



**THE VILLAGE OF HAWTHORN WOODS  
PLANNING, BUILDING AND ZONING COMMISSION  
2 LAGOON DRIVE, HAWTHORN WOODS, ILLINOIS  
TUESDAY, MARCH 22, 2022  
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. Merkel, Mr. Lindquist, Mr. Tisci, Mr. Voltattorni, and Ms. Massel. Absent: Mr. Donovan.

Also present were Chief Administrative Officer/Village Clerk Donna Lobaito, Community Development Director Chris Heinen, and Village Attorney Patrick Brankin.

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

None this month.

**III. APPROVAL OF MINUTES**

**A. Approval of Minutes of the March 8, 2022 Planning, Building and Zoning Commission Meeting**

Motion by Tisci, second by Massel to approve the minutes of the March 8, 2022 Planning, Building and Zoning Commission meeting.

Voice vote:

Ayes: 5

Nays: 0

Abstain: 0

Absent: 1

Motion carried.

**IV. NEW BUSINESS**

**A. Public Hearing – M/I Homes – Consideration for an amendment to the special use planned development for the Hawthorn Woods Country Club for: i) the approval of proposed architecture and landscaping, ii) revision of the anti-monotony standards, iii) revision of certain development standards set forth in Exhibit D of the Annexation Agreement, but not limited to the following: a) increasing the minimum floor area requirements, and b) clarifying the application of Architectural Overlay District Provisions, and iv) as well as such other relief or approvals as the Commission may determine reasonably necessary in connection with the foregoing**

Motion by Lindquist, second by Massel to open the public hearing.

Roll call vote:

Ayes: Merkel, Lindquist, Tisci, Voltattori, Massel

Nays: None

Abstain: None

Absent: Donovan

Motion carried, and the public hearing opened at 6:39 p.m.

Community Development Director Chris Heinen provided an overview of the application to the Commission. The applicant is seeking an amended special use planned development to construct homes on 105 lots in the Hawthorn Woods Country Club. Mr. Heinen reviewed the proposed models and related square footage of each model. There will be landscaping packages for each model with required planting in the front yards of each developed lot, and the rear yards of each developed lot where a rear yard immediately abuts the golf course or an existing home in the subdivision.

Mr. Heinen testified the proposed monotony standard is similar to recently approved developments within the Village. Minimum floor area requirements were reviewed with the applicant proposing to increase the overall minimum square footage for the golf villas, executive homes and estate homes from what is currently found in the existing annexation agreement

Mr. Heinen testified the applicant is proposing to eliminate the single-family dwelling aspects of the Architectural Overlay District outlined in the original annexation agreement as the provisions of the Architectural Overlay District are no longer applicable to single-family homes.

Greg Collins, M/I Homes, provided an overview of the company to the Commissioners. He testified M/I is looking to acquire all 105 remaining vacant lots in the Hawthorn Woods Country Club, but they are not the developer. He reviewed the various floor plans, building elevations and the 3-car garage configuration.

The following portion of the meeting was prepared by Litera Reporting, Inc., and the transcripts are attached as Exhibit "A"

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

Roll call vote:

Ayes: Merkel, Lindquist, Tisci, Voltattorni, Massel

Nays: None

Abstain: None

Absent: Donovan

Motion carried, and the public hearing closed at 8:32 p.m.

Deliberations ensued by the Commission members.

The following portion of the meeting was prepared by Litera Reporting, Inc., and the transcripts are attached as Exhibit “A”

Motion by Voltattorni, second by Tisci to recommend an amendment to the special use planned development for the Hawthorn Woods Country Club for: i) the approval of proposed architecture and landscaping, ii) revision of the anti-monotony standards, iii) revision of certain development standards set forth in Exhibit D of the Annexation Agreement, but not limited to the following: a) increasing the minimum floor area requirements, and b) clarifying the application of Architectural Overlay District Provisions, and iv) as well as such other relief or approvals as the Commission may determine reasonably necessary in connection with the foregoing, subject to the following conditions: A larger ranch product, a two story first-floor master bedroom elevation product, and evaluation of the product on each of the lots in consideration.

**V. ADJOURNMENT**

Motion by Voltattorni, second by Tisci to adjourn the meeting.

Voice vote:

Ayes: 5  
Nays: 0  
Abstain: 0  
Absent: 1

Motion carried.

The meeting adjourned at 9:10 p.m.

Respectfully submitted,



Donna Lobaito  
Chief Administrative Officer/Village Clerk



1 PLANNING, BUILDING AND ZONING COMMITTEE MEETING  
2 VILLAGE OF HAWTHORN WOODS  
3 2 LAGOON DRIVE, HAWTHORN WOODS, ILLINOIS  
4 TUESDAY, MARCH 22, 2022  
5 6:30PM

6 AGENDA

7 I. Call to Order and Roll Call

8 II. Opportunity for the Public to Address the  
9 Commission

10 III. Approval of Minutes

11 A. Approval of Minutes of the March 8, 2022  
12 Planning, Building and Zoning Commission  
13 Meeting.

14 IV. New Business

15 A. Public Hearing M/I Homes - Consideration  
16 for an amendment to the special use planned  
17 development for the Hawthorn Woods Country Club for:  
18 I) the approval of proposed architecture and  
19 landscaping, ii) revision of the anti-monotony  
20 standards set forth in Exhibit D of the Annexation  
21 Agreement, but not limited to the following: A)  
22 increasing the minimum floor area requirements, and  
23 b) clarifying the application of Architectural  
24 Overlay District Provisions, and iv) as well as such  
other relief or approvals as the Commission may  
determine reasonably necessary in connection with the  
foregoing.

V. Adjournment

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18:37:27 1 agenda, the opportunity for the public to address the  
18:37:30 2 commission. Don't run up here for anything that is  
18:37:35 3 not on the agenda today. If you are here for the  
18:37:38 4 Hawthorn Woods Country Club development, that's not  
18:37:39 5 what we're talking about now.

18:37:40 6 If there is anything else anybody  
18:37:43 7 wants to talk about? All right. Seeing none, next  
18:37:49 8 item on the agenda is approval of our minutes from  
18:37:54 9 Tuesday, March 8th at 6:30 p.m.. We did that meeting  
18:37:58 10 virtually.

18:37:59 11 I'm looking for a motion to approve  
18:38:01 12 those minutes as written 22 I motion.

18:38:10 13 MR. TISCI: Aye.

18:38:10 14 MR. MERKEL: Second?

18:38:14 15 MS. MASSEL: I will second.

18:38:18 16 We can do that as a voice vote. All in  
18:38:20 17 favor of the minutes as written, please say I.

18:38:30 18 (Collective aye.)

18:38:30 19 MR. MERKEL: All opposed? None.

18:38:41 20 Excellent. The next thing on our  
18:38:47 21 agenda is new business. Again, bear with me, I will  
18:38:51 22 read the new business.

18:38:53 23 This is a public hearing for M/I  
18:38:56 24 Homes consideration for amendment to the special use  
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18:38:24 1 (Whereupon the following proceedings  
18:38:24 2 were had in an open forum.)

18:38:24 3 MR. MERKEL: Good evening, everyone. Good  
18:38:45 4 evening, everyone. Welcome to the Planning, Building  
18:38:50 5 and Zoning Committee Meeting for the Village of  
18:38:52 6 Hawthorn Woods for Tuesday March 22nd at 6:30.

18:38:56 7 It is currently 6:33 p.m. and we will start  
18:38:59 8 our meeting.

18:37:01 9 Ms. Lobaito, if you wouldn't mind,  
18:37:02 10 we'll start with rollcall to bring the meeting to  
11 order.

12 MS. LOBAITO: Mr. Voltatori.

13 MR. VOLTATORI: Here.

14 MS. LOBAITO: Mr. Lindquist.

15 MR. LINDQUIST: Present.

16 MS. LOBAITO: Mr. Merkel.

17 MR. MERKEL: Present.

18 MS. LOBAITO: Mr. Tisci.

19 MS. TISCI: Here.

20 MS. LOBAITO: Ms. Massel.

21 MS. MASSEL: Here.

18:37:19 22 MS. LOBAITO: We have a quorum.

23 MR. MERKEL: Excellent.

18:37:24 24 The first thing is the second item on the

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18:38:58 1 plan development for Hawthorn Woods Country Club for;  
18:39:02 2 1, the approval of proposed architecture and  
18:39:07 3 landscaping, 2, revision of an anti-monotony  
18:39:13 4 standards, 3, revision of certain development  
18:39:16 5 standards set forth in Exhibit D on the annexation  
18:39:18 6 agreement, but not limited to the following: A  
18:39:20 7 increasing the minimum floor area requirements, B,  
18:39:25 8 clarifying the application of the architectural  
18:39:28 9 overlay district provisions, and 4, as well as such  
18:39:32 10 other relief or approvals as the committee may  
18:39:36 11 determine reasonably necessary in conjunction with  
18:39:38 12 the foregoing.

18:39:39 13 In English, we are going to review the  
18:39:42 14 proposal in front of us today, and I will walk  
18:39:45 15 through how we will do that.

18:39:49 16 First thing, let's talk about some  
18:39:51 17 housekeeping items. Item 1, to the planning  
18:39:55 18 commission -- it's been several years since we have  
18:39:58 19 been together, so please talk into your microphones  
18:40:00 20 when you're speaking.

18:40:03 21 This is a public hearing. The way this is  
18:40:06 22 going to happen is, we are going to first open the  
18:40:08 23 public hearing. We'll ask for staff report to give  
18:40:13 24 us an overview of the application and what is

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18:40:15 **1** happening. And we'll then have a presentation by the  
18:40:19 **2** applicants. Followed by questions by the planning  
18:40:22 **3** committee.  
18:40:22 **4** We will ask questions to the applicant.  
18:40:25 **5** At that time the public can address the commission  
18:40:29 **6** with any comments. A couple things, we will listen  
18:40:33 **7** to every single person that has something to say. We  
18:40:38 **8** will be open to talk with whoever has a comment,  
18:40:38 **9** question, consideration. We are happy to stay and  
18:40:42 **10** talk about it.  
18:40:43 **11** The one thing we can say though is, if  
18:40:46 **12** Bill gets up and says something and you had the exact  
18:40:49 **13** same thing, we would like you to say, I agree with  
18:40:52 **14** that, you don't need to repeat, keep it short.  
18:40:55 **15** When you do come up, state your name and  
18:40:58 **16** address. And then you will be swearing an oath and  
18:41:02 **17** we'll do that here, if that is okay.  
18:41:05 **18** The other thing that is important tonight,  
18:41:08 **19** this is the planning commission. We are not the  
18:41:11 **20** approving area of the board. Basically, we give  
18:41:13 **21** recommendations to the board. We will have our  
18:41:15 **22** comments, hear all of you, consolidate those into a  
18:41:19 **23** recommendation to the board, and then the board makes  
18:41:22 **24** the final decision. The board meeting will be at --  
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**1** is?  
18:41:31 **2** MR. HINAN: We do not know that yet.  
18:41:31 **3** MR. MERKEL: We do not know that yet.  
18:41:31 **4** So again, this is a recommending  
18:41:33 **5** committee. We'll come up with suggestions,  
18:41:38 **6** proposals, recommendations to the board that they  
18:41:38 **7** will consider, but they will make the final say.  
18:41:44 **8** We have a court reporter here that is  
18:41:48 **9** taking down everything you say. We have that, so you  
18:41:50 **10** know.  
18:41:50 **11** With that, is it okay if we --  
18:41:53 **12** everyone who is interested in saying something, what  
18:41:57 **13** I would like you to do is stand at this point.  
18:42:01 **14** Anyone?  
18:42:15 **15** (Witnesses sworn.)  
18:42:17 **16** MR. MERKEL: If somebody wants to do the oath  
18:42:21 **17** again, we can do that. Thank you.  
18:42:26 **18** I'm looking for a motion to open the public  
18:42:30 **19** hearing.  
**20** MR. LINDQUIST: Aye.  
18:42:38 **21** MS. MASSEL: I'll second.  
18:42:38 **22** MR. MERKEL: Ms. Lobaito, if you wouldn't mind  
18:42:41 **23** taking a roll call to open the public hearing?  
**24** MS. LOBAITO: Mr. Voltatori?  
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**1** MR. VOLTATORI: Aye.  
**2** MS. LOBAITO: Mr. Lindquist?  
**3** MR. LINDQUIST: Aye.  
**4** MS. LOBAITO: Mr. Merkel?  
**5** MR. MERKEL: Aye.  
**6** MS. LOBAITO: Mr. Tisci?  
**7** MS. TISCI: Aye.  
**8** MS. LOBAITO: Ms. Massel?  
18:42:55 **9** MS. MASSEL: Aye.  
18:42:55 **10** MR. MERKEL: So we are open in the public  
18:42:57 **11** hearing.  
18:42:59 **12** We'll start with your staff report. If  
18:43:00 **13** you can give us an overview of what we are going to  
18:43:03 **14** be talking about today?  
18:43:10 **15** MR. HEINEN: Thank you. Good evening. The  
18:43:12 **16** staff report was sent out to everybody, so I can  
18:43:15 **17** briefly go through what the applicant is looking to  
18:43:18 **18** do.  
18:43:19 **19** A little bit of background information.  
18:43:21 **20** The original developer, Toll Brothers, came forth  
18:43:26 **21** back in 2003 with the original concept for the  
18:43:28 **22** Hawthorn Woods Country Club. As part of that, there  
18:43:31 **23** were numerous amendments that went along with that  
18:43:36 **24** annexation agreement and planned development.  
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18:43:37 **1** Subsequently, we are here tonight to  
18:43:38 **2** discuss an amendment to that annexation agreement, as  
18:43:41 **3** well as the special use planned development. The  
18:43:44 **4** main focus tonight is the planned development aspect  
18:43:47 **5** of that application.  
18:43:49 **6** The applicants came to the Village looking  
18:43:52 **7** to acquire the remaining 105 lots that are currently  
18:43:57 **8** developed within the subdivision. There are two more  
18:44:00 **9** phases, phases five and six, which is the applicant  
18:44:03 **10** is not here to discuss tonight. Those are going to  
18:44:07 **11** be part of a separate application further down the  
18:44:11 **12** road.  
18:44:11 **13** As you mentioned, there are several areas  
18:44:12 **14** that the applicant is looking to change as part of  
18:44:15 **15** the special use planned development. The first is  
18:44:17 **16** the proposed architecture. When the original  
18:44:21 **17** development came in, Toll Brothers had set forth a  
18:44:25 **18** set of building elevations that were approved. M/I  
18:44:29 **19** is looking to come in and add to those, that booklet  
18:44:34 **20** of elevations.  
18:44:36 **21** They are proposing about 13 different  
18:44:37 **22** models, each model representing about four different  
18:44:40 **23** building elevations, and have quite a mix of square  
18:44:45 **24** footages. The majority of the elevations are going  
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18:44:48 **1** to be two-story with the introduction of one ranch.  
 18:44:54 **2** All of the homes are going to be three-car  
 18:44:58 **3** garage, some are side-load, some are front-load, some  
 18:45:06 **4** will be a combination of side and front-load.  
 18:45:07 **5** Something new that Toll did not do that  
 18:45:11 **6** the applicant is looking to provide is provide a  
 18:45:16 **7** landscaping package with each individual elevation.  
 18:45:18 **8** This is something new, and at the request of the  
 18:45:21 **9** village, so those are in your packet as well. It's  
 18:45:24 **10** kind of a wide spectrum of potentially native  
 18:45:24 **11** plannings that could go into that package. What you  
 18:45:24 **12** have before you is a little bit of what could go on  
 18:45:29 **13** in terms of the landscaping. Obviously, we can  
 18:45:34 **14** review those at the time of building to make sure  
 18:45:38 **15** there is no invasive species and goes along with the  
 18:45:43 **16** other landscape requirements in the zoning ordinance.  
 18:45:47 **17** Secondary, the anti-monotony standards.  
 18:45:51 **18** They are looking to eliminate the existing  
 18:45:55 **19** anti-monotony and replace it with the ones in the  
 18:46:00 **20** packet. This anti-monotony plan is very similar to  
 18:46:00 **21** other developments that have been approved in other  
 18:46:03 **22** residential developments in the village.  
 18:46:04 **23** Minimum floor area requirements, the  
 18:46:07 **24** minimum square footage for these homes. They are

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18:46:11 **1** actually looking to increase the minimum size. In  
 18:46:14 **2** the original annexation agreement, the 1-story  
 18:46:18 **3** ranches for the golf villa is 1500 square feet. They  
 18:46:23 **4** are looking to increase that to 2,225 square feet.  
 18:46:27 **5** The executive home lots, the minimum for a ranch is  
 18:46:30 **6** 1,700 square feet, and they are looking to increase  
 18:46:34 **7** that to 2,225 square feet.  
 18:46:37 **8** The estate homes, which are a majority of  
 18:46:40 **9** the homes on the north side with the larger lots, the  
 18:46:44 **10** applicants indicated they are not going to be  
 18:46:47 **11** building a ranch home on the north side.  
 18:46:50 **12** In terms of the two-story, the original  
 18:46:56 **13** annexation agreement for existing two-story  
 18:47:00 **14** structures for the golf villas was 2,000 square feet.  
 18:47:02 **15** They are looking to increase that to 2,892 square  
 18:47:06 **16** feet. And then the executive homes, they are looking  
 18:47:09 **17** also to increase that from 2,200 square feet to 2,892  
 18:47:16 **18** square feet.  
 18:47:16 **19** And then, the estate homes on the northern  
 18:47:19 **20** side, right now the minimum square footage for a  
 18:47:24 **21** 2-story is 2,200 square feet, and they are looking to  
 18:47:28 **22** increase that to 3,400 square feet on the estate  
 18:47:30 **23** homes.

