



**THE VILLAGE OF HAWTHORN WOODS  
PLANNING, BUILDING AND ZONING COMMISSION  
2 LAGOON DRIVE, HAWTHORN WOODS, ILLINOIS  
TUESDAY, JUNE 13, 2023  
6:30 PM**

**MINUTES**

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

Mr. Merkel called the meeting to order at 6:30 p.m. Roll call indicated the following members were present: Mr. Merkel, Mr. Tisci, Ms. Massel, Mr. Blackshaw and Mr. Preble. Absent: Mr. Donovan and Mr. Lindquist.

Also present were Chief Administrative Officer/Village Clerk Donna Lobaito, Community Development Director Chris Heinen, Village Engineer Erika Frable, PE, Village Engineer Lee Fell, PE, and Village Attorney Patrick Brankin.

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

None this month.

**III. APPROVAL OF MINUTES**

Approval of Minutes of the April 25, 2023 Planning, Building and Zoning Commission Meetings

Motion by Tisci, second by Massel to approve the Minutes of the April 25, 2023 Planning, Building and Zoning Commission Meeting.

Voice vote:

Ayes: 5

Nays: 0

Abstain: 0

Absent: 2

Motion carried.

**IV. NEW BUSINESS**

- A. Continuation - Public Hearing – Special Use Amendment – Consideration by Toll Brothers Inc. for i) approval of Preliminary Plats of Subdivision for Phase 5 and Phase 6 and ii) approval of an amendment to the special use planned development for the Hawthorn Woods Country Club for the proposed preliminary re-plan and re-plat of Phase 5 as set forth on the plans and materials submitted with the application, including, an increase in density from 1.41 dwelling units per acre to 2.26 dwelling units per acre and an increase in residential lots from 18 to 29 and Phase 6 with an increase in density from 1.47 dwelling units per acre to 2.49 dwelling units per acre and an increase in residential

lots from 36 to 61, as well as such other relief or approvals as the Commission may determine reasonably necessary in connection with the foregoing

This portion of the minutes of the public hearing were prepared by Ava Walsh of Planet Depos and attached hereto as Exhibit “A”.

Motion by Preble, second by Massel to close the public hearing.

Roll call vote:

Ayes: Tisci, Massel, Merkel, Blackshaw, Preble

Nays: None

Abstain: None

Absent: Donovan, Lindquist

Motion carried, and the public hearing closed at 7:34 p.m.

Motion by Massel, second by Preble to approve an amendment to the special use plan development for the Hawthorn Woods Country Club, 1) approval of preliminary plats of subdivision Phase 5 and 6; and 2) approval of an amendment to the special use plan development for the Hawthorn Woods Country Club with the preliminary re-plan and replat of Phase 5, as set for the on the plans and materials submitted with the application, including an increased density of 1.41 dwelling units per acre to 2.26 dwelling units per acre, and an increase in residential lots from 18 to 29, and Phase 6 with an increased density from 1.47 dwelling units per acre to 2.36 dwelling units per acre, an increase in residential lots from 36 to 58, as well as other such relief or approval as the Commission may determine reasonably necessary in connection with the foregoing.

After deliberations by the Commissioners, Ms. Massel amended her motion, and Mr. Preble amended his second to include the recommendation be conditioned upon Toll's reconsideration of combining lots 23 and 24 in Phase 5.

Roll call vote:

Ayes: Tisci, Massel, Merkel, Blackshaw, Preble

Nays: None

Abstain: None

Absent: Donovan, Lindquist

Motion carried.

## V. ADJOURNMENT

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

Voice vote:

Ayes: 5

Nays: 0

Abstain: 0

Absent: 2

Motion carried.

The meeting adjourned at 7:48 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Donna Lobaito".

Donna Lobaito  
Chief Administrative Officer/Village Clerk

Transcript of Public Hearing  
 Conducted on June 13, 2023

<p>1 BEFORE THE PLANNING, ZONING &amp; BUILDING COMMITTEE                  2 VILLAGE OF HAWTHORNE WOODS                  3 LAKE COUNTY, ILLINOIS                  4 -----x                  5 IN RE: :                  6 SPECIAL USE AMENDMENT CONSIDERATION BY TOLL :                  7 BROTHERS, INC. FOR THE APPROVAL OF :                  8 PRELIMINARY PLATS OF SUBDIVISION FOR PHASE 5 :                  9 AND PHASE 6, and APPROVAL OF AN AMENDMENT TO :                  10 THE SPECIAL USE PLAN DEVELOPMENT FOR THE :                  11 HAWTHORN WOODS COUNTRY CLUB FOR THE PROPOSED :                  12 PRELIMINARY REPLAN AND REPLAT OF PHASE 5 :                  13 -----x                  14                  15                  16 PUBLIC HEARING                  17 Tuesday, June 13, 2023                  18 6:30 p.m. EST                  19                  20                  21                  22 Job No.: 496506                  23 Pages: 1 - 73                  24 Recorded By: Eva Walsh</p>	<p>1 A P P E A R A N C E S                  2                  3 JIM MERKEL (Committee Chair)                  4 CHRIS HEINEN (Committee Development                  5 Director)                  6 KURT PREBLE (Committee Member)                  7 DANTE TISCI (Committee Member)                  8 DONNA LOBAITO (Chief Administrative Officer)                  9 PATRICK BRANKIN (Village Attorney)                  10 AUDREY MASSEL (Committee Member)                  11 NICK BLACKSHAW (Committee Member)                  12 ERIC PRECHTEL, ESQUIRE (Rosanova                  13 &amp; Whitaker)                  14 ALEX MARTIN (Division President, Toll                  15 Brothers)                  16 JIM FRAYN (Manhard Consultants)                  17 LARRY HILL (Public Speaker)                  18 MARGO PELAK (Public Speaker)                  19 RICK EPSTEIN (Public Speaker)                  20 LYLE STAAB (Public Speaker)                  21 LEIGH VANHEULE (Public Speaker)                  22 DIANE HOLDER (Public Speaker)                  23                  24</p>
<p>1 Hearing, conducted at the location of:                  2                  3                  4 HAWTHORN WOODS VILLAGE HALL                  5 2 Lagoon Drive                  6 Hawthorn Woods, Illinois 60047                  7 847.438.5500                  8                  9                  10                  11                  12 Pursuant to Agreement, before Eva Walsh,                  13 Court Reporter.                  14                  15                  16                  17                  18                  19                  20                  21                  22                  23                  24</p>	<p>1 C O N T E N T S PAGE                  2 Proceedings 5                  3                  4                  5 E X H I B I T S                  6 (None marked)                  7                  8                  9                  10                  11                  12                  13                  14                  15                  16                  17                  18                  19                  20                  21                  22                  23                  24</p>

