



**THE VILLAGE OF HAWTHORN WOODS  
PLANNING, BUILDING AND ZONING COMMISSION  
2 LAGOON DRIVE, HAWTHORN WOODS, ILLINOIS  
MONDAY, AUGUST 13, 2018  
6:30 P.M.**

**MINUTES**

**I. CALL TO ORDER AND ROLL CALL**

Mr. Merkel called the meeting to order at 6:33 p.m. Roll call indicated the following members were present: Mr. Sedlacek, Mr. Rychlik, Mr. Lindquist, Mr. Donovan and Mr. Merkel.

Also present were Chief Administrative Officer/Village Clerk Donna Lobaito, Community Development Director Michael Cassata, AICP, Director of Public Works and Village Engineer Erika Frable, PE, Village Engineer Lee Fell, PE, Landscape Designer Brad Dethloff and Village Attorney Nicholas Standiford.

**II. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COMMISSION**

None this month.

**III. APPROVAL OF MINUTES**

- A. Approval of Minutes of the May 8, 2018 Planning, Building and Zoning Commission Meeting

Motion by Sedlacek, second by Rychlik to approve the minutes of the May 8, 2018 Planning, Building and Zoning Commission meeting.

Roll call vote:

Ayes: Sedlacek, Lindquist, Rychlik, Donovan

Nays: None

Abstain: None

Absent: None

Motion carried.

**IV. PUBLIC MEETING**

- A. Walnut Creek Subdivision – Consideration, Review and Recommendation to the Village Board of a Request for a Certificate of Approval for Monument Signs

Mr. Cassata and Vince Trunzo, resident, provided an overview of the request for a Certificate of Approval to replace the existing monument signs. The subdivision will use the existing LED lighting with the new signage.

Motion by Lindquist, second by Donovan to recommend to the Village Board a Request for a Certificate of Approval.

Roll call vote:

Ayes: Sedlacek, Lindquist, Rychlik, Donovan

Nays: None

Abstain: None

Absent: None

Motion carried.

## V. PUBLIC MEETING

- A. Hawthorn Gardens – Consideration, Review and Recommendation to the Village Board of a Request for a Certificate of Approval for Greenhouse

Mr. Cassata provided an overview of the request for a certificate of approval. He noted the applicant received a special use permit in 2008, and this request conforms to that permit.

Bill Koch, owner of Hawthorn Gardens, commented that the materials will match the existing greenhouses. Mr. Lindquist commended Mr. Koch for his business in Hawthorn Woods.

Motion by Sedlacek, second by Rychlik to recommend a Request for a Certificate of Approval for Greenhouse.

Roll call vote:

Ayes: Sedlacek, Lindquist, Rychlik, Donovan

Nays: None

Abstain: None

Absent: None

Motion carried.

## VI. PUBLIC MEETING

- A. KRW Holdings, LLC—24590 & 24630 Old McHenry Road—Forward Stride Stables – Consideration of a minor change to the KRW Holdings, LLC Planned Unit Development pursuant to 9-15-6.B.1 of Chapter 15 of the Village Code to allow a Certificate of Approval for site plan and elevations related to a replacement barn and paddocks

Mr. Cassata provided an overview of the request for a minor change to the planned unit development which was issued in 2006. One of the approval conditions required review and approval of future buildings and uses and a certificate of approval for the related site plan and elevations. Tonight, the owner is seeking a minor change to the planned unit development to construct six horse paddocks and replace an existing barn.

Motion by Lindquist, second by Rychlik to recommend to the Village Board a minor change to the KRW Holdings, LLC Planned Unit Development pursuant to 9-15-6.B.1 of Chapter 15 of the Village Code to allow a Certificate of Approval for site plan and elevations related to a replacement barn and paddocks.

Roll call vote:

Ayes: Sedlacek, Lindquist, Rychlik, Donovan

Nays: None

Abstain: None

Absent: None

Motion carried.

## IX. PUBLIC HEARING

The Commission addressed item IX on the agenda at this time.

- A. Lake Lorraine Park – Consideration, Review and Recommendation to the Village Board of a Request to rezone subject property to OS Open Space District

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

Roll call vote:

Ayes: Sedlacek, Lindquist, Rychlik, Donovan

Nays: None

Abstain: None

Absent: None

Motion carried.

Mr. Cassata testified that the subject property is located at the southeast corner of Schwerman Road and Meadowlark Drive, and is currently zoned R-1. The Village acquired this property three years ago to provide a park for the residents of Lake Lorraine Estates and Camden Trace subdivisions. The Village now seeks to rezone the property to Open Space to use as a park.

There was no testimony from the public. There were no questions from the Planning, Building and Zoning Commissioners.

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

Roll call vote:

Ayes: Sedlacek, Lindquist, Rychlik, Donovan

Nays: None

Abstain: None

Absent: None

Motion carried.

Motion by Donovan, second by Sedlacek, to recommend to the Village Board a Request to rezone the subject property to OS Open Space District.

Roll call vote:

Ayes: Sedlacek, Lindquist, Rychlik, Donovan

Nays: None

Abstain: None

Absent: None

Motion carried.

## VII. PUBLIC HEARING

- A. High Pointe Estates—Taylor Morrison of Illinois, Inc. – Consideration, Review and Recommendation to the Village Board of a Request for:
1. A Special Use Permit for Planned Unit Development, including departures from the Zoning Ordinance, Land Subdivision Ordinance and Building Regulations Ordinance of the Village, as fully set forth in the application, to allow the Subject 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;
  2. Special Use to allow up to 4 Display Homes on the Subject Property at any point in time;
  3. Certificate of Approval/Architectural Review for Architectural Elevations; and
  4. Such Other Relief or Approvals as the Commission and the Village Board May Determine Reasonably Necessary
- B. Consideration and Recommendation of the Findings of Fact—High Pointe Estates—Taylor Morrison of Illinois, Inc.
1. Title 9 – Zoning, Section 9-14-4.B
  2. Title 9 – Zoning, Section 9-15-7
  3. Title 10 – Land Subdivisions, Section 10-5-2.A

The minutes of this portion of the meeting were prepared by Joan M. Holub of Q & A Reporting and are incorporated into the minutes as Exhibit “A”.

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

Roll call vote:

Ayes: Sedlacek, Lindquist, Rychlik, Donovan

Nays: None

Abstain: None

Absent: None

Motion carried.

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

Roll call vote:

Ayes: Sedlacek, Lindquist, Rychlik, Donovan

Nays: None

Abstain: None

Absent: None

Motion carried.

Motion by Rychlik, second by Sedlacek to approve the Finding of Fact as presented.

Amended motion by Rychlik, second by Sedlacek to include the additional conditions:

1. The septic system monitoring report is to be provided to Public Works annually by certified staff;
2. Architectural features and/or landscaping are to be carried to the side elevations for lots 2 and 11;
3. The existing gun club is adjacent to the property and has no plans to move in the near future;
4. The Declarations contain language that allows for landscaping between houses in the same building; and
5. Send IDOT an email or an update that 20 homes shall be installed, not 11 as originally approved.

Roll call vote:

Ayes: Sedlacek, Lindquist, Rychlik, Donovan

Nays: None

Abstain: None

Absent: None

Motion carried.

Ms. Frable, Mr. Fell and Mr. Dethloff left the meeting at 8:40 p.m.

## VIII. PUBLIC HEARING

- A. HDP Stonebridge, LLC—Stonebridge Subdivision – Consideration, Review and Recommendation to the Village Board for a Request for:
  1. An amendment to the Special Use Permit for a Planned Unit Development related to additional architectural elevations;
  2. Certificate of Approval/Architectural Review for additional architectural elevations; and
  3. Such Other Relief or Approvals as the Commission and the Village Board May Determine Reasonably Necessary
- B. Consideration and Recommendation of the Findings of Fact – Stonebridge Subdivision—HDP Stonebridge, LLC
  1. Title 9 – Zoning, Section 9-14-4.B
  2. Title 9 – Zoning, Section 9-15-7

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

Roll call vote:

Ayes: Sedlacek, Lindquist, Rychlik, Donovan

Nays: None

Abstain: None

Absent: None

Motion carried.

Mr. Cassata provided an overview of the application. Mr. Thomas Burney, attorney representing HDP Stonebridge, LLC, testified that legal notices were sent to surrounding property owners within 300 feet of the subject property, and that tonight's public hearing related to building elevation modifications, and not a site plan change.

Nine additional models were proposed. With the exception of one of the models, the size ranges, widths and depths of the homes are generally consistent with the homes originally approved in 2015.

Mr. Burney requested the approval of additional elevations.

Mr. Niko Drivas, 7 Bruce Circle North, asked to see pictures of the proposed elevations. Mr. Tony Holman, of William Ryan Homes, reviewed the models and various elevations. Mr. Drivas stated he was concerned some homes looked narrower than the previously approved models. Mr. Holman stated the homes are generally the same size. Mr. Drivas was also concerned with monotony; however, there is an anti-monotony provision to the PUD that remains in effect.

Joyce Abernathy, 182 Elderberry, asked for a site plan. Mr. Cassata will provide Ms. Abernathy a copy, but noted the site plan is not being changed.

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

Roll call vote:

Ayes: Sedlacek, Lindquist, Rychlik

Nays: None

Abstain: None

Absent: Donovan

Motion carried.

Motion by Rychlik, second by Lindquist to recommend the Findings of Fact as presented.

Roll call vote:

Ayes: Sedlacek, Lindquist, Rychlik, Donovan

Nays: None

Abstain: None

Absent: None

Motion carried.

**X. PUBLIC HEARING**

- A. AO Architectural Overlay District – Consideration, Review and Recommendation to the Village Board of a Request to consider an Amendment to the Zoning Code related to the AO Architectural Overlay District

Motion by Rychlik, second by Donovan to continue the public hearing to the next meeting.

Roll call vote:

Ayes: Sedlacek, Lindquist, Rychlik, Donovan

Nays: None

Abstain: None

Absent: None

Motion carried.

**XI. ADJOURNMENT**

Motion by Sedlacek, second by Lindquist to adjourn the meeting.

Roll call vote.

Ayes: Sedlacek, Rychlik, Lindquist, Donovan

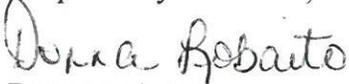
Nays: None

Abstain: None

Absent: None

Motion carried and the meeting adjourned at 9:09 p.m.

Respectfully submitted,



Donna Lobaito

Chief Administrative Officer/Village Clerk

PRESENT:

JAMES MERKEL, CHAIRMAN  
CHRISTOPHER DONOVAN  
DAVID LINDQUIST  
THOMAS RYCHLIK  
PAUL SEDLACEK

MICHAEL CASSATA, COMMUNITY DEVELOPMENT DIRECTOR  
DONNA LOBAITO, VILLAGE ADMINISTRATOR  
ERIKA FRABLE, VILLAGE ENGINEER  
LEE FELL, CHRISTOPHER BURKE & ASSOCIATES

APPEARANCES:

SCHAIN, BANKS, KENNY & SCHWARTZ, LTD, by  
NICHOLAS D. STANDIFORD,  
on behalf of the Village of Hawthorn Woods;

MELTZER, FURTILL & STELLE, by  
JULIE M. WORKMAN,  
on behalf of the Petitioner.

PETITIONER SPEAKER:

SCOTT BARKENBRUGGE

PUBLIC SPEAKERS:

JACK WEEZEN (phonetic spelling)  
SCOTT SIKORA

IN THE MATTER OF THE APPLICATION

OF

TAYLOR MORRISON OF ILLINOIS, INC.,  
HIGH POINTE ESTATES, FOR CONSIDERATION,  
REVIEW AND RECOMMENDATION TO THE  
VILLAGE BOARD OF A REQUEST FOR  
A SPECIAL USE PERMIT FOR A PLANNED UNIT  
DEVELOPMENT INCLUDING DEPARTURES FROM  
THE ZONING ORDINANCE, LAND SUBDIVISION  
ORDINANCE, AND BUILDING REGULATIONS  
ORDINANCE; A SPECIAL USE TO ALLOW UP TO  
FOUR DISPLAY HOMES; CERTIFICATE OF  
APPROVAL/ARCHITECTURAL REVIEW FOR  
ARCHITECTURAL ELEVATIONS; AND SUCH OTHER  
RELIEF OR APPROVALS AS DETERMINED  
REASONABLY NECESSARY.