18:47:30 **24** Lastly, the architectural overlay district

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18:47:36 **1** provisions that were in the original annexation  
 18:47:41 **2** agreement, they are looking to eliminate those. When  
 18:47:41 **3** this development was approved back in 2003, the  
 18:47:46 **4** village didn't have architectural overlay guidelines.  
 18:47:49 **5** In 2018 the village did incorporate that into the  
 18:47:53 **6** zoning ordinance, so the applicant is requesting to  
 18:47:55 **7** basically abide by the current zoning ordinance  
 18:47:58 **8** regulations for architectural overlay.  
 18:47:59 **9** That basically means any single-family  
 18:48:02 **10** attached or detached dwelling in R1 or R2 District  
 18:48:06 **11** doesn't have to go through these standards. The  
 18:48:10 **12** Hawthorn Woods Country Club is in an R1 zoning  
 18:48:12 **13** district.  
 18:48:12 **14** Additionally, any non-residential use  
 18:48:16 **15** still has to abide by these restrictions. That is in  
 18:48:20 **16** the zoning ordinance as well as the annexation  
 18:48:24 **17** agreement. They are not changing any of those  
 18:48:25 **18** requirements.  
 18:48:26 **19** Those are the basics of what the  
 18:48:33 **20** applicants are proposing. I know they have a  
 18:48:35 **21** presentation to go through. Unless you have any  
 18:48:35 **22** other questions?  
 18:48:38 **23** MR. MERKEL: One question or comment. Could you  
 18:48:38 **24** introduce yourself and your position here at the

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**1** Village?  
 18:48:41 **2** MR. HEINEN: I'm Chris Heinen. I am the  
 18:48:43 **3** community development director.  
 18:48:51 **4** MR. MERKEL: Any questions for Chris?  
 18:48:55 **5** One point of clarification: The  
 18:48:58 **6** architectural overlay district provision, you said  
 18:49:03 **7** that is basically just bringing it to what we have  
 18:49:05 **8** today, conformance to what we are doing today?  
 18:49:11 **9** MR. HEINEN: Yes.  
 18:49:12 **10** MR. MERKEL: The other thing, do you want to give  
 18:49:14 **11** a comment to the letter we received from the  
 18:49:22 **12** homeowners association?  
 18:49:26 **13** MR. HEINEN: You can enter that into the record.  
 18:49:28 **14** MR. MERKEL: I think it is helpful for everyone  
 18:49:31 **15** here to hear what the board has said. Is that okay?  
 18:49:36 **16** MR. HEINEN: Sure.  
 18:49:36 **17** MR. MERKEL: I will read that.  
 18:49:38 **18** Chris Heinen, community development  
 18:49:40 **19** director, Village of Hawthorn Woods.  
 18:49:40 **20** subject: M/I Homes. Application for amendment to  
 18:49:43 **21** annexation agreement for Hawthorn Woods Country Club,  
 18:49:46 **22** the applicant.  
 18:49:46 **23** Mr. HEINEN, as president of the Hawthorn  
 18:49:52 **24** Woods Country Club Homeowners Association LLC, I

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18:48:53 **1** understand the Village of Hawthorn Woods has  
 18:48:55 **2** requested the association's consent to the  
 18:48:58 **3** aforementioned application. I hereby provide that  
 18:50:02 **4** consent on behalf of the board of directors of the  
 18:50:05 **5** association. We take no position on the substance of  
 18:50:07 **6** the application leaving those matters -- leaving  
 18:50:13 **7** those details to subject matter experts at M/I Homes  
 18:50:15 **8** and the village. However, as it relates to the  
 18:50:18 **9** general matter of facilitating the build-out of the  
 18:50:22 **10** remaining lots of Hawthorn Woods Country Club, the  
 18:50:25 **11** association lends its support. Nearly two decades in  
 18:50:31 **12** the planning, the ultimate build-out of our community  
 18:50:32 **13** will ease the financial burden on existing members of  
 18:50:36 **14** the association and support the general welfare of  
 18:50:38 **15** residents in the Hawthorn Woods Country Club. Thank  
 18:50:41 **16** you for your time and attention in this matter. We  
 18:50:45 **17** sincerely appreciate your service to your community,  
 18:50:45 **18** president Larry Hill. We'll put that in the record.  
 18:50:53 **19** At this time we ask the applicant to come  
 18:50:56 **20** forward. If you can introduce yourself?  
 18:51:08 **21** MR. COLLINS: Good evening. My name is Greg  
 18:51:16 **22** Collins. I am with M/I Homes. 400 East Diehl,  
 18:51:23 **23** Naperville, Illinois, 60563. Thank you for having us  
 18:51:27 **24** tonight. Many of the folks, thank you. There was a

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18:51:30 **1** great turnout at the meeting with the HOA in  
 18:51:33 **2** December. Much of what I will go over with the  
 18:51:37 **3** presentation they have probably seen, but for your  
 18:51:38 **4** benefit I will be able to go through those details,  
 18:51:42 **5** plus the additional information that architecture and  
 18:51:45 **6** floor plans added since that meeting.  
 18:52:00 **7** (Presentation not on the record.)  
 19:09:10 **8** MR. MERKEL: Any questions?  
 19:09:20 **9** EXAMINATION  
 19:09:20 **10** BY MR. TISCI:  
 19:09:20 **11** Q Just some basic questions. I just want to  
 19:09:23 **12** clarify, you mentioned you're not going to be buying  
 19:09:26 **13** all 105 lots, and just for laymen's terms, you will  
 19:09:32 **14** buy as-needed?  
 19:09:33 **15** A That is our commitment on a quarterly basis.  
 19:09:37 **16** That can be accelerated. We are very bullish. We  
 19:09:41 **17** hope that the market is there.  
 19:09:45 **18** One of the things that you will see  
 19:09:48 **19** with us is our market presence with out model,  
 19:09:50 **20** getting out in front of -- you know, creating  
 19:09:54 **21** first-look lists, drumming up as much energy and buzz  
 19:10:00 **22** so we can build out -- because we all know that  
 19:10:04 **23** someone wants to gets tires on the hold and get  
 19:10:10 **24** going, they understand quality construction, they

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18:10:12 **1** understand the process, but we have a multi-part  
 19:10:14 **2** process to the actual buying process, from sitting  
 19:10:19 **3** down with designers, sitting down with our NHC, out  
 19:10:23 **4** new home consultants, and any specialty construction  
 19:10:26 **5** managers and various touch points all along the way.  
 19:10:31 **6** With that carried momentum, we see us  
 19:10:36 **7** diving into this community -- I'm sure many in the  
 19:10:41 **8** room are either experts, they are in the business,  
 19:10:45 **9** can attest to the fact that there is almost zero -- I  
 19:10:53 **10** think you have one active listing in this community.  
 19:10:57 **11** Q Just to be clear for everybody, are you  
 19:11:01 **12** not -- are you committed to buying it?  
 19:11:04 **13** A Am I committed? Yeah, I mean, if I waive my  
 19:11:08 **14** feasibility and waive all my contingencies because  
 19:11:13 **15** the village said yes, I got approval, I'm closing,  
 19:11:18 **16** yes.  
 19:11:18 **17** Q Next question is, there will be no changing  
 19:11:22 **18** of lot sizes or combining or splitting?  
 19:11:26 **19** A No. As is as platted today we are not  
 19:11:30 **20** modifying.  
 19:11:33 **21** Q And then final question. I think the  
 19:11:37 **22** homeowners in the current neighborhood want to  
 19:11:40 **23** understand, A, kind of your experience going into an  
 19:11:43 **24** already-developed community and taking over and how

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19:11:47 **1** that relates to the current homeowners, damage to  
 19:11:52 **2** streets, noise, all that.  
 19:11:54 **3** A Right. As we had gone on record with  
 19:11:57 **4** homeowners, the first priority is to do a walk with  
 19:12:01 **5** the village and introduce the homeowners into that.  
 19:12:04 **6** This is unique situation that they are there. I know  
 19:12:07 **7** there are some development issues to be handled to  
 19:12:11 **8** make sure things are finished up, but what we  
 19:12:15 **9** typically do in this situation is what is the as-is  
 19:12:18 **10** condition today? What do we know, one, needs to be  
 19:12:23 **11** fixed, or two, gets exacerbated with construction.  
 19:12:26 **12** Yes, these areas are going to become small mini  
 19:12:31 **13** construction sites.  
 19:12:32 **14** We haven't looked at it yet, but we  
 19:12:35 **15** told ourselves the most logical place is to start  
 19:12:40 **16** over here, only because it allows us from cadence,  
 19:12:45 **17** trays, it's easier to work ourselves down the street,  
 19:12:54 **18** so that focus and attention is going to be on this  
 19:12:58 **19** 90 percent. Our model will be out here (indicating).  
 19:13:04 **20** MR. MERKEL: Where is the model?  
 19:13:07 **21** A Right here. Closest we can get to an  
 19:13:11 **22** entrance. Again, not bringing sales traffic buried  
 19:13:15 **23** into a site they can't find us. Put them where  
 19:13:21 **24** identification is out here and can come off the road.

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19:13:28 **1** MR. MERKEL: Outside the community?  
 19:13:29 **2** **A** Right here.  
 19:13:32 **3** **MR TASCI: I think there may be one issue there**  
 19:13:34 **4 that needs to be resolved with the HOA, that those**  
 19:13:36 **5 gates now are permanently closed and only accessible**  
 19:13:41 **6 by residents. The gates.**  
 19:13:43 **7** **A** There is a going -- there is an underlying  
 19:13:49 **8 declarant right that we will assume on certain**  
 19:13:51 **9 obligations from Toll. Those didn't go away. They**  
 19:13:56 **10 have to have the ability to market the site and do**  
 19:13:59 **11 certain things, to come in and do construction.**  
 19:14:03 **12** **MR TASCI: It's safe to say those gates will**  
 19:14:05 **13 probably be open five days a week, maybe weekends?**  
 19:14:11 **14** MR. MERKEL: That is a good point. The market is  
 19:14:13 **15** going to be open.  
 19:14:19 **16** MR. TASCI: Just for the community to understand,  
 19:14:19 **17** those gates will be open at least for some period of  
 19:14:20 **18** time, hopefully closed at night.  
 19:14:24 **19** Thank you. That is all I have.  
 19:14:26 **20** MR. MERKEL: I have a bunch. Anybody else have  
 19:14:28 **21** any questions? Dave?  
 19:14:36 **22** MR. LINDQUIST: One more. I think this might be  
 19:14:38 **23** to staff and to yourself, Mr. Collins.  
 19:14:42 **24** In the memorandum, one of the comments

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19:14:46 **1** caught me off guard and I want to make sure I am  
 19:14:46 **2** crystal clear on it.  
 19:14:48 **3** The applicant will be taking down the lots  
 19:14:51 **4** over several years. There is a chance that only in a  
 19:14:52 **5** position in the future to build upon the 105 lots.  
 19:14:56 **6** Am I to take that that the 13  
 19:14:57 **7** elevations you have are potentially in addition to  
 19:15:01 **8** the existing Toll elevation as we marked it? That is  
 19:15:07 **9** the way I read that.  
 19:15:10 **10** MR. HEINEN: So, the reasoning behind that  
 19:15:12 **11** statement is our crystal ball doesn't work any better  
 19:15:19 **12** than Greg's. Five years down the road, if they don't  
 19:15:22 **13** take down all 150 lots, the elevations that Toll got  
 19:15:27 **14** approval with will still remain in case Toll wants to  
 19:15:32 **15** come back and construct them. M/I is going to be  
 19:15:36 **16** putting in additional elevations on top of Toll's.  
 19:15:42 **17** MR. MERKEL:  
 19:15:42 **18** **Q** One of your comments you made is our goal at  
 19:15:45 **19** M/I Homes is not complete with current homeowners.  
 19:15:48 **20** Do you have a feel of price points at this point?  
 19:15:52 **21** **A** We've estimated -- made a review on 600, high  
 19:15:57 **22** 5s, low 6s, if we can get costs go in a direct  
 19:16:06 **23** direction, we might be higher. That is what we  
 19:16:09 **24** projected.

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19:16:10 **1** **Q** Is that the base one or the 4,000 square?  
 19:16:14 **2** **A** That is the average.  
 19:16:16 **3** **Q** The average?  
 19:16:17 **4** **A** Yeah. That gives you an average of where we  
 19:16:19 **5** are going to be --  
 19:16:22 **6** **Q** 5 to 6?  
 19:16:23 **7** **A** Yeah. High 5 to low 6. You will find some  
 19:16:27 **8** buyers that are going to be in a lot of different  
 19:16:30 **9** positions with that.  
 19:16:32 **10** **Q** Again, I'm not a real estate expert. The  
 19:16:35 **11** drawing you gave us on the elevation -- I don't  
 19:16:43 **12** remember which -- the Hudson, which is your newest  
 19:16:46 **13** largest elevation, if I remember correctly?  
 19:16:48 **14** **A** No, the --  
 19:16:58 **15** **Q** Which one did you show us the whole elevation  
 19:17:03 **16** you changed? The Stockton?  
 19:17:09 **17** **A** Well, in terms of square footage?  
 19:17:15 **18** **Q** I want so see the picture.  
 19:17:18 **19** Stockton side-load. To me, that is  
 19:17:23 **20** not a side-load. That is a garage facing the street.  
 19:17:27 **21** I know it's terminology -- what is the terminology?  
 19:17:30 **22** That is not a side-load.  
 19:17:34 **23** **A** No.  
 19:17:34 **24** **Q** No?

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19:17:35 **1** **A** It depends. Two-one splits. I mean, you  
 19:17:39 **2** have two-car garages that are side-loaded into this  
 19:17:48 **3** house. To mitigate that snout look, that you have  
 19:17:52 **4** there now, you have a have corridor of the snout  
 19:17:52 **5** coming of the front of the house which is just a  
 19:17:52 **6** 3-car. This just allows for, instead of having all  
 19:17:57 **7** three bays attached -- you have one of those bays  
 19:18:01 **8** which is probably storage, you just have a two-one  
 19:18:07 **9** split, which is a side-load with a front load single.  
 19:18:11 **10** **Q** I'm just curious. One, I commend you for  
 19:18:16 **11** first going to the homeowners. That is a good move  
 19:18:17 **12** of the country club to show them what you have. That  
 19:18:21 **13** is good. Unfortunately I wasn't there. My wife was.  
 19:18:25 **14** I appreciate you do that.  
 19:18:27 **15** Did you get many comments -- did you  
 19:18:29 **16** have this elevation --  
 19:18:30 **17** **A** This was introduced to say we'll make a  
 19:18:35 **18** commitment, because 90 percent of the discussion was  
 19:18:38 **19** for the estate lots, to make sure we had a look and  
 19:18:40 **20** feel of what is commensurate up there.  
 19:18:42 **21** **Q** I will repeat what I heard a lot from the  
 19:18:47 **22** homeowners, is the concern that the houses that these  
 19:18:50 **23** are next to all have three car garages on the side.  
 19:18:53 **24** This is different. Are we okay with that? I would

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19:18:57 **1** love to hear from the folks in the audience.

19:19:01 **2** The other comment is, how did you

19:19:05 **3** determine the differential between an executive lot

19:19:13 **4** and an estate lot. I say that because there are

19:19:15 **5** areas on the -- go back to the plan view of the

19:19:19 **6** community. There are many parts of the community

19:19:21 **7** that would be dubbed -- now originally dubbed a

19:19:27 **8** different name, but the estate-type lots that are now

19:19:31 **9** going to be surrounded by the executive lots. You

19:19:34 **10** made one comment that caught me off guard, it's a

19:19:41 **11** tale of two cities, north versus south, I think this

19:19:42 **12** accentuates that. That would be my comment there.

19:19:46 **13** How is that determined --

19:19:46 **14** **A** **These are actually as-planned. You look at a**

19:19:49 **15** **final plat, you have a designated lot. It**

19:19:53 **16** **essentially ties back to the original. A golf villa**

19:19:56 **17** **lot is labeled as GV on the final plat.**

19:20:07 **18** **Q** Go to the 4th hole, the orange lot there.

19:20:12 **19** That whole cul-de-sac has much larger homes, all

19:20:18 **20** side-load homes. Today based on this we can put a --

19:20:26 **21** we can build a 2,200 square foot house, which is the

19:20:30 **22** executive size?

19:20:32 **23** **Q** Are you saying on that list?