Transcript of Public Hearing  
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<p>5</p> <p>1 PROCEEDINGS 2 (Whereupon, the court reporter was duly 3 sworn.) 4 MR. MERKEL: It is 6:30. We are going 5 to call this meeting to order, the Planning, 6 Building &amp; Zoning Committee meeting, Village of 7 Hawthorn Woods, for Tuesday, June 13th, 2023, and 8 it is 6:30. So calling to order. With that, I am 9 looking for a motion to call the meeting. 10 MR. BLACKSHAW: It's a roll. 11 MR. MERKEL: A roll call to call the 12 meeting to order? A roll call? 13 MS. LOBAITO: Mr. Lindquist. Mr. 14 Donovan. Mr. Merkel. 15 MR. MERKEL: Here. 16 MS. LOBAITO: Mr. Tisci. 17 MR. TISCI: Here. 18 MS. LOBAITO: Ms. Massel. 19 MS. MASSEL: Here. 20 MS. LOBAITO: Mr. Blackshaw. 21 MR. BLACKSHAW: Here. 22 MS. LOBAITO: Mr. Preble. 23 MR. PREBLE: Here. 24 MS. LOBAITO: You have a quorum.</p>	<p>7</p> <p>1 COMMISSIONERS: Aye. 2 MR. MERKEL: All opposed? All right. 3 That is -- they are approved. Moving forward, next 4 item is new business. This is the continuation of 5 our public hearing, and I'll read it: Special use 6 amendment consideration by Toll Brothers, Inc. for 7 the approval of preliminary plats of subdivision 8 for Phase 5 and Phase 6; Item 2: Approval of an 9 amendment to the special use plan development for 10 the Hawthorn Woods Country Club for the proposed 11 preliminary re-plan and replat of Phase 5 as set 12 forth on the plans and materials submitted with the 13 application, including an increase in density from 14 1.41 dwellings per unit acre to 2.26 dwellings per 15 unit acre, and an increase in residential lots from 16 18 to 29, and Phase 6 with an increase in density 17 from 1.47 dwellings per unit per acre to 2.49 18 dwelling per units per acre, and an increase in 19 residential lots from 36 to 61, as well as such 20 other relief or approvals as the Commission may 21 determine reasonably necessary in connection with 22 the foregoing. That was one sentence, by the way. 23 So that's what we're talking about 24 today. And since it is a continuation, we do not</p>
<p>6</p> <p>1 MR. MERKEL: Excellent. Okay. The 2 first thing our -- on our agenda today is for the 3 opportunity for the public to address the 4 Commission on anything that is not on our agenda 5 today. So we're here to talk about the Hawthorn 6 Woods Country Club, anything that is not on the 7 agenda. All right. Seeing none, we're moving 8 ahead. 9 We are now -- our third item on the 10 agenda is our approval of our minutes, the approval 11 of the minutes from April 25th, 2023, at a Planning 12 Building and Zoning Commission. I'm looking for a 13 motion and a second to approve those. And since 14 they were given to us by the court reporter, I'm 15 sure we have every single word covered. So looking 16 for a motion. 17 MR. TISCI: I motion. 18 MR. MERKEL: Thank you. 19 MS. MASSEL: I'll second. 20 MR. MERKEL: Audrey, second. And I can 21 do a voice on this one? 22 MR. BLACKSHAW: Yes. 23 MR. MERKEL: So all those accepting of 24 the minutes as provided and written say aye.</p>	<p>8</p> <p>1 need to reopen the public hearing, so we'll just 2 continue. So, again, a couple bookkeeping -- or 3 housekeeping things. One, for all the Planning 4 Building and Zoning Commission members, please make 5 sure you speak into your mic so everyone can hear 6 you in the audience. 7 The process tonight will be the same -- 8 for those who this is round two; it'll be the same 9 as last time. As we continue the public hearing, 10 we'll first hear from Staff, and give us a little 11 bit of a report of what's changed, what's different. 12 Then the Applicant will have the opportunity to 13 address us and -- and the -- the audience here with 14 what -- what they've changed, what they've updated. 15 We will then, the Committee, will ask questions to 16 the Applicants and we'll go through that. And, 17 lastly, the -- not lastly, but then the -- all of 18 you in the public will have the chance to address 19 the Commission. After that, we will then close the 20 public hearing and we'll deliberate, and then offer 21 our suggestions to the Board. 22 As we said last time, just so we're all 23 clear, the Planning Building and Zoning Committee 24 is an advisory group. We basically give our -- do</p>

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<p style="text-align: right;">9</p> <p>1 the vetting, give our recommendations to the Board. 2 The Board would then vet on -- or would then vote 3 on, the recommendations we have and what the 4 Applicant submits. And Chris, the Board meeting is 5 the end of June? 6 MR. HEINEN: 26th. 7 MR. MERKEL: June 26th. 8 MR. HEINEN: Yeah. 9 MR. MERKEL: Okay. One other 10 housekeeping thing. 11 MR. HEINEN: Swear everybody in again, I 12 assume. 13 MR. MERKEL: Yeah. So anybody who 14 wishes to speak tonight, pro or con, whatever it 15 might be, is -- that's planning to speak, if you 16 could please stand. We'll swear everybody in at 17 one time to save some time. So if you wouldn't 18 mind, the court reporter will swear everyone in. 19 If you're planning to speak tonight, please stand 20 up. 21 THE REPORTER: Do you solemnly swear or 22 affirm under the penalty of perjury that you will 23 tell the truth, the whole truth, and nothing but 24 the truth?</p>	<p style="text-align: right;">11</p> <p>1 unit count still remains at 29 with a density of 2 2.26. 3 Preliminary engineering has not been 4 updated. With the replatting of Phase 6 and the 5 new plat design, there wasn't a whole lot of 6 changes in the approving the plat at this point. 7 All -- all of those comments will be addressed at 8 the final. So when we come to a final plat 9 finding, (indiscernible). In terms of landscaping, 10 they have also submitted new packets, and I'm sure 11 there'll be some preliminary landscaping additions. 12 They have incorporated the condition of 110 trees, 13 2 trees per lot, in the rear lot lines along the 14 golf course. So those were some of the major 15 changes, and then the Applicant is obviously going 16 to touch on those aspects a little bit further, 17 unless you have any questions. Staff, any 18 questions? 19 MR. MERKEL: I guess the only 20 clarification for everyone in the audience, just so 21 we make sure we're clear, Phase 5 is the northern 22 part, that is on the 17th and 18th holes. Are you 23 familiar with that? That's Phase 5. Phase 6 is 24 between -- in the middle -- on the south side</p>
<p style="text-align: right;">10</p> <p>1 SPEAKERS: I do. 2 MR. MERKEL: Thank you all. And again, 3 when it when it comes time for all of you to ask 4 questions, please come forward, state your name and 5 your address, so we can capture that, and we'll 6 move forward. I think we are good. So with that, 7 Chris, maybe you can give us a -- a status report, 8 what's changed, what's new, and what we're going to 9 talk about tonight. 10 MR. HEINEN: Absolutely. Thank you, 11 Chairman. So, tonight, before us again is the Toll 12 Brothers replatting of Phases 5 &amp; 6 of the Hawthorn 13 Woods Country Club. This is -- they have 14 resubmitted new plans and plats for both Phases 5 15 and 6. The major update would be in Phase 6 of -- 16 of the reduction of three lots, bringing the total 17 unit count in Phase 6 from 61 lots down to 58 and 18 reducing the overall density from 2.49 to 2.36. 19 They also increased the lot width along the golf 20 course lots in Phase 6 to 190 feet, which is 21 similar to what was approved within the 22 (indiscernible). Phase 5, there wasn't a whole lot 23 of changes to Phase 5 platting. They're 24 restructured some of the lot lines. The -- the</p>	<p style="text-align: right;">12</p> <p>1 between Holes 5, 6 and 7, just so it's clear what 2 we're talking about. Thank you, Chris. And with 3 that, the Applicant. 4 MR. PRECHTEL: Good evening. I'm Eric 5 Prechtel. I'm an attorney with Rosanova &amp; 6 Whitaker, 127 Aurora Avenue in Naperville. I'm 7 here on behalf of Toll ILHWCCLP, or more simply 8 put, Toll Brothers. As you know, we were here back 9 in April where we heard comments from you, the 10 neighbors, the HOA. We've spoken to the HOA since 11 then, as recently as this last week. I don't want 12 to put words in their mouth, but I thought that it 13 was overwhelmingly positive. We acknowledge that 14 this is a collaborative process. So we're here to 15 present our updated exhibits on the updated plats, 16 and we can go from there. 17 So just to recalibrate a little 18 bit, as you just said, Phase 5 is on the north 19 side, along Holes 17 and 18; Phase 6, along the 20 south side, Holes 5, 6 and 7. So most of our 21 comments when we were here in April were in regards 22 to Phase -- Phase 6. So we will address Phase 5 23 here shortly -- or briefly, but most of our 24 emphasis was on Phase 6. So here's the proposed</p>