(Public hearing held before the  
(Planning, Building, and Zoning  
(Commission on Monday, August 13, 2018,  
(at the hour of 7:00 o'clock p.m. at  
(2 Lagoon Drive, Hawthorn Woods,  
(Illinois.

Q & A REPORTING, INC.  
7115 Virginia Road, Suite 105  
Crystal Lake, IL 60014  
(815) 477-2230  
qareportinginc.com

1 (Other Village business conducted.)  
 2 CHAIRMAN MERKEL: We are having a public hearing on High  
 3 Pointe Estates, Taylor Morrison of Illinois, Inc.;  
 4 consideration, review, and recommendation to the village board  
 5 of a request for, 1.1, a special use permit for a planned unit  
 6 development, including departures from the zoning ordinance,  
 7 land subdivision ordinance, and building regulation ordinance  
 8 of the Village as set forth in the application to allow the  
 9 subject property to be developed as a planned unit development  
 10 as set forth in the application or as amended during the course  
 11 of the public hearing process; point 2, special use to allow up  
 12 to four display homes on the subject property at any point in  
 13 time; point 3, certificate of approval/architectural review for  
 14 architectural elevations and, point 4, such other relief or  
 15 approvals as the commission and village board may deem  
 16 reasonably necessary.

17 With that, I'm looking for a motion to open  
 18 this public hearing.

19 MR. RYCHLIK: So moved.

20 MR. SEDLACEK: Second.

21 CHAIRMAN MERKEL: I'm looking for a roll-call.

22 MR. SEDLACEK: Yes.

23 MR. RYCHLIK: Yes.

24 MR. LINDQUIST: Yes.

1 MR. DONOVAN: Yes.

2 CHAIRMAN MERKEL: Okay. We are open.

3 Mr. Cassata, would you please give a staff  
 4 synopsis of this proposal.

5 MR. CASSATA: Tonight we have scheduled a public hearing  
 6 for consideration of an application for a Taylor Morrison  
 7 subdivision consisting of 10 duplexes, or 20 dwelling units.  
 8 The subject property is located on the north side of Route 176,  
 9 east of Gilmer Road.

10 At this evening's hearing, it is the role of  
 11 the Planning, Building, and Zoning Commission to review and  
 12 consider the proposed plan as to its compatibility with the  
 13 comprehensive plan and the goals and policies for the planning  
 14 of the village. The Planning, Building, and Zoning Commission  
 15 is an advisory body and as such shall forward its  
 16 recommendations to the Village Board for further consideration.  
 17 Additionally, the proposed plan will be reviewed within the  
 18 context of the previously approved single-family subdivision  
 19 for this property.

20 The subject property was originally approved  
 21 in 2006 for a single-family subdivision consisting of 11  
 22 single-family homes -- single-family lots. Subsequently, the  
 23 infrastructure improvements were installed. However, due to  
 24 the economic downturn, the proposed homes were not constructed,

1 and the 11 lots have remained vacant.

2           Tonight Taylor Morrison has assembled a team  
3 of consultants who are prepared to make a presentation to the  
4 committee. At this time, I'll turn the microphone over to Jim  
5 Merkel we will review the rules of order for the hearing.

6           CHAIRMAN MERKEL: At this time, we'd like to invite the  
7 petitioner to come forward and give us a presentation of their  
8 proposal.

9           (Whereupon the witnesses/speakers were sworn.)

10          MS. WORKMAN: Good evening, Planning, Building, and  
11 Zoning Commission. My name is Julie Workman. I'm an attorney  
12 with Meltzer, Purtil & Stelle, and my office is at 300 South  
13 Wacker Drive in Chicago 60606. And Scott can give his address  
14 when he comes up. Scott Barrenbrugge, my client, is with  
15 Taylor Morrison. He will come up and introduce himself shortly  
16 and tell you a little bit more about the company.

17           We're delighted to be here tonight. We are  
18 here, as Mr. Merkel stated, in connection with the acquisition  
19 and development of the community to be known as High Pointe.  
20 We have requested a special use for planned unit development; a  
21 special use for four display homes, also known as model homes;  
22 and a certificate of architectural approval. We submitted our  
23 application on June 25th of this year. We mailed public  
24 notices on July 23rd and July 27th. The July 23rd public

1 notice was mailed with respect to our special use and  
2 architectural approval; and the July 27th, with respect to our  
3 proposed amendment to annexation agreement which will be before  
4 the Village Board hopefully the next meeting.

5           We've been working diligently with staff. So  
6 thank you to the staff for all of their diligent efforts. It's  
7 been a pleasure working with all of you, and we've been working  
8 actively to address issues that have come up during their  
9 review of our plans.

10          We're very confident that our proposal  
11 satisfies the standards for special uses, planned unit  
12 developments, and variations. The standards are all listed in  
13 your packets. I'd be more than happy to go through them, but I  
14 might bore you to tears in doing so, so I will refer to the  
15 written standards and findings that are in your packets. But I  
16 would like to state specifically with respect to the standards  
17 for a special use permit that the proposed use we believe is in  
18 the interest of public convenience and would contribute to the  
19 general welfare of the neighborhood and community; it will  
20 present an opportunity for high-quality new housing in the  
21 village which will contribute to the general welfare of the  
22 community; and it will be designed in a manner to enhance  
23 public convenience -- or it has been designed in a manner to  
24 enhance public convenience. We will be developing homes that

1 allow the village to grow at a reasonable rate with  
2 high-quality non-single-family homes, which is one of the goals  
3 set forth in the comprehensive plan. Our proposed use will not  
4 be detrimental to health, safety, morals, or general welfare of  
5 people living or working in the vicinity of the development.  
6 It will not cause any undue detrimental influence or effect on  
7 the surrounding neighborhood. In fact, we have an orchard on  
8 one side; we have the gun club to the north, and we have a  
9 single-family home to the east, and rural on the south. So we  
10 are surrounded by fairly well-spread-out uses. The development  
11 will meet or exceed all village standards for the construction  
12 of the homes and the associated public improvements that we  
13 plan to install. The development will be complimentary to the  
14 aesthetics of the village. And you'll have an opportunity to  
15 see our architecture shortly in our presentation. The  
16 development will also be self-sufficient. It will be  
17 constructed so as to use wells and septic as opposed to  
18 connecting to the village water and sewer systems. The use  
19 will comply with the regulations and conditions in the zoning  
20 code subject to any stipulations or conditions that we may  
21 agree upon this evening.

22 With respect to the planned unit development  
23 standards, the use that we have proposed is necessary or  
24 desirable and appropriate to the purpose of the development.

1 It's a logical extension of the R-2 one-family residence  
2 district of the northernmost boundary of the village. It will  
3 provide an opportunity for home ownership for individuals and  
4 families at a price point that is more attainable than that of  
5 typical single-family homes. And again, as I noted earlier, it  
6 will permit the village to grow in a reasonable way, yet it  
7 will remain subject to the high standards of the village in  
8 furtherance of the comprehensive plan. The development will,  
9 again, not cause an undue detrimental influence or effect upon  
10 the surrounding neighborhood. It will, rather, improve and  
11 beautify that scenario. All of the minimum requirements that  
12 are established in the planned unit development will be  
13 satisfied except as we are proposing with respect to the  
14 variations that you'll hear about this evening and that are  
15 also listed in your packets. And the development will be  
16 subject to all requirements of the R-2 single-family residence  
17 district except as otherwise authorized by the village.

18 We will have private streets, common  
19 driveways, which will all be subject to the declaration of  
20 covenants, conditions, and restrictions for the community that  
21 will provide for maintenance and snow removal and things of  
22 that nature for the homeowners. And that will, again, all be  
23 covered in the declaration. The density and lot size and  
24 setbacks will be subject to any stipulations and variations

1 that we agree to as part of the planned unit development. Open  
2 areas will be provided for as set forth in the declaration. We  
3 will have an open area at the north end of the property which  
4 will be maintained by the HOA. There will also be an open area  
5 with a pergola and some outdoor space that will be for use and  
6 enjoyment of the general public. The homeowners association  
7 will maintain that as well. The driveways, access to  
8 dwellings, pedestrian easements, and spacing will be -- have  
9 been designed, excuse me, in accordance with recognized site  
10 planning principles. And the yards for the dwelling units is  
11 also in accordance with stipulation variances and conditions  
12 that we will be talking about this evening.

13           Lastly, we have requested a list of  
14 variations, departures from the code, and the standards for  
15 such variations are that the public welfare is being protected;  
16 the variations will not be detrimental to public safety,  
17 health, welfare, or injurious to property or improvements in  
18 the neighborhood, which is the case here. The conditions for  
19 which the variations are sought are unique to the property,  
20 which is also true in this case because of the fact that the  
21 property was platted and approved back in 2006 and then as a  
22 result of the downturn in the economy it has sat undeveloped  
23 for 12 years now, and this is fantastic opportunity to finally  
24 develop the property. And then, lastly, the particular

1 physical conditions of the property create a particular  
2 hardship to the owner. Again, because of the existing  
3 infrastructure and the biobarrier style septic system that  
4 we're planning to install, which are reflected in our design,  
5 that particular standard is also satisfied.

6           So with all of the legalities now set aside  
7 and in the record, I'd like to turn the floor over to my  
8 client, Scott Barenbrugge, from Taylor Morrison. He will walk  
9 you through our presentation. He will share with you the  
10 highlights of our proposal and our architecture. And if you  
11 have any questions, we are more than happy to answer them for  
12 you.

13           MR. BARENBRUGGE: Thank you, Julie.

14           My name is Scott Barenbrugge. I'm

15 vice-president of land acquisition and development with Taylor  
16 Morrison. Our address is 1834 Walden Office Square, Suite 300,  
17 Schaumburg 60173.

18           So before we get into the nitty-gritty of our  
19 planned proposal, I'd like to quickly introduce Taylor  
20 Morrison. We are extremely proud to have been named America's  
21 most-trusted builder for three years running, which is  
22 unprecedented. Lifestory Research runs comprehensive surveys  
23 of 30,000 customers per year of the top 20 home builders, and  
24 based on the ratio of enthusiastically positive to

1 enthusiastically negative reviews they get of different  
2 builders, Taylor Morrison has come in first place the last  
3 three years running. Here you can see a brief list of those  
4 builders and rank. Customer satisfaction is what drives that,  
5 and that really dictates every business decision made. It's  
6 what's best for our customer, what creates the fewest  
7 call-backs, and ultimately the fewest calls and complaints to  
8 the municipalities that we do business in. Nationally we're  
9 the fifth-largest builder across the country. We operate in  
10 nine states and 17 markets. We first came to Chicago by  
11 purchasing Orleans Homes. As you know, we're building  
12 currently in Hawthorn Woods and Countryside Meadows, which was  
13 originally an Orleans Homes' asset. We're about to sell  
14 approximately 145 (sic) homes this year, which other active  
15 communities in addition to Hawthorn Woods include other Lake  
16 County locations such as Lake Barrington and Lincolnshire where  
17 we're currently under development. We also have 10 communities  
18 in planning in the immediate area. We're in Long Grove,  
19 Libertyville, and Lake Zurich.