19:20:33 **24** **A** **Yes.**

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19:20:34 **1** **Q** Like a ranch?

19:20:35 **2** **A** **You could, right? Yes.**

19:20:38 **3** **Q** I want to make sure I'm clear on that.

19:20:41 **4** Similarly to the very top which are surrounded by

19:20:44 **5** much larger lots and much larger homes, we can put a

19:20:48 **6** ranch house?

19:20:48 **7** **A** **Yes.**

19:20:48 **8** **Q** That is my only concern. I would have loved

19:20:55 **9** to see the street scape that you had of your

19:20:58 **10** elevations next to existing homes for elevation.

19:21:04 **11** **A** **I will never even come close to comparing to**

19:21:10 **12** **a 5,000 square foot home. We won't. It's rough. We**

19:21:16 **13** **all know that. There is a reason they are vacant.**

19:21:18 **14** **There is a reason nobody come in to meet certain**

19:21:21 **15** **minimums or a look and feel of the block to build a**

19:21:26 **16** **6,000-square foot home. I'm not sure who is doing**

19:21:30 **17** **that anymore. Literally. Show me the pick-up truck**

19:21:35 **18** **builder who is even remotely interested in building a**

19:21:37 **19** **hold that size. There might be small pockets in**

19:21:40 **20** **different locations, but it's just a different --**

19:21:46 **21** **Q** Let's talk about that. The market today, if

19:21:48 **22** you could define in a couple sentence, the market

19:21:56 **23** today, what is different than what is there today?

19:21:59 **24** Smaller?

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19:21:59 **1** **A** **Yes.**

19:22:00 **2** **Q** Much smaller?

19:22:01 **3** **A** **Yes. Again, this is a sub-market different**

19:22:06 **4** **than let's say -- I'm in Plano, completely different.**

19:22:11 **5** **But the average square footage there could be here.**

19:22:14 **6** **There is a lot of different nuances to that. But**

19:22:18 **7** **4,000 and north, boy, that is a nonexistent market**

19:22:23 **8** **for a lot of builders.**

19:22:25 **9** **Q** I'm not arguing with that. There is one

19:22:28 **10** house for sale in the development, you said?

19:22:31 **11** **A** **Right.**

19:22:32 **12** **Q** That --

19:22:34 **13** **A** **But -- and absolutely, but that is a great**

19:22:38 **14** **point you make. You make a fantastic point. That 2**

19:22:43 **15** **by 4 in that home being compared to the 2 by 4 I'm**

19:22:48 **16** **paying for, apple and bananas --**

19:22:50 **17** **Q** Apples and kangaroos.

19:22:53 **18** **A** **It is. When you do the math across the loan,**

19:22:58 **19** **I would love to walk you through -- some people in**

19:23:01 **20** **the business, they are nodding their head, they**

19:23:03 **21** **understand, it's really difficult.**

19:23:05 **22** **Q** And that's your point, you are not really

19:23:06 **23** going to compete with the current homeowners trying

19:23:11 **24** to sell --

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19:23:11 **1** **A** **I can't. I guarantee the finishes in the**

19:23:13 **2** **homes -- with any new construction community, that is**

19:23:18 **3** **where we also have some upside too. I'm not**

19:23:19 **4** **delivering the marketplace day one a speck completely**

19:23:25 **5** **with finishes I know that buyer will go in and say, I**

19:23:29 **6** **want that home -- we do in some occasions, but in**

19:23:32 **7** **this opportunity, it's going to be, okay, you go to**

19:23:35 **8** **the design center -- that's our opportunity too to**

19:23:37 **9** **sell them certain finishes. There is going to be an**

19:23:43 **10** **add-on to that base price. That's the process. So,**

19:23:47 **11** **we can cash out some of that marketplace as well.**

19:23:48 **12** **But we can't complete what is being out there today.**

19:23:57 **13** **Q** I appreciate it. I didn't mean to be

19:24:03 **14** argumentative.

19:24:08 **15** **MR. MERKEL:** Just on his behalf, a piece of

19:24:14 **16** plywood is north of \$40 right now. When we built

19:24:18 **17** houses it was like \$15. Thank you.

19:24:24 **18** Anyone else?

19:24:27 **19** **EXAMINATION**

19:24:36 **20** **MR. LINDQUIST:**

19:24:36 **21** **Q** We still have requirements regarding energy

19:24:43 **22** consideration for homes? The international --

19:24:48 **23** **A** **I'm not here to modify any of your current**

19:24:51 **24** **building codes or any -- asking for adoptions of**

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- 18:24:55 **1 anything different.**
- 18:24:57 **2 Q** And then, on the exterior materials
- 18:25:01 **3 themselves, we are recognizing the cost of materials**
- 18:25:05 **4 has pretty much gone crazy.**
- 18:25:13 **5** When that happens, sometimes we can
- 18:25:15 **6 lose quality. I would like to ask you, your siding**
- 18:25:21 **7 that is not masonry, what will that material be?**
- 18:25:25 **8 A The horizontal? That is hardy plank or hardy**
- 18:25:32 **9 board --**
- 18:25:33 **10 Q** Cement?
- 18:25:34 **11 A Fiber board, yeah.**
- 18:25:48 **12 Q** There is no changes in the masonry?
- 18:25:52 **13 A No.**
- 18:25:54 **14 Q** And so that will be the same. Okay. Will
- 18:25:58 **15 some of the -- some of the extras or add-ons include**
- 18:26:03 **16 energy improvements such as voter tax --**
- 18:26:10 **17 A What was the last one you said?**
- 18:26:15 **18 Q** Voter tax?
- 18:26:17 **19 A I don't know what that is.**
- 18:26:18 **20 Q** Electricity coming from the sun onto your
- 18:26:20 **21 roof --**
- 18:26:24 **22 A Solar panels? No, we don't sell that. That**
- 18:26:32 **23 is a different industry. It's tough for residential,**
- 18:26:38 **24 but no, we don't offer that. We have energy**

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- 18:26:45 **1 efficient homes, obviously high-efficiency furnace,**
- 18:26:52 **2 water heater, those are obviously strict items as**
- 18:26:58 **3 they exist today.**
- 18:27:00 **4 Q** If you want to see how to square -- to square
- 18:27:04 **5 a 1-story --**
- 18:27:06 **6 MR. HEINEN:** Mr. Lindquist, we can't hear you.
- 18:27:08 **7 You need to use your microphone.**
- 18:27:10 **8 MR. LINDQUIST:**
- 18:27:10 **9 Q** And I'm the one that is deaf, too. We have a
- 18:27:21 **10 subdivision that is being built in our backyard that**
- 18:27:25 **11 does have a lot of larger two-story homes and every**
- 18:27:31 **12 once and awhile it has a one-story home. If anybody**
- 18:27:35 **13 wants to see what that looks like, drop in to**
- 18:27:38 **14 Stonebridge and it will tell you right away what that**
- 18:27:43 **15 is going to look like. And those lots are relatively**
- 18:27:47 **16 small lots. They are not large lots. We have**
- 18:27:50 **17 something there that we can actually look at and see**
- 18:27:53 **18 what we think of it.**
- 18:27:56 **19** And most of the people that are doing
- 18:27:59 **20 the solar cells are doing them from outside, not**
- 18:28:03 **21 necessarily through -- through the building**
- 18:28:08 **22 contractors. I think that is it.**
- 18:28:21 **23**
- 18:28:22 **24 MR. MERKEL:**

EXAMINATION

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- 18:28:22 **1 Q** I think it's really important -- which I was
- 18:28:24 **2 pleasantly surprised when I saw the layouts, Chris**
- 18:28:28 **3 you mentioned it, but the comment on landscaping.**
- 18:28:33 **4** So, today, if you -- if your house is
- 18:28:39 **5 back-to-back with another house or on the golf**
- 18:28:42 **6 course, you do not have to have landscaping at all.**
- 18:28:45 **7 Your proposal has landscaping designs, correct?**
- 18:28:50 **8 A Right.**
- 18:28:50 **9 Q** Standard design has to have landscaping
- 18:28:53 **10 provided by the builder?**
- 18:28:55 **11 A Yes.**
- 18:28:59 **12**
- 18:29:01 **13 BY MS. MASSEL:**
- 18:28:01 **14 Q** Are all of the side-loads the two-plus-one
- 18:29:05 **15 split?**
- 18:29:06 **16 A No.**
- 18:29:08 **17 Q** They are not. There are some that are
- 18:29:10 **18 completely three side.**
- 18:29:13 **19 A Right.**
- 18:29:13 **20 Q** Maybe you can show some of those? While you
- 18:29:17 **21 are doing that, I was going to ask, when you are**
- 18:29:18 **22 sitting with your design center, is there an option**
- 18:29:20 **23 to add more stone or brick to the front of the house?**
- 18:29:24 **24 A No, not to the elevation. That is all**

EXAMINATION

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- 18:29:27 **1 interior finishes and some volume space that could be**
- 18:29:32 **2 added --**
- 18:29:32 **3 Q** Could you add another option if they wanted
- 18:29:38 **4 to add more stone or brick to their --**
- 18:29:39 **5 A We could do a custom quote if they wanted to.**
- 18:29:41 **6 I highly doubt they'd want to, if they want to spend**
- 18:29:46 **7 another 40 or \$50,000.**
- 18:29:48 **8 Q** What phase were you planning to buy the
- 18:29:53 **9 estate lots?**
- 18:29:54 **10 A Don't know yet.**
- 18:29:55 **11 Q** You will work on golf villas first and see
- 18:29:58 **12 how those go, and if thing are going well, you think**
- 18:30:02 **13 you would venture into the estate lots?**
- 18:30:04 **14 A Yes.**
- 18:30:05 **15 Q** I'm trying to see what phase you will move
- 18:30:07 **16 into those --**
- 18:30:08 **17 A Yes, it's market-dependent, but we will focus**
- 18:30:11 **18 our attention on the areas where we can keep trades**
- 18:30:15 **19 and move down a street, so that is the logical**
- 18:30:19 **20 starting point.**
- 18:30:20 **21 Q** And just to confirm, for the estate lots,
- 18:30:24 **22 those are a minimum of 3400 plus?**
- 18:30:26 **23 A Yes.**
- 18:30:27 **24 Q** Square foot homes and they have to be

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18:30:29 **1** side-loads?  
 18:30:30 **2** **A Yes.**  
 18:30:32 **3** **Q Thank you.**  
 18:30:32 **4** **A And the Sumner and the Hudson are**  
 18:30:42 **5 traditional -- if we can call traditional three car**  
 18:30:47 **6 side-load, and the other two.**  
 18:30:51 **7** **Q Thank you.**  
 18:30:52 **8** **MR. MERKEL: Anybody on the planning commission?**  
 18:30:56 **9** **Any questions? Thank you, Mr. Collins.**  
 18:31:01 **10** **At this point, I would love to hear from**  
 18:31:04 **11 everyone in the audience. Again, if you were sworn**  
 18:31:06 **12 in, you stood up, that is great. If you have a**  
 18:31:10 **13 comment now you would like to make sure we all hear,**  
 18:31:13 **14 we can re-swear you in or newly swear you in.**  
 18:31:28 **15** **You can step up and state your name and**  
 18:31:31 **16 address and your question or concern. Please come**  
 18:31:37 **17 forward.**  
**18** **EXAMINATION.**  
**19** **Q I have a question about the estate lots.**  
 18:31:46 **20** **Neil Kolich (phonetic) 14 Tournament Drive north.**  
 18:31:51 **21** **What kind of guarantee do we have**  
 18:31:54 **22 that -- obviously it appears that the estate homes**  
 18:31:58 **23 are so sporadic, they're going to be the last ones.**  
 18:32:03 **24** **What is the guarantee that after the other three are**  
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18:32:05 **1** **done and successful, we are not going to be left in**  
 18:32:09 **2 the cold?**  
 18:32:10 **3** **MR. MERKEL: Left in the cold meaning?**  
 18:32:12 **4** **A Like those lots are not even going to be**  
 18:32:15 **5 developed at all, the remaining ones in the north**  
 18:32:19 **6 side.**  
 18:32:24 **7** **MR. COLLINS: So, put another way, am I**  
 18:32:26 **8 guaranteeing that I will close on the estate lot.**  
 18:32:29 **9** **Again, I'm a contract purchaser in phases and I can**  
 18:32:32 **10 pick and choose where I want to develop these things.**  
 18:32:35 **11** **Like I said, the market is going to tell me where and**  
 18:32:37 **12 what price point and what makes the most sense. Not**  
 18:32:41 **13 to mention, I guess, school districts in this**  
 18:32:43 **14 community, which is very unique. We don't even know**  
 18:32:46 **15 how that is going to be handled in the marketplace.**  
 18:32:49 **16** **It's not much different, but information for the**  
 18:32:52 **17 buyer that might point us in the right direction. I**  
 18:32:56 **18 can't give a guarantee I'm there 100 percent of the**  
 18:32:59 **19 time end of the community closing this out. I will**  
 18:33:01 **20 give you a guarantee I will do my best to close on**  
 18:33:05 **21 this and start and current environment telling me I**  
 18:33:08 **22 should. We are in a marketplace we need to continue**  
 18:33:11 **23 to capture the momentum that we have and move**  
 18:33:15 **24 forward. I can't go on record giving you a guarantee**  
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18:33:20 **1** **I am going to buy that lot.**  
 18:33:23 **2** **MR. MERKEL: All right. Come on up.**  
**3** **Q Ann Sieverson (phonetic), 25 Briar Creek**  
 18:33:36 **4** **Drive.**  
**5** **I would like to give my opinion that**  
 18:33:39 **6** **that two and one side car garage looks horrible. It**  
 18:33:43 **7** **looks like a one-car garage house. It's my opinion.**  
 18:33:46 **8** **And also, I want to ask them if the**  
 18:33:50 **9** **houses they were going to build are similar to the**  
 18:33:55 **10** **Lake Zurich High School, that are you building now,**  
 18:34:01 **11** **are they the same type of models?**  
**12** **Also, I put some pictures to show you**  
 18:34:10 **13** **how -- I know they made changes, I just didn't thing**  
 18:34:17 **14** **they fit that good with our -- I mean, when I printed**  
 18:34:21 **15** **out the brick ones from the subdivision --**  
 18:34:24 **16** **MR. MERKEL: Could you point out, I think you**  
 18:34:26 **17** **know which ones --**  
 18:34:27 **18** **Q These are the golf villas right out of my**  
 18:34:32 **19** **cul-de-sac. These are the homes, if M/I built right**  
 18:34:36 **20** **now in Lake Zurich -- I took pictures of them today.**  
 18:34:42 **21** **I thought that looks like a mix match. It didn't**  
 18:34:46 **22** **really fit. But, adding the side car garage would**  
 18:34:50 **23** **definitely help a lot, but still, a lot of that wood**  
 18:34:55 **24** **and nonbrick doesn't look in place and smaller, but I**  
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18:35:00 **1** **understand. But at least if they do the three-car**  
 18:35:04 **2** **garage and don't do the 2-and-1 would blend in nicer.**  
 18:35:10 **3** **The golf villas, there's probably like eight there,**  
 18:35:14 **4** **near Briar Creek and Whisper Creek. There's five**  
 18:35:17 **5** **empty lots and eight already built homes. So it's**  
 18:35:20 **6** **going to make a big difference in the neighborhood,**  
 18:35:24 **7** **what it looks like, because there will be so many new**  
 18:35:27 **8** **homes?**  
 18:35:27 **9** **MR. MERKEL: Where is this?**  
 18:35:30 **10** **Q Briar Creek near the gate there. The golf**  
 18:35:32 **11** **villas, they back up to the 13th hole -- or around**  
 18:35:35 **12** **there, right as you come in that gate, the resident**  
 18:35:39 **13** **only gate, the empty lots, there is a lot of them.**  
 18:35:44 **14** **There is like five out of eight homes. I think there**  
 18:35:47 **15** **is five empty lots and eight golf villas that are**  
 18:35:52 **16** **currently there. So these are going to make a big**  
 18:35:55 **17** **impression. There is like -- okay, there is 16 Briar**  
 18:36:00 **18** **creek and empty lot and 19 and two empty lots and**  
 18:36:04 **19** **there is like 17 and then there is an empty lot and**  
 18:36:08 **20** **then there is -- next to me I'm at 620 --**  
 18:36:11 **21** **MR. MERKEL: Okay.**  
 18:36:16 **22** **A -- okay. So there.**  
 18:36:25 **23** **MR. BRANKIN: Thank you. For the benefit of**  
 18:36:27 **24** **Jaime, our court reporter. It's not a real natural**  
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19:36:35 **1** conversation, but if we can talk one at a time?  
 19:36:35 **2** Thank you.  
 19:36:36 **3** Q I think Briar Creek is up north there. I was  
 19:36:40 **4** trying to find it on my phone from that picture.  
 19:36:43 **5** It's the north end, so it won't be the first phase or  
 19:36:46 **6** anything like that. But I think it's -- yeah, see  
 19:36:49 **7** the Hawthorn Woods shield for the club? Right above  
 19:36:53 **8** that. There is a cul-de-sac with a park, the green  
 19:37:00 **9** ball, you have five or six homes, but a lot of purple  
 19:37:03 **10** there, so these homes are totally going to be --  
 19:37:07 **11** there is going to be a lot of them. I will say right  
 19:37:09 **12** now they are beautiful, really big expensive homes  
 19:37:13 **13** that a lot of people paid a lot of money for, but  
 19:37:16 **14** whatever they put there, it's going to be a big  
 19:37:19 **15** statement. There is not going to be just one or two.  
 19:37:21 **16** There is going to be like five M/I Homes and Toll  
 19:37:26 **17** Brother and all over sold over million dollars or  
 19:37:29 **18** close to that. All big car garages, nice lots, and  
 19:37:33 **19** back to either wetlands or golf villas. That is the  
 19:37:38 **20** point I wanted to make, sometimes a picture is worth  
 19:37:42 **21** a thousand words. Thank you for listening.  
 19:37:46 **22** MR. MERKEL: Thank you.  
 19:37:58 **23** Q My name is Husky. I'm at 50 Tournament  
 19:38:02 **24** South. I'm still very concerned about sizes of these