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<p style="text-align: right;">13</p> <p>1 five -- Phase 5 plan. Not much changed. As Chris 2 mentioned, we've moved the interior lot lines just 3 a little bit, specifically along the southeast 4 corner. We actually moved that lot. So those lots 5 along the east side were pushed north a little bit, 6 which actually removes one lot as -- from along the 7 golf course. So where I think the original plat 8 had eight lots along the -- along Holes 18, there 9 are now 10 lots. Our previous plan had 11 lots 10 along Hole 18. This might be a better visual. 11 It's more of a site plan. As Chris stated, we have 12 added two additional trees in the rear of each lot 13 along the golf course, just to provide an 14 additional layer, an additional -- additional 15 buffer. So when you're on the tee box, you don't 16 see a wall of houses; you see those trees. 17 Moving on to Phase 6, I will admit 18 this exhibit is not the easiest to read. What 19 we're trying to show here is there's a grayscale 20 line, which was our original plat presented back on 21 the 25th. The updated plat is where you see the 22 darker, thicker lot lines. We've removed three 23 lots from this proposed plat, one on each side of 24 the course. I will note we've added one. We've</p>	<p style="text-align: right;">15</p> <p>1 you can build a -- their minimum lot is only 2 12,600. so we're actually increasing that metric. 3 Similarly, on the minimum lot width, we are 4 actually proposing a 100-foot lot width on the 5 Phase 5 golf course lots. whereas, right now, on 6 the golf villas, you can have a lot width of 90 7 feet. If you go down a little further, we are 8 actually also increasing the minimum floor area. 9 So we're requiring bigger houses than already that 10 are able to be built. So, for example, on a golf 11 villa lot right now, you could build a 12 1,500-square-foot ranch or a 2,000-foot -- 13 2,000-square-foot, multistory home. We are 14 proposing 2,225 feet for the single floor home or 15 2,800 for the two-story. So we're in the same 16 analysis for our Phase 6 golf course lots. 17 We are proposing a minimum lot area 18 of 10,552 square feet as compared to what a golf 19 villa is. Minimum lot area there is 12,600. I 20 will note that 10,552 is a bit of an outlier. That 21 is actually the smallest lot. The next smallest 22 lot is 11,100. After that, our standard lot is 23 actually 11,700, which gets us much close -- closer 24 to that 12,600 that you can build on a golf villa</p>
<p style="text-align: right;">14</p> <p>1 added one lot on the interior and then removed four 2 total from the exterior lots for a net loss of 3 three lots. Previously, we had requested a plat of 4 61 lots, and now we're down to 58. 5 Again, here's a color depiction, just to 6 offer a little more context as the plat relates to 7 the -- the golf course, and then the houses 8 surrounding Holes 5, 6 and 7. This exhibit here is 9 just to illustrate the designation of those houses 10 and those existing lots that do surround Holes 5, 6 11 and 7. They under the annexation agreement were 12 designated as golf villa lots, which leads me to 13 this slide. So what we did was we took those 14 designations and we lined those up with what was 15 approved in the annexation agreement, the metrics 16 approved in the annexation agreement, and we 17 compared those to what we have now proposed. 18 The whole goal here was that we wanted to -- to 19 illustrate that these lots do exist currently in 20 the community. 21 So the new proposed lots should fit 22 in. So for example, we are proposing a 13,000 23 minimum lot area on the -- on the Phase 5 golf 24 course lots. Right now what I call a villa lot,</p>	<p style="text-align: right;">16</p> <p>1 lot. And, actually, the average proposed minimum 2 lot area of the Phase 6 golf core lot -- golf 3 course lots is approximately 14,000 square feet. 4 MR. MERKEL: Could you say that again? 5 You -- you said that very quickly. 6 MR. PRECHTEL: Yes. So the -- the 7 10,552 minimum lot area, that applies to one lot on 8 the Phase 6 golf course lots. So it's -- it's an 9 outlier. The standard lot for our proposed Phase 6 10 golf course lots is actually 11,700 square feet. 11 MR. MERKEL: And today? 12 MR. PRECHTEL: On a golf villa lot, the 13 minimum lot area requires 12,600 square feet. 14 MR. MERKEL: Today? 15 MR. PRECHTEL: Correct. 16 MR. MERKEL: Based on the current plat? 17 MR. PRECHTEL: Yep. And then I think 18 even more notably is the minimum lot width, or more 19 notable. So as Chris mentioned, we've actually 20 matched that 90 feet to what you can build on a 21 golf villa lot. The reason we did that is all of 22 those lots that are surrounding Holes 5, 6 and 7 23 are at 90 feet. So in matching that, when you're 24 standing on the tee box and you are looking, what</p>