20 As Michael and Julie alluded, High Point  
21 Estates is at the far northern edge of the corporate limits of  
22 the village, originally developed in 2006. It was slated to be  
23 developed with 11 single-family homes on water and sewer to be  
24 provided by Aqua. Subsequently those Aqua improvements were

1 never run down Route 176, so those connections were not viable  
2 and not available. So the unique challenge of this property  
3 and one of reasons why it's one of the last legacy assets in  
4 Hawthorn Woods, one of the last vacant lot site, is that it  
5 required some pretty intense private improvements to serve  
6 these lots with both private wells and a community wastewater  
7 treatment facility. In fact, one of the prerequisites for us  
8 to come before you tonight was County approval, conditional  
9 approval of our bio-barrier waste treatment facility that is to  
10 be owned by the HOA, maintained by the HOA, that takes up one  
11 entire buildable lot of the original 11. So as you'll see on  
12 the plans and I'll show you in a minute, we're building on  
13 lots 2 through 11, so a total of 10 buildings. Those buildings  
14 are on the original platted lots, but they will be proposed as  
15 two-unit duplex ranch villas that we'll show you here in a  
16 minute.

17 So here are the surrounding areas that Julie  
18 described. We have existing agricultural and nursery to our  
19 west; a single-family residence, a large-lot residence our  
20 east; agriculture use to our south and would respectively be  
21 developed at some point in the future when and if those water  
22 and sewer improvements are extended down Route 176; and a gun  
23 club and agricultural to our north.

24 CHAIRMAN MERKEL: Can you point out the gun club?

1 MR. BARENBRUGGE: If I could use cursor here, it would be  
2 this property here.

3 So this is a brief snippet of our engineering  
4 modification plans. I know there's a lot of stuff going on  
5 here, but you have some full-size plans that are included in  
6 your packets. We are honoring the original design with regard  
7 to standard basements generally on the west side of the road,  
8 walkout basements with -- you know, walkout to grade on the  
9 east sides. You can see the contours on how that works on the  
10 east side of the road. You can also see the conceptual  
11 divisions of each of these lots that will be processed on a  
12 permit-by-permit basis so that that first building there on the  
13 east side of Castigan(phonetic spelling) Court on Route 176,  
14 for example, is slated to be our first building, our model  
15 building. That is a walkout basement. You can see the light,  
16 dashed line that cuts down the middle of that building, and it  
17 would be the party wall that separates those two attached  
18 single-family homes, and that line will get platted as we build  
19 each home, so that will be surveyed, and that lot will be  
20 divided based on the actual party wall location of that  
21 foundation.

22 Here's a detail of that biobarrier waste  
23 treatment system. This is a style of septic waste treatment  
24 that takes up less total area, and this unique design is what

1 allowed us to contain it on lot 1 of the 11 lots of High  
2 Pointe. It puts out as effluent to be recharged into the  
3 groundwater that is far cleaner than a typical septic system.  
4 So we're not putting grey water or effluent into the ground.  
5 What comes out that biobarrier treatment is something very  
6 close to potable water, so it's completely clean. We're  
7 essentially recharging clean water into the ground. So it's a  
8 very unique system. It's been applied numerous times in  
9 McHenry County with some large single-family lots, in Lake  
10 County. It has been used throughout the state of Illinois  
11 hundreds of times. And we are lucky enough to have contractors  
12 here locally that will be fully capable of not only installing  
13 the system but also coordinating maintenance on behalf of the HOA  
14 going forward.

15 MR. LINDQUIST: Is that an aerobic system?

16 MR. BARENBRUGGE: I don't think that they talk about it  
17 in terms of aerobic-anaerobic because the treatment is  
18 different than in septic in that regard. You're actually  
19 pushing the effluent through a pressurized membrane system.  
20 That membrane is what gets replaced and maintained on an  
21 ongoing basis. So it's not treated with enzymes in the same  
22 way that a septic system would.

23 I would love to have our contractor come in  
24 and speak to it because it's a little bit over my head, but

1 it's pretty sophisticated.

2 CHAIRMAN MERKEL: You mentioned that it was used in  
3 McHenry on large single-family lots, et cetera.

4 Has it be used in a PUD in the past?

5 MR. BARENBRUGGE: This would be a little bit of a  
6 different application. It's been used on individual  
7 single-family. It's also been done in industrial applications  
8 with volumes far exceeding what we're doing here. You know,  
9 locally, I'm not sure if it's been done in a subdivision-type  
10 setting. There are systems like this that are used to treat RV  
11 parks, for example, where you have dozens or hundreds of those  
12 units that are charging the system. So the volume has been  
13 handled in spades above what we're doing here with 20 dwelling  
14 units. But I don't have an apples to apples of here's a  
15 20-unit subdivision where it's been utilized in that way.

16 One of the reasons for that is it's  
17 incredibly expensive, so the cost-benefit analysis for us here  
18 was is it more efficient and effective to run sanitary and  
19 water thousands of feet or to put in an incredibly expensive  
20 onsite system. This was the lesser of two evils. But, yeah,  
21 customarily you would stay with traditional septic. In this  
22 case, it's a lot more burdensome for us on the front end, but  
23 it creates a very effective system for the residents going  
24 forward.

1 MS. LOBAITO: Scott, did you receive Lake County Health  
2 Department approval on this system?

3 MR. BARENBRUGGE: Yeah. So they reviewed our plans. We  
4 went through several iterations with the design. At their --  
5 we're basically permit-ready. As soon as we can close and do  
6 our first drilling of the first two wells, then once they have  
7 those IEPA permits they'll process our approval to move forward  
8 with the septic. And I keep calling it septic just out of  
9 habit, but it's a biobarrier waste treatment.

10 MR. DONOVAN: So you mentioned that it's been implemented  
11 hundreds of times in the state.

12 How long has this product been on the market?  
13 How long has it been employed?

14 MR. BARENBRUGGE: My understanding is it's been around  
15 for a couple decades at least. But they're finding new  
16 applications for it. Like I said, in this case it was the  
17 right tool for the job.

18 If you do have more questions, I would want  
19 to have our specialist come in and speak to that.

20 MR. DONOVAN: I guess that was leading to my other  
21 question and you maybe know, what is the expected life span of  
22 this sort of system is?

23 So they're going to have maintenance; they're  
24 going to need to have replacement at some point. At some point

1 there is going to be a failure.  
2 Do you have any idea on the expected  
3 lifespan?  
4 MR. BARENBRUGGE: So that's the benefit of the system, is  
5 because we're putting clean water in the field. When a septic  
6 system fails, it's the field that fails. In this case, the  
7 field is projected to never fail because the water that's being  
8 put into the system is so clean that you're not creating a BOD.  
9 You're not creating a situation where you're actually starting  
10 to fill up and remove the volume of those fields. And the  
11 redundancy that we put on these fields, just because of Lake  
12 County's amount of conservatism and factor of safety they were  
13 building in, we're basically putting in three or four times the  
14 amount of field than what will be really necessary because  
15 they're grading this as if it's a traditional septic even  
16 though we'll only be utilizing a third or a quarter of the  
17 system. So the field should theoretically never fail. And  
18 then the membrane itself gets replaced, you know, on an  
19 interval basis. So at that point, we can just keep getting  
20 serviced in perpetuity.

21 MR. SEDLACEK: Do you have any scope of what that  
22 interval will be? Once a year or twice a year?

23 MR. BARENBRUGGE: So it -- don't quote me on this. I  
24 know we have a court reporter here. Don't quote me on it. I

1 want to say they said that the membrane gets cleaned -- and I  
2 think they mean it gets powerwashed -- two or three times a  
3 year and gets completely replaced once a year. That's my  
4 understanding.

5 We actually put all of the maintenance  
6 standards into the declaration of covenants for the HOA so that  
7 that's memorialized for the property management company going  
8 forward because we want to make sure that it's actually  
9 memorialized in the HOA documents.

10 MR. SEDLACEK: Thank you.

11 MR. BARENBRUGGE: Any more questions on the biobarrier?  
12 (No response.)

13 So I will quickly go through the presentation  
14 on architecture but also wanted to add some color above and  
15 beyond what you saw in the packets.

16 We have four different building assemblies  
17 that are each designed in unique architectural styles. These  
18 are styles that are popular not only in Hawthorn Woods but  
19 throughout the Chicagoland area. Farmhouse style, French  
20 country, craftsman, and traditional, with a mixture of  
21 engineered wood siding, accent metal roof, architectural  
22 asphalt shingles. We have different profiles of siding, board  
23 and batten, flat board, shake. And we also use examples of  
24 both veneer stone and brick on elevations. And on this

1 elevation, for example, you can see that we've incorporated  
2 some dormers. This ranch villa product will be offered as  
3 one-level living with a basement, but we also offer loft  
4 options. So in some of the loft options, those dormers  
5 actually turn into functional dormers, and we're using that to  
6 get additional natural light into the second floor. This is  
7 going to appeal to an empty-nester home buyer that's currently  
8 under-served in the marketplace. I'm sure you've heard it time  
9 and time again, folks that are living in a 3- to  
10 4,000-square-foot, four-bedroom, single-family home, they want  
11 to be able to age in place. And Hawthorn Woods is not unique  
12 in this regard. Most municipalities don't have enough housing  
13 stock to serve that buyer. So we all saw what happened when a  
14 community like Grand Dominion opened down the street in  
15 Mundelein. It was a very unique lifestyle in the Lake County  
16 area. It sold extremely well even through the downturn, and  
17 that really spoke volumes about how much that's needed in the  
18 marketplace. We will serve a similar buyer, but we benefit  
19 from the ability to offer a Hawthorn Woods address. We are  
20 offering new construction where those homes are starting to get  
21 to be 5, 10, 15 years old. These will all have current,  
22 on-trend floor plans and finishes, and we're going to really  
23 feel like a more secluded property. If you live at Grand  
24 Dominion, you have hundreds of neighbors; you share facilities

1 with hundreds of neighbors. In this case, it's really 20  
2 residences. And I'll show you what we're proposing. We worked  
3 with Michael and Donna on staff to propose an onsite park  
4 amenity. This is going to feel much more secluded and  
5 excluded.  
6 So this traditional elevation incorporates  
7 brick, whereas the others are stone. And then craftsman here.  
8 So here is a -- I know it's pretty small, but it was a pretty  
9 big streetscape rendering we had. You can see that our minimum  
10 building separation is 20 feet. Separation will range from 20  
11 to 30 feet typically. So this really sets up to give a nice  
12 single-family streetscape. You know, these are masked to hope  
13 to diminish the look of attached housing as much as possible.  
14 Other than the fact that we have two garage doors, we try to  
15 create roof profiles and articulation to really diminish the  
16 look of that attached housing. You know, massing is going to  
17 honor the original intent of the subdivision with 10 structures  
18 on a site that was originally approved for 11.

19 Down below here you can probably review in  
20 your packets the standards that we worked with the village  
21 staff pretty closely regarding anti-monotony. We have the four  
22 different building assemblies. We have different styles of  
23 colors of garage doors; you know, traditional panel, also a  
24 carriage door. We can incorporate lighted top panels,

1 wood-grain options and painted option. So between the garage  
2 doors, the four home stylings, and then our 15 different color  
3 pallets, we're going to manage lot to lot and make sure there's  
4 as much anti-monotony as possible.

5 This is an excerpt from our site plan  
6 exhibit that detailed our proposed location for a sales trailer  
7 that would be open in the four or five months it takes us to  
8 build that first model building. You can see that in a hatched  
9 rectangle right here. We have our onsite temporary marketing  
10 sign visible from Route 176 right here. We're also proposing  
11 one mailbox with two boxes in front of each building, which  
12 will allow people to walk down their driveway and grab their  
13 mail without having to walk down the street. We were very  
14 happy that the Mundelein post office approved those mailboxes.  
15 As you know, the last few years they're more and more getting  
16 into the gang boxes that are more commercial and multi-family,  
17 and we were hoping for something that was a little more  
18 approachable, and we got that done.

19 So these are the renderings of the onsite  
20 temporary signs that we utilize. The largest sign is the  
21 temporary marketing sign right on Route 176. You can see in  
22 the middle of these signs that will be in front of our model  
23 home and sales center, and then on the right side you'll see  
24 the floor plan designations and the lot designations that we'll

1 put on each individual lot. And here is the mailbox  
2 specification that we talked about, so each building every two  
3 units would have a single post and then their individual boxes.

