589 work there is not going to be a problem whatsoever.

11 CHAIRMAN KAISER: Okay.

12 COMMISSIONER DONOVAN: Along that design concept, the
13 urban design there in the middle is unique certainly for
14 Hawthorn Woods.

15 What is the -- I think it's called outlot F,
16 which is your proposal alleyway. Is this proposed to be
17 pavement like rest of the neighborhood, or is there a different
18 material proposed in between to differentiate that to reduce
19 traffic flow through the neighborhood?

20 MR. KELLOGG: The alley in that way is actually going to
21 be concrete through the alleyway, so that whole area will be
22 concrete in the alley to differentiate it from the streets and
23 also to create better drainage, rather than asphalt. Many
24 times what ends up happening is a reverse prone, so you end up

1 COMMISSIONER DONOVAN: Okay.

2 MS. LOBAITO: Mr. Kellogg, would you please use your
3 pointer up there so the public can see what you're talking
4 about.

5 MR. KELLOGG: The connection from Quentin Road's bike
6 path that goes along here. There's going to be a pedestrian
7 path that goes across here, goes across the buffer and will
8 connect into the sidewalk system here. There's also a path
9 that comes along here back down to connect into the future path
10 along 22. We're also proposing a path, bike path, up to create
11 connectivity to the existing residents so they can walk through
12 and also get all the way over to Quentin Road. So that is this
13 path along here up. And then it connects this with the
14 sidewalk in here and then the path across connecting up to
15 Quentin now and then in the future Route 22.

16 COMMISSIONER MERKEL: Questions on that design.

17 One, have yourself or Icon ever built
18 something similar to this type of design?

19 I mean, I spend most of my life in the City.
20 Obviously, there's a lot of developments like that in the City
21 on 25-foot lots, 30-foot lots. These are 32. The Glen has a
22 little bit of a development like that Glenview.

23 Have you guys built anything like this
24 before?

1 MR. MURPHY: No.
 2 COMMISSIONER MERKEL: I give you credit for -- you've
 3 pushed our limit in terms of what we've seen in the past for
 4 development. It's out of the box or different than what we
 5 see.
 6 The other question or the main question was,
 7 I think alley, I think City, I think trash cans in the back of
 8 the alley.
 9 How is the Village going to -- there is no
 10 rear yard in any of those. It's all driveway; right? So where
 11 do those go?
 12 MR. KELLOGG: We've worked with Waster Management, and we
 13 have confirmed that they will provide access through the alley.
 14 We did a turn study that to make sure a fire truck and garbage
 15 trucks can use that alley.
 16 COMMISSIONER MERKEL: I'm not worried about them. I'm
 17 worried about where the residents are putting the trash. In
 18 the alley?
 19 MR. KELLOGG: At the end of their driveway, right along
 20 the face of the alley. And that alley also is not what you
 21 normally think of an alley. That alley is 22 feet wide of
 22 concrete. Generally, alleys -- and I can confirm with someone
 23 else -- are about 16 feet wide, so we have an additional six
 24 feet of concrete there. 22 foot in some areas is equal to

1 street width because that's without the curb and gutter. There
 2 is significant area there as far as locations to be able to
 3 place garbage cans weekly.
 4 MR. MURPHY: To speak more to your question you asked me.
 5 So my No was that we have not done a community like this. We
 6 have built lots of homes. There's not much we haven't built.
 7 The idea here was really kind of model off of -- or the
 8 inspiration came from School Street in Libertyville. That's
 9 the reason why you're seeing TND, and even down in the City, it
 10 isn't really truly TND. We're taking characteristics of
 11 architecture and many that work in the design here.
 12 COMMISSIONER MERKEL: Just a question. On the homes you
 13 built in phase 1 and 2, how many of those had brick facades?
 14 MR. MURPHY: I would say -- well, they all had some
 15 brick.
 16 COMMISSIONER MERKEL: Some brick; right? And these, the
 17 images I saw, most of them were all no brick in the front.
 18 MR. MURPHY: No.
 19 COMMISSIONER MERKEL: Anything above phase 1 and 2 had to
 20 have some brick?
 21 MR. MURPHY: Did not have to have. I chose to, yeah.
 22 COMMISSIONER MERKEL: Thank you.
 23 CHAIRMAN KAISER: Any other questions from the
 24 Commission?

1 COMMISSIONER DONOVAN: I have one more question on the
 2 gas station.
 3 So I heard there was a proposal for --
 4 potentially in front of Lake Zurich for a gas station, and
 5 obviously, I think we are in a gas desert. I'm sure there's
 6 volume here.
 7 If that were to go, do you believe there's
 8 enough volume to support two stations, or is that detrimentally
 9 going to affect the site where it might not be sustainable?
 10 MR. GRAHAM: We're running some studies and site
 11 assessments that picture both stations being there.
 12 COMMISSIONER DONOVAN: Both stations.
 13 MR. GRAHAM: We are looking at the possibility of both.
 14 And I can't tell you today that we would go forward if the
 15 other one comes, but I can tell you that it appears that
 16 there's enough for two stations, and the absence of any
 17 possibility of a third coming with possibility of that
 18 intersection like this would draw that type of typical
 19 development. It's not unusual for more than two stations to
 20 find a corner like this. Our hope, very honestly, is that
 21 there is development and this is the only station that develops
 22 here at that intersection. But I don't have control of
 23 anything more than the possibility that exists here.
 24 COMMISSIONER DONOVAN: Okay.

1 CHAIRMAN KAISER: Anybody else?
 2 (No response.)
 3 All right. There being no other questions
 4 from the Commission, do we want to take a break and start with
 5 the public comments?
 6 We'll take a break, and then we'll be back
 7 here in just 10 minutes and we'll start taking our public
 8 comments.
 9 (Recess taken.)
 10 CHAIRMAN KAISER: We'll get started on the next portion
 11 of our meeting. All right. So we're getting back to our
 12 seats.
 13 Let me do this: The people that would like
 14 to speak at the public hearing, if you have an idea if you want
 15 to say something, we could swear you in all at once. Is that
 16 fair?
 17 So those that are interested in speaking
 18 tonight, if you would stand up and raise your hand. The court
 19 reporter will swear you to oath.
 20 (Whereupon public speakers were sworn.)
 21 If you do come up and speak, if you haven't
 22 been sworn let us know so we can take that action.
 23 And the procedure that we're going to
 24 undertake tonight I identified just a little bit ago. I'd like

1 you to form a single-file line maybe down the middle, and every
2 person's going to step up to the front, and when you get to the
3 microphone, state your name and state whether or not you live
4 in Hawthorn Woods, and then say what you want to say.

5 Again, we as a Commission, we're here as
6 volunteers. Time is precious. You all know that. It's
7 precious to you as well. We don't need a lot of repetitive
8 comments. If you want to say you agree with so and so, that
9 would be wonderful. If you have something new to say, then go
10 ahead and say that. We certainly want to understand the impact
11 it's having upon you.

12 Why don't we start with getting in line.
13 Those people that would like to speak, whoever gets to be in
14 the front line behind the lady in the light blue sweater, she's
15 going to be the first one.

16 You can step up, Ma'am.

17 MS. DALTE: Good evening. My name is Rini Dalte. I'm a
18 resident --

19 CHAIRMAN KAISER: You spoke very quickly. Could you
20 spell your name.

21 MS. DALTE: R-i-n-i, D-a-l-t-e.

22 CHAIRMAN KAISER: Thank you.

23 MS. DALTE: The reason I stand in front of you today is
24 because I'm opposing the proposed construction at the northeast

1 3.5-mile road. If you do the math, the average speed on that
2 is 10.5 miles per hour during the rush hour. This is worse
3 than New York City, and we don't live in New York City. If any
4 of you haven't experienced this traffic, you're truly a lucky
5 person.

6 Quentin Road is no different. It is a
7 two-lane road that connects us to the Palatine train station,
8 and for commuter who takes the train to go Downtown every day,
9 taking this road is extremely stressful. Right now the
10 widening of the Quentin Road project is in phase 2, which is in
11 the design phase. It's not expected to be under construction
12 until 2019. With more homes being built, I'm afraid that we
13 will be compounding this problem.

14 And I heard a lot of talk about surveys. I'm
15 not sure where that is coming from because none of us were
16 asked, the people who live in Hawthorn Woods were not asked
17 anything in those surveys.

18 Please understand that these are the roads
19 that our children take to school every day. We cannot put in
20 40 more homes that could come in 80 more cars until and unless
21 those roads are widened. Or do we want our first graders to
22 get on the bus at 7:30 in the morning to be in school at 8:30.
23 As a community, are we going to impose a one-hour commute to
24 the children? Mind you, the children go towards Buffalo Grove

1 corner of Quentin Road and Route 22. This is the so-called
2 phase 4. While commercial and residential development is good
3 for any community, we have to be aware of the impacts of such
4 development. With the current infrastructure, we simply cannot
5 support any more new construction in this area. I urge the
6 Village Board to carefully evaluate whether bringing 40 more
7 homes and a gas station is actually beneficial for the
8 residents or not. We want to know how this proposed
9 construction will help us, who are the taxpayers and the voters
10 here.

11 The infrastructure around Hawthorn Trails
12 subdivision is already at a break point. We are at an
13 intersection of two two-lane roads, Illinois Route 22 and
14 Quentin Road. Route 22 was built in the 1920s. While most of
15 Route 22 has been expanded to four lanes, the section between
16 Quentin Road and Route 83 remains a two-lane road that is
17 nothing but a major bottleneck. According to IDOT -- and I
18 spoke with Mr. Brian Kansin (phonetic spelling) at IDOT -- there
19 are plans to expand this road in the near future. What we are
20 asking is that the Village holds off on doing any more
21 construction until this road is widened. From IDOT documents,
22 this road is supposed to be widened by the year 2020.

23 Today it takes us 20 minutes to travel from
24 Quentin Road to Route 83 during the rush hour. This is only a

1 for their schools. Is that what the Village is envisioning?

2 When it comes to the gas station, this will
3 be a magnet to draw more cars in the area, making the situation
4 worse. I also heard that we do not anticipate more trucks
5 coming in this area. How is that possible when there are
6 commercial lots right across the street from Mariano's? There
7 is a Peapod; there are commercial lots. You think they'll make
8 the turn to come in on Quentin to fill up on diesel. They
9 will. A couple weeks ago -- and another thing I wanted to say,
10 where in this area have you seen a gas station at the
11 intersection of two two-lane roads? We have never seen it.
12 It's usually at least a four-lane highway on one side. This is
13 just not the best idea.

14 A couple of weeks ago we started an on-line
15 petition to help us come up with a collective approach towards
16 this issue. As you can see in the documents provided, almost
17 200 people from our small neighboring communities have signed
18 this petition. If you read through the comments that many of
19 the residents have provided, you'll notice a common theme. Our
20 concerns are centered around congestion, pollution, and safety.
21 I urge the Village Board to read through some of those
22 comments. We, the residents of Hawthorn Woods who signed the
23 petition, call upon the Hawthorn Woods Village Board and
24 Planning, Building and Zoning Committee to reject the use of

1 the land at the northeast corner of Quentin Road and
2 Route 22 to build 40 more homes and a gas station.

3 Thank you for your time.
4 (Audience clapping.)

5 CHAIRMAN KAISER: Thank you. Before you sit down, which
6 you already have, are you a resident of Hawthorn Woods?

7 MS. DALTE: Yes, I am.

8 CHAIRMAN KAISER: Thank you.

9 The next person please, public.

10 MR. VORA: Good evening. My name is Mehul Vora.
11 M-e-h-u-l, V-o-r-a. My address is 6 North Alder Court,
12 Hawthorn Woods, and I am in the Hawthorn Trail subdivision.

13 I am one of the oldest residents of this
14 subdivision, and I was proud to see how it has grown over the
15 last six years now, and it has shaped up pretty nicely. But
16 recently I heard about a gas station, car wash, potentially
17 vacuum station, et cetera, and that actually disappointed me.
18 And actually, I hear concerns of a lot of residents in our
19 community that they have similar concerns. I don't think
20 everybody can come up here, but I'm raising points on behalf of
21 the majority of the people.

22 Basically, I have a few points I want to
23 bring to your attention. Number one, the rural vision of
24 Hawthorn Woods. During the annexation of our subdivision,

1 basically, the Mayor had clearly mentioned that this would not
2 be used for gas station, pawn shops, or gun shops,
3 et cetera, and it was in Exhibit C of the Annexation Agreement.
4 And I knew about this when we bought this property, and now
5 this is being proposed, which is contradictory to what our
6 assumption was when we bought our home and stayed there and
7 grew our families over there.

8 Number two is traffic. Everybody over here
9 knows how dire the situation in the morning. Especially with
10 the gas station in there, there will be a lot more cars coming
11 towards the gas station in the morning, making things even
12 worse. It's -- actually, my daughter came over here. She said
13 I want to come because she goes to school every day and she
14 said that is not acceptable.

15 Number three is safety. We will be building
16 about 125 homes close to a gas station. Now, I understood if
17 you look at actually that drawing, the park is the closest to
18 the turn, et cetera, and this creates a safety violation. It
19 creates a safety hazard. Being a gas station, car wash,
20 et cetera, there are bound to be unwanted elements who come
21 there, and they will have easy access to 125-plus homes where
22 they can just walk up to the park which is less than a hundred
23 feet from the drive, and that puts a lot of things in danger,
24 not just our community but even the Hawthorn -- the new name is

1 for this community. So that does create a lot of safety issues
2 for people residing in those two communities.