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<p>17</p> <p>1 you perceive as lot size is actually the lot width, 2 and so we are trying to match that across the 3 Board. And then same thing here as in the Phase 5 4 golf course lots. We are increasing the minimum 5 size of the dwelling unit. So, before, on a golf 6 villa lot, you build a 1,500 square foot home. 7 Here we are proposing 2,225. For a multistory golf 8 villa lot, you can build a 2,000-square-foot home, 9 and here, you can build a 2,800-square-foot home. 10 Or sorry. That's the minimum. 11 There was also some question last time if 12 these lots would be able to have ranches on them? 13 We just wanted to show that we could, so here's an 14 Exhibit -- exhibit illustrating that. What we did 15 is we took the ranch home that was -- a ranch home 16 that was approved for the MIDL a year and a half 17 ago, and we overlaid that onto our proposed 18 standard lots. So as here, you can see on the 19 Phase 5 lots, the ranch does fit. And then, 20 similarly, here on the Phase 6, the ranch -- the 21 ranch homes do fit. And then -- that's it for 22 those exhibits, and then we do have one other 23 exhibit. 24 So I know last time there was also</p>	<p>19</p> <p>1 MR. MERKEL: The lot size. 2 MR. PRECHTEL: Slightly, yes, depending 3 on the lot. 4 MR. TISCI: By an average of 900 square 5 feet. 6 MR. MERKEL: 900 square feet, on average. 7 MR. TISCI: Yeah. 8 MR. MERKEL: Yes. 9 MR. PRECHTEL: And then I think what -- 10 here, what you can really notice here is that many 11 of these lots do not have landscaping in the rear, 12 which is really what drove us to require those two 13 trees to be put in the rear of the golf course 14 lots, just as an additional layer between the golf 15 course and the homes. And then just for reference, 16 there's actually a ranch home right there located 17 on one of these lots or a similarly sized lot. 18 There's a few more seconds on this, but that's 19 about it for opening up for questions. 20 MR. MERKEL: Would you mind putting that 21 -- I don't know if you guys captured all those 22 numbers. I -- I didn't, as quickly. 23 MR. PRECHTEL: Yeah. Sorry. I know I 24 went through that quickly.</p>
<p>18</p> <p>1 a comment; people wanted to know so what do these 2 homes actually look like? I think the easiest way 3 to do that is to -- we flew a drone across Holes 5, 4 6 and 7. So where this starts is actually that's 5 the tee box for Hole 7 and the green of Hole 6. 6 Right back in the rear, that's Fairfield Road. 7 House to bottom left is a house currently being 8 built by MI Homes. And then the house just now 9 coming into view, I believe, is a house that was 10 just completed by MI Homes. 11 MR. MERKEL: And all of these have a lot 12 width of? 13 MR. PRECHTEL: 90 feet. 14 MR. MERKEL: 90 feet. 15 MR. PRECHTEL: Which -- 16 MR. MERKEL: All what we're looking at 17 right now? 18 MR. PRECHTEL: Correct. These are all 19 the golf villa lots. So their metrics are what we 20 were attempting to mimic at 90 feet wide. 21 MR. MERKEL: So the -- the width is the 22 same; the square footage is less. 23 MR. PRECHTEL: The square footage of? 24 MR. TISCI: The -- the lot.</p>	<p>20</p> <p>1 MR. MERKEL: Yeah, that. 2 MR. PRECHTEL: This one? 3 MR. MERKEL: Yeah, that. That is not in 4 our packet; correct? I didn't -- I don't remember 5 seeing that. 6 MR. HEINEN: That was part of our 7 presentation. Some -- most of those numbers are 8 actually outlined in the table from Staff, but not 9 to that extent. 10 MR. MERKEL: Not to that detail like 11 that. Page 6. Okay. Anyone, questions? Start 12 the run. Anything? 13 MR. PREBLE: I'm good for right now. 14 Thank you. 15 MR. TISCI: I -- I don't have any 16 questions. I want to thank you for coming to the 17 previous hearing and -- and listening to -- to the 18 input and making some changes there. And I think 19 it kind of puts a perspective on the 90-foot lot is 20 the same as what's there. I think that's helpful 21 to understand. So we appreciate you coming in and 22 making those adjustments. 23 MR. MERKEL: But it might be easier, 24 guys, if we -- I don't know if we have any more</p>

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6 (21 to 24)

<p style="text-align: right;">21</p> <p>1 questions on that side, but maybe we'll start at 2 whatever is up now. Phase 6. Let's talk about 3 Phase 6 questions and back -- back and forth. So 4 Phase 6 is a southern property. Audrey, Nick, any 5 -- any questions, comments? 6 MS. MASSEL: I don't have any comments, 7 but I'd like to -- any questions, but I wanted to 8 say thank you for increasing the lot sizes and 9 showing what that would look like. I think that 10 makes it a lot easier to understand. 11 MR. BLACKSHAW: No comments here. 12 MR. MERKEL: Okay. I'm -- when you -- 13 again, I'm not catching that. Would you mind going 14 through the numbers again on the lot size one more 15 time, Eric? 16 MR. PRECHTEL: Sure. 17 MR. MERKEL: The -- the lot size itself 18 is the same; I get that, and that was helpful, the 19 drone. They're the same as what's adjacent on the 20 other side of the fairway to what's there 21 currently; I get that. 22 MR. PRECHTEL: Correct. 23 MR. MERKEL: That -- that's -- that's 24 the same. They're both -- they're all 90 feet. I</p>	<p style="text-align: right;">23</p> <p>1 MR. PRECHTEL: It is on the eastern side 2 along Hole -- which would be 5. There's a kink 3 along Hole 5; it's probably about right there, 4 right in here -- oh, my mouse doesn't show on there 5 -- just to the left of the Number 5. 6 MR. MERKEL: Okay. 7 MR. TISCI: See how that -- 8 MR. MERKEL: Yeah. 9 MR. TISCI: It's like a pie shape. 10 MR. MERKEL: Yeah. 11 MR. PRECHTEL: That's got -- so that's 12 the small one. And then right next to it is the 13 other small lot, which is approximately 11,100 14 square feet, and then once you move up from there, 15 our standard lot size is 11,700 square feet, and 16 then the overall average for the golf course lots 17 is approximately 14,000 square feet. 18 MR. MERKEL: On this side, on this 19 phase, are you saying? 20 MR. PRECHTEL: On Phase 6, correct. 21 MR. MERKEL: On Phase 6? 22 MR. PRECHTEL: Yes. 23 MR. MERKEL: And the average lot size 24 adjacent on the golf villa side is what again?</p>
<p style="text-align: right;">22</p> <p>1 get that. 2 MR. PRECHTEL: So -- 3 MR. MERKEL: The lot sizes themselves, 4 walk me through that again one more time. 5 MR. PRECHTEL: So the -- it might be 6 easier just to -- it'll be hard to see actually. 7 MR. MERKEL: I mean, the -- the -- the 8 things you had up there, that -- that layout was 9 very helpful. That -- that's actually helpful to 10 look at, but it's hard to -- 11 MR. PRECHTEL: Yeah, yeah. The colored 12 version? 13 MR. MERKEL: Well, just extrapolate the 14 numbers. I mean, the way you had it versus what 15 we're seeing. Is -- that -- that one. So -- 16 MR. PRECHTEL: So -- so the 17 10,552-square-foot lot, there is one lot that is 18 that -- 19 MR. MERKEL: One lot that size. 20 MR. PRECHTEL: -- square -- square foot. 21 MR. MERKEL: And that's an interior lot? 22 MR. PRECHTEL: That is a golf course lot. 23 MR. MERKEL: That is a golf -- where is 24 that one at?</p>	<p style="text-align: right;">24</p> <p>1 That -- you had it on the chart, I think. 2 MR. TISCI: 12,600. 3 MR. MERKEL: 12,600. 4 MR. PRECHTEL: That's the minimum, yes, 5 not the average. That's the minimum. 6 MR. MERKEL: Does that make sense to 7 everybody? Okay. And maybe this is a question for 8 Eric. I didn't -- I was remembering my engineering 9 days. All -- the amount of in the increase from 36 10 to 58 homes in that area, the water issue, all 11 that, is it -- that -- that -- no issue there? 12 Because I know we've got drainage issues on Hole 5, 13 I want to say. That happens. So does this make it 14 worse, better, or the same? 15 MR. PRECHTEL: So when you say there's 16 drainage issues -- 17 MR. MERKEL: I just know on that -- on 18 that -- 19 MR. PRECHTEL: Again, there's -- there's 20 an easement for detention. 21 MR. MERKEL: On 5, there -- there seems 22 to be water along those -- that -- coming off the 23 -- from the left down to the right across the 24 fairway down. So again, is it going from 36 to 58</p>

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7 (25 to 28)