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19:38:07 **1** different homes. I think they are too dang small for  
 19:38:12 **2** what the properties offer. They are going to look  
 19:38:16 **3** lost on the estate and the executive lots because of  
 19:38:21 **4** the size of the lots compared to the existing homes,  
 19:38:25 **5** the estates in the executive.  
 19:38:29 **6** We talked about this three and a half  
 19:38:34 **7** months ago when we had our meeting with M/I at the  
 19:38:40 **8** country club, and I don't see anything that  
 19:38:43 **9** materially changed. They flipped a couple garages  
 19:38:47 **10** and brought the same stuff. It's not going to cut  
 19:38:53 **11** it. I don't remember hearing anybody say anything  
 19:38:58 **12** from their side of the house about anything 4,000  
 19:39:03 **13** feet or bigger, there needs to be a component like  
 19:39:06 **14** that, at least one, maybe two, 4,000 and 4200. The  
 19:39:14 **15** estate and executive lots demand that. It will sell  
 19:39:19 **16** it. 8, 900 it will sell. We see it going on all  
 19:39:26 **17** around us. Little tiny houses that are going up  
 19:39:30 **18** getting 500,000 on a postage-stamp sized lot, which  
 19:39:35 **19** are lot line to lot line, this is a much better  
 19:39:38 **20** property. Don't sell us out.  
 19:39:49 **21** MR. MERKEL: Thank you.  
 19:39:55 **22** Q Mike Romer, 6 Winged Foot Drive.  
 19:39:59 **23** So, will all the floor plans be available on  
 19:40:05 **24** all of the lots that are here? Do they all fit or

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19:40:10 **1** are there restrictions -- I know the estate lots  
 19:40:14 **2** have, you know, a minimum of 3400, so it does fit  
 19:40:17 **3** that, but will all the other floor plans fit on all  
 19:40:23 **4** the other lots how they are based today?  
 19:40:26 **5** A Yes.  
 19:40:28 **6** Q The other question I had was, we have seen  
 19:40:30 **7** labor shortages in terms of laborers that are working  
 19:40:31 **8** on homes and things of that nature, how will you guys  
 19:40:34 **9** deal with that in -- in comparison to the build of  
 19:40:39 **10** the homes and actually putting up homes and can only  
 19:40:42 **11** sell one or two properties at the time, are you going  
 19:40:45 **12** to wait until you have a batch of them to go? How do  
 19:40:48 **13** you feel with that? And dealing with the custom  
 19:40:54 **14** niche of what you are offering. I think that is all  
 19:40:58 **15** I have.  
 19:40:59 **16** MR. MERKEL: Thank you, Mike.  
 19:41:01 **17** A With respect to -- I mean, labor, it's a  
 19:41:04 **18** massive issue. That is not going to go away. We  
 19:41:11 **19** know that. But, because of our size, because of the  
 19:41:15 **20** way we handle the process with the buyer, with touch  
 19:41:22 **21** points -- we have two points of surveys where the  
 19:41:27 **22** buyer will give us surveys, so, we have to meet buyer  
 19:41:34 **23** expectations. It's the biggest purchase of their  
 19:41:40 **24** life, they are moving their lives, committing to

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19:41:43 **1** certain dates. We have done our best of what we can  
 19:41:45 **2** do to control that environment. One of those is not  
 19:41:48 **3** getting out in front of us. We have sales caps in  
 19:41:52 **4** certain communities. We can sell 15 to 20 homes a  
 19:41:58 **5** month in some of our communities. We cap them  
 19:42:02 **6** because we have no labor. So we have a commitment  
 19:42:06 **7** from our trades that we can know and -- our 2022  
 19:42:12 **8** plans are done. We know our production schedule, all  
 19:42:16 **9** of our comments, when we start and when close is  
 19:42:18 **10** going to be. And that was the only way we could do  
 19:42:22 **11** it. That is when the specks start and finish at the  
 19:42:27 **12** end, but that is only way we can do it in today's  
 19:42:32 **13** current environment to commit to the buyer to make  
 19:42:34 **14** sure we had a timeline that makes sense and we can  
 19:42:37 **15** meet it for the year. That is how we are handling it  
 19:42:41 **16** in today's marketplace. Once we have a commitment  
 19:42:55 **17** from the biggest guys, carpenters, we can mitigate  
 19:43:01 **18** that with a process and a cadence on our production  
 19:43:06 **19** schedule.  
 19:43:09 **20** MR. MERKEL: Yes?  
 19:43:18 **21** (Witness sworn.)  
 19:43:23 **22** Q My name is Silverman, 17 Harborside Way. I'm  
 19:43:26 **23** guess I'm a little concerned because the whole  
 19:43:26 **24** contractual buying, those who bought in the beginning

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18:43:29 **1** bought with Toll assuming they would build this big  
 19:43:33 **2** forest. Now, hearing that you are only going to  
 19:43:37 **3** commit to a few, we could potentially have a third  
 19:43:40 **4** person come in and build in our community. That  
 19:43:44 **5** means redo all this again. We are going to have  
 19:43:47 **6** maybe possibly three different sets of homes that  
 19:43:52 **7** those of us who have been here from the building have  
 19:43:55 **8** to go through again and again and again. So I guess,  
 19:43:58 **9** when we met with you at the golf club, I just was  
 19:44:05 **10** assuming that you were going to take over everything.  
 19:44:08 **11** I didn't realize you were just going to do it in bits  
 19:44:11 **12** and pieces concerning how it fits you. Toll had  
 19:44:16 **13** enough money to bail on us. The rest of us staying  
 19:44:20 **14** weren't that luckily. We have to fight the storm. I  
 19:44:22 **15** just wish that you would have come in and said we are  
 19:44:28 **16** going to do, we are going to do it right, as opposed  
 19:44:31 **17** to bits and pieces. I just want to put that on  
 19:44:34 **18** there.  
 19:44:35 **19** MR. MERKEL: Thank you.  
 19:44:37 **20** Any more comments? Come up, please.  
 19:45:05 **21** Q Margo (inaudible) 20 Championship Parkway. I  
 19:45:05 **22** agree with the -- first of all, we are really happy  
 19:45:08 **23** to have M/I here. I have lived on Championship for  
 19:45:08 **24** two and a half years and in a townhouse before that

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19:45:18 **1** for a couple years also with my husband.  
 19:45:21 **2** I agree with the lady on Briar Creek about  
 19:45:26 **3** housing sizes and what things will look like. I am  
 19:45:30 **4** very concerned about the 2300 square foot ranch  
 19:45:35 **5** houses. I'm not concerned about a ranch. I am  
 19:45:38 **6** concerned about 2300 square feet next to really large  
 19:45:43 **7** houses. On Championship Parkway, our street is not  
 19:45:48 **8** affected, but, if we build 2300 square foot houses in  
 19:45:56 **9** our community with two bedrooms, think about what  
 19:46:00 **10** that will do to the prices of the larger houses. I  
 19:46:03 **11** think 2300 is just not enough and that is my primary  
 19:46:10 **12** concern. I think M/I is a great builder. We are  
 19:46:15 **13** really happy to have you here. Our HOA has been  
 19:46:18 **14** doing an amazing job keeping costs in check, because  
 19:46:25 **15** we are running a deficit, and we would like to be  
 19:46:29 **16** welcoming, but I think we need to rethink some the  
 19:46:32 **17** issues being discussed tonight and maybe make some  
 19:46:37 **18** recommendations.  
 19:46:38 **19** MR. MERKEL: If I can dovetail off of that? Do  
 19:46:41 **20** we know, there are current ranches within the country  
 19:46:44 **21** club community today -- just so I'm clear, what are  
 19:46:47 **22** the size of those?  
 19:46:50 **23** MR. HEINEN: The Toll ranch? We have to go back  
 19:46:57 **24** and check the permits. I know in the original

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19:46:59 **1** agreement the minimum square footage for ranches were  
 19:47:03 **2** 1500 for golf villas and 1700 or executive and  
 19:47:08 **3** estates.  
 19:47:08 **4** MR. MERKEL: I think they were that small then.  
 19:47:17 **5** Q 50 Tournament South again. Our house was  
 19:47:22 **6** originally built by Toll. It was 2800 square feet.  
 19:47:26 **7** I'm not the original owner. It was a sunroom added  
 19:47:29 **8** to it, and it's now 2,980 square feet, ranch, three  
 19:47:34 **9** bedroom, two and a half bath. There are some others  
 19:47:42 **10** like ours minus the sunroom, putting them in the 2800  
 19:47:49 **11** plus range.  
 19:47:50 **12** MR. MERKEL: Thank you.  
 19:47:53 **13** Was there any ranch elevations in our  
 19:47:56 **14** packet?  
 19:47:57 **15** MR. HEINEN: Yes. It was the last set of  
 19:47:59 **16** elevations in the packet, I think the Elbridge?  
 19:48:24 **17** MR. MERKEL: Yes, sir?  
 19:48:28 **18** Q My name is Jim Konisek (phonetic) I'm at  
 19:48:30 **19** 61 South Tournament Drive. I do have a ranch and  
 19:48:34 **20** it's just shy of 3,000 square feet; three bedroom,  
 19:48:40 **21** three and a half bath. That is a nice -- that is a  
 19:48:46 **22** nice size house. And I don't know if we should go  
 19:48:48 **23** any smaller than that.  
 19:48:51 **24** MR. MERKEL: What was the size of yours?

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**1** Q 3,000.  
 19:48:56 **2** I do have one question for the board up  
 19:48:59 **3** here. Have we invited -- is this the only builder  
 19:49:04 **4** that we have invited to this distance?  
 19:49:08 **5** MR. MERKEL: That is a question for staff.  
 19:49:11 **6** A Have we invited Halty? Have we invited  
 19:49:16 **7** Manian? Have we invited any other builders to take a  
 19:49:19 **8** look at this?  
 19:49:19 **9** MR. HEINEN: The village doesn't invite potential  
 19:49:22 **10** developers --  
 19:49:22 **11** Q Who does? This is our community.  
 19:49:25 **12** MR. HEINEN: I understand. The builders  
 19:49:27 **13** approached the village with a plan and a concept with  
 19:49:32 **14** subdivisions. As of recently over the past 12,  
 19:49:36 **15** 13 years, M/I Homes is the only one that has  
 19:49:38 **16** approached the village to develop.  
 19:49:41 **17** Q So we only invited one builder?  
 19:49:45 **18** MR. HEINEN: The village did not invite anyone.  
 19:49:47 **19** MR. MERKEL: It's the only interest we had in  
 19:49:50 **20** those years.  
 19:49:52 **21** Q Pardon me?  
 19:49:52 **22** MR. MERKEL: That is the only interest we have  
 19:49:56 **23** had in building out those lots.  
 19:50:00 **24** Q Nobody else is interested? I have a couple

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18:50:03 1 other questions for the builders. We talk prices  
 18:50:07 2 here. I know a lot of the homes came in over a  
 18:50:10 3 million dollars when they were originally built.  
 18:50:13 4 Right now, you know, a lot of the people that lost,  
 18:50:16 5 you know, quite a bit of money with them, and we are  
 18:50:20 6 talking you know, 500, \$600,000, we know that  
 18:50:26 7 materials have gone up over the last year  
 18:50:28 8 dramatically, what, 80 percent -- I don't want to go  
 18:50:33 9 through everything, but I'm in construction as well.  
 18:50:36 10 And I was just wondering if when we say we'll build  
 18:50:39 11 500 to \$600,000 homes, if we are going to cutback on  
 18:50:45 12 -- I think one of you gentlemen asked the question  
 18:50:49 13 about the quality, if you are going to stick in that  
 18:50:52 14 range, you have to cut somewhere if the prices are  
 18:50:56 15 higher, so that would be a question for you people.  
 18:50:58 16 And the materials that we are using outside,  
 18:51:02 17 I also looked at the homes right across from the high  
 18:51:08 18 school over here that you just put up, and honestly,  
 18:51:11 19 to me, you know, it's a Toll home compared to your  
 18:51:16 20 home, and nothing against your homes, but I looked at  
 18:51:20 21 five different development before I bought in to  
 18:51:24 22 Toll. And there was a reason I bought in to Toll.  
 18:51:30 23 To me, Toll Brothers is top notch, whether it's  
 18:51:34 24 inside, outside, the whole 9 yards. And I looked at

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18:51:36 1 some of your homes. On a scale of 1 to 10, it  
 18:51:43 2 doesn't compare to what Toll Brothers does, and that  
 18:51:48 3 is just my opinion. Thank you.  
 18:51:50 4 MR. MERKEL: Thank you.  
 18:52:00 5 Q Ann Sieverson, 20 Briar Creek Drive. I just  
 18:52:02 6 wanted to let the board know that there is a ranch  
 18:52:03 7 next to me, 22 Briar Creek Drive, it's 2,961 square  
 18:52:08 8 feet, just in case you want a reference of a ranch in  
 18:52:13 9 our subdivision.  
 18:52:28 10 MR. MERKEL: Mr. Collins, on that comment, I'm  
 18:52:35 11 looking at the Elbridge floor plan. What is the  
 18:52:38 12 square footage of that home? That's the ranch.  
 18:52:52 13 THE WITNESS: That's the Elbridge. It's 2225 to  
 18:52:55 14 2443.  
 18:53:06 15 MR. MERKEL: Thank you.  
 18:53:26 16 Q Susan Bower. My husband and I live at 10  
 18:53:33 17 Tournament Drive South. We're basically new owners,  
 18:53:39 18 but I can tell you we did research before we came  
 18:53:43 19 here. We did look at M/I Homes. I don't remember  
 18:53:46 20 the name of the new construction, but on 22 is there  
 18:53:55 21 an Elbridge model that you are building here? I  
 18:53:59 22 thought so. That is one of the models we are looking  
 18:54:02 23 at, roughly 2300 square feet. It is small. Okay?  
 18:54:07 24 We own a ranch. It is 2800 square feet.