4 So on the north end of the site which backs  
5 up to several acres of open space, both are naturalized wetland  
6 detention basins as well as preexisting wetlands north of it,  
7 is an overlook with a walkway and pergola for use by all the  
8 residents. That will be a public amenity. So we don't expect  
9 a lot of traffic in and out of this cul-de-sac, but if there  
10 were visitors or folks who wanted to drive and chose to picnic  
11 on lot 7 of High Pointe Estates, they can certainly do that.

12 We think this is going to be a good amenity, especially for the  
13 demographic we're targeting. It wouldn't make a lot of sense  
14 to put a tot lot, although that might be utilized by  
15 grandchildren, things of that nature. I think this is the best  
16 solution considering we're going to have neighbors adjacent to  
17 this amenity, and we didn't want it to be too loud or  
18 disruptive to that resident. So ultimately this pergola and  
19 the walkway will get dedeed to the HOA, so it will be on HOA  
20 property.

21 Also on this slide is the individual lot  
22 landscaping plan. In addition to the existing parkway trees  
23 that were already installed several years ago, we will be  
24 relocating or replacing any parkway trees that are in conflict

1 with our driveways. We don't know exactly where our driveways  
2 are going to be until an assembly is chosen for individual  
3 lots, so for the time being we're going to leave all those  
4 parkway trees there. Any that are impacted we'll go ahead and  
5 relocate or replace. But in addition to those, we're going to  
6 be planning for two front-yard trees per lot, full sod on  
7 front, rear, and side yards and also foundation plantings  
8 around the front and front corners of these buildings.

9 So I'm sure I forgot something. But thank  
10 you for your time. I appreciate you having us here tonight.  
11 And we can answer any questions or concerns you may have.

12 CHAIRMAN MERKEL: Any questions, gentlemen?

13 MR. SEDLACEK: I have a question concerning wells. I'm  
14 concerned with the density, the number of wells that are going  
15 to be on this size property.

16 So is there precedent of other places that  
17 have wells sometimes in fairly close proximity to each other?

18 MR. BARENBRUGGE: So I'm not sure I know the answer to  
19 your last question. But the whole topic of the number of wells  
20 on the site was vetted extremely carefully with the Lake County  
21 Health Department. Our initial proposal was actually to have a  
22 single well per lot, so rather than having 20 individual  
23 private wells, we were proposing to have 10 that would be  
24 upsized with two pumps per well head and then individual

1 surfaces going to the units. The Lake County Health Department  
2 was insistent this was their preferred solution. So I can only  
3 defer to their expertise when it comes to private wells. And  
4 that was their recommendation. So they were insistent on the  
5 wells.

6 MR. LINDQUIST: Are these homes deeded (inaudible)  
7 properties so they're responsible for their maintenance?

8 MR. BARENBRUGGE: So this is a maintenance-free  
9 community, and what's covered by the HOA is snow removal from  
10 driveways and service walks, landscaping maintenance, exterior  
11 home maintenance. And that's really important. Even though  
12 there's only two residences per building, if you've ever seen  
13 one of the mid-century duplex developments that, you know, was  
14 developed anywhere without an HOA and you see that break in the  
15 asphalt shingles where one guy replaced the roof and the other  
16 didn't and it's not a good look. So it was extremely important  
17 that we have exterior home maintenance. The painting will be  
18 kept up with; the color will be consistent; the roofs will be  
19 consistent.

20 I'm trying to think of what else.

21 And then obviously ownership and maintenance  
22 of the biobarrier waste treatment facility and ownership and  
23 maintenance of the park.

24 MR. LINDQUIST: The driveway is private?

1 MR. BARENBRUGGE: The driveways are private, yes. The  
2 roads is public.  
3 MR. LINDQUIST: The road is public.  
4 MR. BARENBRUGGE: Correct.  
5 MR. LINDQUIST: The second question is, are there any  
6 sustainable features that are on these homes as far as energy  
7 consumption?  
8 MR. BARENBRUGGE: Well, we are building to the village's  
9 energy code requirements, which I know that doesn't set us  
10 apart for new construction but for anybody that has made the  
11 necessary adjustments to meet the energy code, it gets updated  
12 year after year after year. It is pretty comprehensive, you  
13 know. So the amount of electricity consumption, water  
14 consumption, you know, the draft protection, the tightness of  
15 these homes is heads and shoulders above something even built  
16 seven years ago.  
17 MR. LINDQUIST: Nothing fancy (inaudible.)  
18 MR. BARENBRUGGE: I mean, we're not doing geothermal, or  
19 you know, these aren't net zero, no. You know, we're doing the  
20 things that not only are required by energy code but give you  
21 the best bang for the buck. Once we start to get into that  
22 suite of improvements that are diminishing returns, at that  
23 point we risk not meeting the value for our home buyers because  
24 that makes it harder for us to compete with the likes of the

1 resale or make it so that somebody that wants to move down out  
2 of their \$600,000 single-family home can put a little bit of  
3 that equity back in their pocket when they move into a home  
4 that's really meant to last for the vast remaining life.  
5 MR. LINDQUIST: Some of these sustainable features that  
6 are (inaudible) for the homeowners are.  
7 MR. BARENBRUGGE: Sure.  
8 CHAIRMAN MERKEL: Any other questions?  
9 (No response.)  
10 I had one. Just a simple question maybe my  
11 engineering friends here can answer.  
12 Is there a reason -- is the biobarrier, where  
13 it's at, specific to that location?  
14 I'm curious why we didn't put the nice park  
15 pergola in front and that in the back. It seems a little odd  
16 to me.  
17 MR. BARENBRUGGE: So in working with village staff, it  
18 was actually desirous to have the pergola act as an overlook to  
19 all the open space that we have to the north. So up front we  
20 would be staring at Route 176. Whereas where we have it, it  
21 backs up to -- I'm trying to think of how many acres are up  
22 there. I mean, it's six acres, maybe, of both natural and  
23 created wetlands. Also, lot 1 was chosen for the system  
24 because it is at the downstream end of the existing sanitary

1 sewer, so we are utilizing the existing sanitary that was to be  
2 connected to Route 176, and that's acting as our conveyance to  
3 the treatment facility. So that's the better, more  
4 straightforward answer.

5 CHAIRMAN MERKEL: That's probably the answer then.  
6 You've got gravity going that way already.

7 MR. BARENBRUGGE: Yes. You can't fight gravity.

8 MS. FRABLE: May I comment?

9 The other thing in regards to this is that  
10 the sewer made in the road right-of-way would typically be  
11 maintained by the Village. It was the Village's sewer system.  
12 But because it won't be just a service to this neighborhood and  
13 the biobarrier system and the services and the sewer made in  
14 the street will all be homeowner association's responsibility  
15 because the Village didn't want to take on something in between  
16 two things that are privately maintained.

17 CHAIRMAN MERKEL: Okay. Thank you.

18 One other question. I noticed on your side  
19 elevations, pretty spartan in terms of the look.

20 Are they all going to be the same both sides  
21 throughout the 10 lots?

22 MR. BARENBRUGGE: So we have four different building  
23 assemblies. You can see there is some variation in terms of  
24 gable placement, clipped hips versus full hips. But yeah, I

1 mean, generally we had to allow room for those loft options.  
2 So, you know, the roof slope and the truss slope had to be  
3 great enough that we could get livable area on the second  
4 floor. Some have dormers; some do not.

5 CHAIRMAN MERKEL: Okay.

6 MR. BARENBRUGGE: We're working within the bounds that  
7 were subdivided for us for single-family and trying to work  
8 within the constraints of that building load.

9 CHAIRMAN MERKEL: Okay. You answered my question.

10 MR. SEDLACEK: I have another one.

11 I think Julie mentioned something about  
12 annexation. But, I don't know -- was there something about  
13 annexation you mentioned?

14 MS. WORKMAN: The property was annexed back in 2006 as  
15 well, and as part of this process we're amending the existing  
16 annexation agreement because, for example, the existing  
17 annexation agreement calls for connection to water and sewer,  
18 which is not happening. So we're updating it along the same  
19 lines of what we are planning. We're providing for duplexes as  
20 opposed to single-family. So in terms --

21 MR. SEDLACEK: You're just updating it.

22 MS. WORKMAN: Right. It's going to reflect the  
23 modifications we're addressing.

24 MR. SEDLACEK: Thank you.

1 CHAIRMAN MERKEL: Gentlemen, any further questions?  
2 MR. RYCHLIK: So I'll ask the general detention question.  
3 I'm following the way the list of departures  
4 read. I know we have CFS per acre. It's says departure is  
5 .2 CFS per acre, and then in the new standards it's like 1.1  
6 CFS. That's a whole lot of water generated.  
7 Is that because of the additional homes? How  
8 is that -- that's four or five times allowed in the county.  
9 MR. BARENBRUGGE: So those standards were actually  
10 carried over from the original approval standards in 2006. The  
11 Lake County ordinance has been amended since then. So in order  
12 to maintain the standards for the original approval, it had to  
13 be incorporated into our request. That was dictated by  
14 Christopher Burke.  
15 CHAIRMAN MERKEL: Tom, any additional questions?  
16 MR. RYCHLIK: The roads exist, so I can't make my normal  
17 comments about tangents. I would, but it's already in place.  
18 It's a whole other animal. You answered my other question.  
19 CHAIRMAN MERKEL: If there's no further questions, I'd  
20 like to have the chance for the public to address. If anyone  
21 has a question, they would please come up and say their name  
22 and address.  
23 Good evening.  
24 MR. WEEZEN(phonetic spelling): Good evening. My name is

1 Jack Weezen(phonetic spelling.)  
2 I'd like to thank the board for giving me the  
3 opportunity to speak. I'm the president of the Glenridge Gun  
4 Club-Trap Club. We're located 28527 North Fremont Center Road.  
5 We are a small club. We have 65 members; a diverse group,  
6 white-collar, blue-collar, doctors, business owners from the  
7 community. We do several things to support the local  
8 community. We host some Boy Scout shoots. We've journalism  
9 classes from Lake Zurich High School down there. We have  
10 several family functions a year. Anybody is welcome to come in  
11 and visit our club.  
12 The property abuts on our southeast corner  
13 and on their north border. We at Glenridge Trap Club are  
14 neither in favor or opposed to the development of the  
15 subdivision. Our trap club has been in existence since the  
16 early '50s. We have a special use permit issued by Lake  
17 County. It's been in effect for over 50 years.  
18 I would like to state that we have no plans  
19 of moving or ceasing our activities. There have been issues in  
20 the past where buyers of homes of subdivisions and developments  
21 in the area were misled or misinformed that we were going to  
22 be moving or we were going to cease shooting there. We had no  
23 plans of doing that. And our only -- my only point here today  
24 is just to get into the public record that we are not planning

1 to move and we are not planning to shut down.  
2 CHAIRMAN MERKEL: You're there.  
3 MR. WEEZEN: We're there. We're going to stay there, and  
4 we have no plans of moving.  
5 CHAIRMAN MERKEL: What are your hours of operation? Is  
6 it just Sunday?  
7 MR. WEEZEN: We're chartered to shoot any day of the  
8 week, seven days a week from 10:00 o'clock in the morning to  
9 10:30 o'clock at night. Typically we shoot two or three nights  
10 a week, would be an average week. Some weekends we shoot -- we  
11 have our family functions usually on a Sunday or Saturday where  
12 we can shoot.  
13 CHAIRMAN MERKEL: Do we have a diagram of this  
14 development with respect to the gun club?  
15 I know I asked the question before.  
16 Do we have a view of that?  
17 MR. WEEZEN: I've got an overlay map.  
18 MR. CASSATA: There's a partial view.  
19 MR. WEEZEN: If you look at --  
20 CHAIRMAN MERKEL: You're there.  
21 MR. WEEZEN: We're the -- you see the building that's the  
22 landscaper on Fremont Center Road. We're the next lot. So our  
23 southeast corner abuts to his far north border.  
24 CHAIRMAN MERKEL: It is a trap you said; right?