<p>25</p> <p>1 more -- more -- more -- 2 MR. PRECHTEL: It won't do anything. 3 They have to still submit final engineering, and 4 that should be all taken care of in the final 5 engineering. 6 MR. FRAYN: I just want to address your 7 question. I'm Jim Frayn with Manhard Consultants. 8 MR. MERKEL: Thank you. 9 MR. FRAYN: And so, that area that 10 you're speaking about, there's a low behind those 11 bunkers. There's a low area there that was 12 intentionally designed to hold some water. There 13 are pipes in that location, and those pipes are 14 sized such for smaller storm events. And when 15 there's a larger storm event, there is the 16 condition where you'll get some ponding of the 17 water, nowhere near anybody's home, but there is a 18 condition there that does take the water a little 19 longer to drain there. That was, you know, a storm 20 sewer that was designed by Arnold Palmer's crew 21 many years ago, and I believe there could be some 22 maintenance issues associated with that, and we've 23 talked to the golf course, and -- and have ongoing 24 talks with the golf course, about potentially</p>	<p>27</p> <p>1 detailed engineering later, but it is going to be a 2 place that holds water and will take runoff from 3 these lines. 4 MR. MERKEL: Okay. That helps. Thank 5 you. All right. Any other question on this phase? 6 Anyone? Okay. We -- do you mind pushing to the 7 Phase 5? Kurt, Dante, any questions from outside 8 the table? 9 MR. PREBLE: No, not for me. 10 MR. TISCI: Not for me. 11 MR. MERKEL: Nick, Audrey? 12 MR. BLACKSHAW: No. 13 MS. MASSEL: Not for me. 14 MR. BLACKSHAW: Thank you. 15 MR. MERKEL: No other questions. You 16 had -- I'm going to look at my notes. The -- we 17 shifted one from exterior to interior on -- on this 18 phase; correct? Can you point out where that's at 19 too? 20 MR. PRECHTEL: So it's -- it's a little 21 hard to tell. So it's the -- it's the large lot at 22 the bottom right. Before, that was almost two -- 23 two lots, but with shifting that, it's that very -- 24 kind of the flat section, the -- the most southern</p>
<p>26</p> <p>1 looking at that to see if there may be some 2 blockage in some of those pipes. 3 MR. MERKEL: Okay. Thank you. 4 MR. TISCI: I actually have a question 5 on Phase 6, just that center section. Is that 6 going to be like walls? 7 MR. MERKEL: That's just the question I 8 was going to ask. 9 MR. TISCI: Yeah. What's the design? 10 Or is that just a pond? 11 MR. FRAYN: We, with the addition of 12 lots there, we added a new storm water management 13 area there to accept the runoff and to reduce 14 downstream flows in that area. So the exact design 15 of that, whether that's going to be an open water 16 pond or a wetland bottom type pond, that's still to 17 be determined during the final engineering. 18 MR. MERKEL: So -- so it's not a -- a 19 pond, per se. It's full of water all the time. It 20 is like a wetland. 21 MR. FRAYN: It -- it may or may not be. 22 MR. MERKEL: It may or may not be best 23 in outcome. Okay. 24 MR. FRAYN: It'll depend on some more</p>	<p>28</p> <p>1 tip. At one point, that was another lot that was 2 technically a golf course lot or an exterior lot on 3 the -- that pond, but with moving those -- those 4 lots north, that became one large lot. 5 MR. MERKEL: Okay. And one more time. 6 The golf course lots on Holes 17 and 18, what is 7 the square -- square feet on those? 8 MR. PRECHTEL: On -- let me go back to 9 them. That's a minimum lot area of 13,000 square 10 feet. 11 MR. TISCI: They're actually larger. 12 MR. PRECHTEL: Yeah. And I think the 13 average is around 17,000. 14 MR. MERKEL: And the interior ones are 15 -- yeah, they are from -- they're 8,450. I get 16 that. 17 MR. PRECHTEL: Oh, yes. That's the 18 smallest lot size is 8,450. Yes. 19 MR. MERKEL: Do we know off the top of 20 our head what the adjacent lot sizes are? The 21 other ones you had, the golf villas, that was very 22 clearly -- 23 MR. PRECHTEL: I don't since the 24 adjacent ones are not technically part of the</p>

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<p style="text-align: right;">29</p> <p>1 country club. 2 MR. MERKEL: Not part -- not technically 3 part of -- 4 MR. PRECHTEL: No, the ones -- there's 5 not like a row like there were -- right. 6 MR. MERKEL: Ones above them, though; 7 right? 8 MR. TISCI: Above, yeah. 9 MR. PRECHTEL: I don't know. The ones 10 -- I'm thinking of, the ones on the -- to the west. 11 I don't know; the ones, I guess, adjacent to them 12 off the top of my head.. 13 MR. TISCI: No, he's talking about the 14 ones that abut to the MI -- 15 MR. MERKEL: Yeah. Put your drawing 16 back up. 17 MR. PRECHTEL: Oh, to the east? 18 MR. TISCI: Yeah, the east. Yeah, Phase 19 2. 20 MR. MERKEL: I'm sorry to make you keep 21 going back and forth. 22 MR. PRECHTEL: That's okay. The ones to 23 the east. I don't know off the top of my head. I 24 could pull up the old plat. I do know they are --</p>	<p style="text-align: right;">31</p> <p>1 east portion? 2 MR. BLACKSHAW: Right. 3 MR. PRECHTEL: East of the Phase 5? 4 MR. BLACKSHAW: Correct. 5 MR. PRECHTEL: No. I wouldn't know that 6 without looking closer at the plat and adding them 7 up. 8 MS. MASSEL: Did you take away a lot 9 that's on the golf course side on 18, or did you 10 just make the lot sizes bigger? 11 MR. PRECHTEL: A little bit of both. So 12 they're actually just pushed up a little further. 13 Okay. So where the -- the lot line used to come 14 kind of straight down, so that it was more on the 15 -- the pond near the green of Hole 18, it -- the 16 lot line is now pushed up so that it's no longer -- 17 there's no longer a lot there that was there; it's 18 just pushed farther north. 19 MS. MASSEL: Okay. 20 MR. MARTIN: The lot on the pond got 21 bigger. The lot directly north of it is smaller. 22 MR. PRECHTEL: Yes. 23 MR. MERKEL: You took one -- one from 24 the outside to the interior side. Okay. I guess</p>
<p style="text-align: right;">30</p> <p>1 I think they are Estate 120 -- I can look. I'll 2 need to do some digging for that. 3 MR. HEINEN: They're -- they are the 4 estate. 5 MR. MERKEL: They are. 6 MR. HEINEN: They're minimum 21,000. 7 MR. MERKEL: Okay. And again, my -- my 8 only comment is similar to several others. I 9 appreciate you guys listening last time and coming 10 back with some changes. I guess my only, when I -- 11 when I read through the Staff report, I guess my 12 only -- I was -- I was hoping there'd be same kind 13 of scenario on this side that they did on the other 14 side; just my own two cents. 15 MR. BLACKSHAW: I do have a question. 16 What's the current average of the preexisting 17 homes? You said the minimum is roughly 17,600, 18 which you're reducing to 13,000, but do you know 19 what the current average is of those estate homes 20 on that side? 21 MR. PRECHTEL: The -- oh, I don't know 22 the exact. 23 MR. BLACKSHAW: Roughly. 24 MR. PRECHTEL: On the east -- on the</p>	<p style="text-align: right;">32</p> <p>1 more of a question for you, Tom. You're the 2 landscape expert guy. The comment Preliminary 3 landscape plan has been revised to incorporate the 4 addition of 110 trees, two per lot. Do we have -- 5 do we put a gauge on their size or what? How -- I 6 don't even know designation on that. 7 MR. TISCI: Oh, right. Chris? 8 MR. HEINEN: Yeah. They'll -- we'll 9 have to meet the minimum landscape requirements by 10 ordinance. 11 MR. PRECHTEL: Right. Right. Yeah. 12 MR. MERKEL: Any other questions, 13 comments? No? All right. I'm sure we're going to 14 have more, but at this point we -- we are going to 15 open this up for the public to come forward and 16 address the Commission; and then we can ask 17 questions from there. So, again, if you have any 18 comments, questions, concerns, happiness, whatever 19 it might be, come forward, state your name, 20 address, and then we'll continue. Okay. 21 MR. HILL: Okay. Name is Larry Hill. I 22 live at 26 Eagle Ridge Drive. I've been a resident 23 since 2005. The things that I -- I want to make 24 sure everybody knows; these are my comments. I'm</p>