3 Number four is effluent. Since we have a car
4 wash, there will be a lot of effluent generated, and to
5 mitigate that risk -- first of all, we don't know how much will
6 seep in the natural waters. A lot of Hawthorn Woods residents,
7 they use well water for the daily drinking supply, and they
8 might get effluent in the water supply because of this. Now,
9 even to mitigate that, there will be a lot of steps that have
10 to be taken, and there might be some responsibility which might
11 fall onto the Village Hawthorn Woods to clean up that water,
12 which might dilute the purpose. The tax money generated would
13 be the last. The concern I have is the health concerns. There
14 are various studies which link health issues because of
15 proximity to the gas station. One of them it was published in
16 the Journal of Environment Management in 2011, due to the air
17 pollution benzene has been linked to health dangers and it is a
18 cause for cancer. That is a study done at Johns Hopkins and
19 published in American Pediatric Society where benzene is linked
20 to childhood leukemia, and we don't want any of our kids to
21 have that; not just our kids, any kids to have that.

22 And lastly, I don't think any Hawthorn Woods
23 resident would like to have a Welcome to Hawthorn Woods sign
24 buried under corporate giant BP or anything that they put over

1 there --

2 (Audience clapping.)

3 -- that will not work.

4 CHAIRMAN KAISER: The next gentleman, please.

5 MR. DEOSKAR: Hi. My name is Himanshu Deoskar.
6 H-i-m-a-n-s-h-u; and last name, D-e-o-s-k-a-r. I'm probably
7 the newest resident of this community. I moved in last Monday.

8 CHAIRMAN KAISER: Welcome.

9 MR. DEOSKAR: My boxes are still in the car outside,
10 still in the starting phase of a life in the starter house
11 which is a very open house. And thank you, Charlie, for all
12 those windows. I almost live in the open. This is what I came
13 to Hawthorn Woods for.

14 I work in Downtown, and an hour and a half
15 drive. The reason I decided on Hawthorn Woods was the
16 openness. This is very down the street. You mention this, and
17 this is not exactly what I personally have come here for.

18 The second point I have, I was looking at the
19 Village notes in the annexation, and I just quoted from the
20 Village notes. The Village Staff believes that this
21 residential area and land be annexed on the Village
22 Comprehensive Plan that supports more density and single-family
23 large lots, ranging from 8500 to 20,000 square feet. These are
24 in the village minutes. The lot sizes are like one-third to

1 half of the size, much significant departures from what the
2 Village believed at that time.

3 The third point, the deviation from the --
4 I'm also a civil engineer. The deviation that you have from
5 the back side of the homes in the front, if I were to come
6 tomorrow and request I wanted to build a shed with similar
7 measurements, the Village would not approve me. So this would
8 be a significant departure from village norm. And another
9 thing, like the appraisal of this, if the Village still
10 approves it, I have talked with Charlie. This would be good
11 investment property. Another point then is they are going to
12 buy a home as an investment property, so then we are going to
13 rent it out, so this is not what we want it to be. So that is
14 another one of my concerns with the pricing. It probably would
15 be the case.

16 So I would request the Village to go back to
17 the original plan, all within half to one-fourth acre plan that
18 you already had, and I request you approve that instead of this
19 mixed use. Thank you.

20 CHAIRMAN KAISER: Thank you very much.

21 MS. LAMAN: Good evening, everyone. Farah Laman;
22 F-a-r-a-h, L-a-m-a-n.

23 Okay. I live in Hawthorn Trails subdivision.
24 I've been living there for past almost five years, and I have

1 two kids. And my biggest concern is the safety and the
2 security living just adjacent to the gas station that's being
3 proposed, and because I'm living within 1500 feet of the gas
4 station, to me it's the biggest concern, the security of my
5 kids and the security of the neighbors that we have. And those
6 neighbors have little kids, and they play in their backyard,
7 and when we have the gas station and the convenience store
8 attached to it, we may have uninvited people coming into our
9 subdivision, walking through the subdivision, walking through
10 the backyards, and we don't want to go through that nuisance.

11 Another thing that I would bring up is the
12 screening of the Quentin Road site homes. We are on the
13 Quentin side, and right now everything that is being talked
14 about is about the Roman Lane and the new homes that are being
15 built that will have buffering. What about the homes exposed
16 on the Quentin Road. What are we getting as a resident?

17 We are constantly being exposed to the
18 traffic, to the insecurity that we are going to bring in with
19 the proposed gas station. And you know, I'm not looking
20 forward to it at all. Being the resident, I want to live in a
21 clean, quiet, and serene environment that I thought Hawthorn
22 Woods is standing for, but right now it's contradictory to what
23 Hawthorn Woods was supposed to be. It cannot compete with
24 other Long Grove or Kildeer neighbors where the lots are so big

1 and everything is screened and they have serene environment.
2 What are we getting exposed to?

3 To me, the Village would be approving this at
4 the expense of the residents living there.

5 That's all I want to say at this time, and
6 the I concur completely with the residents that have already
7 spoken. Thank you so much.

8 (Audience clapping.)

9 CHAIRMAN KAISER: Thank you very much.

10 MR. SCHMIDT: Good evening. My name is Jeffrey Schmidt.
11 My address is 23231 Chesapeake Drive, Kildeer. I hope you
12 don't mind an outsider coming before you.

13 CHAIRMAN KAISER: Welcome.

14 MR. SCHMIDT: I wanted to voice my concern in opposition
15 to the proposed development by Hawthorn Woods at the northeast
16 corner of Route 12, Route 22, and Quentin Road. There's
17 significant issues that the development will cause further
18 detracting from the enjoyment, my enjoyment, my neighbors'
19 enjoyment, people from Hawthorn Trail's enjoyment of that
20 surrounding property.

21 First, the current traffic levels are
22 unbearable, to say the least. I don't know if you've tried to
23 make a right or a left turn out of Beacon Hill for any reason,
24 but in the morning, in mid-afternoon, and the evening it's

1 almost an impossibility. Adding additional retail with
2 high-density residential as proposed along with the egress and
3 ingress to the property will further impact the already
4 overloaded traffic conditions on Route 22 and Quentin Roads.

5 Next, let's talk about the noise levels.

6 Those are going to increase drastically over a once-quiet area.
7 Given that we currently have traffic noise, train noise, some
8 tractor trailer noise from deliveries to Mariano's, to
9 McDonald's, to Just Tires, adding a gas station and a car wash
10 and all of the traffic that that's going to generate is just
11 going to add to that situation. Again, that's the general
12 conduct of commerce going on at a gas station, one that's open
13 24 hours.

14 Finally, Hawthorn Woods is and has been
15 negligent in maintaining its control over the easternmost
16 parcel of land here. I live in Beacon Hill, and when it rains,
17 there is inevitably a flood at the entrance to our subdivision.
18 Sometimes it's as much as eight inches. Okay? I mean, we
19 can't even control the water with a retention pond and whatever
20 else is up there. Once grade, once sewer, everything is dug
21 out, how is Hawthorn Woods going to insure that these are going
22 to be improved upon? Is there any plan for that?

23 We can't control it now. It's really a
24 natural area, so to speak. And I just don't have faith that

1 there's any way that you're going to be able to control and
2 stop that water runoff that's currently going on.

3 MR. BURNEY: Mr. Chairman, the gentleman --

4 MR. SCHMIDT: For these reasons --

5 CHAIRMAN KAISER: Hold on, sir.

6 MR. BURNEY: I just want you to know we will answer your
7 question --

8 CHAIRMAN KAISER: You'll have to chance on rebuttal.

9 MR. BURNEY: -- when we're taking questions. So we will
10 respond to your question when it's our time.

11 MR. SCHMIDT: Feel free.

12 For those reasons, I am opposed to this
13 proposed development and will utilize all available options to
14 protect the value of mine and my neighbors' property.

15 Thank you very much.

16 (Audience clapping.)

17 CHAIRMAN KAISER: Thank you.

18 MS. VORA: Hi. My name is Eshana Vora. E-s-h-a-n-a,
19 V-o-r-a.

20 So unfortunately, I hadn't prepared a speech
21 because I just found out about this meeting a little while ago,
22 and I was really interested, so I decided to come. And I think
23 I provide a different perspective as a high school student.

24 Every day I have a commute from my house in

1 Hawthorn Woods to Stevenson High School, and on a regular day
2 without traffic it's 13 minutes, but just today I got picked up
3 from school at 5:10, and we barely made it to this meeting at
4 6:00 o'clock, a 50-minute commute for someone who has a high
5 workload, and not just me. We have high workloads, and we
6 don't have time to sit in the car and go five miles per hour
7 because Route 22 is so small. So I think, like someone before
8 me said, Route 22 needs to be expanded before any construction
9 is pursued simply because it's not practical for people who are
10 living in Hawthorn Woods, Kildeer, Lake Zurich, or anyone
11 simply to go through Route 22.

12 And in addition, the idea of the gas station
13 provides a safety concern for kids, especially my age and
14 younger than me, because unfortunately there's a stigma that
15 comes with gas stations, that it attracts all sorts of people,
16 good people but also bad. And it's in extremely close
17 proximity to our park, to our neighborhood, and to our open
18 streets and sidewalks, which causes a concern because at least
19 in our neighborhood we have a very open environment. Kids are
20 walking around without a concern, riding our bikes, and, like,
21 just having fun. And just knowing that there's such a large
22 commercial establishment just a few hundred feet away provides
23 an insecurity for our safety, and we won't be able to have some
24 of the simple, like, standard of enjoyment that we would have

1 before. And for these reasons I think that making the gas
2 station on the intersection of Quentin and Route 22 is simply
3 not a good idea as of right now.

4 (Audience clapping.)

5 CHAIRMAN KAISER: Thank you.

6 MR. NADELLA: My name is Sampath, S-a-m-p-a-t-h; last
7 name, Nadella, N-a-d-e-l-l-a. My address is 22 Acacia Drive.

8 CHAIRMAN KAISER: You're the closest one talking to that
9 microphone tonight. If you could back up a little, maybe not
10 old onto it. You go ahead.

11 MR. NADELLA: My property is located in Hawthorn Place
12 subdivision, and we are on the northeast corner of the proposed
13 commercial and gas station development. I have a few points I
14 want to bring to the attention of the Village Mayor, Trustees,
15 and my fellow neighbors assembled here tonight.

16 The first point is many of the residents in
17 Hawthorn Trails, including me, we made a conscious decision
18 when we moved to the subdivision due to open space and the
19 beautiful, large-lot neighborhood, award-winning schools, and
20 Rural by Design. And all of these three points are highlighted
21 on our village website. If you go to the website on the
22 landing page, they're all highlighted. Whereas the Village is
23 presented with a plan that goes against our principles and
24 values by having commercial properties and high-density-style

1 homes at one of the important gateway of our village.

2 And the second point I have is, for a very
3 good reason our village elected officials fought for not
4 extending the Route 53 into the village due to the lowering of
5 the property values, to stop the noise pollution, to stop the
6 light pollution, and also the extension is supported only by 16
7 persons of the residents of the Lake County. Whereas the
8 Village is being presented with a plan which goes against all
9 the residents of Hawthorn Woods, including the elected
10 officials, with changes which would damage the look and feel of
11 our community. As you all can see, many residents from the
12 northeast corner of the proposed development that are against
13 this development.

14 The last one I have is when the Hawthorn
15 Place residents asked for adding a few more streetlights -- I
16 live on Acacia Drive, and we have of a small park towards the
17 end of the street. And we asked for streetlights to be
18 installed for the safety of the kids when they were playing
19 outside and walking on the sidewalk, and we were told by the
20 Village that the Village follows International Dark Sky
21 Association standards and streetlights cannot be installed
22 other than at intersects and cul-de-sacs to limit the light
23 pollution. Whereas the Village is being presented with a plan
24 which includes commercial properties which will have the lights

1 turned on 24 by 7, which will have the lights on throughout the
2 night, which goes against the village policy.

3 I'm looking for support from the Mayor and
4 elected representatives to oppose the current proposal as it
5 goes against all the principles and values of our village. And
6 I wanted to send to state comment the Mayor made in May 2015
7 opposing the changes that are similar to the ones we are
8 reviewing tonight: That's going to be me standing in front of
9 the bulldozer. They're going to pull my dead body out of
10 there.

11 Thank you very much for giving this
12 opportunity.

13 (Audience clapping.)

14 CHAIRMAN KAISER: Thank you.

15 MR. TO: David To. I'm a resident of --

16 CHAIRMAN KAISER: Speak closer.

17 MR. TO: I am opposed to this proposed planning. Since
18 the other residents have mentioned my concerns, I'm not going
19 to repeat.

20 I was here at the 2010 rezoning meeting, and
21 back then there were many residents that opposed the rezoning
22 of this piece of land from residential to commercial. And I
23 remember very clearly that the Mayor said while this is the
24 entrance into Hawthorn Woods we will make sure that it will

1 look very nice to our residents. And having a gas station
2 there is not very nice to the Hawthorn Woods residents.

3 Thank you.

4 CHAIRMAN KAISER: Thank you.

5 MR. KRUG: Good evening. Mike Krug. That's spelled
6 K-r-u-g. I'm not a resident of Hawthorn Woods. I'm a resident
7 of Kildeer. My address in Kildeer is 22970 Hillendale Lane in
8 Kildeer. I oppose what you're all proposing, but I do thank
9 you to come as a guest of a neighboring community and voice our
10 opinion.

11 If you look on that map behind you, I live in
12 Kildeer on the south side -- on Hillendale Lane on the south
13 side of Route 22, right about where that wetland is, maybe
14 about halfway over towards the west side. And my property goes
15 up to the south edge of Route 22. I have a pond which is
16 immediately adjacent to Route 22. And I guess we're looking
17 for mercy since we're not in your subdivision. And if you also
18 look back on things that have happened throughout my recent
19 lifetime, you can't stop progress.

20 And I was a pilot in another life. I was in
21 the military. I'm also a licensed managing real estate broker,
22 so I do understand everything that you fellows are saying,
23 maybe even more so.