1 MR. WEEZEN: Yes.  
2 CHAIRMAN MERKEL: Dumb question, which way are you  
3 shooting?  
4 MR. WEEZEN: We shoot east.  
5 CHAIRMAN MERKEL: East. Okay.  
6 MR. WEEZEN: The trap is located -- if that aerial  
7 photograph there went a little bit further. I have an aerial  
8 photograph here that you're more than welcome --  
9 CHAIRMAN MERKEL: But you're shooting that way?  
10 MR. WEEZEN: Yes. Here. So this is us. This is our  
11 trap out here. We shoot this way.  
12 CHAIRMAN MERKEL: That was my question.  
13 What's the normal drop --  
14 MR. WEEZEN: (Inaudible.)  
15 MR. CASSATA: Can you please speak up.  
16 CHAIRMAN MERKEL: My question is -- you showed the  
17 layout. My question is, if they're shooting at stands,  
18 whatever your layout is here, what is the drop of their shot?  
19 How far out is that going? And you pointed out --  
20 MR. WEEZEN: Typically about 300, 350 feet.  
21 CHAIRMAN MERKEL: So it would never hit that corner of  
22 their --  
23 MR. WEEZEN: No.  
24 MR. CASSATA: That's approximately 600 feet.

1 CHAIRMAN MERKEL: Thank you.  
2 MR. RYCHLIK: Not only that, but if you look at the site  
3 plan exhibits, it's 420 feet to the north --  
4 CHAIRMAN MERKEL: Correct.  
5 MR. RYCHLIK: -- to the first lot.  
6 MR. CASSATA: So where they actually fire, it's about  
7 1,100 feet to the closest residential lot.  
8 CHAIRMAN MERKEL: Again, my question with the pergola up  
9 there, but that's a different issue.  
10 MR. WEEZEN: Thank you for your time.  
11 CHAIRMAN MERKEL: Thank you.  
12 Anyone else like to address the -- sir.  
13 Good evening.  
14 MR. SIKORA: My name is Scott Sikora, and I live directly  
15 east of the proposed area.  
16 I have an aerial view here. The Department  
17 of Transportation put in field tile. They went underneath  
18 Route 176.  
19 You might want to show it.  
20 I was wondering if -- that building, they're  
21 talking about basements?  
22 MR. BARENBRUGGE: Yes, sir.  
23 CHAIRMAN MERKEL: Ms. Frable, can you...  
24 MS. FRABLE: So it appears to me that it's a 24-inch

1 storm sewer, not a field tile.  
2 Does that sound right? The larger diameter?  
3 MR. SIKORA: Yeah, it's pretty big.  
4 MS. FRABLE: So we could use probably Scott's assistance  
5 with this, too, but I know that DOT built it from the Illinois  
6 176 right-of-way through High Pointe Estates' property onto  
7 your property.  
8 MR. SIKORA: Well, it goes right down the property line  
9 basically.  
10 MS. FRABLE: Well, from the survey they did, it shows it  
11 crossing the property line onto your property a bit and then  
12 coming back.  
13 MR. SIKORA: Right.  
14 MS. FRABLE: And we have asked the homeowners association  
15 to maintain the storm sewer that goes from High Pointe Estates  
16 property onto yours and them back onto High Point Estates  
17 property because downstream is their storm sewer.  
18 So does that sound correct, Scott? Does that  
19 sound like what you've agreed to?  
20 MR. BARENBRUGGE: Yeah. If I can just point out a couple  
21 things on the plan here. I'll try to use the cursor again.  
22 If you look close enough, there's two  
23 different storm sewers here. This might be the one that we're  
24 talking about --

1 MR. FELL: It is.  
2 MR. BARENBRUGGE: -- that actually jogs onto your  
3 property, right, and then meanders all the way up?  
4 MR. SIKORA: Comes out the back.  
5 MR. BARENBRUGGE: Yeah. So we are maintaining the  
6 40-foot drainage easement that contains that storm sewer, at  
7 least the part that's on our property as originally platted, so  
8 there won't be any change to that. And there's also a large  
9 conservation drainage easement on the south end of this lot 11  
10 where we have storm sewer cutting across. So our building  
11 footprints don't encroach into that at all.  
12 MR. SIKORA: Okay. I'm also a little bit worried about  
13 the septic field that you're going to be --  
14 CHAIRMAN MERKEL: Can you speak into the microphone,  
15 please.  
16 MR. SIKORA: I'm not familiar with that type of treatment  
17 that they're putting in. It's above-ground, you said?  
18 MR. BARENBRUGGE: No.  
19 Can I address it as we go?  
20 CHAIRMAN MERKEL: Please.  
21 MS. FRABLE: Can we back up to the storm sewer that  
22 crosses onto this gentleman's property?  
23 So in one of my comments I'd indicated that  
24 the existing storm sewer drains from the 176 right-of-way down

1 High Pointe Estates property; however, a portion of the storm  
2 sewer diverts off the property is then routed back onto the  
3 property; no one entity will be responsible for the portion of  
4 the storm sewer that isn't within the property of High Point  
5 Estates. And the response that I received from the engineering  
6 firm was HOA will maintain. So obviously you would have to get  
7 permission from the property owner to do that.  
8 So you being here, I don't know how you want  
9 to address that.  
10 MR. BARENBRUGGE: Is that the sewer in your easement  
11 currently?  
12 MS. FRABLE: I don't believe it's -- not that we know of.  
13 MR. BARENBRUGGE: Okay. We thought that your question  
14 was regarding a portion of the storm sewer that went into the  
15 Route 176 right-of-way. I wasn't aware that we were talking  
16 about a portion of private property. So if we need to talk  
17 about an easement or maintenance agreement, that's something we  
18 can certainly discuss.  
19 MS. FRABLE: So, yeah, we can work through this.  
20 And I don't know what your opinion is, sir,  
21 on it.  
22 MR. SIKORA: Well, I just want to make it be on record  
23 that we've talked about it, the committee.  
24 MS. FRABLE: Would you be willing to maintain the portion

1 that's on your property or -- you know, our concern was that  
2 downstream of your property is a storm sewer maintained by  
3 somebody else. So you only have control of what's on your  
4 property.

5 Give it some thought. It's something we can  
6 work through with Taylor Morrison, but it's good that you've  
7 come to talk about it.

8 MR. SIKORA: Yeah. But that was put in by the Department  
9 of Transportation. It goes out -- it goes into the farmer's  
10 field across 176, and then it dumps back into the wetlands  
11 area.

12 MS. FRABLE: So maybe what we need to do is see if IDOT  
13 has an easement. They're not going to maintain it once it  
14 leaves the right-of-way. So my thought is it's probably the  
15 individual owner's responsibility. We'll look into it further.  
16 But I'm sure we can come up with something that satisfies  
17 everyone.

18 MR. SIKORA: I'm also concerned a little bit about the  
19 wells being drilled because I have a well on my property.  
20 So is it going to be, you know, damaging the  
21 water supply?

22 MR. BARENBRUGGE: I mean, there's a lot of area in Lake  
23 County where there are wells in close proximity to one another.  
24 They're either on three-quarter-acre lots or whatever the case

1 maybe. You know, these will all be deep enough that we  
2 shouldn't be depleting the shallow groundwater.

3 Do you happen to know how deep your well is?

4 MR. SIKORA: I'm not sure what the pumps are -- 175 --

5 MR. CASSATA: I'm sorry, guys. Can you please speak into  
6 the microphone.

7 MR. SIKORA: 175 feet deep, I believe my well is at.

8 MR. BARENBRUGGE: So I think we would have to defer to  
9 the well specialist at that point. I believe we intend on  
10 working with Huemann on this one.

11 MR. CASSATA: Do you have a third concern? I think you  
12 mentioned -- did you have a third concern?

13 MR. SIKORA: No. That's pretty much -- I just wanted to  
14 make sure this stuff was on the record.

15 MS. FRABLE: Can we make a copy of what you've provided  
16 us today so we have copy for our records?

17 MR. SIKORA: Yeah. Yeah.

18 MS. FRABLE: Thank you.

19 MR. CASSATA: We'll make a copy now.

20 MR. SIKORA: Thank you.

21 CHAIRMAN MERKEL: Thank you.

22 Any other questions, comments?

23 (No response.)

24 Okay. At this point, we are going to

1 deliberate and come up with some recommendations. I've got a  
2 couple, but if you gentlemen -- go ahead.

3 MR. RYCHLIK: I have one recommendation about the  
4 community septic system. Initially when I went through this, I  
5 was concerned about it being managed by an HOA. But I think if  
6 it's an HOA, as Scott is proposing, it's a privately -- a  
7 managed one. It's not a group of residents that won't have the  
8 expertise to maintain the system. I was thinking it would be  
9 better managed by a public works department. Based on the  
10 delivery of the presentation, what I think is the key component  
11 and I think would be a recommendation to make me feel  
12 satisfied, if everybody would be comfortable with it, is a  
13 monthly or quarterly report from someone that's certified to  
14 manage this that this system is being operated correctly. It  
15 sounds like they were talking about three times a year flushing  
16 and one time a year replacement, so it would be logical that  
17 there would be a report of that operation.

18 So does that seem like a reasonable  
19 accommodation?

20 MR. BARENBRUGGE: To that exact point, we actually put in  
21 the standards that we discussed in the declaration that's  
22 recorded on the property that obligate the HOA as property  
23 manager of this property to hire contractors that have the  
24 proper licensing and accreditations. If there were to be some

1 sort of reporting that was submitted to the municipality, I  
2 imagine contractors will get contracted on an annual basis, so  
3 it might make sense for once a year to do a check-in, provide  
4 the contact info for the contractor that's been hired or  
5 retained by the property manager. That's certainly something  
6 we can discuss.

7 MR. RYCHLIK: So following up on the same question, is it  
8 permitted through Lake County Health Department and is it  
9 permitted at all through the EPA?

10 It's not?

11 MS. FRABLE: I don't know.

12 So, Scott, you think it's just Lake County  
13 that permits it, not IEPA?

14 MR. BARENBRUGGE: So the IEPA provides oversight on the  
15 wells, and that gets reviewed back with the Lake County Health  
16 Department. So even though the IEPA isn't the one reviewing  
17 the field, it's all one big, happy family between the two sides  
18 of it.

19 MR. FELL: The septic --

20 MR. BARENBRUGGE: It's really up to the county health  
21 department for the biobarrier.

22 MS. FRABLE: For the biobarrier --

23 MR. RYCHLIK: In this many homes, it's likely to be  
24 permitted by the IEPA.

1 MS. FRABLE: Yeah. And then one of the other questions I  
2 had during our review was if there's a certification that's  
3 required by IEPA to operate the system --

4 MR. RYCHLIK: Or Lake County.

5 MS. FRABLE: -- or the health department.

6 And I know -- the response I received from  
7 your engineers was that it's all included in the declarations,  
8 but I can't find it. So I don't know -- there's an operator  
9 something but that's like for how the HOA operates, not for  
10 how -- I thought I found it. But it's for how the HOA  
11 operates, not for how to operate the community. And maybe I  
12 missed it.

13 MS. WORKMAN: So, I'm sorry, I'm having a little bit of  
14 trouble here with respect to the operation of --

15 MS. FRABLE: The biobarrier system. Yeah. So I was  
16 asking in my review comments and Tom's asking about it as well  
17 if there's certification required by the IEPA or Lake County to  
18 operate this biobarrier system. And that kind of goes in line  
19 with Tom's questions about like reports and things like that so  
20 we make sure that it is being about maintained properly so it  
21 doesn't end up being a problem for the HOA in the future.

22 MS. WORKMAN: Okay. And as Scott said, there is a  
23 provision in the declaration that obligates the association to  
24 hire a licensed contractor to maintain the system. So we'd be

1 happy to add language if it makes the Village more comfortable,  
2 you know, that provides a little bit more direction in terms of  
3 what they need to do, an annual report or, you know, review of  
4 permits or something like that. I don't think that would be  
5 difficult. We could put that in the declarations.