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<p style="text-align: right;">33</p> <p>1 not here to comment for the HOA or the Board; these 2 are my comments. I dug into this a lot deeper 3 after the last meeting, and everybody has to 4 realize that this subdivision was built designed 5 for 592 homes. If this doesn't get built, people 6 have to realize that the assessments are going to 7 start climbing to build our reserve funds for new 8 roads, new sewers, whatever. Toll, there's been a 9 miscommunication. I think a lot of people think 10 toll is paying us assessment for 5 and 6 and all 11 these open lots that are in the subdivision. They 12 are not. It's the way their deal was worked out. 13 We have to look at Units 5 and 6. They were 14 designed originally for the estate homes. They 15 were all big. I mean, at one time, they were 16 talking on lots along Hole 5 of getting \$400,000 17 premiums on those lots. Didn't happen. 18 Page 5, you know, they -- I'm glad 19 to see what they did along the golf courses. I'm 20 glad to see how they're showing us the other side 21 of Hole 6 so people can realize that. I do ask a 22 question: Are we going to be colonies, golf villas, 23 or what, any certain kind of homes, or is it just 24 right now not known? You know, I looked at the</p>	<p style="text-align: right;">35</p> <p>1 get built on, you know, what can happen. We -- we 2 do have plenty of bigger lots on the north side 3 that are still open. If somewhere M&amp;I comes up 4 with a bigger home, you know, there is still a lot 5 of open lots out there. And so -- and -- and you 6 got to look -- you know, there's just -- I know, 7 Jim, your comments about the three houses along the 8 east side of Phase 5. You know, yeah, that's going 9 to look a little bit different. You know? You 10 know, I'm not sure if they can do anything there, 11 but you know, it just -- those were designed for 12 signature lots. So that's only my comments. Thank 13 you. 14 MR. MERKEL: Thank you, Mr. Hill. 15 MS. PELAK: Hi. Hi everyone. I'm Margo 16 Pelak, 20 Championship Parkway. I just -- I have 17 some questions, and then I also have some comments. 18 I just wanted to confirm. because there was talk of 19 average lot size, and then I -- I think I did hear 20 8,450 square feet from somebody. Are there lots 21 that are 8,450 square feet in this revised version? 22 MR. MERKEL: Eric, I'm going to let you 23 answer that one. 24 MR. PRECHTEL: Yes.</p>
<p style="text-align: right;">34</p> <p>1 originals. I looked at now. You take this, the 2 interior Phase 6 was going to drain somewhere 3 between the golf course, the -- across Hole 5. 4 They've created a detention basin now that all the 5 water inside of Phase 6 will be staying there. You 6 know? Like Chris, I think, said and -- and Jim 7 Frayn, you know, we can look at this along the east 8 side of Hole 5 if there is something there. I 9 think, you know, we've maybe got to look at maybe 10 there's some grass blocking up some of those sewer 11 pipes that the water isn't getting released as 12 quick. But again, we're having more heavier rains 13 than we had. 14 So my last comment is going to be -- 15 is, I feel that I've done work with Manhart 16 Engineering. I've done a lot of projects, hundreds 17 of them. I feel that if this is approved, they're 18 going to look at the existing Toll poll. They're 19 going to create drainage structures. They -- they 20 -- we haven't had any major issues with the lots 21 that they designed in 2003. So my feeling is, and 22 my feeling only, is I -- I would accept -- and I 23 just want to make sure the homeowners of Hawthorn 24 Woods Country Club understand if these lots don't</p>	<p style="text-align: right;">36</p> <p>1 MS. PELAK: And is it the same number of 2 8,450 square feet blocks? Like, that hasn't 3 changed? 4 MR. PRECHTEL: I'd have to take a closer 5 look at that. 6 MS. PELAK: Okay, because -- okay. I -- 7 thank you. And then, so I -- I guess my issue 8 really is the 8,450-square-foot lots. It's just 9 too small. One acre is 43,560 square feet. These 10 are really small lots. And I -- I think it's great 11 to say that the average size is 14,000 feet, and -- 12 and I do appreciate that Toll Brothers did listen 13 and did increase the lot size. But in this 14 community, 8,450 square feet is just too, too 15 small. 10,000 is very small. That's like around 16 just above a quarter of an acre. I think that 17 should be the minimum lot size. And I guess I'm 18 open to hearing a rationale as to why, when people 19 did say last time, myself included, that, you know, 20 these lots would be too small, why are there still 21 this very small lot size? It's -- it's just going 22 to look a little bit -- so that's my opinion. I -- 23 I think the opinion -- I don't think I stand alone 24 in saying this, but I guess we'll find out.</p>

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1 The other thing is, you know, I --  
2 I think there's a lot of fear that Toll Brothers --  
3 well, first of all, Toll Brothers doesn't want to  
4 build on these lots. So we know that. So there's  
5 -- there's a lot of fear that if the Zoning and  
6 Planning Commission tonight says, no, go back, Toll  
7 Brothers, and do what -- you know, make some more  
8 revisions, get rid of these 8,450-square-foot lots;  
9 that -- that the lots aren't going to get filled  
10 and we're going to operate at a deficit, you know,  
11 forever, and I don't think that those are the only  
12 two choices that we have. So I think that we need  
13 to look at the 8,450-square-foot lot sizes,  
14 increase them, and come back one more time, Toll  
15 Brothers, with something that we can do.  
16 I would also caution us to maybe be  
17 very diligent in anything that's unspecified by  
18 Toll Brothers. So if, for example, they say, well,  
19 that has yet to be determined, I think their  
20 history tells us that we need to determine that  
21 before anybody approves anything and make sure you  
22 get everything down on -- in paper, because I mean,  
23 you -- you know, there's -- there's kind of a bad  
24 history here with them making promises that they

38  
1 don't keep. And I'm sorry to say that, but you --  
2 you guys don't keep promises. So are -- we all  
3 want the homes to get built; I just think we don't  
4 want these tiny lots and, you know, as --  
5 particularly next to some of these areas that have  
6 very large homes. So thank you very much.  
7 MR. MARTIN: Just -- just to make sure  
8 everyone's on the same page, there's only one --  
9 MR. MERKEL: Can you -- can you -- can  
10 you state your name?  
11 MR. MARTIN: Sure. Alex Martin,  
12 division president, Toll Brothers. So there's only  
13 one lot that's 8,000 some odd square feet. It's in  
14 the center of lot -- of Phase 5. That's the  
15 smallest lot in that area.  
16 MR. MERKEL: You know, it's probably a  
17 good idea because that's going to come up again.  
18 Can we pull that -- that -- that -- that phase back  
19 up again? I know we're moving --  
20 MR. HEINEN: It's upward.  
21 MR. MARTIN: It's fine now. Yeah.  
22 MR. MERKEL: Oh, I'm sorry.  
23 MR. MARTIN: The plat actually shows the  
24 lot size.