24 CHAIRMAN KAISER: Please address it to us.

1 MR. KRUG: I just wanted to turn around and say hi to
2 them so they can see who I am.

3 I'm not a complaining guy. I just like to
4 actually put ourselves on the mercy of the court.

5 I do agree adamantly with all the previous
6 speakers who were very eloquent, including the high school
7 girl. You have to be proud of a high school student doing
8 that. In my pilot days before I became a managing real estate
9 broker for a small company, but I do get the business. A
10 fellow that I know owned the farmhouse that is immediately
11 behind my property to the south. It's a Sears & Roebuck
12 catalog home. It's in the Kildeer registry. It's more or less
13 a landmark. And in the late '70s Jimmy Hile (phonetic spelling)
14 acquired all of that property and was the developer for what is
15 now called the Groves of Kildeer. It's immediately south of
16 where your proposed project is, and it consists of 16 homes.
17 I've been going out to that development since about 1978 when I
18 first met the fellow who helped me build the house, Ray Busen.
19 He owned the farmhouse. One of the current residents are here
20 this evening. Long story short, in a few years we purchased
21 the northern lot from him, and then in 1987 we started to
22 build, and in '88 we moved in. I've basically been a
23 tax-paying resident since 1988, but I've been going out there
24 since 1979. Route 22 was substantially more narrow than it is

1 now, and it's was about eight feet closer to the center of the
2 earth than it is now.

3 And again, I get the concept you can't stop
4 progress, but we would hope that in our adjoining communities,
5 that being Lake Zurich on one side, Hawthorn Woods on the other
6 which used to be Kildeer, and then Kildeer on our side --
7 everybody has conflicting interests out there, and we're all
8 intelligent adults. This didn't come from the burning bush.
9 We have the ability ourselves to help us and make it come
10 together for everybody. And they deserve to have a fair shake
11 at making money.

12 This is where the mercy comes in. We don't
13 contribute \$85,000 a year to Hawthorn Woods, and that's a
14 projection from the gas station alone. Looking to the future,
15 anything can happen. You get hit by a truck and the future is
16 over. But I can look back at the history. If you go back --
17 I'm the second-to-last home that was built there, so homes have
18 been in that development of ours, the Groves, since 1979, 1980,
19 let's just round it off to 1986. Right now my property tax
20 bill that I pay to the County -- it doesn't go to Hawthorn
21 Woods, but we do pay a taxing body for our area; not you, but
22 it is the County. Right now my tax bill is about \$17,000. I
23 have about an acre and a half of property, and this goes back
24 to the change in progress. You can always say to somebody you

1 shouldn't have built a home under runway 22 at O'Hare. We
2 didn't do that. Did we build right on Route 22? Yes. I was
3 30 years old, 32 years old. Do the math. Back then it was
4 Ethel's Vegetable Wagon was the biggest, loudest contraption
5 coming up and down Route 22. Ten years went by and we still
6 have a narrow road. You can see you're right on Route 22. You
7 need to put up some barriers.

8 About every ten, eight years when the
9 vegetation starts to grow another development comes in. They
10 widen the road, raise the road, all my stuff dies. It's
11 impossible to put a screen up there, especially if they're
12 constantly -- now what's out there is clay. None of this is
13 your responsibility. I'm explaining what we see. That's where
14 the mercy part comes in. When we bought it, it still was I
15 think a good decision. It was a bedroom community. It was not
16 a look-out-your-room-and-see-highly-focused-LED light. And I'm
17 not being sarcastic when I say this. I get it. It is a
18 bedroom community.

19 And I've heard some other things and they're
20 right. The gentleman compared the property and they
21 articulated them properly, but from a rebuttal standpoint, it
22 doesn't make any sense to me. How many people are accommodated
23 going into a modern gas station and the modern shopping
24 convenience and to make it a nice appeal for some stranger

1 driving by going into a car wash. You have modeling where you
2 can go and see what it looks like in Arlington Heights. You
3 can go here and there. I guarantee you that no one has come,
4 knocked on my door and said how about if we do a study, Mike,
5 on the south side of your pond where you used to have beautiful
6 trees and you still have a nice pond and why don't we spend the
7 afternoon and barbecue and let's actually see what it's like
8 with the traffic going back and forth. That hasn't happened.
9 It's not going to happen. And I'm not being sarcastic or
10 snarky when I say it, but I'm a human being with a family.

11 If you look back in the ancient history of
12 what we've done for 30 years, not a look to the future, I pay
13 \$17,000 a year. Break it off into 10-year chunks, it's
14 about -- with going from 8,000 to 12,000 to \$17,000, going to
15 the County, not to you, that's about \$360,000 that I've paid,
16 not for my mortgage, not for income tax, nor for state or FICA,
17 for property tax. We don't have -- not your fault. We don't
18 have sidewalks; we don't have lights or a park. We pay it. We
19 have Stevenson High School district. My daughter's graduated,
20 like that young person, having have a great career. We're
21 happy about this. But if you multiply me times 16, that's
22 360,000 that our 16-bedroom community has contributed to the
23 County.

24 So I'll end with this. Asking for a little

1 bit of mercy, maybe not so much from Hawthorn Woods. But
2 anybody from the County would ever come out and meet and talk
3 with us. Our property values go down. It's easy to crank up
4 the property tax. You just change the factor. At some point
5 you have a hard time selling your property. When you look at a
6 property, you don't look at it as a human being or a family.
7 It's a revenue-producer to the County. We've done our fair
8 share. Sixteen revenue-producing properties have contributed
9 \$5,600,000 in the last 30 years, and we would expect that
10 someone would say okay, for that we will -- if we are going to
11 make a future development here we will make it reasonable. I
12 have an acre and a half. It's not a 32-foot lot. It's a
13 250-foot-wide lot. And I don't care what anybody says. You
14 try to sell a house -- I hold the record right now in our
15 subdivision. A fellow across the street, Potempa, I sold his
16 house for \$650,000, a ranch with a walkout; another good friend
17 of mine, just two years ago sold his home at the corner of our
18 property, bigger lot two-story home --

19 CHAIRMAN KAISER: Sir.

20 MR. KRUG: -- went for 450,000.

21 I'm going to wrap it up.

22 What's my point? Property values are not
23 going up. You may as well put a bullet in a \$5 million oil
24 well for the County for the next 30 years. If you put a car

1 wash up there, I want to see the person from Icon, from any
2 real estate building company that's going to come over and say
3 fine, we're going to put up some screens, we're going to help
4 you sell your house and resell 32-foot lots for \$500,000; we'll
5 sell your houses all day long for 550 or 600. That's not going
6 to going to happen.

7 I'd just ask, please consider your neighbors
8 to the south side.

9 And, Mr. Kaiser, you got the big standing
10 ovation when you said tell me how you're going to do the
11 \$500,000. We're not being snarky. We'll work together with
12 you if you can throw us a lifeline. It is appropriate.
13 Memorial Day is coming up. When you hear all the advocates
14 come up, that's like everybody talking to Eisenhower. And I
15 was in the military. It's an acceptable casualty. It's going
16 to be \$85,000 revenue for Hawthorn Woods, but little old
17 Kildeer, Groves of Kildeer, our 16 homes are an acceptable
18 casualty. We're asking for some mercy. And please don't let
19 that be the case. Work together with us, and let us when we
20 finally get to the days when we can't cut our grass anymore, if
21 we can sell our homes for a decent amount of money and put a
22 live, young, income-producer in our properties and keep it
23 going for the county, we would sincerely appreciate that.

24 CHAIRMAN KAISER: Thank you.

1 Ma'am.
 2 MS. SHAM(phonetic spelling): Good evening. My name is
 3 Emy Sham(phonetic spelling.) I live in Hawthorn Trail Hawthorn
 4 Trail.

5 I just wanted to shorten my conversation. I
 6 don't want to repeat anything people already talked about.

7 I think \$85,000 is a lot of revenue for
 8 Hawthorn Woods. However, I think the money is one side. The
 9 other side is the happiness and safety of the community and the
 10 people that lives there, that pays the tax. There are a
 11 hundred family there currently.

12 I wanted to add one point. The potential
 13 pollution to the storm drain from the car wash, and then the
 14 small spill, the gas station could potentially endanger small
 15 children's life. There are carcinogens, and this is documented
 16 in studies.

17 Secondly, the trespassing could be a huge
 18 problem by adding so many sidewalks and this and that. The
 19 trespassing has been an issue with Hawthorn Woods police
 20 station. You can trace back to 2010. Now, how many phone
 21 calls we made to police station in Hawthorn Woods. They will
 22 potentially increase calls to the police for more patrols and
 23 more 911 phone calls.

24 The last point I want to make is building a

1 One is I assume these homes, high-density
 2 homes are not age restricted; is that right?
 3 So I'm guessing 80 to 100 more children.
 4 I'll touch a little more on safety. I'm not sure where the
 5 play area is for them, but I can see them wandering into
 6 Route 22, maybe going over to the Mariano's. Wouldn't take but
 7 one fatality to have a movement to put an overpass there.
 8 Would the Village be willing to construct and pay for an
 9 overpass?

10 I was here in the same meeting back in June
 11 of 2010, and there were up upwards of a hundred people who were
 12 very much opposed to the commercial change of that northeast
 13 corner. That was always designated as residential. So
 14 everybody voiced at that meeting concern about having changed
 15 the zoning from residential to commercial. And I was also at
 16 the meeting when it was announced and really put into the
 17 Annexation Agreement that these types of commercial
 18 developments, a gas station and car wash among others, were
 19 strictly prohibited. So I'm really surprised that the Village
 20 is even considering it. A certain amount of credibility is
 21 involved.

22 And how about the reduction in home values
 23 that will occur? Undoubtedly, if you've done any research on
 24 homes around gas stations, there is a definite negative impact

1 car wash and gas station, the noises, the lighting are 24-7. I
 2 don't think they will control to shut down the lights at night
 3 to make sure that our residents are sleeping. I think the gas
 4 station needs to keep working. They need to keep working
 5 status. So the 24-7 noises and lighting could potentially be
 6 causing a lot of, what do you call it, potentially affect
 7 nearby residential people.

8 I think we're the residents paying 14,000 to
 9 20,000 tax money each year. We're the one that are paying the
 10 property tax, and we're the loyal residents there. All we are
 11 asking, the bottom line is we wanted to have a very clean,
 12 quiet, and safe environment. Please consider, you know,
 13 carefully about what you're going to explore further. Make
 14 sure that – also, the ongoing traffic, the high school
 15 students, they want to make sure they can get home safe and on
 16 time so they can start their homework and have fun in the
 17 neighborhood. One-hour more delay is not acceptable.

18 Thank you.

19 CHAIRMAN KAISER: Thank you.

20 MR. VALENTI: My name is Ted Valenti. I live in the
 21 Groves of Kildeer. V-a-l-e-n-t-i.

22 I've been a 33-year resident of the
 23 community, and I've loved the neighborhood. I just want to
 24 focus on two or three things.

1 on the home values. And who's responsible for that? Would the
 2 Village own up to subsidizing loss in home values?

3 And I would just add that we expected when we
 4 moved here for the neighborhood to remain residential. I
 5 understand the northeast corner and northwest corner had
 6 already been commercial, and I hear there may be a gas station
 7 on the southwest corner. Do we really need three gas stations
 8 within two to seven miles? Actually, it would be four gas
 9 stations at that point; one on Rand and Quentin, one east on
 10 Milwaukee, the one that would on the southwest corner and now
 11 proposing another one here on the northeast corner. Do we
 12 really need three, four gas stations in two to seven miles?

13 And like the other speakers mentioned,
 14 between the noise, the light pollution, even the odor
 15 pollution, who's going to want to live in that kind of
 16 neighborhood?

17 I implore you to please vote against this
 18 proposal. Thank you.

19 (Audience clapping.)

20 CHAIRMAN KAISER: Thank you.

21 MR. AHMED: My name is Ans Ahmad. I live at 11 North
 22 Alder.

23 CHAIRMAN KAISER: Spell the name.

24 MR. AHMED: A-n-s; last name, A-h-m-e-d.

1 CHAIRMAN KAISER: Thank you.

2 MR. AHMED: I live at 11 North Alder Court. I've been
3 living there for last six years.

4 With all being said, again, the proposed
5 plan, I have a couple points, that when I realized in my
6 subdivision there are going to be at least 15 new kids and new
7 drivers will be coming out in a couple years, and I'm sure
8 there's going to be a lot of chaos with the traffic and all
9 that and the gas stations. And we already have very bad
10 situation on 22, so the expansion is really mandatory before
11 you accept any plan.

12 There is crossing -- the kids are crossing
13 from Quentin to Mariano's, and there was no proper crossing
14 situation. That could be another problem.

15 And comparing Arlington Heights and Hawthorn
16 Woods is just comparing apples to oranges. It's not the same
17 community here.

18 We are not allowed to put the fence behind
19 our house. I'm facing Quentin, so we're not allowed any fence
20 in Hawthorn Woods. That's being a rural, we understand that.
21 But now it's kind of the policy that you're allowing everything
22 else, not the fencing, so that doesn't really make any sense.

23 So I really oppose it. Thank you very much.

24 CHAIRMAN KAISER: Thank you.

1 MR. PERLIN: Good evening. My name is Steve Perlin. I
2 live in Beacon Hill. P-e-r-l-i-n.

3 CHAIRMAN KAISER: Thank you.

4 MR. PERLIN: Thank you, Mr. Chairman, Members of the
5 Committee.

6 I just want to touch again on the issue of
7 safety. Many folks have talked about the traffic on 22. No
8 one has addressed the speed of the cars on 22. I know if I'm
9 heading either east or west on 22, I'm often being tailed by
10 people who want to drive faster and faster, trying to go in and
11 out of my development. The cars are going at high rates of
12 speed. I raise the issue of speed because the entrance to the
13 gas station off of 22 has -- there's no ramp. There's no
14 turn-in area similar to the one that's at Beacon Hill. With
15 the speed of the cars, we're just going to have -- it's just
16 gonna be an opportunity for accidents, and it's a real safety
17 issue.