6 MR. BARENBRUGGE: I may have missed it, but the intent  
7 was to actually include those standards in the declaration. So  
8 I'll go back and look.

9 MS. WORKMAN: I have it with me, too, and I can take a  
10 look.

11 MR. BARENBRUGGE: Yeah. We have the information from  
12 both the supplier and our contractor, so we can incorporate  
13 those.

14 MS. FRABLE: Yeah. I think maybe completing that loop  
15 will help us out a lot. And then if you're willing to provide  
16 what the person who's going to operate the system recommended  
17 schedule is, then include that in the documents so that the  
18 Village knows that that's being performed and it helps protect  
19 the homeowners association, the people that live there.

20 MS. WORKMAN: That's not a problem. And I'll check my  
21 copy of the dec.

22 MR. RYCHLIK: It's all part of the same system, but  
23 there's a decedent-size lift station that's on -- within this  
24 little lot 1, so it's not transported to Hawthorn Woods

1 (inaudible.) It's all part of -- eventually with the system if  
2 sewer is available on 176 it connects back up.

3 One of my last things -- I'll stay on the  
4 same topic -- this is Mike's memo, last comment 11, agree to  
5 approval of a backup SSA for homeowners association  
6 obligations.

7 Is that specifically for the sewer  
8 reconnection or a contingency for failure of the system? Just  
9 walk me through this.

10 MS. WORKMAN: I don't know if, Mike, you want to address  
11 it.

12 MR. CASSATA: Sure. So that's in case the HOA fails in  
13 their duties to maintain the system.

14 MR. RYCHLIK: Okay. Got it.

15 MS. FRABLE: And that's any common element, not just the  
16 biobarrier.

17 MS. WORKMAN: So if the HOA fails to maintain anything  
18 else, the pergola --

19 MR. FRABLE: The HOA --

20 MS. WORKMAN: Exactly.

21 CHAIRMAN MERKEL: Are you clear on your recommendation?

22 MR. RYCHLIK: So, yeah. I think we -- you know, a  
23 frequent reporting to the public works department included in  
24 the recommendation.

1 MR. CASSATA: Do you want to make that annual? I think  
2 that's what -- an annual report?

3 MR. RYCHLIK: Is that good for Erika?

4 MS. FRABLE: Yes.

5 MR. RYCHLIK: As long as you have that to keep us up to  
6 date.

7 MS. FRABLE: Sure.

8 MR. RYCHLIK: All right. Someone else can take over.

9 CHAIRMAN MERKEL: I'm interested in especially lot 2 and

10 lot 11. Either carry the architectural features to the side --  
11 those are the ones along 176 -- and also increase landscaping  
12 on the side of those lots in particular. I'd like to see it on  
13 all of them, but those two in particular. Again, as I  
14 mentioned, I think it's a little spartan on these side  
15 elevations.

16 I'd like to hear your comments. Is it those  
17 two or is it more for all of them?

18 MR. DONOVAN: On the elevations, I think one thing that  
19 was a little misleading, there is a very detailed tree  
20 inventory but because probably the lots you don't know what  
21 you're going to be keeping and what not so you can't really  
22 keep that. That was one of my questions. (Inaudible) a  
23 heavily wooded lot, it looks like there was a lot of trees in  
24 poor condition. But I think that that was one of my concerns.

1 It's hard to tell right now without seeing the actual  
2 individual build, right, because you don't know where the  
3 driveways are going to go. You know what the house styles are  
4 going to be going is there.

5 Is that what you were talking about earlier?  
6 MR. BARENBRUGGE: So that is part of it. But the other  
7 part of it is that a vast majority of these lots is getting  
8 graded with required overland routing and rear-yard swales and  
9 side-yard swales. So the original developer more or less  
10 rifled in a road, left the west side and the east side of the  
11 property as is, and no mass grading was performed. So that  
12 looks lovely in the existing condition because it appears that  
13 this is great, we're going to be able to keep all these trees.

14 But between fact that a large number are in poor conditions, a  
15 large number are undesirable species, and what remains is  
16 either in the zone of grading or once you remove the trees now  
17 you have a tree that's been subjected to wind load and now all  
18 of the sudden it's going to be in rough shape standing out  
19 there on its own. It really did quickly diminish the number  
20 trees that we're targeting for preservation. So what's shown  
21 in the engineering plan is I think it was seven or eight trees  
22 that fit all the criteria to be good enough quality. Really we  
23 were judging anything that was fair or better of the species  
24 that we would want to try to target for preservation, and in

1 the location where we had a snowball's chance of actually  
2 working around it and it didn't add up to much. So that was a  
3 little disheartening for us because that was one of the first  
4 things that appealed to us about the property, but once we got  
5 into the nitty-gritty with our engineers, there's a lot of  
6 grading that has to happen on the property.

7 MR. CASSATA: Can I add something, Chris?

8 MR. DONOVAN: Sure.

9 MR. CASSATA: So this -- from the transcripts from the  
10 original approval and this was discussed at the village board  
11 level as to how many trees they were going to preserve, and  
12 they had the same discussion, they said the same comments as  
13 Scott. And basically what the Village Board agreed to was --  
14 they basically stated just save as many trees as you can during  
15 the development. So that was the guidance they gave, so we're  
16 kind of held to that as well.

17 MR. DONOVAN: And so I think that goes back to his  
18 comment about the spartan look of the homes. I don't know if  
19 that is something to be addressed with more landscaping  
20 direction. So I thought that was very good comments about --  
21 at least along 176, along there I think that would be helpful.

22 MR. BARENBRUGGE: So one thing I failed to mention is,  
23 although we were struggling with onsite trees there are a large  
24 number of offsite trees that are either on the property line or

1 on either side of the property line, particularly along the  
2 west side of the site. We will be fencing off and making sure  
3 that we don't impact these root zones on those existing trees.  
4 You know, we don't know whether that agricultural use will at  
5 some point annex into the village, come in under some new  
6 zoning, be development at some point, but we can control in the  
7 interim whether we impact the trees, and the intent is to not  
8 impact those. So we will have a tree line on the west side of  
9 the site. There are preserved trees. Even though we didn't  
10 mark a number of these trees adjacent to lot 1 because they're  
11 poor quality, you know, people would rather look at a  
12 poor-quality tree than no tree at all in a lot of cases. So  
13 we'll selectively see how many of these can be kept without  
14 being a safety hazard. I mean, if there's something that's  
15 half-way falling over, we're going to have to take it out, but  
16 if there's a pine tree there that looks a little sparse, we'll  
17 probably keep it. Then on the other side of Castigan (phonetic  
18 spelling) Court adjacent to Route 176, again, surrounding this  
19 tree there are higher quality. There are some others that are  
20 lower quality. We're hopefully going to be able to keep those  
21 in a cluster, and we'll see if we can keep them on the east  
22 line, but that's a little bit sparser. So there will be cover.  
23 We talked about the surrounding uses. There's not a whole lot  
24 of eyes peering into the development from the east, west, and

1 north or south. Route 176 and the west line we do have some  
2 existing tree cover.  
3 The issue we have in targeting the south wall  
4 of lot 11 or lot 2 is that ultimately every homeowner is going  
5 to be paying into the association for exterior home  
6 maintenance, and that will eventually beg the question why does  
7 this building have this and my building doesn't. Those are  
8 things we get to handle going forward. But it's just one of  
9 the issues that is kind of begging for complaints at some  
10 point.  
11 CHAIRMAN MERKEL: Or you make them all the same.  
12 MR. BARENBRUGGE: Or we make them all the same, and  
13 that's a whole different conversation. As recently as last  
14 Thursday, we got our full bid-out on our house costs, and they  
15 were coming in 30- to \$40,000 per home above and beyond our  
16 initial estimates, so already we're preparing to increase  
17 projected revenues beyond where our comfort level is. And I'm  
18 not saying that in order to tell you anything but just matter  
19 of fact where we're at and the truth of the matter. So that's  
20 a Taylor Morrison problem, not necessarily a Hawthorn Woods  
21 problem, and I get that, but I'm trying to give you all the  
22 information.  
23 MR. DONOVAN: I agree.  
24 But about the patio and the separation

1 between the patios, I think that was one of the mentions that  
2 you guys made; right?  
3 MR. CASSATA: That's right. So I'll let Scott address  
4 that after I summarize it. Basically, I think Taylor  
5 Morrison's argument is that the way these units are designed,  
6 the duplexes, that there's already a separation from one  
7 another. However, we anticipate that inevitably someone is  
8 going to want to erect some sort of screening, additional  
9 screening, to provide more privacy from their neighbor. And so  
10 we just want to anticipate that contingency from a staff level  
11 because ultimately it's going to become our problem. Because,  
12 as you know, the Village does not allow fences, and so that  
13 is -- a major issue for folks is that if there's -- someone's  
14 going to come forward, maybe it's the HOA for all the  
15 residents, but then we're going to have to run it up the flag  
16 pole, tell them no; that we're going to go to the Village  
17 Board, and they're not going to want to hear it because the  
18 rule is that there are no fences allowed in town. They're  
19 going want to apply for a variation. The whole process is  
20 going to take six months, and they're going to be told no, and  
21 then we're the bad guy.

22 So maybe we should consider providing for  
23 something now just in case the residents at some point do want  
24 to. Then we can always point to the approval that was granted.

1 CHAIRMAN MERKEL: Are you suggesting having the developer  
2 put in a fence screen?

3 MR. CASSATA: Not put one in. Provide a provision that  
4 allows for it. And then --

5 MR. RYCHLIK: In our recommendation?

6 MR. CASSATA: In the recommendation.

7 CHAIRMAN MERKEL: And you want 10 different-looking -- I  
8 mean, I know we're going to have a recommendation, but they're  
9 going to be different, obviously. Unless we do one with the  
10 home construction.

11 MR. CASSATA: Well, the fencing or the privacy we would  
12 recommend at a staff level would be standardized. So you can  
13 only do this and that's what you're allowed, take it or leave  
14 it.

15 CHAIRMAN MERKEL: Okay.

16 MR. BARENBRUGGE: So if I could speak to that briefly.  
17 Fences aren't allowed. We're not proposing fencing. So I kind  
18 of wonder if we're creating an issue that doesn't exist. We're  
19 on board with the village code. In this case we have both  
20 patios and decks, depending on whether it's a walkout basement  
21 or a standard basement, that are separated by no less than 15  
22 or 20 feet. Two out of the three floor plans that make up  
23 these four assemblies have inboard covered porches and decks  
24 that are incorporated into the footprint of the home itself,

1 so it's completely encapsulated except for maybe a couple feet  
2 beyond the building envelope and inside the footprint of the  
3 house. Where the patios and decks are outboard, which is more  
4 of a traditional layout, again, they're separated, and our  
5 preference would be that if residents want to be separated that  
6 they be permitted to plant arborvitae, Japanese maples, things  
7 of that nature depending on whether it's elevated or at grade.  
8 Fences to us would -- and even if it's not us installing it, if  
9 a resident wanted to do it you're cutting off at least half of  
10 this lot. One of the objectives we have is to make this feel  
11 and live more like a single-family development that our  
12 prospective buyers are most likely coming from and not make it  
13 feel too shoe-boxy. So our preference would be to not cut off  
14 those views.

15 CHAIRMAN MERKEL: That's a tough one. We don't have any  
16 duplexes in the village, so it's a question, I think, we're  
17 trying to answer without having any experience with it.

18 MR. DONOVAN: I know my mother-in-law lives across the  
19 street, and that is one of the things they discuss a lot is  
20 their visibility to each other on their patios is very extreme.  
21 Right? So -- and they have a lot of restrictions around what  
22 they can and can't do, even on a landscaping level.