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18:54:12 1 I totally understand the difficulty in the  
 18:54:16 2 business world in this climate in this economy to  
 18:54:21 3 come in and build the kind of homes that we own now,  
 18:54:24 4 but there has to be a little bit more give. The  
 18:54:28 5 homes, the quality that we have, the size that we  
 18:54:32 6 have, I realize -- and I think everybody here would  
 18:54:37 7 agree, we would love to have more homeowners to help  
 18:54:41 8 with homeowner association fees, but 2300 square feet  
 18:54:47 9 for a ranch is just too small. Maybe you don't want  
 18:54:51 10 to go all the way up to 28, but you have to make it a  
 18:54:56 11 little bigger. These lots aren't exactly tiny lots.  
 18:55:01 12 And if we are going to make some conformity to look  
 18:55:04 13 like we belong -- I understand. I'm torn. I would  
 18:55:08 14 like those homes built out but, on the other hand,  
 18:55:12 15 you can't bring down the quality of the area.  
 18:55:21 16 MR. MERKEL: Thank you. Sir?  
 18:55:30 17 Q I am Tom Lemanski. I live at 18 Red Tail  
 18:55:35 18 Drive. Admittedly we live in the townhouses. We've  
 18:55:40 19 lived there for four years. My biggest concern about  
 18:55:44 20 our neighborhood is the all these empty lots. I  
 18:55:48 21 listen to people going, this isn't Toll Brothers.  
 18:55:52 22 Well, they aren't there anymore. The reality is,  
 18:55:55 23 it's 2022. From my perspective, they have a lower  
 18:56:04 24 quality home than Toll Brothers, that is preferable

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18:56:07 1 over 100 empty lots over the next five years if we  
 18:56:13 2 keep dragging our feet on this.  
 18:56:13 3 As a homeowners association, we need those  
 18:56:17 4 lots filled. We need people living in them that are  
 18:56:21 5 paying association dues to keep our subdivision  
 18:56:25 6 viable. We can knit pick the architecture, but --  
 18:56:28 7 and I empathize with those that spent a million  
 18:56:34 8 dollars on a Toll Brothers home and not have  
 18:56:36 9 something next door that looks quite like that, but  
 18:56:38 10 it's 2022 and I think we need to realize that, and  
 18:56:40 11 realize that these people have a business to run.  
 18:56:43 12 And if they can sell a million dollar home, they  
 18:56:51 13 would but a 6,000 square foot -- they would be doing  
 18:56:55 14 that, but Toll Brothers is gone. If they could do  
 18:57:00 15 that, they would still be here.  
 18:57:02 16 MR. MERKEL: Thank you.  
 18:57:10 17 Q My name is a Brian Silverman, 47 Tournament  
 18:57:14 18 Drive North. I think we can all agree that these  
 18:57:16 19 homes are going to be substantially different than  
 18:57:18 20 what we have in the neighborhood. I agree with the  
 18:57:22 21 last guy who said, look, it is what it is, maybe we  
 18:57:23 22 just get these lots built out and add to the  
 18:57:25 23 homeowners association and stuff, but we have to make  
 18:57:28 24 sure, one, that there is some conformity to the

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19:57:32 1 neighborhood. There has to be.  
 19:57:34 2 And when they are saying they are only  
 19:57:36 3 going commit to X amount, first of all, we talked  
 19:57:38 4 about this a number of times. What is the amount  
 19:57:41 5 that you are committed to? How many are we building  
 19:57:44 6 out and what does that tiered plan look like?  
 19:57:48 7 Because, if this goes to a third builder, what kind  
 19:57:52 8 of neighborhood do we have? We have this beautiful  
 19:57:54 9 planned community, and what does it look like 5 years  
 19:57:59 10 down the line if there's three builders? I think  
 19:58:02 11 it's challenging with two, so I would like a little  
 19:58:05 12 more substance behind what is going to happen.  
 19:58:10 13 MR. MERKEL: Thank you, Mr. Silverman.  
 19:58:15 14 A If in the first year we have roughly  
 19:58:20 15 30 percent of the community pretty much closed up, so  
 19:58:26 16 we have a contractual commitment to close over time  
 19:58:30 17 and we accelerate, if all goes well and that first  
 19:58:33 18 year we are 30 plus lots, third of the community in  
 19:58:39 19 the first year. So between 30 and 40 you can  
 19:58:42 20 guesstimate is where our position would be at a  
 19:58:45 21 minimum. More than likely, it's all going to depend  
 19:58:53 22 on the time of year we can get in the ground, where  
 19:58:56 23 we might have to do winter foundations. And again,  
 19:59:03 24 it's all market dependent. I understand.

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19:59:05 1 There is a general concern of everyone.  
 19:59:08 2 It's 20 years of vacancy. And everybody is worried  
 19:59:12 3 about someone commit to buying. I can't give the  
 19:59:15 4 100 percent in blood commitment. I'm sorry I can't.  
 19:59:19 5 I wish I could. But that is the business world we  
 19:59:23 6 live in. I can't do that.  
 19:59:24 7 It's just as important that we did go on  
 19:59:26 8 record with the homeowner association and the  
 19:59:30 9 contract purchaser how we are going to structure it  
 19:59:34 10 so that everyone is aware that the vacant lot next to  
 19:59:39 11 them is an M/I lot the day we start building on the  
 19:59:42 12 first lot. We want to be clear. That is how we set  
 19:59:44 13 up the expectation with our group as well. So that,  
 19:59:51 14 again, cadence of all goes well, and hope it will, is  
 19:59:57 15 between 30 and 40 at a minimum in that first year.  
 16 MR. WHITAKER: If I could add one other  
 17 thing?  
 20:00:11 18 Russ Whitaker, counsel for M/I Homes. My  
 20:00:12 19 firm does land-development work throughout the  
 20:00:15 20 suburbs. We probably plat 5,000 lots a year. I can  
 20:00:21 21 say that in the last 15 or 20 years, never when we  
 20:00:24 22 have platted a lot, have we ever made a guarantee on  
 20:00:29 23 every single lot. Toll did not do that when they  
 20:00:33 24 built. Toll didn't do that on other projects. M/I

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20:00:38 1 doesn't do that. DR Horton doesn't do that. No  
 20:00:41 2 builder looks at a community and says I'm going to  
 20:00:44 3 plat these lots and guarantee I will build on them.  
 20:00:47 4 It doesn't matter whether they're developing a lot or  
 20:00:50 5 buying finished lots, they may be buying in bulk or  
 20:00:55 6 over time, but the fact of the matter is no one ever  
 20:00:56 7 has an obligation to go build a home. You can buy  
 20:01:00 8 the lots and might hold them in inventory, which is  
 20:01:03 9 what Toll has done for 20 years, but there is never a  
 20:01:07 10 guarantee to build.  
 20:01:09 11 This is as close as you have gotten. If  
 20:01:12 12 Toll had other buyers, they wouldn't have let M/I  
 20:01:15 13 purchase the homes in quarters over a couple years.  
 14 They would have forced them into a negotiated  
 15 position to buy all of the lots so Toll is gone.  
 20:01:28 16 Make no mistake, Toll does not want to be here. Toll  
 20:01:28 17 wants to be gone. But this is the only buyer and the  
 20:01:29 18 phase takedown of these lots was the only structure  
 20:01:33 19 that Toll had to get out of the community.  
 20:01:36 20 So, I think -- I understand there is  
 20:01:38 21 a lot of frustrated homeowners and I understand why  
 20:01:43 22 they are frustrated, but there are business realities  
 20:01:47 23 and no one is going to buy this today, tomorrow, or  
 20:01:50 24 in 5 years and make a guarantee that they are going

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20:01:53 1 to come and build the lots. You don't want to see  
 20:01:57 2 that happen, because at that point in time they are  
 20:01:59 3 not saying, Mr. Merkle, what do you want in your  
 20:02:02 4 house, I will build it to your specification. They  
 20:02:06 5 are saying, I will decide what goes in this home and  
 20:02:08 6 build it to whatever I think the market bears and  
 20:02:11 7 will not have a custom nature that drives higher  
 20:02:15 8 prices. You don't want somebody building on speck  
 20:02:18 9 lots. I think those are important considerations as  
 20:02:21 10 we consider the structure.  
 20:02:31 11 MR. MERKEL: Yes?  
 20:02:33 12 Q Jordan Silverman, 20 Doral Drive. I have a  
 20:02:37 13 question for you guys. You guys are doing it, and  
 20:02:40 14 it's beating a dead horse, but you don't have a  
 20:02:42 15 commitment on the amount of homes you can guy. Is  
 20:02:45 16 there anything contractually that prevents another  
 20:02:49 17 home builder, say a Polti or anybody else, from  
 20:02:54 18 coming in and taking X amount of lots while you are  
 20:02:56 19 doing yours and we have three, four, five builders?  
 20:03:01 20 If you are not making a full commitment to  
 20:03:03 21 them, are they making a commitment to you that you  
 20:03:06 22 have first right of refusal of all the lots?  
 20:03:10 23 MR. WHITAKER: That's a great question. The  
 20:03:11 24 answer is yes. We have the right to buy all 105 lots

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20:03:15 1 that are finished in the community over a defined  
 20:03:18 2 period of time. I don't remember off the top of my  
 20:03:20 3 head exactly what that time frame is, but Toll cannot  
 20:03:24 4 sell to any other third-party during that contract  
 20:03:28 5 timeline. And we can accelerate the timeline,  
 20:03:31 6 assuming things are going well, we will accelerate  
 20:03:34 7 that timeline. If things aren't going well, we can  
 20:03:38 8 buy pursuant to the schedule, because if I buy a lot  
 20:03:40 9 today and can't build for three years, I pay interest  
 20:03:43 10 on the carrier of that lot. This is a way of keeping  
 20:03:46 11 my costs down and be able to build most efficiently.  
 20:03:52 12 MR. MERKEL: And if I can add to that?  
 20:03:55 13 Ms. Silverman, the hodgepodge builder comment, could  
 20:04:01 14 M/I build three homes and then the market tanks and  
 20:04:08 15 say they are out, back to Toll? Could that happen?  
 20:04:14 16 MR. WHITAKER: We are buying in minimum  
 20:04:17 17 groupings, so I think we take five at each closing.  
 20:04:20 18 MR. MERKEL: Say five, and then say, Toll this is  
 20:04:22 19 not working for us.  
 20:04:25 20 MR. WHITAKER: I mean, if things in Russia go  
 20:04:27 21 south, we can say tomorrow that we are not going to  
 20:04:30 22 buy the first --  
 20:04:34 23 MR. MERKEL: Just so everyone is clear on how  
 20:04:34 24 that works.

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20:06:23 1 buying is the category we are carrying for. There is  
 20:06:28 2 no change to any lot metrics. Let's be honest, many  
 20:06:30 3 of the communities we go into and there is a bused  
 20:06:33 4 subdivision, we are changing lot metrics in order to  
 20:06:37 5 figure out how do we reshuffle the deck here because  
 20:06:41 6 something broke and put it back together. We are not  
 20:06:46 7 doing that. We are building on the large lots  
 20:06:50 8 without any change.  
 20:06:51 9 MR. MERKEL: This is a question for staff. The  
 20:06:53 10 lot she's talking about -- so we are saying when Toll  
 20:06:57 11 left, that was designated as an executive lot?  
 20:07:01 12 MR. HEINEN: When Toll originally came in, they  
 20:07:03 13 had a set-up verbiage for individual lots and that  
 20:07:07 14 changed. It's just a marketing designation. The  
 20:07:14 15 site map that M/I put together, the estate lots,  
 20:07:20 16 executive, golf villa lots, are what the current  
 20:07:23 17 marketing term is for those individual lots.  
 20:07:26 18 I think when they originally came in, they  
 20:07:29 19 had had signature lots. Those signature lots changed  
 20:07:31 20 to executive lots. The estate lots were always --  
 20:07:37 21 MR. MERKEL: Sometime when marketing these and  
 20:07:40 22 still actively marketing -- which I don't remember,  
 20:07:42 23 all those lots got changed to executive?  
 20:07:48 24 MR. HEINEN: Correct.

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20:04:45 1 Any other comments or questions?  
 20:04:58 2 Q I'm Patty Chiselko, 8 Glen Club court.  
 20:05:03 3 My question is: The street I lived  
 20:05:08 4 on, those were signature lots. Now they are being  
 20:05:10 5 annexed or now they are executive, so I have almost a  
 20:05:16 6 4,000 square foot house, and if you follow the floor  
 20:05:19 7 plan they are recommended, I could have a ranch that  
 20:05:22 8 is 2300 square feet next to mine. Unfortunately, on  
 20:05:26 9 my street, there are only two house that are about  
 20:05:30 10 4,000 square feet. I think it's similar down where  
 20:05:35 11 they have 3 or 4 houses that are the larger, what we  
 20:05:38 12 would consider, estate homes.  
 20:05:41 13 I'm wondering how that got changed from  
 20:05:44 14 mine was an estate -- that whole street was an estate  
 20:05:48 15 on the original plans from Toll and now it's  
 20:05:54 16 downgraded to an executive? Because my lot is almost  
 20:05:58 17 an acre lot.  
 20:05:59 18 MR. MERKEL: I asked a similar question, you said  
 20:06:02 19 it much more eloquently than I did. How do you  
 20:06:03 20 determine executive to estate? Maybe we can touch on  
 20:06:08 21 that again?  
 20:06:12 22 MR. WHITAKER: There is no change in  
 20:06:14 23 designations. We are not changing any designation  
 20:06:17 24 between estate, executive or golf villa. What we are

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20:07:48 1 MR. MERKEL: There was only one -- just executive  
 20:07:48 2 and estate at that point?  
 20:07:52 3 MR. HEINEN: There is executive, executive 120,  
 20:07:56 4 golf villas, the estate, and the signature. I think  
 20:08:01 5 there were five different designations. That was the  
 20:08:04 6 original marketing for Toll. And that did change  
 20:08:09 7 over time through their marketing to what we have  
 20:08:12 8 before us, which is the estate lots, the executive  
 20:08:16 9 lots and the golf lots.  
 20:08:18 10 Q On the street where I'm at, those were  
 20:08:22 11 considered the signature master collection by Toll  
 20:08:27 12 Brothers, and now you're making them executive, so  
 20:08:30 13 it's not.  
 20:08:33 14 MR. WHITAKER: And I can bring these up and show  
 20:08:35 15 them to the commission. These are the six -- the  
 20:08:38 16 subdivision was platted in phases. So there are six  
 20:08:42 17 phases to the existing subdivision and I have in  
 20:08:46 18 front of me the final plat for phases 1 through 6.  
 20:08:51 19 We can go through and look at all these plats and see  
 20:08:54 20 how they were designated.  
 20:08:55 21 So, for example, Hawthorn Woods Country  
 20:08:59 22 Club phase one here, there is an executive  
 20:09:02 23 designation here, which ties to the lot above, so we  
 20:09:06 24 have done through and color coded on these plats to

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20:09:10 1 assure that we are not changing any designation on a  
20:09:14 2 final plat of subdivision, which is a legal recorded  
20:09:18 3 document that creates the lot and ties to the  
20:09:20 4 annexation agreement, which is the document that will  
5 govern.

20:09:28 6 I can't say what was done in marketing  
20:09:28 7 materials, but we can say definitively -- we can  
20:09:32 8 submit these into the record if we feel like it's  
20:09:36 9 necessary, but these are the legal documents that  
20:09:38 10 created the terms we are using and we are not  
20:09:41 11 changing them.

20:09:44 12 Q I guess my question is, for my size house,  
20:09:47 13 you can call it whatever you want, executive estate,  
20:09:51 14 could they build a ranch that is 2300 square feet  
20:09:55 15 next to my house based on the current -- that is my  
20:10:00 16 understanding based on the current.

20:10:06 17 MR. WHITAKER: So, the answer to that -- is  
20:10:07 18 actually, worse condition than what you believe. In  
20:10:11 19 the executive section, you could build today a 1700  
20:10:18 20 square foot ranch. We are proposing to increase that  
20:10:20 21 standard to say we cannot build a 1700 square foot  
20:10:24 22 ranch, the minimum size would be 2,225. So, we are  
20:10:30 23 actually taking the minimum standards as they are set  
20:10:34 24 forth in the legal documents and we are increasing

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20:10:36 1 them.

20:10:37 2 MR. MERKEL: You can see the frustration that  
20:10:40 3 everyone bought a home here that the people are  
20:10:42 4 talking that -- her house was in the premiere  
20:10:47 5 executive area, and now she is learning that it was  
20:10:51 6 platted as a 1700 square foot house, could be next to  
20:10:55 7 her, all those homes, which is obviously a shot in  
20:10:58 8 the face.

20:11:00 9 Q What if you just got rid of the whole ranch?  
20:11:03 10 Seems like people made comment of the ranch. Why do  
20:11:07 11 we have to have a ranch? If they want a ranch, let  
20:11:10 12 them buy a Toll Brothers ranch.

20:11:28 13 Q I'm Lauren Vondrasek, 84 Tournament Drive  
20:11:34 14 South. I respect everyone's opinions that have been  
20:11:40 15 represented today. I understand we have homeowners  
20:11:43 16 that bought under certain assumptions and certain  
20:11:46 17 conditions and those conditions have changed. I  
20:11:50 18 understand the customer is looking for something  
20:11:53 19 completely different than what was sold 15 years ago.  
20:11:56 20 And I'm starting to hear that there are so many  
20:12:01 21 different iterations and legal documents, so thank  
20:12:03 22 you for sharing that, because I think we were all  
20:12:06 23 under the assumption that there were certain  
20:12:09 24 requirements based on how the community was built

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20:12:12 1 out.

20:12:13 2 What I do think is there is obviously a  
20:12:14 3 concern around the ranch, but I believe there is a  
20:12:17 4 probably need for a ranch. I have a first-floor  
20:12:20 5 master and an elderly family member living with me  
20:12:23 6 that can't go up and down stairs, so I guess there  
20:12:26 7 needs to be some type of solution for a ranch. I'm  
20:12:29 8 rambling a little bit.

20:12:31 9 My point is, I don't think empty lots  
20:12:32 10 don't do any good for out community. They don't  
20:12:37 11 deliver tax. They drive down our property value.  
20:12:41 12 They create a less ideal aesthetic within the  
20:12:46 13 community. If someone new is moving in, they see a  
20:12:48 14 bunch of empty lots, causes them to be concerned. My  
20:12:52 15 primary concern is I don't like the empty lots and I  
20:12:58 16 don't think they are good for the community at large,  
20:12:58 17 but I agree there are changes to what the customers  
20:13:02 18 are looking for. I think we have to have an open  
20:13:05 19 mind and find some type of common ground to help  
20:13:08 20 complete the community and fill some of these lots.  
20:13:12 21 Thank you.

20:13:23 22 MR. MERKEL: Thank you.

20:13:24 23 Q My name is Mike Wall, 89 club Court. I just  
20:13:28 24 want a little clarity of what homes are selling for

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20:13:33 1 and what I believe is a comparable claim in Avery  
20:13:38 2 Ridge. It looks like a lot of those houses are  
20:13:41 3 very -- they are a little smaller, but similar to  
20:13:44 4 those being foreclosed.