18 The second safety issue has to do with gas
19 stations specifically. There was a couple months ago a story
20 out of Barrington where there was a tank at a gas station that
21 was faulty, a faulty valve, and it seeped into the soil. While
22 the residents here of Hawthorn Woods are not on well water, the
23 subdivision south of this development, also east of this
24 development, are on well water, and any chemicals that could

1 seep into the soil could contaminate our water source. So I'm
2 curious as to what type of environmental studies have been done
3 to date and what type of ongoing studies are done to insure
4 that our drinking water is safe.

5 The third issue with respect to safety was
6 partly addressed on putting the commercial space next to a
7 park, and that was well-articulated by several people of the
8 Hawthorn Woods community. But the fact that the gas station is
9 24 hours, it has bright LED lights going 24 hours, it's meant
10 to attract people. And as my folks always said, nothing good
11 happens after midnight. And the sole intent of having those
12 lights on for operating 24 hours is to attract business. And I
13 think that there's not always folks that are from our community
14 with good intentions that might happen to be stopping by there,
15 so it could raise a safety issue there.

16 And then lastly, just looking at my Google
17 maps, just a technical issue, from here to the BP on the corner
18 Rand and Quentin is only 4.3 miles. From that intersection at
19 Quentin and 22, it's probably about 2 miles approximately. So
20 I know the developer looked east and west. You have to look
21 north and south as well.

22 Thank you.

23 CHAIRMAN KAISER: Thank you.

24 MS. WRIGHT: Good evening. My name is Deborah Wright,

1 and I'm also a resident of the nearby Groves of Kildeer. I
2 appreciate the opportunity to also speak, and my comments will
3 be brief.

4 I was a resident of the City of Chicago for
5 many, many years, and I'm very familiar with 32-foot lots,
6 which is one of the reasons why I moved out here, because they
7 were not present in this particular area. 32-foot lots have a
8 huge amount of issues that have not been addressed heretofore
9 from the developers. The first is snow, snow removal. I see a
10 lot of trees and a lot of bordering issues in terms of
11 landscaping which was described in much detail, but the snow
12 has to go somewhere.

13 Also, as a resident of Kildeer on a one-acre
14 lot, and I can tell you whenever we have any kind of community
15 events, any kind of parties, any kind of additional residents
16 coming in our community, we have issues with parking. I can
17 just imagine what it's going to be like. Where are the
18 additional cars going to go into in lot? They're going to back
19 up and go into the other community.

20 There's a lot of areas of concern, I think,
21 just in terms of the depth of the issue across. As I said,
22 it's really not my issues because it's across the street from
23 me, but I feel for the people who bought in Hawthorn Woods with
24 the assertions made by the Mayor. I was at that meeting back

1 in 2010 where there were very specific and unambiguous comments
2 made that there would never be a – there would not be a
3 car wash or a gas station in this development. In fact, the
4 Mayor went on to say that he viewed this area as the gateway
5 into Hawthorn Woods.

6 And I'll summarize my comments by saying that
7 I've never seen gateway to any upscale community which included
8 a car wash and a gas station.

9 (Audience clapping.)

10 CHAIRMAN KAISER: Thank you.

11 MR. RAMANAN: My name is Ram Ramanan. R-a-m; last name,
12 R-a-m-a-n-a-n. I live at 38 North Empress Drive,
13 Hawthorn Woods; part of the Hawthorn Trails subdivision.

14 We have a lot of good arguments today. It's
15 a big business for a gas station. It's a great business to
16 develop more homes. I'm sure there's a good market due to the
17 high-quality schools.

18 The Village needs funds. We get that.
19 85,000 was quoted. Based on the recent tax bills we all got,
20 that doesn't seem to be an issue. Perhaps the Village explores
21 better property of such property taxes. A lot of data was
22 mentioned to support the business plan on the gas station. You
23 only have to look an inch deeper on those facts of traffic
24 pattern study. I'm not sure where they got that from. You

1 such commercial and high-density housing will lead to depressed
2 property prices, and it will affect the revenue. And,
3 ultimately, it's about the residents.

4 The village is about a beautiful community
5 that maintains the suburban feel. Just look at this beautiful
6 village hall here. And Hawthorn Woods especially is an envy
7 for many in the Chicago metropolitan area residents.

8 Just to be clear, we are not opposed to
9 commercial property. We are not opposed to more residential
10 properties. What we oppose is the timing of any further
11 development and the type of commercial and residential
12 development. What we oppose is any further development until
13 we have solved the infrastructure problem that many of my
14 co-residents talked about and when we want to develop. So,
15 therefore, a big No to a gas station or a car wash or any such
16 development, and a big No to high-density housing. We call
17 Hawthorn Woods as the Village of Hawthorn Woods after all, and
18 we don't want it to become the metropolitan city of Hawthorn
19 Woods.

20 In conclusion, we would like our
21 representatives to be very considerate, keeping the residents
22 and our kids top of mind when deliberating on this proposal.
23 Again, a big No to a gas station or similar commercial
24 development there and a big No to high-density housing.

1 only have to take a ride through 83 on Half Day Road or a ride
2 on Quentin to Rand, two key access roads to the freeways or the
3 train station.

4 No truck traffic was mentioned. There's a
5 significant commercial warehousing facility across from the
6 subdivision. We see trucks all the time. It's a perfect place
7 for trucks to stop to fill up.

8 There's talk about trees to be built that
9 will provide cover to our community. We all know how many
10 years those trees take to grow that tall to give any meaningful
11 cover.

12 I moved to Hawthorn Woods because I have
13 friends who already moved to Hawthorn Woods, and I only speak
14 with pride when I brag about my new digs. I'm not taking
15 anything away from my dear friend Charlie here who's a great
16 salesman. We have plenty of choices around the Chicago
17 metropolitan area to call home. We chose Hawthorn Woods
18 despite the fact that there is no easy freeway access and there
19 is no train station nearby for many of us that work in the
20 City.

21 While no one can debate the commercial
22 success of a gas station or selling more houses, ultimately,
23 this is about the village and the village residents. There is
24 a legitimate threat to the village property tax revenue when

1 Thank you very much.

2 CHAIRMAN KAISER: Thank you.

3 MR. FARHAT: My name is Andrew Farhat. F-a-r-h-a-t. I
4 live in the Groves of Kildeer, which is the southern
5 subdivision just south of the Route 22.

6 First, I want to say thank you very much
7 for --

8 CHAIRMAN KAISER: Speak a little closer.

9 MR. FARHAT: I'm typically ultra loud.

10 I want to thank the Planning Commission for
11 allowing all the residents to speak, both within Hawthorn
12 Woods, Kildeer, and the neighboring villages.

13 I had just one question, honestly is, why are
14 we even talking about a gas station here?

15 I'm not going to repeat everything that was
16 discussed throughout all the comments that we've heard. But
17 it's a simple question of why a gas station. Based off of the
18 assurances made during the committee meetings back in 2010 --
19 and I was here for those -- where emphatically it was stated to
20 all the residents that expressed deep concern for potential use
21 for that corner, we were given assurances, and I quote Mayor
22 Mancino, July of 2010 -- July 1st, 2010: Our residents don't
23 want any types of those uses on that corner. But I guess now
24 we do. Or maybe the residents don't know. We've heard from a

1 lot of Hawthorn Woods residents who live right here.

2 You know, in addition to that, I just look at
3 what Hawthorn Woods is. Looking at what Kildeer is, it's a
4 beautiful area. Kildeer is a village in a natural setting.

5 Hawthorn Woods, I look at their website: Nestled among trees
6 and lakes and open space is a family-friendly community,
7 et cetera. I don't want to go on. Again, on their website:
8 Preserving the rural atmosphere while maintaining quality
9 workmanship.

10 I understand that commercial development
11 happens. I'm not saying that it shouldn't happen. I would say
12 the number of uses that not just from the tax money you're
13 going to get off of this but from the residents that live right
14 in this area. And, again, I know Kildeer, we're not a part of
15 Hawthorn Woods. I think you've heard enough Hawthorn Woods
16 residents to know that there's very much concern about this,
17 and I implore you to ask the question of why a gas station.
18 There's other uses, other opportunities for that. And I'm not
19 going to repeat everything else that was said. I would just
20 say I would hope that the Planning Commission looks at this
21 with an open eye and honest assessment of what's being brought
22 forth here and ask the question of does it have to be a gas
23 station, especially when your Mayor said specifically that the
24 residents don't want it. It was going to be specifically

1 like Kildeer: large lots, very nice homes. And I think the
2 thrust of my comments will be trying to answer the question
3 that I have is, why would you want to make such a drastic
4 departure from the established character of your community and
5 that of Kildeer?

6 Much was made of the history of the area, and
7 going back before the year 2000 the Village of Kildeer very
8 much wanted to annex this property and development it, and at
9 that time it wanted to develop it as residential homes. The
10 owner of property ultimately was able to get a development
11 approved, and that was by Lake County, and again, it was for
12 residential homes. That was about the year 2002 or so. And at
13 that time, there was a condition that was put on the approval
14 of that property as a residential development, and it was to
15 have public water made to serve that development as well as two
16 other parcels in the area, and that was an important
17 consideration because a lot of the homes that surround that
18 property are on wells, and the wells are shallow. They're not
19 deep wells, so there was a very real risk of two things, water
20 going dry and there was some brief testimony that if you're
21 using a lot fresh water for a lot of cars going through a car
22 wash, that's a possibility and contamination. You've heard
23 some concerns expressed by residents about spillage and things
24 that are beyond a lot of controls that are put into gas

1 prohibited in the Annexation Agreement.

2 I'm sure how many Planning Commission members
3 were there in 2010 when those meetings happened. I see some
4 familiar faces. There's some new ones. I would implore you to
5 look at those meeting minutes, not just from the Village Board
6 meeting on July 1 but from the Planning Commission meeting that
7 went to 2:00 in the morning a few days before that to
8 understand the concerns brought forth.

9 But, again, thank you very much for your
10 time.

11 CHAIRMAN KAISER: Thank you.

12 MR. TALBETT: Well, I'd like to think, Jim, that you
13 saved the best for last, but we'll wait to see if that's true.

14 My name is Michael Talbett, and I am the
15 Chief Village Officer in the Village of Kildeer. And one of
16 the things I do, like Donna Lobaito, is I staff the Plan
17 Commission for the Village. And I want to thank all of you for
18 serving on your Village's Plan Commission because I very much
19 appreciate the time that you put into this and the seriousness
20 with which you consider these difficult issues that come before
21 you. You're all volunteers, and I think you should be
22 commended for the time and effort that you put into this
23 endeavor. It's very much appreciated by everybody.

24 The character of Hawthorn Woods is very much

1 stations and car washes. So there's always been a recognition
2 that this property was going to be developed, but it had some
3 real considerations that go along with it.

4 The homes that are proposed for this site are
5 large on small lots, and people have commented on the concerns
6 that those raise. But I think the important thing is because
7 they are large homes they're going to attract probably families
8 with children, and I think when you look at the site plan
9 that's before you, you have to wonder where would those
10 children go when they're out playing, what will those families
11 do to recreate near where they live. There's nowhere in the
12 subdivision where they have an opportunity to play baseball,
13 kick a soccer ball. Unfortunately – I mean, they do have
14 sidewalks, which is a nice thing, but as far as a large play
15 area for children, it's just not present.

16 The other mention that was made this evening
17 has to do with parking. There is an alley that's provided, but
18 again, when you're attracting families, they will get together
19 as families for holidays and special occasions, and there will
20 be many cars that will have to find a place to park in that
21 small space. And the alleys may be available, but I know from
22 developments in the Village of Kildeer, which again are large
23 homes, maybe 3,000 square feet, but they're on much bigger
24 property, much bigger lots, and we have those problems. The

1 Sanctuary Club is not that old, and that development is nearby.
 2 It's on Route 22. If you're familiar with it, those lots are
 3 much bigger than these, but the homes are about the same size.
 4 Those families that moved in there had some significant
 5 problems, and those problems had to do with things as simple as
 6 basketball hoops. A lot of the families wanted to have their
 7 children play basketball. They wanted to put a pole up in the
 8 driveway, and the activity that that generated created quite a
 9 bit of activity for the village because we were asked to come
 10 in and say can you please call a policeman and send them over
 11 here, can you get that kid to stop dribbling his basketball.
 12 Those are real considerations. And the property at the
 13 Sanctuary Club was marketed as age-targeted, not age
 14 restricted. And those are some of the problems that come from
 15 density that's too great for the area, and those problems may
 16 be repeated here given the layout of this site plan and the
 17 lack of open space and parking areas for guests.

18 The other similarity that I see with this
 19 site plan and the Sanctuary Club is the overall traffic pattern
 20 that surrounds the residential homes. The Sanctuary Club has a
 21 similar pattern. There's, like here, one way in and one way
 22 out, and our policemen refer to that oval as the racetrack
 23 because what unfortunately happens is -- there's been a lot of
 24 comments about the congestion on Route 22 and Quentin. In the

1 morning, people are anxious to get out and get to work, so they
 2 speed in the area; at home in the evening, when they're trying
 3 to come home their patience is strained and they tend to speed
 4 quite a bit. So those are concerns that our Plan Commission if
 5 they were considering a plan similar to this would bring to
 6 bear based on the experience we had with that development. And
 7 I believe if a similar development were to come forward, again,
 8 it's unlikely our Plan Commission would approve it with those
 9 characteristics.

10 The other comment I think I would make about
 11 a high-density development that's so out of character with the
 12 area is if this was in the City it would be fantastic. In the
 13 suburbs, especially here where there is no public
 14 transportation, the idea of putting homes this close together
 15 doesn't have a practical sense to it. This isn't a
 16 transit-oriented-type development because there's no
 17 transportation available to people. And the idea of folks with
 18 families, large families shopping at Mariano's and trying to
 19 bring a shopping cart full of groceries back to this location
 20 across Quentin Road doesn't seem to be very practical either.
 21 So I wondered if that's a true justification of this type of a
 22 site plan.