39  
1 MR. MERKEL: That is the -- it's super  
2 hard to read.  
3 MR. MARTIN: Yeah. Impossible to read  
4 it.  
5 MR. BLACKSHAW: It -- it shows a Lot 23  
6 on our paper here. And then the one directly above  
7 it would be lot 24, is the one slightly at 9,000  
8 square feet, roughly.  
9 MR. MERKEL: So the one -- the one at,  
10 like, 3:00?  
11 MS. MASSEL: Yeah.  
12 MR. BLACKSHAW: Correct.  
13 MR. PRECHTEL: Yes.  
14 MR. MARTIN: Yeah, I always call it the  
15 home plate in the middle there.  
16 MR. PRECHTEL: Yeah.  
17 MR. MARTIN: The -- the two lots to the  
18 east are about the two smallest. I believe the one  
19 to the south of the two is the smallest one.  
20 MR. PRECHTEL: Correct.  
21 MR. MARTIN: Yeah. Everything else is  
22 over 10,000 square feet in that section. I just  
23 wanted to make sure you -- I know it was a lot of  
24 different lots sizes and numbers, and we even have

40  
1 a hard time keeping track of it too, so --  
2 MR. MERKEL: Again, you might notice the  
3 one, the big triangular shaped lot. How big is  
4 that?  
5 MR. MARTIN: Like I said, we should know.  
6 MR. MERKEL: It is really hard to -- I  
7 apologize. I struggle with this.  
8 MR. MARTIN: That's okay. 27,000 square  
9 feet.  
10 MR. MERKEL: A dumb question; why  
11 wouldn't we extend those two smaller lots into the  
12 27,000-square-foot lot?  
13 MR. MARTIN: It's -- Jim could probably  
14 answer a little bit better, but it's just a lot of  
15 it's geometry based on setbacks. So to get a home  
16 that meets the minimum house size, you need to have  
17 a certain width and depth of home that fits within  
18 the setbacks. So it's a lot like that pinches  
19 back, and, triangular, you start really sandwiching  
20 in where you can fit a house.  
21 MR. PRECHTEL: Yeah.  
22 MR. MARTIN: So it's the setbacks that  
23 drives that.  
24 MS. MASSEL: Can you combine the two?

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<p>41</p> <p>1 MR. MARTIN: You always can. It is a 2 function of economics. And I know that's not your 3 problem or the neighbors', but it is a problem 4 relative to making this a marketable community and 5 it being built or not. You know, it was tough to 6 whittle down what we did take off the plan. Every 7 lot we remove decreases or increases the likelihood 8 the project won't be developed. So we could. I 9 mean, if we could, we would've just left the plan 10 the way it was.</p> <p>11 I do think there is a fundamental 12 disagreement on lot size drives value. It -- it -- 13 I think we explained it last time we met. It's 14 gone the other way. You know, buyers don't want 15 big lots. They -- they've just shifted entirely. 16 They don't want to spend time mowing and 17 maintaining and all the replacement costs. You 18 know, that's not everybody, but on average, you're 19 going to peel a little far larger crowd if you have 20 a lot that's a reasonable size.</p> <p>21 So 8,000 square feet, you know, sounds 22 crazy. We call it a builder's quarter acre when 23 you start counting right-of-way and things of 24 that nature. That's the lot size we typically</p>	<p>43</p> <p>1 that section is over 10,000, and the average is 2 over 17,000.</p> <p>3 MR. MERKEL: Okay. And that's in that 4 phase?</p> <p>5 MR. MARTIN: In that phase, yes.</p> <p>6 MR. MERKEL: There's a lot of big lots.</p> <p>7 MR. BLACKSHAW: Could I ask a question 8 on -- you mentioned market and the budget and -- 9 and how it's marketable. How long and where have 10 you guys been marketing these lots prior to this 11 new proposed phase?</p> <p>12 MR. MARTIN: In -- in terms of how it 13 was before?</p> <p>14 MR. BLACKSHAW: Correct.</p> <p>15 MR. MARTIN: We've been trying -- so I 16 took over this geographic. I've moved down to 17 Florida since. I'm still owning this, just to make 18 sure I will follow through. I was in the upper 19 Midwest managing this for five years. We marketed 20 every year I was here. We have never had an offer 21 prior to -- to several weeks ago. So we've been 22 marketing them as they were, as they were designed. 23 Not one taker, not even an offer. Not a low offer, 24 not a give them to me for free and I'll take them</p>
<p>42</p> <p>1 design for our community today. A 90-foot lot, 2 100-foot lot, that's almost unheard of in -- in 3 today's market. Typically, there are 50s, 60s and 4 70s. Maybe really big ones are 80 to 85, if you 5 start looking around the balance of the greater 6 Chicago area. So by market standards, even our 7 small lots are big lots. The most value is put in 8 the width of the lot, not the size of the lot. You 9 know, we -- we put a huge comp value on width. We 10 put literally a dollar per square foot on the size 11 of the lot.</p> <p>12 So I -- I wouldn't get too hung up on the 13 size of the lot; it's the width of the lot, because 14 that dictates how wide the home is. So as you're 15 driving through the community, that dictates the 16 streetscape. You know, no one can really tell how 17 deep a lot is or how large a lot is, but they can 18 tell if the house looks narrow and skinny or if the 19 house looks wide. That's the reason why mostly 20 Toll homes tend to be pretty wide. There's a lot 21 of value in doing so. I don't know if that makes 22 sense; probably a little too much color. Anyway, I 23 just wanted to clarify. So there are only two lots 24 that are in the 8,000 range. Everything else in</p>	<p>44</p> <p>1 off their hands. Nobody wanted them.</p> <p>2 And the issue is this site -- because 3 the road network doesn't change all that much, 4 regardless of how many lots or how big the lots 5 are. The improvement costs then get split over 6 that few lots, and it's too much. It's -- it's not 7 financially viable to do that and build the homes 8 at a price that a consumer wants to buy them. And, 9 you know, right or wrong, you know, most builders 10 are for profit and to be able to be profitable. I 11 mean, that -- that's the reality of it. If it was 12 profitable, either Toll Brothers or someone else 13 would've already built them in the 15 years they've 14 been mothballed.</p> <p>15 MR. MERKEL: Yeah.</p> <p>16 MR. MARTIN: So it just -- just tells 17 you.</p> <p>18 MR. MERKEL: Hey, Alex, Alex, I'm just 19 going to follow up on that question, and then we'll 20 get on with the rest.</p> <p>21 MR. MARTIN: Sure.</p> <p>22 MR. MERKEL: You -- you said -- you 23 answered my question last time. I -- I still 24 struggle with it in that we all see that the MI</p>