20:13:46 5 Is it true that probably the highest  
20:13:51 6 priced home is the model that is going for sale for  
20:13:54 7 around \$900,000, is that accurate? Is that the  
20:13:56 8 model, the white house, is that being listed for a  
20:14:04 9 little over 900? So, if we here 5, low 6s, but the  
20:14:16 10 reality is, Westbury is one of those empty nester  
20:14:19 11 ranch homes are selling in the 6s, right?

20:14:23 12 A Yeah.

20:14:24 13 Q So when you open up a home, is it typical for  
20:14:30 14 M/I to do maybe 20 percent of options above the base  
20:14:36 15 price or more?

20:14:38 16 A Could be 10 percent or more.

20:14:38 17 Q When you say high 5s it could be starting  
20:14:43 18 point, it could be another 25 percent on top of that?

20:14:45 19 A Yeah.

20:14:48 20 Q So what I'm trying to say is, it sounds like  
20:14:51 21 we might have smaller homes in the neighborhood, but  
20:14:56 22 they are going to be selling well over what people  
20:14:58 23 are getting for their homes right now? Even a ranch  
20:15:01 24 home could go for more than a 4,000 square foot home

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20:15:08 **1** went in the last year. Okay. Thank you.

20:16:23 **2** **Q** Mike Grober. I think one of the issues or

20:16:28 **3** comments that I would like to make is, a lot of the

20:15:30 **4** executive lots, 13 of the executive lots, I believe

20:15:35 **5** also had that three-car side-load requirement, so

20:15:39 **6** that tended to be a larger home.

20:15:41 **7** I have lived at 9 Somerset and that was in

20:15:44 **8** that cul-de-sac where there is one remaining lot and

20:16:48 **9** all of the properties along there all had three-car

20:15:52 **10** side-load garages, so if we are going to put in --

20:15:55 **11** and you start looking at all the properties, between

20:15:59 **12** executive and the larger lots that they're deemed,

20:18:04 **13** that's about 80 percent of the lots and there is only

20:18:05 **14** 3 or 4 plans that offer that side-load to make up

20:18:11 **15** 80 percent of the rest of the community. That is one

20:16:14 **16** of the concerns, I think those executive lots. If

20:16:19 **17** you look at those built on the south side, the

20:16:20 **18** individual ones, those all have three-car side-load

20:16:23 **19** whereas the -- I think golf villas are the ones that

20:16:28 **20** have two-car front loads.

20:18:30 **21** MR. MERKEL: When you say the south side, go back

20:18:33 **22** to that plan view again.

20:18:37 **23** **Q** It's where the majority of homes they are

20:18:40 **24** going to build are.

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20:18:04 **1** MR. TISCI: These are side loads.

20:18:08 **2** **Q** These front loads also are across the street

20:18:11 **3** from the golf villas as well. So the continuity

20:18:27 **4** there --

20:18:27 **5** MR. BRANKIN: We have a court reporter and people

20:18:33 **6** chiming in the back, so one at a time please.

20:18:35 **7** **A** Some of those executives was allowed to have

20:18:36 **8** a three-car upgrade, if I remember correctly, through

20:18:41 **9** that, so that is where the executive came in where

20:18:44 **10** the golf villas may not have.

20:18:52 **11** MR. VOLTATORI: There is no three-car garage.

20:18:54 **12** They are not wide enough.

20:18:56 **13** **Q** On the executive?

20:18:58 **14** MR. VOLTATORI: On the executive, yes. The lots

20:19:01 **15** were only 90 feet wide. There was no option for a

20:19:04 **16** third-car garage per the village. It wasn't per

20:19:06 **17** Toll. The village wouldn't allow it. They are

20:19:12 **18** smaller lots. They are only 90 feet wide. Look at

20:19:16 **19** the orange lots that are there, as executive, the

20:19:22 **20** majority, those are a little wider lots, just to

20:18:25 **21** clarify.

20:19:28 **22** **Q** No, that's great. We are going to put a lot

20:19:31 **23** of executive homes in here. If there are only a few

20:19:33 **24** options, depending on the rules within the

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20:18:42 **1** MR. MERKEL: Below you there?

20:18:44 **2** **Q** Yes. So, this section below where all the

20:16:48 **3** yellow and the golf villas are.

20:16:54 **4** MR. MERKEL: Those have the front --

20:16:57 **5** **Q** And all these executive homes have the

20:17:00 **6** three-side load and this section in here was that,

20:17:06 **7** you know, that executive phase as well, and those all

20:17:10 **8** have three-car side. So, if we are looking at plans

20:17:14 **9** comparable to the number of homes they are going to

20:17:17 **10** build, there may be a concern there is not enough

20:17:20 **11** models to fill all of the area that has to be built.

20:17:25 **12** MR. MERKEL: Just south there, those are all side

20:17:29 **13** loads, too?

20:17:30 **14** **Q** These are all side loads.

20:17:32 **15** MR. MERKEL: And those straight down all the way

20:17:33 **16** to retention?

20:17:36 **17** **Q** Yes. Those are all side loads. These are

20:17:39 **18** all as well.

20:17:40 **19** MR. MERKEL: Dante?

20:17:43 **20** MR. TISCI: The main drive are all front loads.

20:17:48 **21** **Q** Here, yes. But those are the golf villas and

20:17:56 **22** these are executives?

20:17:59 **23** MR. TISCI: From that corner down to here.

20:18:01 **24** MR. MERKEL: What about these?

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20:19:36 **1** association in terms of the three-car side-load,

20:19:40 **2** whatever it is, I don't know if that was a

20:19:42 **3** restriction previously on the executive lots or all

20:19:45 **4** of them, but certainly based on square footage of the

20:19:49 **5** lots.

20:19:50 **6** MR. HEINEN: I don't think -- I don't think Toll

20:19:52 **7** had side-load requirements. I think that was the

20:19:56 **8** elevations that they were doing. They weren't

20:19:59 **9** required to do side-loads on any of the lots. Toll

20:20:04 **10** choose to do that.

20:20:22 **11** **Q** Bill Talini, 15 Briar Creek Drive. This is a

20:20:24 **12** quick question for M/I.

20:20:26 **13** Do you anticipate charging a premium for

20:20:29 **14** homes put on a lot that boarder -- that actually

20:20:33 **15** boarder the golf course?

20:20:36 **16** **A** Yes.

20:20:38 **17** **Q** You will be charging a premium for those

20:20:39 **18** homes?

20:20:40 **19** **A** Yes.

20:20:40 **20** **Q** Thank you.

20:20:46 **21** **Q** Dennis Pilar, 20 Championship.

20:20:50 **22** You also, I believe in the Kildare

20:20:53 **23** Homes, charged for lots, correct? There is a lot fee

20:20:57 **24** in addition?

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20:20:58 **1 A No.**  
 20:20:58 **2 Q** If you were a certain area. You will say  
 20:21:03 **3** it's 400 to start, but that 400, it's like 60,000 for  
 20:21:08 **4** the lot and 4,000 and then the -- correct?  
 20:21:16 **5 A Yes. You are referencing what the gentlemen**  
 20:21:20 **6 before you. That would be a lot premium. We take**  
 20:21:25 **7 the approach with every single subdivision there is a**  
 20:21:28 **8 good, better, best lot. It's an art form rather than**  
 20:21:38 **9 science. Establish lot premiums when you can or you**  
 20:21:41 **10 can't.**  
 20:21:49 **11 Q** Neil, again. Just a quick question. With so  
 20:21:52 **12** much banter about the ranch home, is there any  
 20:21:54 **13** potential to maybe go back to the drawing board and  
 20:22:00 **14** find one that is larger?  
 20:22:01 **15 A Sure. If that is what they desire, from what**  
 20:22:08 **16 I'm hearing, sure, we'll consider that. The planning**  
 20:22:13 **17 commission is going to make a recommendation and can**  
 20:22:16 **18 address the ranch plan. That is not a big issue.**  
 20:22:22 **19 These are three-car minimums, right? I'm**  
 20:22:45 **20 not sure if there was a minimum requirement for Toll.**  
 20:22:48 **21 I think there was two-car. We have three-car --**  
 20:23:20 **22 MR. MERKEL: I thought you did, but I don't**  
 20:23:22 **23 remember exact exactly. Do any of the two-story**  
 20:23:25 **24 configurations have a first-floor master?**

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20:23:28 **1 A Yes. The Essex plan has a first-floor**  
 20:23:34 **2 master. Well -- no. The Aberdeen we designed, but**  
 20:23:42 **3 that is too small for this program so --**  
 20:23:46 **4 MR. MERKEL: So there is no first-floor master**  
 20:23:48 **5 option that would be in lieu of a ranch?**  
 20:23:50 **6 A Correct.**  
 20:24:04 **7 Q** I live at 83 Tournament Drive North. Thank  
 20:24:07 **8** you M/I Homes for showing interest in our community,  
 20:24:10 **9** because you are the only builder that has shown  
 20:24:13 **10** interest in our community as Toll Brothers has left  
 20:24:16 **11** us hanging high and dry forever.  
 20:24:16 **12** My question is, I know that we are trying  
 20:24:21 **13** to limit the mess of when you do come in and start to  
 20:24:26 **14** development the community. I know you are proposing  
 20:24:28 **15** to build five lots at a time. I know you can't have  
 20:24:32 **16** a crystal ball, but when you would get to the north  
 20:24:34 **17** side, but if I wanted to move into the neighborhood,  
 20:24:37 **18** when might I be able to give an option to go to the  
 20:24:41 **19** north end to have a bigger lot, if you could  
 20:24:45 **20** speculate? Because right now you are doing five lots  
 20:24:50 **21** at a time, I'm focusing on the bottom part on the  
 20:24:54 **22** south, but I know you want to try and build it  
 20:24:58 **23** straight up.

20:25:02 **24 A Yeah, I couldn't give you a timeline as to**

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20:25:05 **1 where we are going to be at any particular corner of**  
 20:25:11 **2 the year. Again, the focus and attention is on the**  
 20:25:14 **3 south end and again, market-dependent, we burn out of**  
 20:25:18 **4 those lots or we find that 80 percent of the people**  
 20:25:22 **5 walking in want to be on the north end we have to**  
 20:25:27 **6 change the strategy, but I couldn't give you an idea.**  
 20:25:35 **7 A Thank you.**  
 20:25:37 **8 MR. HEINEN: Chairman, if I could? I want to add**  
 20:25:43 **9 one other thing on consideration on the ranch. I can**  
 20:25:46 **10 hear a lot of angst about that.**  
 20:25:48 **11** If you flip to the package on elevations,  
 20:25:52 **12** just in talking with Greg we stumbled on something.  
 20:25:55 **13** We are saying that 2025 is the base square footage  
 20:25:58 **14** for that ranch. Right? That can be optioned up to  
 20:26:04 **15** 2443. But, if you look at all the ranch plans, they  
 20:26:08 **16** assume a second story. Right?  
 20:26:12 **17** So you have -- that space might not be  
 20:26:15 **18** built out, it might be finished, but if you look at  
 20:26:18 **19** all of the elevations, there is not a situation where  
 20:26:21 **20** there is not a volume to that home that it doesn't  
 20:26:25 **21** include a second story. So there is kind of a -- I  
 20:26:28 **22** think the biggest driving concern here is about look  
 20:26:33 **23** and feel and how these homes fit within the character  
 20:26:36 **24** of the existing community. I think the interesting

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20:26:39 **1** thing here, normally when a lot of other builders,  
 20:26:43 **2** when we build a ranch home, it's a single-story. You  
 20:26:47 **3** can add space to the second story, but the roof lines  
 20:26:50 **4** will change and it's a significant add to add that  
 20:26:54 **5** space on the second story.  
 20:26:56 **6** What I'm seeing with the elevations, that  
 20:26:58 **7** second-story space is built in, even at 2225 square  
 20:27:04 **8** feet. You are not getting, necessarily, the  
 20:27:08 **9** appearance of a ranch home, you are getting -- it's  
 20:27:10 **10** more roof line than it is a side front elevation. It  
 20:27:15 **11** doesn't look like a two-story home from the front,  
 20:27:18 **12** but the roof massing of the house is significantly  
 20:27:21 **13** larger than what you would typically see in a 2200  
 20:27:24 **14** square foot ranch home.  
 20:27:34 **15 MR. MERKEL: Thank you.**  
 20:27:36 **16** But that is not an option on the  
 20:27:39 **17** current plans I have. Am I missing something?  
 20:27:44 **18 MR. BRANKIN: What was the question?**  
 20:27:47 **19 MR. MERKEL: You said that is an option to build**  
 20:27:49 **20** out and a planned option, the fireplace, walk-in  
 20:27:55 **21** shower, and I didn't that one. I thought I was  
 20:27:58 **22** missing something.  
 20:28:00 **23 MR. BRANKIN: There is an option for a**  
 20:28:03 **24** second-story space. I'm not seeing that. I'm not

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20:28:07 **1** seeing it here either, but often times there is a  
 20:28:11 **2** number of options that aren't necessarily shown.  
 20:28:18 **3** MR. MERKEL: All right.  
 20:28:30 **4** Q 96 Parkway South. Two questions. Could you  
 20:28:35 **5** answer, again, where you think the low end of your  
 20:28:38 **6** price point will be? I know you talked about average  
 20:28:41 **7** and median.  
 20:28:43 **8** And secondly, you said that you have  
 20:28:45 **9** successfully built out some of these types of  
 20:28:48 **10** communities where you come in after the fact. And I  
 20:28:51 **11** know that you have been completely compliant with  
 20:28:54 **12** village code. But what additional provisions do you  
 20:28:57 **13** take as a builder to consider neighborhood safety?  
 20:29:01 **14** We have a neighborhood full of kids. What  
 20:29:08 **15** provisions do you take regarding just noise,  
 20:29:13 **16** construction tidiness, things of like that?  
 20:29:19 **17** A All of those issues you brought up are highly  
 20:29:23 **18** regulated by the village typically when it comes to  
 20:29:27 **19** operating hours. When it comes to construction  
 20:29:30 **20** safety, I'm not sure off the top of my head if you  
 20:29:33 **21** are required to fence off each site, how we handle  
 20:29:38 **22** that, but typically there is a provision you are --  
 20:30:01 **23** we deal with this in every village hand-in-hand.  
 20:30:05 **24** Before we even start, we're typically sitting down

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20:30:08 **1** with building commissioner, inspectors, and they are  
 20:30:12 **2** walking us through those particular issues with  
 20:30:16 **3** respect to construction integrity. There is a  
 20:30:18 **4** requirement for street cleaning on a weekly basis.  
 20:30:22 **5** All those things, I'm sure, are on the books and will  
 20:30:25 **6** be compliant with that.  
 20:30:32 **7** When it comes to overall price  
 20:30:38 **8** points -- I was even going through what I pulled the  
 20:30:42 **9** last 12 months.  
 20:30:52 **10** You're seeing right now today average  
 20:30:55 **11** pricing at around 600 -- just short of \$600,000 in  
 20:31:03 **12** the community. That's 3800 square feet on average.  
 20:31:06 **13** I just pulled -- you have a ranch that sold at  
 20:31:11 **14** 405,000 bucks. That is -- I think someone said 2938  
 20:31:16 **15** or 2900 square foot ranch. One sold last year  
 20:31:21 **16** \$405,000. Per square foot that is below my cost.  
 20:31:25 **17** The retail value, that was my below my cost to build  
 20:31:30 **18** a home. It was 136.  
 20:31:34 **19** It's important that we look at those and  
 20:31:37 **20** we compare to that you have an average price today  
 20:31:40 **21** out the door, 600 thousand, we are going to be ASPs,  
 20:31:47 **22** which is average sale price, out the door. Fit and  
 20:31:48 **23** finish and premiums that we -- push, 50 -- high 5s,  
 20:31:56 **24** low 6s all day long. That is current where we are

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20:32:01 **1** estimating where we need to be.  
 20:32:04 **2** My guess, when we opening this up and  
 20:32:06 **3** given the cost structure we have dealt with in the  
 20:32:08 **4** last 8 months, we need to probably help mitigate that  
 20:32:13 **5** the best we can. There might be a small increase to  
 20:32:16 **6** that in the short term holding where we can and we  
 20:32:20 **7** can absorb those price increases.  
 20:32:22 **8** Someone made the point earlier we are just  
 20:32:25 **9** going to strip product and material off and -- we  
 20:32:28 **10** cannot do that. We can't establish that marketplace,  
 20:32:32 **11** establish fit and finishes, the way you build  
 20:32:36 **12** something, and then take away from that. There isn't  
 20:32:39 **13** anything to take away from. You have contracts in  
 20:32:42 **14** place, national contract for windows on certain  
 20:32:46 **15** levels that have certain upgrades. There is no just  
 20:32:49 **16** retooling that. We can go back and talk to the  
 20:32:53 **17** person and say we need better pricing, but in terms  
 20:32:56 **18** of product integrity, we don't strip that way in  
 20:33:02 **19** order to meet -- we have to then push the pause  
 20:33:07 **20** button like every economy or industry would do if it  
 20:33:11 **21** got that bad, but we will not continue to do volume  
 20:33:13 **22** by stripping away the quality of the home.  
 20:33:23 **23** MR. MERKEL: All right. Anyone else?  
 20:33:38 **24** Q Back to the ranch house, does this ranch

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20:33:46 **1** house that you're proposing have an option for a  
 20:33:48 **2** third bedroom and/or a side-load garage?  
 20:34:02 **3** A No on the side-load. Yes, we can option up  
 20:34:08 **4** to a third bedroom.  
 20:34:09 **5** Q And what square feet?  
 20:34:11 **6** A That is what was shown, 2400 square feet,  
 20:34:16 **7** 2400 and change.  
 20:34:17 **8** Q So whether it's 2 or 3 bedroom, it's  
 20:34:21 **9** 2400 square feet?  
 20:34:22 **10** A It starts at 2225 and goes up to 2400.  
 20:34:31 **11** Q I hear your answer, but I say to the board  
 20:34:33 **12** that is inadequate. There are people out there like  
 20:34:42 **13** me and others in here who have ranch houses who would  
 20:34:48 **14** love a third garage stall, who are not necessarily  
 20:34:53 **15** young, but there are young families looking all the  
 20:34:59 **16** time.  
 20:34:59 **17** I live on the intersection of Crystal  
 20:35:02 **18** Downs and Tournament South, which is bottom half  
 20:35:06 **19** where this proposed to put in the marble house, and  
 20:35:11 **20** there is practically a constant parade of traffic  
 20:35:16 **21** going up and down the streets looking for something  
 20:35:19 **22** to buy. I think we should have more good option for  
 20:35:28 **23** them to buy and I think a big ranch should be an  
 20:36:36 **24** option. Thank you.