23 Getting to the car wash and the
 24 gas station, it was mentioned by several people already and I

1 think Jim Kaiser, your Chairman, put on your desk some handouts
 2 I gave him earlier this evening regarding a transcript from the
 3 Village Mayor in which at a public board meeting which was
 4 transcribed he made comments and he went out of his way to make
 5 it so clear that there were justifications for prohibited uses,
 6 and the car washes and gas stations were expressly included in
 7 those lists. There is also a communication and e-mail from the
 8 Village's Administrator to me again assuring the Village of
 9 Kildeer and its residents that car washes and gas stations
 10 would be prohibited uses as part of the Annexation Agreement,
 11 and we've been relying on that and telling our residents who
 12 are moving close to this area what to expect, because a lot of
 13 people ask questions about vacant land and what could go in
 14 there, and they were told those uses were prohibited by
 15 Hawthorn Woods.

16 I'm also surprised that this evening there
 17 hasn't been any testimony by anyone about the noise that would
 18 come from a car wash. And I can tell you again from experience
 19 with Kildeer's Plan Commission there was a proposal for a
 20 car wash at the BP station that isn't very far away from this
 21 location. This would be the BP at Rand and Quentin. During
 22 the public hearings -- and I'm going to use plurals here
 23 because we had several hearings regarding the car wash and
 24 gas station because it was such a controversial proposal --

1 there was a lot of testimony from experts on noise, and the
 2 testimony at that time was that the background noise on 12
 3 although significant -- and I would think it's much more
 4 significant than the background noise on 22 -- would not drown
 5 out the noise from the car wash. The noise is cumulative. It
 6 reinforces each other. And there are times when the background
 7 noise will go down, such as weekends after 7:00, 8:00 o'clock
 8 at night and certainly on Sunday morning and Saturday morning,
 9 and the noise becomes a significant factor. And with homes so
 10 close to this, I think you better ask a lot more questions
 11 about noise values and the impact of noise under different
 12 temperature conditions and humidity conditions because you may
 13 be very surprised on how far noise will travel from an activity
 14 like a car wash and what the background level of a car wash is.
 15 It's equivalent to a lawn mower. And I think you want to be
 16 very careful about approving those uses. I mean, the bottom
 17 line is there is very real and significant reasons for
 18 prohibiting uses in the first place. Those reasons haven't
 19 changed. Nothing since 2010 makes the noise any less real;
 20 nothing from 2010 makes the attractiveness of living next to a
 21 gas station less. There were very good reasons for prohibiting
 22 those uses, and those reasons continue today.

23 It was mentioned that the PUD is an
 24 opportunity to be creative. If you want to be creative, take

1 risks that are reasonably tolerable. Such a drastic departure
 2 from your own codes and standards -- if you just look at your
 3 agenda, I mean, to approve this thing you need special use
 4 permits for the gas station, for the car wash; you've got to
 5 depart from your zoning ordinance, your land subdivision
 6 ordinance, your building ordinances. This thing didn't fit.
 7 It still doesn't fit. To make it fit you've got to go through
 8 a lot of hoops. That's a red flag that perhaps this isn't the
 9 best use of this property. It's always been planned for
 10 residential. Charlie is a fantastic builder, and if you would
 11 give him the opportunity, he could fill this up with homes just
 12 like what's on the northern portion. It's not a space that
 13 there is the only possible use for this land. Probably not the
 14 highest and best use according to your own zoning code.

15 The bottom line is you don't have to approve
 16 this. You have the discretion to weigh this and say does it
 17 fit in Hawthorn Woods, does it fit in the community. I believe
 18 it's grossly out of character for the region. We don't have
 19 anything from your own developers witnesses. There's nothing
 20 like it in the area. I don't think you want this to be the
 21 guinea pig that all the residents behind me will say, gee, I
 22 told you so.

23 I urge you not to recommend to the Village
 24 Board that this development be approved. I recommend to you

1 that you not change your own rules or zoning ordinances and so
 2 forth to accommodate this. It's too big of a change for the
 3 area, and I think for all the reasons that I've mentioned and
 4 all the residents that came before us, your job is to represent
 5 the Village. The car wash doesn't even provide sales tax.
 6 It's a service industry. The costs from this development I
 7 believe greatly outweigh the benefits. And represent the
 8 people that you're to serve. They don't want it. It's not
 9 worth all the changes that have to be made and the small amount
 10 of revenue that you'll get from changing the character of your
 11 Village.

12 Thank you very much.

13 CHAIRMAN KAISER: Thank you.

14 (Audience clapping.)

15 We're wasting our time. We have one more
 16 person.

17 MR. BURNEY: Mr. Chairman, I would like to ask the
 18 gentleman some questions. I think I'm permitted to do some
 19 cross-examination.

20 CHAIRMAN KAISER: I'd like to hear from the last resident
 21 before you do that. If you wanted to follow up with that.

22 MR. BURNEY: Thank you.

23 MR. KLEIMHEINZ: Good evening, Mr. Chairman. Bob
 24 Kleimheinz. I'm with the -- that's K-l-e-i-m-h-e-i-n-z -- the

1 Lake Zurich Fire Department. I'm a fire protection specialist,
 2 and I will be quick tonight.

3 Our concerns are in the cluster housing
 4 section. Everything else is going to meet code. What we're
 5 asking that I have written in my review is that you propose to
 6 the City Council a residential sprinkler system. And our
 7 reason on this is the clustered housing is totally different
 8 than a normal subdivision density. A normal subdivision
 9 density house that catches on fire that's not protected
 10 normally will stay in that house. It won't spread. In a
 11 clustered subdivision, a home that catches on fire anywhere
 12 within a cluster can easily spread to other houses on either
 13 side of the cluster. It's very simple. The windows will
 14 ventilate, the fire will go out and then go into the next
 15 house. That would spread up the side, go into the attic. A
 16 residential sprinkler system will prevent that from happening.

17 So we know that Hawthorn Woods does not have
 18 the code that states homes need to be sprinklered. Lake Zurich
 19 does. Other communities do. The Petitioner brought up the
 20 fact that they patterned that after the School Street. I was
 21 the Fire Marshal in Libertyville when they built that
 22 subdivision. Everyone in those buildings is sprinklered, and
 23 that was the reason we used for the Village Board. It's too
 24 close to each other. What we're asking tonight is for you,

1 please, to consider the residential sprinkler component to this
 2 clustered subdivision and pass that on to the Village Board.

3 CHAIRMAN KAISER: Are you here in an official capacity?

4 MR. KLEIMHEINZ: Yes, sir. I wrote the review.

5 CHAIRMAN KAISER: I see you're in uniform.

6 MR. KLEIMHEINZ: Yes, sir. Thank you very much.

7 CHAIRMAN KAISER: Mr. Burney.

8 MR. BURNEY: Just a few questions.

9 What is your title with Kildeer?

10 MR. TALBETT: Chief Village Officer.

11 MR. BURNEY: Chief Village Officer. And you referred to
 12 some public comments by the Mayor on July 1st of 2010; isn't
 13 that correct?

14 MR. TALBETT: It was the date the transcript that was
 15 made that I gave to the members of the Plan Commission.

16 MR. BURNEY: Can you tell me, was the Mariano's
 17 development, the McDonald's, the tire place, was that in
 18 existence in July of 2010? If you'll take July as the date
 19 that you referred to as --

20 MR. TALBETT: No.

21 MR. BURNEY: So those occurred after the Mayor's
 22 statements; is that correct?

23 MR. TALBETT: Right.

24 MR. BURNEY: And are you aware that there's an

1 Intergovernmental Agreement between Kildeer and Hawthorn Woods
2 pertaining to the development of that property?

3 MR. TALBETT: Yes.

4 MR. BURNEY: And is it your understanding that that
5 agreement -- in that agreement Kildeer agrees to the
6 development of 14 acres of this property for commercial
7 development?

8 MR. TALBETT: Right.

9 MR. BURNEY: So Kildeer does not take a position against
10 commercial development on 14 acre on this property; am a
11 correct?

12 MR. TALBETT: No. It's just this specific site plan.

13 MR. BURNEY: Then you talked about some noise issues.
14 You're not a noise expert; right?

15 MR. TALBETT: No.

16 MR. BURNEY: Would you agree -- have you been out to the
17 intersection at 22 and Quentin? Would you agree that there is
18 a lot of background noise?

19 MR. TALBETT: Not as much as Route 12.

20 MR. BURNEY: Good. So Route 12 is extremely busy; is
21 that correct?

22 MR. TALBETT: It's busier than Route 22.

23 MR. BURNEY: So I've got the noise from the traffic
24 that's going east and west, correct, the noise north and south

1 developer; is that correct?

2 MR. TALBETT: Not at all.

3 MR. BURNEY: Thank you. I don't have any further
4 questions. Thank you for your honest answers.

5 Mr. Chairman, if we could respond to the
6 questions.

7 CHAIRMAN KAISER: Yes, you could. Any way you want to do
8 it.

9 MR. BURNEY: Jarrod, would you come up, please.

10 Jarrod, there were traffic questions that
11 were raised. Let's start by talking about pass-by traffic and
12 destination traffic, or maybe traffic engineers use other
13 terms. But use your terms.

14 Describe those two concepts and then apply
15 them to the gasoline station.

16 MR. CEBULSKI: Sure. Destination traffic will be for
17 commercial developments that are unique, that people go out of
18 their way to go to certain shops or things like that. Pass-by
19 traffic would occur and not attract new vehicles but are places
20 more like gas stations or people will frequent who are already
21 driving the roads. People aren't going to go out of their way
22 to go to a certain gas station. They'll stop at a gas station
23 on the way. The gas station only inherently generates a lot of
24 new traffic. It will just serve a lot of existing traffic

1 on Quentin. You've got the noise coming from the Mariano's,
2 McDonald's, Just Tires; is that correct?

3 MR. TALBETT: There's noise everywhere, yes.

4 MR. BURNEY: Are you saying that this development can't
5 meet the state noise standards if the Village were to permit a
6 gas station and a car wash on the site?

7 MR. TALBETT: No. What I said was that the background
8 noise that exists from those sources isn't constant over time.
9 I mentioned that in the evening, on weekends those background
10 levels drop, and if another noise source is present, it's more
11 pronounced. It's more distinguishable. So a car wash going at
12 7:00 o'clock in the morning will have a louder sound profile
13 than it will at, let's say, 1:00 o'clock in the afternoon.

14 MR. BURNEY: Thank you.

15 So as far as the planned development -- you
16 understand that a planned development is an appropriate device
17 to be able to accommodate a plan that may not be permitted as a
18 matter of right under the zoning ordinances of a particular
19 village.

20 MR. TALBETT: Yes. My comments were directed to the
21 creativity. That should be a vehicle to be creative. And I
22 agree that you can be creative with a planned development, but
23 I don't want to see careless experimentation.

24 MR. BURNEY: You don't know Mr. Murphy to be a careless

1 along the existing routes.

2 MR. BURNEY: Do the technical studies the traffic
3 engineers like you rely upon take that into account when
4 estimating the traffic generated by a use such as this?

5 MR. CEBULSKI: Yes.

6 MR. BURNEY: You took that into account; is that right?

7 MR. CEBULSKI: Yes.

8 MR. BURNEY: You heard some questions about the
9 improvement plans and when those improvement plans are moving
10 forward on 22 and Quentin.

11 Can you tell us what it is that the State is
12 planning to do on 22 and what the County's planning to do on
13 Quentin?

14 MR. CEBULSKI: I believe the statements that were made
15 were correct, that IDOT's planning to widen route 22. I
16 believe the year was 2020 that they were looking to do that.
17 And Quentin Road was also going to be widened by Lake County.
18 The year was 2019.

19 MR. BURNEY: What is the extent of improvements on
20 Quentin and on 22?

21 MR. CEBULSKI: I believe they are adding lane
22 improvements that will provide additional capacity.

23 MR. BURNEY: We heard people complaining, and not in a
24 snarky way, and one gentleman said about how long it takes to

1 travel back to 83.

2 Are those improvements on 22 going all the
3 way back to 83?

4 MR. CEBULSKI: Correct.

5 MR. BURNEY: And then we heard some concerns about people
6 seeking to cross; connectivity to the Mariano's, McDonald's,
7 the shopping center on the west side.

8 Can you explain what is planned at the
9 signalized intersection and what could be done if the County
10 was to do a crossing further south?

11 MR. CEBULSKI: Sure. A signalized intersection, there
12 would be crosswalks. Pedestrians push buttons, ADA-compliant
13 sidewalks and ramps so that it would be accessible for
14 pedestrians to cross at the intersection of 22 and Quentin.

15 And other crossings can be investigated, but those would need
16 to be approved by the jurisdictional agencies, like one could
17 be proposed further north along Quentin, but that would need to
18 be up to Lake County to approve.

19 MR. BURNEY: So, like in my neighborhood, you push a
20 button and the lights flash yellow. It tells everybody to slow
21 down so you can cross. That the kind of improvement to provide
22 access at another location, that could be accommodated. Is
23 that what you're talking about?

24 MR. CEBULSKI: That is an option.

1 that there were some drainage structures that seem to be
2 elevated above the natural grade right now, so that while the
3 drainage structures exist they may not be collecting all the
4 water that they could possibly do so. It will be part of the
5 investigation as we move forward.

6 MR. BURNEY: There's an engineered solution to prevent
7 offsite flooding to Beacon Hill with this commercial
8 development?

9 MR. ADAMS: Our project is going to completely comply
10 with both the Village of Hawthorn Woods and the Lake County
11 Stormwater Management codes and ordinances relative to
12 stormwater management and drainage.

13 MR. BURNEY: Thanks, Ron.

14 COMMISSIONER MERKEL: Excuse me. Can I get your name and
15 background expertise?

16 MR. ADAMS: Ron Adams. Pearson, Brown & Associates.
17 We're a consulting engineering firm located in Libertyville,
18 Illinois. I've been employed at Pearson Brown for 43 years,
19 and I've done numerous subdivisions and development throughout
20 Lake County, Cook County, Southern Illinois.