23 Is there provisions, are there going to be  
24 provisions in the homeowners association HOA document around

1 the landscaping? Is that what you project to have in there?  
2 Is it going to be restricted, or are the homeowners going to be  
3 allowed to do as they please in their own back yards?

4 MR. BARENBRUGGE: There is a limit to it. So I believe  
5 the way this has been handled in developments like Grand  
6 Dominion -- and Julie might have even represented some  
7 developers with those type of lifestyle communities -- is that  
8 there's a limit to how much you can decide for yourself,  
9 whether it be a square footage maximum on a gardening area,  
10 because somebody might want to be able to plant their tomatoes  
11 and that is something that would be, you know, like hell  
12 freezing over if somebody couldn't plant the tomatoes. It's an  
13 issue like that that becomes a lot bigger than you think it  
14 would be. So there will be some flexibility, but, you know, a  
15 homeowner won't be permitted to completely change the look and  
16 feel and have, you know, 10 canopy trees in their backyard and  
17 somebody else has a couple ornamentals, because that creates a  
18 big difference in the maintenance cost for the HOA.

19 MS. WORKMAN: I'll try to find the provision while we're  
20 talking.

21 MR. DONOVAN: No problem.

22 So I think the point being to that is there  
23 is a lot of arguments there with the HOA in regards to  
24 landscaping and the patios. I think it's a really good point.

1 Does the Village even really want to get  
2 involved in that? Or it's just there's no fences, we're not  
3 involved, and then it's just a landscaping issues within the  
4 HOA, and then we aren't involved. We just don't allow fences.  
5 MR. CASSATA: That works in theory, but they say I want  
6 to apply for a variation. And then the Village Board says why  
7 didn't you guys take care of this during the original approval.  
8 MR. RYCHLIK: We can say that we discussed it.  
9 MR. CASSATA: And that's why I put that in --  
10 CHAIRMAN MERKEL: Can we add the stipulation that that  
11 landscaping buffer or barrier or whatever has to be in the HOA  
12 agreement, that there's the ability to have that?  
13 MR. CASSATA: You can make that as a condition.  
14 CHAIRMAN MERKEL: That's certainly an option, arborvitaes  
15 or something.  
16 MR. DONOVAN: It would be consistent as what they say as  
17 division.  
18 MR. BARENBRUGGE: Just off the top of my head, I think it  
19 would make sense to permit homeowners to put up landscaping  
20 between the homes as long as it was not over that magic line  
21 between the two homes and that they would be taking on  
22 responsibility for maintenance of that.

CHAIRMAN MERKEL: Okay.

MR. DONOVAN: Taking out the maintenance. Good point.

1 MR. BARENBRUGGE: Just to avoid disputes.  
2 CHAIRMAN MERKEL: Dave?  
3 MR. LINDQUIST: I just want to support your suggestions  
4 on lots 2 and 11. The site elevation of the building are not  
5 necessarily going to help to sell the buildings. I don't think  
6 so. People driving by. I think that landscaping in those  
7 areas would be to your advantage as well as just the visual  
8 advantage of what you're looking at. I don't think that it has  
9 to be necessarily right next to the buildings if we don't want  
10 to favor these two property owners with extra landscaping,  
11 which might be out of line, but it could be away from that.  
12 But as long as there is something to break up those plain, long  
13 elevations of those two units. I think we should at least  
14 address that.

CHAIRMAN MERKEL: Okay.

15  
16 MR. BARENBRUGGE: If I could address that. I think we  
17 are very much open to focusing on additional landscaping on  
18 those sides of the building. It would be much more  
19 straightforward to us to focus on landscaping versus changes to  
20 the architectural. So you have my commitment as a condition  
21 going forward to the board that we will present that additional  
22 landscaping before the next meeting.

CHAIRMAN MERKEL: Okay.

MR. LINDQUIST: I think -- just another little addendum

1 to that would be if we are relying on existing trees that are  
2 questionable, questionable duration, that there be a time limit  
3 on replacing them should they fail to survive the construction  
4 process. Would it be a two- or three-year warranty or  
5 something like that?

6 MR. BARENBRUGGE: You're saying for parkway trees?

7 MR. LINDQUIST: On existing trees that might become a  
8 part of this landscaping.

9 MR. BARENBRUGGE: I can't warranty an existing tree  
10 that's half dead.

11 MR. LINDQUIST: Well, but then the tree should come out,  
12 It should come out and a new one be put in.

13 In other words, the whole idea is that there  
14 will be landscaping there, not just going to put something in  
15 and let it die. I think it's very important that that area  
16 receive additional landscaping.

17 MR. CASSATA: Dave, are you referring to the side lots,  
18 the side elevation portion for lots 2 and 11 only?

19 MR. LINDQUIST: Right.

20 MR. BARENBRUGGE: Okay.

21 MS. FRABLE: So I think -- may I say something?

22 CHAIRMAN MERKEL: You may.

23 MS. FRABLE: So I think what Dave's concerns are is if  
24 whatever trees are there today get included in whatever this

1 barrier is going to be --

2 MR. LINDQUIST: Yes.

3 MS. FRABLE: -- and they're not there anymore, so either  
4 you can leave them there but then make sure there's a barrier  
5 that you're going to plant that, you know, is going to go  
6 through the maintenance process.

7 So, you know, Dave, we usually go through the  
8 process of when a neighborhood is 70 percent built out or  
9 something, then we go through the acceptance process and look  
10 at all the landscaping that they planted. But you could either  
11 have them eliminate what's existing from what the barrier is or  
12 we can walk the existing trees, Rolf Campbell can walk the  
13 existing trees at acceptance, and if any one's been counted on  
14 as part of the barrier, even though you didn't plant them, that  
15 they'd still have to be accounted for. It's easier to just do  
16 it the first way.

17 MR. LINDQUIST: Right. And what we found through  
18 experience in the village is that large, heavy equipment  
19 operators are not necessarily extremely sensitive to preserving  
20 existing trees on property.

21 MR. DONOVAN: It doesn't sound like many existing trees  
22 will be able to be observed from the quality of the lot.

23 MR. BARENBRUGGE: And to be fair -- and maybe it's  
24 different in Hawthorn Woods, so I want to clarify this. When

1 we go in for acceptance, are we reviewing on-lot landscaping,  
2 or are we looking at parking trees and common improvements?  
3 MS. FRABLE: We are typically looking at parking trees  
4 and improvements that you've made. But what Dave and I are  
5 commenting on is if you -- along that southern boundary of  
6 those two lots, if you include anything that's existing as part  
7 of the barriers that we're asking you to work with staff on  
8 then those should be -- you know, if you're going to count on  
9 them as being part of the barrier and they all die, you know --  
10 MR. BARENBRUGGE: And we wouldn't do that --  
11 MS. FRABLE: -- so don't count on them --  
12 MR. BARENBRUGGE: Exactly. We're going to put in new  
13 landscaping that is warranted with us in our contract really  
14 in the side yard of lots 2 and 11, and then anything that would  
15 be preserved outside of that wouldn't be part of our turnover  
16 process.  
17 MS. FRABLE: Understood.  
18 CHAIRMAN MERKEL: I have a general question. Maybe I  
19 don't understand. Can you put this streetscape view. That  
20 one.  
21 On the plan, it looks like lots 2, 11, 10, 9  
22 all have that view, but 3 and 4 have the garage on the side; is  
23 that correct?  
24 MR. BARENBRUGGE: So the engineering plans don't

1 represent the actual footprints of the houses. They're  
2 representative only.  
3 CHAIRMAN MERKEL: So -- go ahead.  
4 MR. BARENBRUGGE: So we would have to look at each lot to  
5 say, oh, the engineer put 72 on there or 74. Those will get  
6 determined --  
7 CHAIRMAN MERKEL: These are the original.  
8 MR. BARENBRUGGE: Yeah. That's for concept.  
9 CHAIRMAN MERKEL: Your plan is all going to look like  
10 that, this streetscape. There's not going to be anything  
11 coming in differently.  
12 MR. BARENBRUGGE: Well, there -- hold on one second. Let  
13 me go back to the engineering.  
14 CHAIRMAN MERKEL: Obviously we can't see that.  
15 MR. BARENBRUGGE: So the only unique condition is lot 6,  
16 which is a northwest corner of the cul-de-sac where there is a  
17 shared driveway. We could do that logistically because our  
18 driveways are owned and maintained by the HOA. Or I shouldn't  
19 say owned by the HOA, but they're maintained by the HOA. An  
20 easement has been granted so that both of the residents can use  
21 that common driveway. And in the annexation amendment, we've  
22 allowed for the platting of the flat lot, flat-lot condition,  
23 so when we go in to report the plat on that lot, it will have  
24 what we traditionally describe as a flat-lot condition.

1 CHAIRMAN MERKEL: Can you go back to the streetscape, I'm  
2 sorry, one more time.

3 The only thing I would propose to the group  
4 here is, I know we have at anti-monotony side, which is  
5 actually this slide, but having two of the setups next to each  
6 other at the same, where the first two garages are on the  
7 outside and then the outside then the inside then the inside,  
8 having those staggered, would that add a little bit to the  
9 anti-monotony?

10 Are you with me? Am I being overly --

11 MR. RYCHLIK: You're talking about the two that are on  
12 the right side of our picture.

13 CHAIRMAN MERKEL: Yeah. Put one, three, two, four. It  
14 would separate the monotony again.

15 Maybe that's overly critical. If you guys  
16 aren't on board with that.

17 MR. CASSATA: Just keep in mind there's only a limited  
18 number of lots.

19 CHAIRMAN MERKEL: I know. I got that. All right. Just  
20 bringing it up.

21 Anything else?

22 MR. DONOVAN: So I wanted to bring up the well, the water  
23 wells. I'm struggling a little bit around that, you know,  
24 since this is a really robust HOA now with your septic, I'm not

1 really understanding why there's an individual for every single  
2 house. Which would make it a private well; right? But there  
3 is a lot of community wells out there. And it just seems like  
4 this is a lot of cost and maintenance when these homes can  
5 clearly, clearly share these wells. I think that -- I can't  
6 remember, it's been a while, but the EPA rule, I know it's like  
7 10 people or 12 people --

8 MR. LINDQUIST: 10.

9 MR. DONOVAN: 10? It's 10 people. It falls underneath  
10 the guidelines. So even if you didn't want to do community  
11 well that would be governed by the IEPA, which I would actually  
12 prefer to have the group that governs it so you would have the  
13 chlorination and the regular inspections, you know, that would  
14 be better for me and the community, because you mentioned this  
15 earlier. But even if not that, if you just do instead of 20  
16 wells 10, right, it would reduce the maintenance for the  
17 homeowners a lot.

18 MR. BARENBRUGGE: I cannot agree with you more.

19 MR. DONOVAN: I don't understand.

20 MR. BARENBRUGGE: Here's the whole rigamarole we went  
21 through with Lake County Health Department. So to make matters  
22 worse, we already have a water main in the ground. We already  
23 have water services in the ground. We could have used all of  
24 that if they were a community well. So the initial proposal

1 was for a community well because it just made sense, but the  
2 County didn't want to go there. The second proposal we thought  
3 had a lot of merit was at least doing a shared well with the  
4 up-sized diameter which, I think, goes from six-inch to  
5 eight-inch. You drop two pumps into the well head and then you  
6 have services coming from there. They didn't want to do it.  
7 So, you know, what we're left with is an imperfect solution,  
8 but it's extremely traditional. Our residents will certainly  
9 understand, yes, this is my well; if the pump goes, I'm the one  
10 that has to have a contractor come out and replace it. They're  
11 fairly low maintenance. But I couldn't agree with you more.

12 MR. DONOVAN: So Lake County rejected community well and  
13 the sharing well?

14 MR. BARENBRUGGE: Correct.

15 MR. DONOVAN: Okay.

16 MR. LINDQUIST: Do you know what the average depth of the  
17 wells would be in that area?

18 MR. BARENBRUGGE: So they get determined on a  
19 well-by-well basis. Generally our understanding is that the  
20 wells are currently drilled in excess of 200 feet. As the  
21 years go by, they're starting to get to that 300-foot range.