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20:36:00 **1** MR. MERKEL: Anyone else? No one else? Okay.  
 20:36:06 **2** Thank you.  
**3**  
 20:36:07 **4** I will look at the planning commissioners.  
 20:36:10 **5** I'm looking for a motion to close this public hearing  
 20:36:16 **6** MR. LINDQUIST: So moved.  
 20:36:16 **7** MR. MERKEL: Thank you. Thank you.  
 20:36:22 **8** MR. TISCI: I'll second.  
 20:36:24 **9** MR. MERKEL: Will you please take a roll?  
**10** MS. LOBAITO: Mr. Voltatori?  
**11** MR. VOLTATORI: Aye.  
**12** MS. LOBAITO: Mr. Lindquist?  
**13** MR. LINDQUIST: Aye.  
**14** MS. LOBAITO: Mr. Merkel?  
**15** MR. MERKEL: Aye.  
**16** MS. LOBAITO: Mr. Tisci?  
**17** MS. TISCI: Aye.  
**18** MS. LOBAITO: Ms. Massel?  
 20:36:34 **19** MS. MASSEL: Aye.  
 20:36:34 **20** MR. MERKEL: We have formally closed this  
 20:36:37 **21** portion of the meeting of the public hearing. This  
 20:36:45 **22** is a fun part. We can now debate, discuss, our  
 20:36:48 **23** recommendations that we are going to give back to the  
 20:36:52 **24** board. I will state it again, we do not make the

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20:36:56 **1** decisions, we give recommendations for them to  
 20:36:58 **2** consider. Off the record.  
 20:37:45 **3** (Discussion had off the record.)  
 20:37:45 **4** MR. MERKEL: At this point we are looking -- we  
 20:37:53 **5** are going to discuss and come up with some  
 20:37:56 **6** recommendations to the board. I don't know if we  
 20:37:59 **7** want to make a list of comments and we'll try to put  
 20:38:03 **8** them in some format we can give to the board.  
 20:38:12 **9** Jack, any specific comments?  
 20:38:14 **10** **A I think the ranch home needs to be just -- I**  
 20:38:21 **11 think it needs to be limited. There is a couple lots**  
 20:38:25 **12 that I don't think will fit. There is only a couple**  
 20:38:29 **13 of those.**  
 20:38:31 **14 Q** You are saying the ranch would not fit  
 20:38:33 **15** because it's too small?  
 20:38:35 **16 A Yes, and it's not all of them. It's many of**  
 20:38:38 **17 the ones that are kind of -- that are penciled in in**  
 20:38:42 **18 between the rest of the existing homes. The ranch is**  
 20:38:48 **19 larger than the intended ranch that Toll could always**  
 20:38:51 **20 come back and build the way -- the way the bi laws**  
 20:38:54 **21 are written right now, so it's a little smaller than**  
 20:39:00 **22 the smallest executive home that is down the street**  
 20:39:05 **23 from me. It's close. I mean it's a ranch and the**  
 20:39:11 **24 executive home is not. It's a two-story home. It's**

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20:39:15 **1 a little smaller, but that is one of them.**  
 20:39:19 **2 The other issue is that we don't have**  
 20:39:22 **3 he -- haven't had anybody here. Okay?**  
 20:39:25 **4 MR. MERKEL: No.**  
 20:39:27 **5 Q** Nobody can predict market conditions. Do the  
 20:39:32 **6** designs match exactly what was built 15 years ago?  
 20:39:35 **7** No. Tastes have change. I am in agreement with what  
 20:39:43 **8** they have, their designs they are portraying.  
 20:39:49 **9** MR. MERKEL: Okay. Any other comments?  
 20:39:57 **10** MR. VOLTATORI: No.  
 20:39:58 **11** MR. TISCI: I don't have any further comments. I  
 20:40:02 **12** think the proposal is acceptable. I think the  
 20:40:05 **13** neighborhood would be much better built out. I think  
 20:40:09 **14** the market will drive what homes are chosen on those  
 20:40:14 **15** lots. I think we need to give the purchasers some  
 20:40:19 **16** leeway of what they are going to put in a home and  
 20:40:22 **17** also think about the other side.  
 20:40:24 **18** Yes, a small ranch can end up next to a  
 20:40:28 **19** very large home that is currently there, but I'm not  
 20:40:32 **20** sure who is going to choose to do that as a  
 20:40:35 **21** purchaser, so I'm not as concerned with that  
 20:40:38 **22** happening. I don't have any positions and I'm  
 20:40:43 **23** comfortable with the proposals.  
 20:40:45 **24** MR. MERKEL: David?

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20:40:46 **1** MR. LINDQUIST: I guess I have to say this. I  
 20:40:59 **2** live in a 2300 square foot ranch. I have four  
 20:41:03 **3** bedrooms, two and a half bathrooms, a family room, a  
 20:41:10 **4** laundry room, a 27-foot living room, and an L-shaped  
 20:41:18 **5** dining room that can be expanded into the living room  
 20:41:22 **6** for large crowds, the kitchen is rather small but so  
 20:41:28 **7** is my wife and she enjoys the short travel distances.  
 20:41:35 **8** We have lived there for over 50 years.  
 20:41:39 **9** The tendency now is for homes to get  
 20:41:43 **10** smaller, not bigger. Most people find that those 4  
 20:41:48 **11** or 5 or 6,000 square feet homes were a drain on their  
 20:41:56 **12** finances when the market went down on the value of  
 20:42:01 **13** them. We came back and started building a little bit  
 20:42:07 **14** smaller, but now we are starting to creep back up  
 20:42:10 **15** again. I would say that a lot of people that have  
 20:42:16 **16** 6,000 square foot homes probably haven't been in all  
 20:42:22 **17** their rooms, so I think that what they are doing is  
 20:42:26 **18** closer to where the market will be than where the  
 20:42:33 **19** opinions of those. Because the prices -- the prices  
 20:42:38 **20** have changed and they have changed dramatically.  
 20:42:42 **21** Nobody mentioned the fact the interest  
 20:42:45 **22** rates are going up. We not only have expanded cost  
 20:42:50 **23** for building materials and labor, but we also have  
 20:42:55 **24** interest rates going up.

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20:42:59 1 MR. MERKEL: Thank you. Audrey?  
 20:43:02 2 MS. MASSEL: I have been hearing a lot of  
 20:43:04 3 concerns about buying the lots in parcels of five,  
 20:43:08 4 and that concerns me in having a third builder,  
 20:43:14 5 however, I would like the lots built. It is  
 20:43:18 6 concerning to me out of the 15 years we have lived  
 20:43:22 7 here, this is the only builder that has approached  
 20:43:26 8 us, so thank you.  
 20:43:27 9 Given some of the other feedback, I think  
 20:43:30 10 we need other option for a larger ranch, given the  
 20:43:35 11 need for ranches. Since you don't offer a two-story  
 20:43:38 12 home that does have a first floor master, I think  
 20:43:43 13 that would fill that need. Or, offer a two-story  
 20:43:48 14 home that does have a first-level master to satisfy  
 20:43:53 15 that need.  
 20:43:54 16 I live in an area where there are estate  
 20:43:58 17 lots. We already have a lots for purchase. My  
 20:44:03 18 husband and I did an estimate of the smallest sized  
 20:44:07 19 home, and there are 5,000, 6,000 square foot homes  
 20:44:13 20 next to 3500 square foot homes and it doesn't look  
 20:44:18 21 that bad. I would prefer to have -- since there is a  
 20:44:22 22 minimum of 3400 square feet, I think that is doable,  
 20:44:27 23 but I will have to say that working from home -- I  
 20:44:31 24 work for a tech company, there is a thrust to work in

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20:44:35 1 a hybrid model, so a lot of people are going to be  
 20:44:41 2 working from home more so and then back in the  
 20:44:43 3 office, so I do think there is a need for larger  
 20:44:45 4 sized homes, so thank you for adding that 4,000  
 20:44:50 5 square foot model. Those are all my concerns.  
 20:44:53 6 MR. MERKEL: Thank you. As usual, I have  
 20:44:58 7 several.  
 20:45:00 8 I do think we need -- I would offer a  
 20:45:04 9 chance to caucus. I think there are several lots  
 20:45:08 10 that are just surrounded by homes that are different  
 20:45:11 11 that we need to change the designation. I would  
 20:45:15 12 recommend changing it from estate -- executive to  
 20:45:26 13 estate. That is one thing.  
 20:45:28 14 Two, I think those lots have to be a  
 20:45:32 15 minimum square footage, which they have some designs.  
 20:45:38 16 The side-load, I would like to talk to the group  
 20:45:42 17 about is the 2-in-1 the same as the side-load. I  
 20:45:45 18 would like to debate that.  
 20:45:48 19 I like the idea -- I think another ranch  
 20:45:51 20 plan would be great. I think a plan that has a  
 20:45:54 21 first-floor two-story master would sell very quickly.  
 20:46:02 22 The other option, basing all those estate lots and a  
 20:46:07 23 couple I would propose and what everybody else says,  
 20:46:11 24 it would be nice to have one more elevation that is

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20:46:15 1 the larger end of the elevation size.  
 20:46:19 2 I don't know how to get around- I heard the  
 20:46:22 3 comments about the hodgepodge. I am concerned about  
 20:46:28 4 that. I don't know how to solve it. I don't know if  
 20:46:30 5 our staff knows how to solve that one. And some  
 20:46:34 6 concerns we heard about how it was originally annexed  
 20:46:37 7 and how Toll did it, that is out of our hands. I'm  
 20:46:41 8 not sure we can do anything with that. But I hear  
 20:46:45 9 and struggle with how we put it in any kind of  
 20:46:47 10 recommendation. Talk about that one. Those are my  
 20:46:58 11 main things.  
 20:47:01 12 I have some lots I would like to take about,  
 20:47:04 13 see if that is an option to propose back to the  
 20:47:05 14 board.  
 20:47:06 15 Chris, can we do that in this form? Can we  
 20:47:10 16 say these lots we would like to change from executive  
 20:47:14 17 to estate for these reasons and these stipulations as  
 20:47:20 18 in our proposal?  
 20:47:27 19 MR. HEINEN: I think the lot designations that  
 20:47:30 20 were recorded on the final plat cannot be changed  
 20:47:34 21 unless you want to amend the final plat. Again, I  
 20:47:36 22 think these are all marketing names --  
 20:47:41 23 MR. BRANKIN: I'm not sure, Chairman, what you  
 20:47:44 24 are looking to change. It's the nomenclature or --

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20:47:48 1 MR. MERKEL: I could care less.  
 20:47:51 2 MR. BRANKIN: The lot size --  
 20:47:52 3 MR. MERKEL: Type of house, size --  
 20:47:54 4 MR. BRANKIN: Lot size is difficult. As counsel  
 20:47:57 5 indicated, that is the lot size on the plat that had  
 20:48:02 6 already been recorded.  
 20:48:03 7 MR. MERKEL: Can we say that for these specific  
 20:48:07 8 lots, this house needs to be this size with a  
 20:48:11 9 side-load garage?  
 20:48:12 10 MR. BRANKIN: You can make recommendations that  
 20:48:14 11 certain key lots --  
 20:48:16 12 MR. MERKEL: In the past.  
 20:48:17 13 MR. BRANKIN: -- recommendations before, and you  
 20:48:19 14 can designate, you know, what you would like the  
 20:48:23 15 board to consider as those key lots, but just in  
 20:48:26 16 terms of the underlying plats --  
 20:48:28 17 MR. MERKEL: I'm with you. I'm with you. I'm  
 20:48:37 18 good with that.  
 20:48:44 19 MR. LINDQUIST: I think it's a serious error for  
 20:48:47 20 not offering a two-story home without a bedroom on  
 20:48:54 21 the first floor. I think you are losing a lot there.  
 20:48:57 22 MR. MERKEL: We can recommend that. We can put  
 20:49:04 23 that in our recommendations. Again, just to the  
 20:49:05 24 planning commission, I just do feel that a built-out

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20:48:10 1 community is better than one with a lot of open lots.  
 20:48:16 2 It's been a long, long, long time. But we have to be  
 20:48:21 3 cognizant to fill it with the right stuff.  
 20:48:32 4 One recommendation from Jack, you  
 20:48:34 5 said there are lots that a ranch will not fit in.  
 20:48:39 6 You know those lots?  
 20:48:41 7 MR. VOLTATORI: Similar to what you were saying  
 20:48:43 8 as far as having a minimum home square footage on a  
 20:48:48 9 couple of those lots and they would be --  
 20:48:48 10 MR. MERKEL: Which lots?  
 20:48:50 11 MR. VOLTATORI: The executive lots designated now  
 20:48:53 12 and one -- I don't know the street name. The  
 20:48:56 13 cul-de-sac on the south side.  
 20:48:58 14 MR. MERKEL: I can't read the names.  
 20:50:07 15 MR. BRANKIN: So that -- we have not showed that  
 20:50:10 16 yet, but it's a different -- it's a site plan with  
 20:50:14 17 some different information on it. So, on there I  
 20:50:16 18 believe you have lot numbers and the lot numbers  
 20:50:19 19 correspond to the lots we're purchasing. I will  
 20:50:23 20 ask -- I only have one of those, so if you could  
 20:50:25 21 circle the lots you are talking about as you are  
 20:50:28 22 doing this, that way Greg and I can grab it and  
 20:50:33 23 understand what is happening.  
 20:50:38 24 MR. VOLTATORI: All right.