21 COMMISSIONER MERKEL: Thank you.

22 MR. BURNEY: Thank you, sir.

23 Tim Kellogg.

24 We've heard some concerns expressed about

1 MR. BURNEY: Thank you.

2 Ron Adams.

3 MR. BURNEY: Ron, you didn't testify before?

4 CHAIRMAN KAISER: Was Ron sworn?

5 MR. ADAMS: I was sworn.

6 MR. BURNEY: All right. I just wanted to talk about a
7 couple things.

8 You heard the neighbors' concerns about
9 effluent and pollution of the groundwater, and then you also
10 heard the one gentleman's concern about storm management to the
11 property to the east at Beacon Hill.

12 Can you address both of those issues?

13 MR. ADAMS: The effluent from all facilities being
14 proposed here will go into a sanitary sewer system that's under
15 the jurisdiction of the Lake County Department of Public Works.
16 So that would be whether effluent is coming out of the car wash
17 or the restrooms within the facility, so they will be regulated
18 both by the County and the Illinois EPA as to what can be done
19 with those facilities.

20 As far as the intersection where they said
21 there's occasionally some water standing at their intersection,
22 that's been one of the comments by the Staff that that needs to
23 be investigated and addressed when we go through with the final
24 engineering on this property. I was out there, and I noticed

1 parking and know removal, and I wish you'd identify whether you
2 planned for that and how you planned for it.

3 MR. KELLOGG: Absolutely. Regarding parking, I'll
4 address that first. One nice thing about this land plan is
5 that perimeter road only has homes on one side for a
6 significant amount.

7 And I'll first do this, and then I will do it
8 up at the top one also.

9 So these, because of being alley-load all
10 homes access, these driveways are all 22-foot deep. That will
11 actually allow for two cars to be parked in each driveway in
12 the alley. Around the perimeter, with the exception of the
13 corners which would be no parking because of the turn of larger
14 trucks going around those, along both sides of Roman Lane and
15 along here and that also along this face because that area is
16 going throughout alley would be parking in addition to what's
17 in the driveways.

18 I'll talk up here now. So, once again, the
19 alley is here. All these driveways are not what you think of
20 as being a Chicago driveway. In many of the alleys in Chicago
21 the garage is right up against the edge of that alley. Those
22 driveways off of the alley are actually 22-foot deep, so you
23 can park two cars. So you can have parking in all the
24 driveways here, and then also because of this being alley-load

1 all along here, here, and actually both sides along here could
2 have parking on them. So you have parking in the driveways and
3 quite a bit on the street. Because of the nice thing with the
4 alley, you have a lot of front that doesn't have driveways
5 coming out onto the main street.

6 Regarding snow storage for the alley-load
7 home product, that actually was a question that was brought to
8 us by Staff, and in working with them, we have the landscape
9 plan set up in a way that the parking for both sides of the
10 walkway here has no large landscaping in those areas so that
11 that can be areas for the storage of snow for the alley. As far
12 as the street goes, the nice thing is once again there aren't
13 driveways along the street, so snow plowing and removal along
14 the streets is actually better than your traditional
15 subdivision where you'd have driveways coming in on both sides
16 of these streets.

17 MR. BURNEY: Thanks, Tim.

18 That completes what we think is our rebuttal.

19 CHAIRMAN KAISER: Thank you, Mr. Burney.

20 All right. Are there any questions from the
21 Commission that might be a follow up to the testimony you just
22 heard?

23 COMMISSIONER LINDQUIST: Yes. To the gentleman that was
24 here regarding the fire situation --

1 providing parks for children to be a part of for outdoor
2 activities. And I don't know other than this kind of like a
3 mall up the center here, which I don't know if that's going to
4 fulfill the role of being a park. But I think that an area
5 that has this many homes should have some kind of a dedicated
6 facility for a park and for safe access and use by children.

7 That's it for now.

8 CHAIRMAN KAISER: Okay. Was that just a statement or a
9 question of providing a park?

10 COMMISSIONER LINDQUIST: No. It's a very strong
11 suggestion.

12 CHAIRMAN KAISER: Okay. Well, more of a question.

13 Is there any comment back from Mr. Burney?

14 Anybody on the Staff?

15 MR. BURNEY: We hear the gentleman's comments.

16 CHAIRMAN KAISER: Thank you.

17 Anything else? Chris.

18 COMMISSIONER DONOVAN: My only question was, there was a
19 comment about the pedestrian crossing that was made and whether
20 that's really on Lake County to take care of that on Quentin.

21 Was that something that's been discussed with
22 Lake County? Are they looking at that?

23 I know they have the plans to widen it by
24 2019, I was a little unclear on whether this would be on

1 CHAIRMAN KAISER: Speak a little closer.

2 COMMISSIONER LINDQUIST: -- regarding the buildings that
3 are five feet from each other. In the City of Chicago we have
4 buildings that are close to each other that have essentially
5 the exterior walls are fire walls, and we have no masonry walls
6 involved here. Therefore, we have no fire walls. And I don't
7 know if we have been in contact with you regarding this. But I
8 think that his suggestion of providing fire sprinklers for
9 these units would be mandatory because a fire in one would very
10 easily and very quickly spread throughout those buildings that
11 are five feet apart.

12 CHAIRMAN KAISER: Charlie.

13 MR. MURPHY: Currently, we -- bottom line is I'm open --
14 to be honest with you, currently the homes are set up with a
15 separation such that I really can't argue the point, to be
16 honest with you. I'm not going to.

17 COMMISSIONER LINDQUIST: Okay.

18 CHAIRMAN KAISER: Dave, any other questions?

19 COMMISSIONER LINDQUIST: Yes. The other concern that I
20 see that's been brought up in discussions here, therefore, what
21 I'm saying, I do appreciate the input from the people here. I
22 do think -- I have no idea what kind of population we can
23 expect of children in this development, but I do think that
24 Hawthorn Woods has traditionally done a very fine job of

1 Lake County or whether that's under discussion with Lake County
2 for the corner of 22 and Quentin. I think that you guys talked
3 about that.

4 MR. BURNEY: I guess we will have those discussions with
5 Lake County, but we need to have a plan approved. And that's
6 the beauty of the plan development system, that you get a
7 preliminary plan and then when you get to final plan you've got
8 something controlled and can work with the other governing
9 bodies on it. It's something we will definitely work on if we
10 get approval for this plan.

11 COMMISSIONER DONOVAN: I understand you have to control
12 it with Lake County. It's something that you would work with
13 to try to work with on that.

14 MR. BURNEY: Yes.

15 COMMISSIONER DONOVAN: Okay.

16 CHAIRMAN KAISER: Any other questions?

17 (No response.)

18 There being no other questions, I'd like a
19 motion to close the public hearing. When we close the public
20 hearing, there would be no ability to question the witness any
21 further. There would be discussion among us.

22 Do we have a motion?

23 COMMISSIONER DONOVAN: So moved.

24 CHAIRMAN KAISER: Motion.

1 COMMISSIONER LINDQUIST: Second.
 2 CHAIRMAN KAISER: Second by Mr. Lindquist.
 3 CHAIRMAN KAISER: I'll take a roll-call vote, please.
 4 COMMISSIONER SEDLACEK: Aye.
 5 COMMISSIONER RYCHLIK: Yes.
 6 COMMISSIONER LINDQUIST: Aye.
 7 COMMISSIONER DONOVAN: Yes.
 8 COMMISSIONER MERKEL: Yes.
 9 CHAIRMAN KAISER: Motion carries. The session is closed.
 10 We are now in closed session. So, therefore,
 11 I will entertain a motion to approve the submittal.
 12 So is there a motion to be made?
 13 COMMISSIONER RYCHLIK: I've got an idea.
 14 CHAIRMAN KAISER: All right. Usually, we have a
 15 discussion after a motion is made.
 16 COMMISSIONER RYCHLIK: Well, okay. I'm trying to phrase
 17 the motion.
 18 I recommend approval with the following
 19 conditions: I'd like to adhere to the 2010 public hearing.
 20 I'd like the commercial use to be in conformance with that
 21 hearing. Lot density, proposed a quarter-acre and further
 22 apart. And other than that, I'd like it to be consistent with
 23 the Hawthorn Woods Subdivision Code.
 24 CHAIRMAN KAISER: Okay.

1 Annexation Agreement is the one that talks about not having the
 2 car wash and the gas station on that property, so that's what I
 3 understand. So I don't know if that changes any ability of
 4 making a motion.
 5 COMMISSIONER MERKEL: Is that the cart before the horse?
 6 Do we need to get that done first?
 7 CHAIRMAN KAISER: It's not our job to do that. That's
 8 the Village Trustees to make that decision on that issue. The
 9 only thing we are voting on is the submission. The Village
 10 Trustees would have to take that next step on the super
 11 majority. We don't worry about that. Our role as a Commission
 12 is to listen to what the Petitioners are submitting. We either
 13 approve or disapprove of that. I'm sorry. Recommend or not
 14 recommend what is being suggested to us. And then the Village
 15 then makes the ultimate decision. Theirs is going to be a
 16 little higher because of the nature of what it is.
 17 Does that sound fair?
 18 MR. KENNY: Yes. By the standard being higher, it's
 19 going to require a vote of the Village Board.
 20 CHAIRMAN KAISER: If that helps you in creating a motion,
 21 that's what I'm intending to do.
 22 COMMISSIONER MERKEL: It seems like it's backwards.
 23 CHAIRMAN KAISER: It's what it is.
 24 COMMISSIONER SEDLACEK: For clarification, we have a

1 COMMISSIONER RYCHLIK: It's a starting point.
 2 CHAIRMAN KAISER: There is a motion.
 3 Is there a second?
 4 (No response.)
 5 There being no second, there is no motion.
 6 COMMISSIONER MERKEL: Repeat that. We're saying no
 7 car wash, no gas station; correct?
 8 COMMISSIONER RYCHLIK: Correct. There is a list of
 9 reasons --
 10 COMMISSIONER MERKEL: Quarter-acre lot.
 11 COMMISSIONER RYCHLIK: Conform to the prohibitions
 12 outlined in the Annexation Agreement and then to propose
 13 density. I was trying to follow the consistency with the
 14 Gilmer Midlothian width, a quarter-acre at its densest point.
 15 COMMISSIONER MERKEL: I got it.
 16 CHAIRMAN KAISER: That's not approving anything.
 17 COMMISSIONER RYCHLIK: We have to start with the
 18 positive.
 19 CHAIRMAN KAISER: We do like to start with a positive.
 20 Let me add this before you make a motion, that the Annexation
 21 Agreement if it needs to be amended requires a super majority,
 22 I believe, of Village Trustees. Whatever we decide here in
 23 this Commission would still require a super majority by the
 24 Trustees because of the nature of that. That being said, the

1 proposal in front of us, so I believe that any motion has to
 2 deal with that proposal and not come up with something
 3 different.
 4 CHAIRMAN KAISER: That is correct. You could place
 5 conditions on that. There might be a couple conditions. But
 6 as far as what the Village is -- if the Village has to amend
 7 the Annexation Agreement to put in a gas station or car wash,
 8 that's up to them to have to do that. They have to take a
 9 different, separate action for that.
 10 MR. KENNY: For purposes of explanation, in order to make
 11 an amendment to the Annexation Agreement, it has to be a public
 12 hearing to the extent that it implicates a land use addition.
 13 In this case, because the Annexation Agreement specifies no
 14 car wash, there has to be a public hearing at this level so
 15 that the Village Board can then make its decision on amending
 16 the Annexation Agreement, but the Village Board needs the input
 17 from the public hearing, the input from the Applicant, the
 18 input from the residents in order to make that. So there's
 19 that element. But this is a stage that has to happen before
 20 the Board considers the annexation amendment but still have the
 21 regular zoning application.
 22 CHAIRMAN KAISER: So Mr. Rychlik.
 23 COMMISSIONER RYCHLIK: I'm lacking in my understanding of
 24 the process.

1 CHAIRMAN KAISER: It is what it is. So do we have an
 2 understanding? Do we have anybody wanting to make a motion?
 3 COMMISSIONER DONOVAN: I would like a motion to approve
 4 with the addition and the stipulation of the fire protection
 5 system that was discussed by the fire specialist.
 6 CHAIRMAN KAISER: We have a motion.
 7 Is there a second?
 8 COMMISSIONER SEDLACEK: I would second.
 9 CHAIRMAN KAISER: Mr. Sedlacek.
 10 COMMISSIONER MERKEL: That's your only stipulation?
 11 COMMISSIONER DONOVAN: At this point, that's the only
 12 one. So we can move to discussion.
 13 CHAIRMAN KAISER: Now we're in discussion. All right.
 14 Is there any discussion on that topic?
 15 COMMISSIONER LINDQUIST: Can we throw in there something
 16 about a park? A space designated as park?
 17 MR. KENNY: The way you would do that is ask the
 18 motion-maker and the seconder if they accept another condition
 19 to the motion and have that be the question, and then there
 20 would be a vote on the question.
 21 COMMISSIONER LINDQUIST: Then I do request that, that a
 22 space be dedicated to accessing and providing a park for
 23 children.
 24 COMMISSIONER MERKEL: Put a size on that park. A park.