22 CHAIRMAN MERKEL: Dave, you usually bring up sprinklers,  
23 especially if there's no hydrants or anything there.

24 Do we want to talk about that at all?

1 Anyone?

2 MR. LINDQUIST: I'm pretty sure that the building codes  
3 are -- provide for a fire wall between the two units. It's  
4 going to have some kind of a rating. So that would at least  
5 add protection between adjacent units. And I think the  
6 distances between the other units is pretty much in excess of  
7 what we were talking about this other development.

8 CHAIRMAN MERKEL: The other development we also proposed  
9 the sprinkler system. We did.

10 MR. LINDQUIST: We did for that. But that was a  
11 difference -- don't get me started. That one hurt because that  
12 one was not enforced. That was not carried beyond this  
13 commission, and I think that is a bad move, not to be  
14 consistent, because that could turn into a real mess. But I  
15 don't see this being as critical as that with the greater  
16 separation.

17 CHAIRMAN MERKEL: We're discussing --

18 MR. DONOVAN: So you're saying because the homes  
19 themselves are further apart than the development of Hawthorn  
20 Trails you don't see it as much of a risk?

21 MR. LINDQUIST: There's certainly a risk. There's a risk  
22 of anything. But it's not like when buildings are four feet  
23 apart and when there's no requirement for any type of a fire  
24 rating on the exterior walls or the adjacent walls. So if a

1 fire gets started and you have smoke detectors, you might be  
2 able to get people out of the building but you're not going to  
3 be able to -- it's going to -- hopefully the fire department  
4 will get there really early because the fire is going to go  
5 from building to building to building, because I've actually  
6 seen it happen and it's horrifying.

7 MR. DONOVAN: Like in this, that's why you're saying --

8 MR. LINDQUIST: These are farther apart.

9 MR. BARENBRUGGE: My understanding is that the state  
10 statute for building separation before you get into those  
11 specialty exteriors is 10 feet, and we're generally 20 to 30  
12 feet.

13 MR. LINDQUIST: Right. Which is good. But I don't  
14 know where we are in the process of our building code. But the  
15 current residential building codes do require sprinkler, and in  
16 order to not sprinkler your building you have to pass an  
17 ordinance that exempts you from them. I don't know what the  
18 situation is.

19 MR. CASSATA: So the Village Board did approve the  
20 updated codes, and they did exempt fire suppression.

21 CHAIRMAN MERKEL: Good. Thank you.

22 Any other comments?

23 MS. WORKMAN: I was just going to respond to your  
24 comment, Mr. Donovan, about the well maintenance. That's

1 actually an individual homeowner responsibility. That's not  
2 the HOA.

3 MR. RYCHLIK: The first one, I think, should be an easy  
4 one, village policy for International Dark-Sky standards.  
5 That's all -- so I don't think there's any lighting proposed on  
6 the roadway, but it's just the homes that all have down-cast  
7 lighting.

8 MR. BARENBRUGGE: So our understanding is Dark-Sky hadn't  
9 been adopted into the official code yet; is that correct?

10 MR. CASSATA: Yes, that's correct.

11 MR. BARENBRUGGE: So our proposal would be to not go  
12 there unless the Village goes there with making that code.  
13 Because we don't have streetlights -- and I can only put myself  
14 in our residents' shoes that I would want the ability for my  
15 own security and edification to have my, you know, hundred-watt  
16 equivalent LED on in the front and the back. That's something  
17 we think is pretty important.

18 MR. LINDQUIST: The only thing about that, if I can  
19 interrupt, is that there's no need to light up the sky with any  
20 kind of lighting. We're not restricting the amount of lighting  
21 somebody has for security purposes on the front side. It's the  
22 loss of light into the sky that is wasteful, and that's the  
23 basic principle of the Dark-Sky.

24 MR. BARENBRUGGE: No. And I do understand that. It

1 creates the need for some pretty specialized fixtures.

2 MR. LINDQUIST: No. I can't agree with that. I mean, we  
3 have gazillions of light fixtures. Many of them -- I think  
4 we've looked at certain roadway light fixtures in the village,  
5 and there are gazillions of them that bring all the light down  
6 to the ground. It doesn't scatter any of it. I would say that  
7 if anybody needed help selecting a fixture that didn't just  
8 blow light into the sky you can give me a call and I would help  
9 you find one that drives it down.

10 MR. BARENBRUGGE: Would it not prevent a homeowner or HOA  
11 from using landscape up-lights?

12 MR. LINDQUIST: If the up-lighting is confined to the  
13 landscaping. We have a contractor in the village here that  
14 does up-lighting in the major trees, and it's very attractive.  
15 But the trees are such that they contain the lighting, and the  
16 trees are very tall, too, so the lighting -- there's not that  
17 much lighting that escapes the top of a 60-foot tree.

18 MR. BARENBRUGGE: It would be permitted to light up the  
19 front elevation of homes themselves?

20 MR. LINDQUIST: It can be done with down-lighting rather  
21 than up-lighting. That's the point.

22 MR. BARENBRUGGE: I mean, in general, if that became  
23 something the Village wanted to universally require I would  
24 urge you to recommend that to be incorporated into the code.

1 My understanding is the code review happened in just the last  
2 few months.

3 MR. LINDQUIST: We've been talking about the dark skies  
4 initiative for years, and it's -- we haven't really codified  
5 it. Yeah, you're right. We should codify it.

6 MR. BARENBRUGGE: That's just the perspective of the  
7 builder.

8 CHAIRMAN MERKEL: Any other comments before we close?  
9 MR. RYCHLIK: One more. Sorry.

10 Okay. In the approvals, it talks about  
11 approval of offside road improvements and access by Illinois  
12 DOT. I didn't see any comments in the comment letters.

13 So were there any further comments? Was  
14 access or a traffic study part of the original subdivision?  
15 And then was that recommendation made recognizing that that  
16 would be 12 years ago, that one? So no mention of that in any  
17 of the report. What's the story?

18 MR. BARENBRUGGE: So there's no IDOT permit required  
19 because there's no new access being requested. The road was  
20 already installed. You know, we will be reviewing with public  
21 works the condition of the binder course, making some  
22 percentage of repairs to that binder course before we put on a  
23 surface course at the point we get to 70 percent occupancy.  
24 But the road is there, so no additional permitting is required

1 through IDOT.  
2 MR. RYCHLIK: That's it.  
3 MS. FRABLE: And so we would be -- we do believe we would  
4 be recommending undercut. So not binder. Undercut as well in  
5 some areas. We even asked for that in the latest comments.  
6 And I know one of the comments we made was notifying IDOT that  
7 there's going to be 20 homes instead of 11, and I think I got  
8 a -- that IDOT doesn't care response back or something like  
9 that. I don't know --  
10 MR. BARENBRUGGE: Is that really what was in the letter?  
11 MS. FRABLE: Well, I'll read it to you. I'm sorry.  
12 And I don't know, Lee, if you have any  
13 comments about whether 20 -- 11 to 20 would make any difference  
14 to IDOT or not.  
15 MR. BARENBRUGGE: It's a state route, so 20 residences  
16 might increase traffic to a local road. But it's Route 176, so  
17 we're pretty comfortable that no permitting is required.  
18 MS. FRABLE: The response for the record was no IDOT  
19 right-of-way improvements proposed or new access permits  
20 required.  
21 But, you know, the question I posed was  
22 developer must contact the IDOT to inform them of the upcoming  
23 construction of High Point Estates and inform them that there  
24 will be 20 homes instead of 11 homes. I didn't really --

1 MR. BARENBRUGGE: We can send an e-mail or letter. I  
2 mean, IDOT's a black hole. We'll never hear back from them.  
3 But I'm more than happy to send them something on that.  
4 MR. FELL: I was just going to state that I concur. It  
5 would be a good idea to send them an e-mail giving an update on  
6 the number of homes being increased. I don't think it's going  
7 to come back --  
8 MR. RYCHLIK: It's not going to come back with a turn  
9 lane or requirements. It seemed like an open issue. I would  
10 agree with that.  
11 MS. FRABLE: Thank you.  
12 CHAIRMAN MERKEL: Anyone else?  
13 (No response.)  
14 I need a motion to close the public hearing.  
15 MR. DONOVAN: So moved.  
16 MR. SEDLACEK: Second.  
17 CHAIRMAN MERKEL: We will take a roll-call.  
18 MR. SEDLACEK: Yes.  
19 MR. RYCHLIK: Yes.  
20 MR. LINDQUIST: Yes.  
21 MR. DONOVAN: Yes.  
22 CHAIRMAN MERKEL: All right. The public hearing is  
23 closed.  
24 And now we have findings of fact.

1 I'm looking for a motion to approve the  
2 findings of fact as noted by staff.  
3 MR. SEDLACEK: All of them together or one by one?  
4 CHAIRMAN MERKEL: We'll do them all together, and then if  
5 there's any other stipulation we want to add we can add on to  
6 that.  
7 I'm looking for a motion to approve the  
8 findings of fact as pointed out by -- as noted by staff.  
9 MR. RYCHLIK: So moved.  
10 CHAIRMAN MERKEL: We're going to add some stipulations.  
11 MR. SEDLACEK: I'll second.  
12 CHAIRMAN MERKEL: Do you want to amend that motion?  
13 MR. RYCHLIK: Just to phrase the one about the HOA  
14 monitoring. So add a motion to I'm guessing page 9, it would  
15 be number 13. Does that makes sense? So the adoption of  
16 comments that the septic system monitoring be -- or the  
17 monitoring report for the septic system be provided to Hawthorn  
18 Woods public works annually by certified staff.  
19 CHAIRMAN MERKEL: I think that's fine.  
20 Are you good with that?  
21 MR. RYCHLIK: Yes.  
22 CHAIRMAN MERKEL: We'll add that subject to what you just  
23 said, Tom.  
24 In addition, the one I suggested was the side

1 elevations for the property line, whatever we want to do with  
2 that, on lots 2, 11, to carry architectural features and/or  
3 landscaping.  
4 You guys okay with that one? Okay.  
5 I think we need one in there about some  
6 declaration that the existing -- I didn't catch the name of the  
7 gun club -- the existing gun club is adjacent to the property  
8 and has no plans to move in the near future. I think that  
9 needs to be somehow a disclosure to all potential residents and  
10 purchasers.  
11 Good with that? Everybody agree with that  
12 one?  
13 MR. SEDLACEK: Are we going to have the declaration about  
14 the landscaping between the patios?  
15 CHAIRMAN MERKEL: Yes. So somehow in the homeowners  
16 association the ability to permit landscaping between houses  
17 put in the homeowners association declaration.  
18 MR. SEDLACEK: Yes. That's specifically between units in  
19 the same building.  
20 CHAIRMAN MERKEL: Yes. As a barrier, privacy, whatever  
21 you want to call it, between units and in the same building.  
22 Those are the ones I have.  
23 MR. CASSATA: And then just what we finished up on,  
24 sending IDOT notification.

1 CHAIRMAN MERKEL: Okay. Can you state that one exactly?

2 MR. CASSATA: Send IDOT an e-mail or an update that 20  
3 homes shall be installed, not 11 as originally approved.

4 CHAIRMAN MERKEL: Okay. So now I'm looking for a  
5 roll-call on the as-amended, looking for --

6 MR. SEDLACEK: Yes.

7 MR. RYCHLIK: Aye.

8 MR. LINDQUIST: Aye.

9 MR. DONOVAN: Yes.

10 CHAIRMAN MERKEL: That passes then.

11 (Other Village business conducted.)

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STATE OF ILLINOIS )  
)  
COUNTY OF MCHENRY )

I hereby certify that I reported in  
shorthand the proceedings at the above-entitled public  
hearing and that the foregoing reported proceedings,  
consisting of pages 3 through 71, inclusive, is a true,  
correct, and complete transcript of my shorthand notes  
so taken at the time and place aforesaid.



*Joan M. Holub*

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