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20:50:38 1 MR. MERKEL: Do we want to note these?  
 20:50:42 2 MR. VOLTATORI: There are lot numbers on here. I  
 20:50:45 3 will circle --  
 20:50:46 4 MR. MERKEL: Okay.  
 20:50:48 5 MR. VOLTATORI: I will pass it down.  
 20:50:49 6 MR. MERKEL: We are proposing to not put a ranch  
 20:50:54 7 house on a lot that is too big.  
 20:50:57 8 MR. VOLTATORI: Yes, lot 27, 387, 391.  
 20:51:23 9 MR. BRANKIN: Chris?  
 20:51:26 10 MR. HEINEN: Can I recommend that we sit with the  
 20:51:33 11 applicant as well as the planning commission members,  
 20:51:36 12 get a site plan up, and go through these  
 20:51:38 13 individually, because it's going to be --  
 20:51:40 14 MR. MERKEL: Are we doing that tonight or do that  
 20:51:43 15 off-line?  
 20:51:45 16 MR. HEINEN: I think we can put in the  
 20:51:46 17 recommendation that a condition that a key lot  
 20:51:49 18 exhibit --  
 20:51:50 19 MR. MERKEL: Let put in the recommendation key  
 20:51:53 20 lot one way I was suggesting, and key lot the other  
 20:51:57 21 way the house is too small for that lot.  
 20:52:03 22 MR. HEINEN: And then we can work at the staff  
 20:52:04 23 level to figure out which lots are the certain square  
 20:52:08 24 footages that you want and shoot it out and get it

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20:52:12 1 reviewed.  
 20:52:13 2 MR. MERKEL: Make this quick. We have Jack's  
 20:52:15 3 proposed. We have key lots that we would propose the  
 20:52:21 4 lot size a minimum square foot house to be on --  
 20:52:25 5 MR. VOLTATORI: Yes, help with some of the  
 20:52:29 6 concerns that other people made.  
 20:52:30 7 MR. MERKEL: And I see some of those -- on mine  
 20:52:36 8 it would be due to every other house around them in  
 20:52:39 9 the street or cul-de-sac is a certain size, I would  
 20:52:43 10 recommend those are key lots, size and side-load  
 20:52:47 11 garage.  
 20:52:49 12 MR. BRANKIN: As we do this -- I just want to  
 20:52:51 13 remind everybody that there is implications to  
 20:52:54 14 everything we do, because we talked about we don't  
 20:52:58 15 have an obligation to purchase all these lots, we  
 20:53:02 16 don't have an obligation to build. When we start  
 20:53:07 17 creating obligations that on these couple lots you  
 20:53:11 18 must a home greater than this size, we run into a  
 20:53:14 19 very real possibility that we build through the rest  
 20:53:16 20 of the community and we have three lots outstanding,  
 20:53:18 21 at that point in time, our plans are approved, we  
 20:53:21 22 can't sell those lots and somebody -- somebody else  
 20:53:25 23 is going to have to come back and petition you for a  
 20:53:28 24 change to zoning and the annexation agreement -- and

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20:53:33 1 we have been at this 9 months? The process here is  
 20:53:37 2 very difficult. The documentation here is  
 20:53:39 3 extraordinary. I have three hearings tonight --  
 20:53:45 4 MR. MERKEL: It's difficult because of the way  
 20:53:47 5 it's annexed or because of us?  
 20:53:50 6 MR. WHITAKER: No, no, no. It's not a shot at  
 20:53:52 7 the village at all. I'm saying because of the volume  
 20:53:56 8 of documentation and how some of it was drafted, I  
 20:54:04 9 think -- I want to be very cautious.  
 20:54:08 10 As we impose additional requirement, it  
 20:54:12 11 may be that you create a situation where those are  
 20:54:15 12 the last lots to develop or those lots don't develop.  
 20:54:19 13 Keep that in mind as we put additional restrictions.  
 20:54:23 14 I will tell you, the purchase price for these lots is  
 20:54:25 15 significantly less than replacement. We are buying  
 20:54:31 16 these at a discount.  
 20:54:33 17 If Toll could be here and build the houses  
 20:54:36 18 that they have approved and come even close to a  
 20:54:39 19 profit, if they would break even on those, what was  
 20:54:43 20 already accrues in the subdivision, they would be  
 20:54:46 21 doing it. What they are selling us, these lots for,  
 20:54:50 22 at a loss. Make no mistake about that.  
 20:54:53 23 So, just keep in mind -- you made a  
 20:55:02 24 comment earlier that these folks are emotional

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20:56:05 1 because they purchased houses and lost a lot of money  
 20:56:09 2 and what we are going to do is going to affect them.  
 20:56:11 3 I would respond by saying that the money  
 20:56:14 4 had been lost. One of the other residents very  
 20:56:20 5 wisely said that the real concern here is that you  
 20:56:22 6 have vacant lots and that those vacant lots never get  
 20:56:27 7 built on because those vacant lots create  
 20:56:28 8 uncertainty. Buyers don't like uncertainty.  
 20:56:29 9 Finishing these lots is what is going to  
 20:56:32 10 actually help build back value. Seeing smaller  
 20:56:36 11 houses purchased at prices that exceed larger  
 20:56:39 12 existing homes is going to help prices of existing  
 20:56:43 13 homes. Let's just be careful about saying we need to  
 20:56:48 14 make it like what failed, because it's proven to have  
 20:56:50 15 failed and it's been 20 years.  
 20:56:52 16 MR. MERKEL: I'm not sure we are saying that.  
 20:56:56 17 That is a pretty far stretch. We are not saying  
 20:56:58 18 build what you have today.  
 20:57:00 19 MR. WHITAKER: But we are imposing requirements  
 20:57:01 20 have you to hit a certain size on these various lots,  
 20:57:06 21 that I think is -- that is --  
 20:57:08 22 MR. MERKEL: I hear you. I know there is an acre  
 20:57:12 23 lot. If you put this on an acre lot, it's going to  
 20:57:16 24 look ridiculous.

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20:57:57 1 planning on the fly and setting it up for failure  
 20:57:59 2 again, would be for the village board to consider as  
 20:58:03 3 it reviews this the lot sizes and the particular  
 20:58:07 4 product that can be put up.  
 20:58:13 5 MR. MERKEL: You summed it very well, but  
 20:58:16 6 basically -- it's a lot of vagueness.  
 20:58:21 7 MR. BRANKIN: It is. Quite frankly, I think that  
 20:58:23 8 is the hand we are dealt.  
 20:58:26 9 MR. MERKEL: It is.  
 20:58:28 10 MR. BRANKIN: It's not because of the developer  
 20:58:30 11 or anyone here. It's -- it is what it is. Right?  
 20:58:35 12 And so we have a developer that is trying to work  
 20:58:38 13 with kind of a die that has been cast, and you all  
 20:58:42 14 are trying to make the best decision possible for the  
 20:58:46 15 village in making that recommendation. I think, you  
 20:58:48 16 know, based upon what you have, that is about as  
 20:58:51 17 detailed as you can get.  
 20:58:58 18 MR. MERKEL: I'm struggling all the ones we have  
 20:59:01 19 done, it seems like it's the most vague to give back  
 20:59:05 20 to the board.  
 20:59:06 21 MR. BRANKIN: You have the plans, you have the  
 20:59:08 22 square footages, all of that. Unless you are going  
 20:59:12 23 to pinpoint what particular product be on a  
 20:59:15 24 particular lot, but --

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20:56:19 1 MR. WHITAKER: I get it. I heard Mr. Voltatori.  
 20:56:26 2 I totally get where he is coming from. As long -- I  
 20:56:27 3 wanted to say this so you were thinking about the  
 20:56:29 4 implication of, as we do this, let's be smart as we  
 20:56:35 5 do it. I don't think we will have any objection to  
 20:56:38 6 what Mr. Voltatori is suggesting.  
 20:56:41 7 MR. MERKEL: I hear what you say. Our point is  
 20:56:43 8 you heard. We don't know all those ramification.  
 20:56:46 9 The questions you are answering, answered  
 20:56:50 10 wonderfully, but what is my expectation to sell how  
 20:56:53 11 many, when, how many do you think you will do of the  
 20:56:56 12 105, you don't know. So we are guessing on all these  
 20:57:00 13 things. It's a challenge.  
 20:57:08 14 Chris, what do you suggest we do  
 20:57:11 15 here?  
 20:57:19 16 MR. BRANKIN: So, I will try to fashion the  
 20:57:22 17 motion, because I don't see anybody up here saying no  
 20:57:27 18 in mass. Right?  
 20:57:27 19 So it would be a motion to approve subject  
 20:57:31 20 to the materials submitted by the developer, with the  
 20:57:45 21 additional recommendation of, and one of those is to  
 20:57:45 22 consider a larger ranch product. And, in trying to  
 20:57:50 23 consider with counsel for the developer said, what  
 20:57:52 24 the commissioners have said, but also not kind of

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20:58:17 1 MR. MERKEL: You're suggesting we shouldn't do  
 20:58:19 2 that, more consider the size of home, the square  
 20:58:23 3 footage of the lot --  
 20:58:24 4 MR. BRANKIN: Right. And staff can look at that  
 20:58:27 5 and juxtapose that as the board considers it, but I  
 20:58:33 6 agree with counsel, you have to be careful about  
 20:58:38 7 pigeonholing something on a lot that's going to --  
 20:58:43 8 MR. VOLTATORI: Can I say, that was not my  
 20:58:46 9 intention to do that either because -- I don't know  
 20:58:48 10 the legal ramifications of how things are if we made  
 20:58:53 11 a decision like this.  
 20:59:55 12 We are worried about the people that  
 20:59:58 13 do live there, trying to make a good decision for  
 21:00:01 14 them as well. But, the way it's set up, M/I doesn't  
 21:00:10 15 build or sell, that Toll Brothers can come back in  
 21:00:14 16 here and do the same, and M/I brought square footages  
 21:00:18 17 that are larger and told to do -- not whatever they  
 21:00:21 18 want, but that square footage is allowed by them --  
 21:00:25 19 MR. BRANKIN: And less.  
 21:00:28 20 MR. MERKEL: -- that is the confusing part. The  
 21:00:29 21 existing square footage that is planned for them is  
 21:00:33 22 1700 for a one-story and 2200 for existing. That is  
 21:00:39 23 on the books today's. That has been approved by the  
 21:00:46 24 village board 15 years ago -- our hands are tied.

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21:00:51 **1** MR. VOLTATORI: M/I's proposal, the smallest is  
 21:00:58 **2** 22, 25, which is larger. Could we recommend they  
 21:00:59 **3** bring in a different ranch? You could recommend  
 21:01:07 **4** that. That's actually sales. I actually think it  
 21:01:10 **5** would be a good recommendation with what was said. I  
 21:01:18 **6** think a bedroom on the first floor -- again, that is  
 21:01:18 **7** a sales determination, so however you decide to make  
 21:01:25 **8** that decision is up to you.  
 21:01:32 **9** MR. LINDQUIST: People with handicapped children.  
 21:01:37 **10** MR. VOLTATORI: Yes, there are a lot of reasons  
 21:01:38 **11** to have it. And that is where Toll had it in their  
 21:01:41 **12** proposal as well as in the other designs, Toll also  
 21:01:46 **13** put it in there.  
 21:02:26 **14** MS. MASSEL: Are we making the recommendation to  
 21:02:28 **15** add a larger ranch and then add a first-story master?  
 21:02:32 **16** MR. MERKEL: I was just writing up what we  
 21:02:35 **17** thought to capture that. I think we will put a  
 21:02:48 **18** proposal together.  
 21:02:52 **19** Can I ask two easy ones? The  
 21:02:56 **20** anti-monotony standard, we had approved that on  
 21:02:59 **21** several other subdivisions in the past. Do we have a  
 21:03:02 **22** problem updating to this standard? Anyone?  
 21:03:06 **23** MS. MASSEL: I don't think so.  
 21:03:09 **24** MR. MERKEL: That one's easy.

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21:03:10 **1** The architectural overlay, any issue with  
 21:03:14 **2** that one?  
 21:03:17 **3** MS. MASSEL: Is that the requirement --  
 21:03:18 **4** MR. MERKEL: No, this is the -- this is basically  
 21:03:22 **5** bringing the current ordinance to what it is today.  
 21:03:34 **6** Any issues with that one?  
 21:03:37 **7** MR. MERKEL: Minimum floor requirements, going  
 21:03:40 **8** higher than platted today, 17 and 22. So the  
 21:03:47 **9** recommendations that we have.  
 21:04:00 **10** Patrick is going to give us his  
 21:04:03 **11** thoughts on what we said.  
 21:04:06 **12** MR. BRANKIN: The proposed motion would be a  
 21:04:10 **13** motion to approve -- recommend approval of the relief  
 21:04:16 **14** that is set forth in the application together with  
 21:04:22 **15** the additional recommendation to the village board  
 21:04:26 **16** that an additional larger ranch product be considered  
 21:04:30 **17** as well as for the village board to consider the  
 21:04:36 **18** product that can be placed on each of the lots.  
 21:04:38 **19** MR. MERKEL: Before that, a ranch, I think we  
 21:04:40 **20** also said propose a second -- two-story with a first  
 21:04:45 **21** floor master -- two-story, first-floor master in  
 21:05:10 **22** addition.  
 21:05:12 **23** MR. BRANKIN: Consideration of the product to be  
 21:05:14 **24** placed on each the lots.

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21:05:24 **1** MR. MERKEL: You mean by consideration?  
 21:05:27 **2** MR. BRANKIN: Evaluation. If you want to get  
 21:05:36 **3** into the key lot, I think you are going to run into  
 21:05:40 **4** the same issues that we kind of find ourselves in  
 21:05:44 **5** right now.  
 21:05:46 **6** MR. MERKEL: Are you shaking your head?  
 21:05:48 **7** MR. HEINEN: From an enforcement perspective,  
 21:05:50 **8** it's a nightmare to have those key lots and, like  
 21:06:55 **9** counsel said, pigeonhole the individual lots to  
 21:06:00 **10** certain size and types.  
 21:06:02 **11** MR. MERKEL: Is there anything we can do -- is  
 21:06:08 **12** there -- did we mention that phasing in the areas --  
 21:06:16 **13** I know they said -- put anything in there --  
 21:06:21 **14** MR. BRANKIN: Yeah, and we are getting into sort  
 21:06:24 **15** of contract administration between the buyer and  
 21:06:27 **16** seller and I don't think that is within the purview.  
 21:06:34 **17** MS. MASSEL: Is it too late to say I recommend  
 21:06:37 **18** removing the urban farmhouse on elevation because it  
 21:06:41 **19** just looks too different from what is currently  
 21:06:46 **20** there?  
 21:06:55 **21** MR. MERKEL: Which model?  
 21:06:58 **22** MS. MASSEL: All of them.  
 21:07:01 **23** MR. MERKEL: I wonder if we are getting too --  
 21:07:07 **24** MS. MASSEL: Or how about -- are we still going

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21:07:11 **1** to do the requirements for the estate lots, 3400 and  
 21:07:16 **2** 3 car garage? For the estate lots.  
 21:07:23 **3** MR. MERKEL: 3400 side-load --  
 21:07:28 **4** MS. MASSEL: Can we just say for the estate lots  
 21:07:30 **5** remove the urban farmhouse elevation? Only because  
 21:07:36 **6** they look so totally different from anything else  
 21:07:41 **7** that is in there.  
 21:08:24 **8** MR. BRANKIN: The recommended motion will be  
 21:08:28 **9** motion to approve with additional recommendations of  
 21:08:28 **10** the larger ranch product, a second-floor two-story  
 21:08:35 **11** first-floor master product, consideration of the  
 21:08:41 **12** product on each of the lots in consideration, and  
 21:08:44 **13** removal of the urban farmhouse elevation from the  
 21:08:49 **14** estate lots.  
 21:08:55 **15** MR. VOLTATORI: It doesn't strike me -- I think  
 21:08:58 **16** you have to look at the -- I'm not against it.  
 21:09:03 **17** MS. MASSEL: It's only on 20 lots.  
 21:09:07 **18** MR. TASCI: I think it's personal preference. I  
 21:09:10 **19** think we need to give the purchaser of the homes the  
 21:09:14 **20** option, but I wouldn't be against it. I think we are  
 21:09:21 **21** delving deep into the business these guys are trying  
 21:09:25 **22** to run and telling them how to run their business. I  
 21:09:29 **23** think they do an awful lot of research and are  
 21:09:32 **24** professionals in home building and know what the

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21:09:35 1 markets want, but I understand your position. We  
 21:09:40 2 need to be careful in directing professional home  
 21:09:45 3 builders on how to do their business.  
 21:09:47 4 MR. BRANKIN: So it doesn't seem like there is a  
 21:09:50 5 consensus on that one.  
 21:09:54 6 MR. MERKEL: We'll take that up.  
 21:09:58 7 MR. BRANKIN: The motion: A motion to approve  
 21:10:05 8 and subject to the following conditions,  
 21:10:08 9 recommendation: One is larger ranch product, second  
 21:10:14 10 is consideration of a two-story first-floor master  
 21:10:19 11 elevation product, evaluation of the product on each  
 21:10:25 12 of the lots in consideration. That is it.  
 21:10:32 13 MR. MERKEL: I'm struggling with the patchwork.  
 21:10:45 14 Is there anything we can add in to our  
 21:10:48 15 recommendations to the board for them to consider it,  
 21:10:54 16 how we manage it?  
 21:10:58 17 MR. BRANKIN: I don't think that is within the  
 21:10:58 18 purview when you are talking about how a buyer and  
 21:11:01 19 seller interact. We can regulate certain of that  
 21:11:06 20 through what the responsibilities are in the  
 21:11:10 21 annexation agreement amendment, but we can't require  
 21:11:15 22 the developer to take down a certain number of lots  
 21:11:18 23 or areas.  
 21:11:19 24 MR. MERKEL: I tried. So the motion is good?

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21:11:04 1 Okay.  
 21:11:06 2 MR. BRANKIN: Yes.  
 21:11:45 3 MR. VOLTATORI: I made the motion.  
 21:11:47 4 MR. TASCIO: I second.  
 21:11:57 5 MR. MERKEL: We need a roll vote.  
 21:11:59 6 MS. LOBAITO: Mr. Voltatori.  
 7 MR. VOLTATORI: Aye.  
 8 MS. LOBAITO: Mr. Lindquist.  
 9 MR. LINDQUIST: Aye.  
 10 MS. LOBAITO: Mr. Merkel.  
 11 MR. MERKEL: Aye.  
 12 MS. LOBAITO: Mr. Tiscio?  
 13 MS. TISCIO: Aye.  
 14 MS. LOBAITO: Ms. Massel?  
 21:12:17 15 MS. MASSEL: Aye.  
 21:12:18 16 MR. MERKEL: Thank you. If you come to the  
 21:12:30 17 board meeting, it will be noted when the board  
 21:12:34 18 meeting to discuss this will be. Motion to close and  
 21:12:40 19 adjourn.  
 21:12:47 20 MR. VOLTATORI: Second.  
 21:12:50 21 MR. MERKEL: Any opposed?  
 21:13:00 22 Thank you.  
 23 (End of reported proceedings.)  
 24

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