1 they come up. Otherwise, you're going to have a list of five
 2 or six.
 3 COMMISSIONER MERKEL: Voting on the addition of a park.
 4 CHAIRMAN KAISER: Yes. Roll-call.
 5 Fire suppression is already on there.
 6 COMMISSIONER SEDLACEK: No.
 7 COMMISSIONER RYCHLIK: No.
 8 CHAIRMAN KAISER: Just the park, adding a park to the
 9 motion.
 10 COMMISSIONER LINDQUIST: Yes.
 11 COMMISSIONER DONOVAN: Yes.
 12 COMMISSIONER MERKEL: Yes.
 13 CHAIRMAN KAISER: Motion carries. Three yes.
 14 All right. Are there any more conditions
 15 that you'd like to add as a Commission?
 16 COMMISSIONER MERKEL: Back to you, Tom.
 17 COMMISSIONER RYCHLIK: So we don't need to make a
 18 condition regarding adherence to zoning ordinance?
 19 CHAIRMAN KAISER: No. That's already there.
 20 COMMISSIONER RYCHLIK: Okay. Now we're proposing an
 21 amendment condition about density which would revalidate –
 22 UNIDENTIFIED AUDIENCE MEMBER: We don't hear you.
 23 CHAIRMAN KAISER: If you're going to get into density, I
 24 think you're changing the whole project. So I think that would

1 One of those lots? Or what size were you looking for, Dave?
 2 COMMISSIONER LINDQUIST: I'm not going to get into the
 3 sizing. It would need to be appropriate for the population, I
 4 think, a park.
 5 COMMISSIONER DONOVAN: I think the one thing we heard
 6 from the residents is maybe away from the entrance, maybe more
 7 centrally located by maybe that bridge or something like that.
 8 I mean, the Village can work that out with them. Just
 9 basically relocation of the park.
 10 CHAIRMAN KAISER: Are you agreeing to modify your motion?
 11 COMMISSIONER DONOVAN: I'm agreeing to modify that
 12 motion.
 13 CHAIRMAN KAISER: Mr. Sedlacek, do you agree to modify
 14 your second?
 15 COMMISSIONER SEDLACEK: Yes, I agree to modify my second.
 16 CHAIRMAN KAISER: Okay. Let's all take a vote to accept
 17 that modification. Roll call, please.
 18 COMMISSIONER MERKEL: Clarification. One at a time or
 19 all together?
 20 CHAIRMAN KAISER: Do you have more?
 21 COMMISSIONER MERKEL: I'm sure there's going to be more.
 22 CHAIRMAN KAISER: If there's going to be more, let's do
 23 more.
 24 MR. KENNY: One suggestion is to do them one at a time if

1 be either a yes or no vote on the project when we vote on it.
 2 COMMISSIONER RYCHLIK: All right.
 3 COMMISSIONER MERKEL: We can't just – in the past we've
 4 been able to talk about we'd be okay with the design but
 5 instead of 19 lots there's now 10 lots, that type of thing.
 6 We're saying we're not doing that?
 7 CHAIRMAN KAISER: That would be a significant change.
 8 All right.
 9 COMMISSIONER MERKEL: Back to your lot size.
 10 COMMISSIONER RYCHLIK: No. I propose an amendment to the
 11 motion to adhere to quarter-acre minimum lot size.
 12 CHAIRMAN KAISER: Is there a second on that?
 13 COMMISSIONER SEDLACEK: I'll second it.
 14 CHAIRMAN KAISER: Mr. Sedlacek seconds.
 15 All right. We'll take a roll call.
 16 COMMISSIONER MERKEL: May I ask one point of
 17 clarification?
 18 I don't have any notes. The last
 19 development, the Pulte off Old McHenry, what was our minimum
 20 lot size we approved?
 21 COMMISSIONER RYCHLIK: The Old McHenry one by the school
 22 was half-acre.
 23 COMMISSIONER MERKEL: Pulte was the smallest. I'm sorry.
 24 MR. CASSATA: Okay. The Hawthorn Trails North just north

1 of this proposal was 12,000-square-foot minimum. Pulte ranged
 2 from 7300 to 10,400. Stonebridge was approximately 12,000.
 3 COMMISSIONER RYCHLIK: I'll amend it to 12,000.
 4 CHAIRMAN KAISER: Would you accept the second?
 5 COMMISSIONER MERKEL: The smallest, you said, was what?
 6 MR. CASSATA: 12,000. The smallest was Pulte at 7500
 7 square feet.
 8 COMMISSIONER RYCHLIK: Hawthorn Trails to the north was
 9 12,000.
 10 MR. CASSATA: Correct.
 11 COMMISSIONER RYCHLIK: I'll amend that condition to
 12 12,000 square feet.
 13 CHAIRMAN KAISER: Per residential for lot.
 14 COMMISSIONER SEDLACEK: I'll accept the second.
 15 CHAIRMAN KAISER: Now we're going to vote on that.
 16 COMMISSIONER SEDLACEK: Aye.
 17 COMMISSIONER RYCHLIK: Yes.
 18 COMMISSIONER LINDQUIST: Aye.
 19 COMMISSIONER DONOVAN: Yes.
 20 COMMISSIONER MERKEL: Yes.
 21 CHAIRMAN KAISER: All right. The motion carries.
 22 (Audience clapping.)
 23 Are there any other conditions we wish to add
 24 to the motion?

1 Mr. Donovan. It's your motion.
 2 COMMISSIONER DONOVAN: So one other thing was the sign
 3 entrance that is currently topped by a corporate logo and
 4 corporate advertising. You know, while I very much would like
 5 to have Hawthorn Woods' name on the corner opposite
 6 Lake Zurich, I don't know if I would be supportive of it being
 7 in the design and manner that it is. I don't think that's very
 8 representative of what we want as a gateway. And when we were
 9 on the Plan Commission, the long-term Plan Commission, this was
 10 definitely a gateway entrance. That is not a sign we
 11 discussed.
 12 CHAIRMAN KAISER: So your modification --
 13 COMMISSIONER DONOVAN: Motion to restrict the signage on
 14 the corner that involves the Hawthorn Woods Village namesake to
 15 not include any business logos.
 16 CHAIRMAN KAISER: No commercial logo.
 17 COMMISSIONER DONOVAN: No commercial logos. Thank you.
 18 COMMISSIONER SEDLACEK: A little discussion on that.
 19 COMMISSIONER DONOVAN: Yes.
 20 CHAIRMAN KAISER: We don't have a second.
 21 COMMISSIONER SEDLACEK: That's why I wanted to discuss.
 22 CHAIRMAN KAISER: We need a second to discuss.
 23 COMMISSIONER DONOVAN: But does he want to amend my
 24 comments?

1 COMMISSIONER LINDQUIST: Second.
 2 CHAIRMAN KAISER: We need a second for discussion.
 3 Mr. Lindquist has done that.
 4 COMMISSIONER SEDLACEK: Does it have to be a corner for
 5 Hawthorn Woods? To me, if there's business they need that
 6 sign. Hawthorn Woods could have the sign further down 22 along
 7 that nice, landscaped area with the tall trees facing the road,
 8 segregating the signs.
 9 COMMISSIONER DONOVAN: I think that's a very good idea.
 10 COMMISSIONER RYCHLIK: That would put us competing with
 11 Lake Zurich. That's a big sign. We have a big sign.
 12 CHAIRMAN KAISER: I'd like to clarify what we're talking
 13 about.
 14 COMMISSIONER SEDLACEK: To clarify that, the Hawthorn
 15 Woods sign would be relocated east along 22 prior to the
 16 right-in right-out entrance.
 17 CHAIRMAN KAISER: And allowing a commercial sign for a
 18 commercial on the corner.
 19 Mr. Donovan, do you agree with that?
 20 COMMISSIONER DONOVAN: Yes.
 21 CHAIRMAN KAISER: And Mr. Lindquist, do you accept that?
 22 COMMISSIONER LINDQUIST: Yes.
 23 CHAIRMAN KAISER: Very good.
 24 Any more discussion on that?

1 MR. KENNY: For clarification, the commercial sign that
 2 the developer has stays in the same location, just without the
 3 Hawthorn Woods on it.
 4 CHAIRMAN KAISER: That's what I understand.
 5 COMMISSIONER LINDQUIST: Separating the signs.
 6 CHAIRMAN KAISER: Separating the signs.
 7 COMMISSIONER DONOVAN: Separation of the signs.
 8 CHAIRMAN KAISER: Roll-call vote.
 9 COMMISSIONER SEDLACEK: Yes.
 10 COMMISSIONER RYCHLIK: Yes.
 11 COMMISSIONER LINDQUIST: Aye.
 12 COMMISSIONER DONOVAN: Yes.
 13 COMMISSIONER MERKEL: Yes.
 14 CHAIRMAN KAISER: Okay. Motion carries.
 15 Are there any other amendments?
 16 Mr. Merkel.
 17 COMMISSIONER MERKEL: I'm still fuzzy, I'll be honest, on
 18 the whole traffic memorandum that none of us saw. I have a
 19 hard time talking about any of this without seeing a traffic
 20 study of some sort. I'd like the proposal to see some of that
 21 or get more detail.
 22 CHAIRMAN KAISER: Then we'd be continuing our hearing
 23 over that.
 24 COMMISSIONER MERKEL: I have a hard time making a

1 decision like that without data. We haven't seen it.

2 CHAIRMAN KAISER: So are you making a motion that you'd
3 like to --

4 COMMISSIONER MERKEL: I'm asking that that needs to be
5 part of the decision-making process.

6 CHAIRMAN KAISER: All right.

7 COMMISSIONER MERKEL: However you want to frame that.

8 CHAIRMAN KAISER: Bob, how do you want to handle that?

9 MR. KENNY: Well, let's assume for a moment that that
10 motion gets seconded and let's assume for a moment that the
11 vote is in the affirmative. If so, then I think what we would
12 do is I think then probably if that passes then make a motion
13 to continue but clarify the issues that have been resolved to
14 date in that motion or at least for purposes of the record
15 identifying what we've already accomplished so we're not
16 starting over.

17 COMMISSIONER MERKEL: Are we -- okay.

18 MR. KENNY: It would be continued. If that passes, it
19 would be continued. But at least have established progress on
20 these issues or maybe the order just stand as a motion as it
21 is, and I suppose at the next meeting if you didn't like the
22 traffic report there will be a motion.

23 COMMISSIONER MERKEL: The bottom line is unless somebody
24 feels differently --

1 the report, and so whatever testimony --

2 CHAIRMAN KAISER: That's okay. If we need to do that, we
3 need to do that.

4 COMMISSIONER LINDQUIST: I make a motion to -- can we
5 make a motion to table?

6 CHAIRMAN KAISER: The motion could be tabled and we come
7 back the next time and handle the hearing, the public hearing
8 on the traffic study, and once that's resolved, go back and
9 finish our tabled motion.

10 So we haven't got a second on the motion.

11 COMMISSIONER RYCHLIK: I second Jim's motion.

12 CHAIRMAN KAISER: I've got a second. And that's to
13 continue the public hearing; come back and open the public
14 hearing as to the traffic study with the traffic person here to
15 have that discussion at the next meeting; is that correct?

16 All right.

17 MR. KENNY: I just wanted to ask Mr. Burney, the traffic
18 report is already prepared and the Village has the memorandum?

19 MR. BURNEY: That's correct.

20 Mr. Cassata, you received it like last
21 Friday.

22 MR. CASSATA: It was distributed to all of you last week.

23 MR. KENNY: It's not a question of waiting for a traffic
24 study.

1 COMMISSIONER RYCHLIK: Normally, the second review of
2 this is the findings of fact.

3 CHAIRMAN KAISER: Well, we were hoping to do that
4 tonight. We were hoping to do that tonight, but we're
5 certainly -- we need to continue. If we continue, that's the
6 way it is.

7 COMMISSIONER RYCHLIK: That could be the logical
8 extension, is that including our findings of fact we would have
9 the opportunity to review a traffic study and comment at that
10 time. Is that --

11 MR. KENNY: Are you contemplating that you'll have
12 questions for the traffic consultant? In which case you would
13 probably re-open the public hearing for the purposes of
14 testimony from the traffic consultant.

15 COMMISSIONER MERKEL: Potentially. I mean, I counted 15
16 people that said there's a traffic issue. We have nothing to
17 debate that other than a memorandum sent that we do not have.

18 MR. KENNY: Then I would recommend a continuation subject
19 to the receipt of the traffic report and the possibility of
20 bringing the traffic consultant back. But limit the hearing,
21 the public hearing aspect of it, to traffic only so we don't
22 open and rehash issues that go beyond that.

23 COMMISSIONER RYCHLIK: Will that need a public hearing?

24 MR. KENNY: We'd have to re-open the public hearing for

1 MR. CASSATA: It's not the study.

2 You're clarified between the study and
3 memorandum, correct?

4 COMMISSIONER MERKEL: You guys have -- I don't understand
5 that.

6 MR. CASSATA: The memorandum -- or, the study, we did not
7 send out the study. We sent the memorandum.

8 COMMISSIONER MERKEL: What's the difference between a
9 memorandum --

10 MR. CASSATA: Executive summary.

11 COMMISSIONER MERKEL: We saw that. That was like two
12 paragraphs.

13 COMMISSIONER RYCHLIK: I would prefer to review the
14 study.

15 COMMISSIONER MERKEL: It was two pages more of an
16 executive summary.

17 CHAIRMAN KAISER: All right. So that's what we want. Is
18 that --

19 MR. BURNEY: I'm sort of speaking out of turn. You can
20 shut me down.

21 CHAIRMAN KAISER: You are. You are.

22 MR. BURNEY: When you zone the ground commercial, you
23 consider the traffic impacts, and that's why we weren't
24 required to prepare a traffic study, or at least that's our

1 understanding. So the decision about commercial development on
2 this ground and the traffic impacts, it was already made when
3 the Village Board did that, but that doesn't stop you from
4 wanting this traffic study.

5 CHAIRMAN KAISER: No.

6 COMMISSIONER MERKEL: I guess if you truly did surveys
7 and studied the residents, that clearly came out from what I
8 heard tonight. I would have guessed that's something you'd
9 want to present; am I correct?

10 CHAIRMAN KAISER: I think what he's -- excuse me. I
11 think what he's saying is that when the original hearing --

12 COMMISSIONER MERKEL: I got that.

13 CHAIRMAN KAISER: Very good.

14 COMMISSIONER DONOVAN: Are we discussing the motion now?

15 CHAIRMAN KAISER: Okay.

16 COMMISSIONER MERKEL: I understand Mr. Burney's comments
17 that, yes, when we annexed the property, when we knew it was
18 commercial we should have taken all that into consideration
19 based on what you're saying. I got that.

20 UNIDENTIFIED AUDIENCE MEMBER: Can I make a comment?

21 CHAIRMAN KAISER: No, sir. Public comment is done.

22 UNIDENTIFIED AUDIENCE MEMBER: It's just a clarification.

23 CHAIRMAN KAISER: Excuse me. Public comment is done at
24 this time. You will have an opportunity, though, assuming we

1 come back for a discussion on the traffic, that there will be
2 time for public comment as to the traffic. Okay? That's it.

3 COMMISSIONER DONOVAN: Are we discussing this motion?

4 CHAIRMAN KAISER: We are discussing the motion. We have
5 not voted yet.

6 COMMISSIONER DONOVAN: We are. So on that point, then,
7 since we are discussing that motion I think that it's quite
8 clear that there's a traffic issue on that corner. I don't
9 think that anybody's talking and saying that there isn't a
10 traffic problem. Clearly, 22, the State has put it off for a
11 long time, and it's heavily traveled, and Quentin is heavily
12 traveled. I do think we heard some solid testimony about this
13 in particular.

14 What we're voting on tonight with the gas
15 station, does it draw traffic, that it's going to pick up
16 residual traffic that's going to hit the gas station; I mean,
17 personally, I mean, I don't think that the gas station is going
18 to draw it. I think it's just going to pick up people going
19 by.

20 CHAIRMAN KAISER: You have the residential.

21 COMMISSIONER DONOVAN: Right. There is residential
22 that's going to impact there, but clearly there is a traffic
23 issue there. So during a traffic study, are you looking at we
24 can't build anything until other bodies, Lake County and the

1 State who doesn't have any funds, actually get around to fixing
2 the roads.

3 CHAIRMAN KAISER: I don't think that's what's being said.
4 We haven't talked about that.

5 COMMISSIONER DONOVAN: I don't think a traffic study is
6 going to change the opinion of what's going to happen.

7 COMMISSIONER RYCHLIK: I appreciate your comment. That
8 makes sense. But it's not going to sway our opinion.

9 COMMISSIONER DONOVAN: Right. That's what I'm saying, is
10 a traffic study going to change our review.

11 CHAIRMAN KAISER: Mr. Merkel.

12 COMMISSIONER MERKEL: I'm just reading the memorandum
13 that was sent. Is it going change? I don't know.

14 MR. CASSATA: If I could make a comment. The Applicant
15 did submit their traffic study, not the memorandum, but the
16 traffic study to Lake DOT, IDOT, and they are waiting responses
17 from both. Because of the 2010 Annexation Agreement, when this
18 should have been reviewed, they will be providing the full
19 traffic study with the revised revisions based on comments from
20 Lake DOT and IDOT for final review.

21 COMMISSIONER MERKEL: The bottom line is we should have
22 done this when we annexed.

23 CHAIRMAN KAISER: Does that change your --

24 COMMISSIONER MERKEL: I think we need to take that off

1 the table.

2 CHAIRMAN KAISER: You're withdrawing your motion?

3 COMMISSIONER MERKEL: Yes.

4 CHAIRMAN KAISER: Will you withdraw the second?

5 COMMISSIONER RYCHLIK: (Indicating.)

6 CHAIRMAN KAISER: Very good. Now we're back to our
7 original motion, and we have those four conditions.

8 MR. KENNY: Fire suppression, park; we had lot size,
9 12,000 square foot; and sign separation.

10 CHAIRMAN KAISER: Four.

11 COMMISSIONER MERKEL: I'm going to be the squeaky wheel
12 here, which is normal.

13 Tom's initial comment, initial motion about
14 the memorandum, the amendment back in 2010, that's part of this
15 or not part of this? We need to add that in?

16 CHAIRMAN KAISER: You lost me on that.

17 COMMISSIONER MERKEL: Do we need to add that there's no
18 car wash?

19 CHAIRMAN KAISER: First of all, that's already a given
20 right now.

21 COMMISSIONER MERKEL: If we want to change that, we need
22 an amendment.

23 CHAIRMAN KAISER: It's still a super majority vote, still
24 five.

1 MR. KENNY: Five votes of the Trustees to amend the
 2 Annexation Agreement.
 3 COMMISSIONER MERKEL: I'm not suggesting take that off
 4 the table for this proposal. Do we need to propose yea or nay?
 5 CHAIRMAN KAISER: I don't think -- if we approved the
 6 project, it's up to the Village Board to take that next step,
 7 is what I understand.
 8 COMMISSIONER MERKEL: Right now we're recommending it as
 9 plan.
 10 MR. KENNY: Except for the larger, single-family lots.
 11 So it's going forward.
 12 COMMISSIONER MERKEL: Your comment.
 13 COMMISSIONER RYCHLIK: So here's where this comes from.
 14 We're in discussion here. The Village already made a ruling on
 15 this. That's my understanding --
 16 CHAIRMAN KAISER: I'm not sure they made a ruling.
 17 COMMISSIONER RYCHLIK: Their judgment call in 2010.
 18 CHAIRMAN KAISER: Their comments by the Mayor.
 19 COMMISSIONER RYCHLIK: Commercially, a gas station a
 20 great use. I think we said we're not going to do that. We
 21 should stick to what we said.
 22 CHAIRMAN KAISER: I don't think that's our purview as
 23 Commissioners. I think that's the Village Board's purview.
 24 COMMISSIONER MERKEL: I don't know if I agree with that.

1 is that we don't want that.
 2 COMMISSIONER RYCHLIK: That's clear.
 3 COMMISSIONER MERKEL: All right.
 4 COMMISSIONER DONOVAN: So, in essence, what you're saying
 5 is that we're supporting it in the commercial development with
 6 the Annexation Agreement only that was done.
 7 COMMISSIONER RYCHLIK: The Annexation Agreement set forth
 8 listed prohibited uses. Stick with allowed uses.
 9 MR. KENNY: Then the only issues that were brought up is
 10 the Mariano's, and a lot of uses across the street came in
 11 after the fact.
 12 COMMISSIONER MERKEL: I understand that. I'm not against
 13 commercial. Several of us were here in 2010 when we made a
 14 commitment. I have a hard time going back on that personally.
 15 CHAIRMAN KAISER: Did we get a vote now on --
 16 MS. LOBAITO: You need a second.
 17 CHAIRMAN KAISER: We haven't had the second.
 18 COMMISSIONER MERKEL: Second.
 19 CHAIRMAN KAISER: Very good. Now we can take a roll-call
 20 vote on restricting the commercial use to what was not -- we're
 21 restricting the commercial use as to what was agreed to in the
 22 Annexation Agreement in 2010.
 23 Okay. Vote.
 24 COMMISSIONER SEDLACEK: No.

1 If they're putting something in front of us that we don't
 2 accept or recommend, don't we have to do that now?
 3 CHAIRMAN KAISER: Then we don't vote in favor of it.
 4 COMMISSIONER MERKEL: All right.
 5 COMMISSIONER DONOVAN: You're saying don't vote in favor
 6 of it at all.
 7 MR. KENNY: There's a couple things you can do. If you
 8 like this plan but you don't like the gas station, then in
 9 order to give the Village Board the direction of where you're
 10 going then I think the motion should reflect that so that they
 11 know what you're thinking. If you don't want any commercial at
 12 all, then you deny it. If you like the plan but you don't like
 13 the gas station, then maybe that's a condition of approval of
 14 commercial but not the gas station and car wash.
 15 You want to be giving the Village Board some
 16 direction of where you're coming from and why so that they can
 17 make a decision.
 18 COMMISSIONER MERKEL: I'm asking a question. Thank you.
 19 COMMISSIONER RYCHLIK: Could I propose a motion to accept
 20 the commercial use consistent with the exhibit of the 2010
 21 Annexation Agreement.
 22 CHAIRMAN KAISER: Yes.
 23 Second?
 24 COMMISSIONER MERKEL: I guess what I'm coming out saying

1 COMMISSIONER RYCHLIK: Yes.
 2 COMMISSIONER LINDQUIST: Yes.
 3 COMMISSIONER DONOVAN: Yes.
 4 COMMISSIONER MERKEL: Yes.
 5 CHAIRMAN KAISER: Okay. Motion carries.
 6 (Audience clapping.)
 7 All right. Are there any other conditions
 8 that we wish to adopt?
 9 (No response.)
 10 There being no other additions, now we're
 11 going to take a roll-call vote on the motion and the additions.
 12 Are we ready?
 13 COMMISSIONER LINDQUIST: Five conditions.
 14 MR. KENNY: And what that would look like, you'd be
 15 voting on the plan you're looking at with the commercial being
 16 commercial without the gas station and car wash and a minimum
 17 of 12,000-square-foot lots for the single-family.
 18 CHAIRMAN KAISER: And a park.
 19 MR. KENNY: And a park.
 20 COMMISSIONER RYCHLIK: And the sprinklers.
 21 CHAIRMAN KAISER: We'll take a roll-call vote.
 22 This is a recommendation to the Village
 23 Trustees. Do we have a motion?
 24 MS. LOBAITO: We need a motion.

1 CHAIRMAN KAISER: We had a motion originally.
 2 COMMISSIONER DONOVAN: Oh, the original.
 3 CHAIRMAN KAISER: The original motion. Okay? We're
 4 good?
 5 Roll-call.
 6 COMMISSIONER SEDLACEK: No.
 7 COMMISSIONER RYCHLIK: Yes.
 8 COMMISSIONER LINDQUIST: Yes.
 9 COMMISSIONER DONOVAN: Yes.
 10 COMMISSIONER MERKEL: Yes.
 11 CHAIRMAN KAISER: The motion carries.
 12 (Audience clapping.)
 13 At this point, we will have a take a motion
 14 to adjourn.
 15 MR. BURNEY: Could we just have the findings of fact
 16 tonight so we can move on.
 17 CHAIRMAN KAISER: All right. Thank you.
 18 MR. BURNEY: Thank you.
 19 (Discussion off the record.)
 20 CHAIRMAN KAISER: All right. I'd like to call the
 21 meeting back to order.
 22 So before us we have findings of fact. We
 23 have three sets; one for 10-5-2.A; the second one for 9-14-4.B;
 24 and the third one for 9-15-7.A.

1 COMMISSIONER LINDQUIST: Yes.
 2 COMMISSIONER DONOVAN: Yes.
 3 COMMISSIONER MERKEL: Yes.
 4 CHAIRMAN KAISER: Motion passes.
 5 We have a second motion for 9-14-4.B.
 6 COMMISSIONER SEDLACEK: I so motion that finding of fact
 7 based on 9-14-4.B be adopted subject to the previous motion
 8 that carried and corrections as made by Staff.
 9 CHAIRMAN KAISER: Very good. Do we have a second?
 10 COMMISSIONER LINDQUIST: Second.
 11 CHAIRMAN KAISER: Second by Mr. Lindquist.
 12 All right. Let's take another roll-call
 13 vote.
 14 COMMISSIONER SEDLACEK: Aye.
 15 COMMISSIONER RYCHLIK: Yes.
 16 COMMISSIONER LINDQUIST: Yes.
 17 COMMISSIONER DONOVAN: Yes.
 18 COMMISSIONER MERKEL: Yes.
 19 CHAIRMAN KAISER: Motion passes.
 20 Do we have a motion as to 9-15-7.A?
 21 COMMISSIONER SEDLACEK: I motion that we accept the
 22 findings of fact for 9-15-7.A subject to the previous motion
 23 that carried and corrected by Staff.
 24 CHAIRMAN KAISER: Is there a second?

1 So I'd like to have a motion for each one
 2 separately, and each motion can be made subject to what we've
 3 already passed.
 4 MR. KENNY: And whatever modifications, if any, that
 5 would be required will be made by Staff and incorporated into
 6 the Village's report.
 7 CHAIRMAN KAISER: All right.
 8 COMMISSIONER SEDLACEK: So the first one I'll motion --
 9 CHAIRMAN KAISER: Which one?
 10 COMMISSIONER SEDLACEK: The 10-5-2.A.
 11 CHAIRMAN KAISER: Okay.
 12 COMMISSIONER SEDLACEK: I'll make a motion that we adopt
 13 this finding of fact subject to the previous motion that
 14 carried.
 15 CHAIRMAN KAISER: And with Staff.
 16 COMMISSIONER SEDLACEK: And Staff will make the
 17 corrections.
 18 CHAIRMAN KAISER: Very good. We have a motion.
 19 Do we have a second?
 20 COMMISSIONER DONOVAN: Second.
 21 COMMISSIONER KAISER: Second by Mr. Donovan.
 22 May I have a roll-call.
 23 COMMISSIONER SEDLACEK: Yes.
 24 COMMISSIONER RYCHLIK: Yes.

1 COMMISSIONER RYCHLIK: Yes.
 2 CHAIRMAN KAISER: Seconded by Mr. Rychlik.
 3 I will take a roll-call vote.
 4 COMMISSIONER SEDLACEK: Yes.
 5 COMMISSIONER RYCHLIK: Aye.
 6 COMMISSIONER LINDQUIST: Aye.
 7 COMMISSIONER DONOVAN: Yes.
 8 COMMISSIONER MERKEL: Yes.
 9 CHAIRMAN KAISER: Motion carries.
 10 MR. BURNEY: Thank you very much for spending four hours
 11 with us. Appreciate it. You're always professional. So thank
 12 you very much.
 13 COMMISSIONER DONOVAN: Thank you.
 14 CHAIRMAN KAISER: Thank you, Mr. Burney.
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1 STATE OF ILLINOIS)
2)
3 COUNTY OF McHENRY)
4
5

6 I hereby certify that I reported in
7 shorthand the proceedings at the above-entitled public
8 hearing and that the foregoing reported proceedings,
9 consisting of pages 3 through 148, inclusive, is a true,
10 correct, and complete transcript of my shorthand notes
11 so taken at the time and place aforesaid.
12

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14
15
16

17 JOAN M. HOLUB
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