<p style="text-align: right;">45</p> <p>1 homes are -- are -- are -- are being built like 2 crazy. They're -- they're flying off the -- the 3 rack per se. Any existing house in that 4 development is sold in the week, it seems like. I 5 don't have the data. Just the ones that go up, 6 they're sold immediately. Someone wants those 7 homes. What -- what -- what -- explain that 8 disconnect that -- that you can't make money or you 9 can't sell these houses. They're selling very 10 quickly. 11 MR. MARTIN: Absolutely. So to -- to 12 put in context MI, you're absolutely right, they're 13 selling very well. They're selling two-plus homes 14 a month. Based on what I can tell, they're 15 delivering somewhere in the mid \$600,000s to low 16 \$700,000s on average. To replicate that process 17 and make the profit margin a publicly traded home 18 builder is obligated to make, these lots would have 19 to translate to probably million-dollar houses. So 20 what happens is an inverse relation to -- to sales 21 pace and price. So if we're selling house for a 22 dollar, they're going to fly off the shelf. If I 23 try to sell that same home for a billion dollars, 24 there'll be no buyer. So in -- in our world, it's</p>	<p style="text-align: right;">47</p> <p>1 those were developed lots. So someone's going to 2 go develop these. So those costs I can't control 3 as I sell them, so, ultimately, you have to be able 4 to sell the lots at a price that justifies the 5 improvement costs and the investment into the 6 overall project. 7 MR. BLACKSHAW: Do you mind sharing what 8 your cost, roughly, analysis is on price per square 9 foot on the size home for the existing lots to make 10 your margins? 11 MR. MARTIN: Price per square -- I'm 12 actually rough on math. 13 MR. BLACKSHAW: I mean, just -- just out 14 of curiosity. 15 MR. MARTIN: I'm a pretty smart guy, but 16 I have a history degree, so I can't do that math in 17 my head. So let's say \$650,000, I'm assuming 18 they're selling their house, so that's at 3,500 19 square feet. That's \$185 a square foot, \$186. So 20 a 3,500-square-foot house that's \$650,000 is about 21 \$187 per square foot. 22 MR. BLACKSHAW: And your -- your guys' 23 national average a building is what? 24 MR. MARTIN: At Toll Brothers?</p>
<p style="text-align: right;">46</p> <p>1 a balance of we want to sell the homes for the most 2 we can, but at a pace that's sustainable. Because 3 we -- we have overhead costs that are fixed on an 4 annual basis, and if -- if -- you've got to close 5 24 to 36 homes a year to -- to meet those overhead 6 requirements. 7 So MI is a perfect example. So this 8 isn't an unproven hypothesis. They're in the 9 community selling on big lots, and they're selling 10 two a month at \$650,000. So that just tells you, 11 if you were to go up here -- Now, I agree, these 12 lots are slightly higher quality around the golf 13 course; I'll be the first to admit that, but in the 14 old phase plan, you wouldn't expect to be much 15 higher than that price to sell at that pace, And a 16 builder cannot make money at \$650,000 on those 17 lots. If they could have, someone would've already 18 bought them and/or Toll would've built them in the 19 last 15 years. 20 MR. BLACKSHAW: So how -- how is it that 21 MI is able to do it then? 22 MR. MARTIN: Because they're sold at 23 \$650,000 -- we sold the lots to them at a value 24 that worked at \$650,000. The difference now is</p>	<p style="text-align: right;">48</p> <p>1 MR. BLACKSHAW: Yeah. 2 MR. MARTIN: Price per square foot we 3 build, our average price is nine -- call it a 4 million dollars at probably the same square 5 footage. But you're not getting million-dollar 6 prices here. The market has -- we study it. I -- 7 I looked at it, actually, just today. All of 8 Hawthorn, the entire village has sold only one 9 house over the last 12 months over \$800,000. 10 MR. BLACKSHAW: In this community or -- 11 MR. MARTIN: The entire village. Let me 12 -- let me rephrase it. Under a one acre lot, under 13 one acre, the entire village, one house is sold for 14 a \$800,000. Right or wrong -- you're right; over 15 several acres, people -- you know, you'll see 16 prices; but that's why people move to Hawthorn 17 Woods, is for space, not necessarily for price. 18 And conversely, in all of the 19 village, there's been almost 30 sales excluding 20 what MI has sold, in 12 months from \$550,000 to 21 \$800,000. So it just tells you the -- the breadth 22 and scope of the market, and the depth of the 23 market. At the lower price point, that -- that's 24 what we call -- that's the meat of the market is</p>

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<p>49</p> <p>1 what we call that. So if you ever drove a manual 2 shift -- you know, I know they don't exist today -- 3 again, when the clutch catches, that's the friction 4 point. That's the friction point in our business 5 of where the market sits. 6 MR. BLACKSHAW: What -- what's the 7 current size of the MI lots that -- right now, that 8 are selling? 9 MR. MARTIN: They vary from 90 up to, I 10 believe, 120 feet. 11 MR. BLACKSHAW: Square feet? 12 MR. MARTIN: I don't know. Probably -- 13 I'm trying to think. The minimum -- probably right 14 close to the minimums here on the chart, you know, 15 anywhere from -- 16 MR. BLACKSHAW: Close to that 12,000 17 mark? 18 MR. MARTIN: -- 12,000 up to 14,000 or 19 15,000, 16,000. It's a very minor report. Great 20 questions. Thank you so much. 21 MR. MERKEL: Thank you. 22 MR. EPSTEIN: Rick Epstein from -- 23 MR. MERKEL: Please talk into the mic. 24 I'm sorry.</p>	<p>51</p> <p>1 be a nice thing, because there's going to be 2 families living in a lot of those homes, because 3 they're not the biggest lots. 4 And then the last comment I had for 5 you is, as you talk about taking a house out and 6 you kind of envision \$600,000 or \$700,000 of 7 revenue going away, reality is, for the builder, 8 he's not looking as much at the revenue as he is 9 the profitability. So I don't know what you guys 10 make when you build houses, or MI makes when they 11 build houses, but if they're making \$100,000 or 12 \$200,000, removing one house isn't a whole lot of 13 money difference to them. And so, it might make 14 sense to try to spread them out a little bit more, 15 if they're too tight, and maybe take out one or two 16 more homes. Just a -- a thought and a suggestion. 17 Thank you. 18 MR. STAAB: Hello. Miles Staab, 24 19 Championship Parkway. I see in the Phase 6 plans 20 that the minimum lot width is 90 feet, and that was 21 the minimum lot width for the golf villas 22 previously. Minimums are one thing; averages are 23 another. I'm just curious, for our existing homes 24 on the periphery of that, what is the average lot</p>
<p>50</p> <p>1 MR. EPSTEIN: Rick Epstein from 1400 2 Drive South. And first of all, I'd like to thank 3 you guys for redoing what you originally presented. 4 It's certainly an improvement. I did have a couple 5 comments and -- and questions. And I wonder if we 6 could put up the Phase 6 image? So it's really 7 hard for me to read, but could you share what the 8 widths are on those interior lots? That's the 9 first question. So if you can pull that out, that 10 would be helpful. Because some of them are pretty 11 narrow. 12 MR. MARTIN: There are no narrow lots. 13 MR. MERKEL: How about the interior 14 ones? Yeah, the interior. 15 MR. MARTIN: Yeah. 16 MR. EPSTEIN: Okay. While you're doing 17 that. The other question I had, just thinking 18 about it, if families living there have kids and 19 that's all a big pond back there in their backyard, 20 how do they protect their children from potentially 21 going a little too deep and playing in the water 22 when it's right in their backyard? So I think if 23 you guys could share your thoughts on how to kind 24 of make it a little bit safer for them, that might</p>	<p>52</p> <p>1 width versus the average lot width of what is being 2 proposed? 3 MR. MERKEL: Thank you, Mr. Staab. We 4 have that information? So that -- we're -- he's 5 referring to the -- the drone flyby we did. What 6 are the average -- 7 MR. PRECHTEL: I do not know the average 8 of those. To -- going back to answer the previous 9 question on the interior lots, the smallest width 10 on the interior lots is 75 feet, but, no, I don't 11 have the average of the existing homes surrounding 12 Lots 6 and 7, lot widths. 13 MR. MERKEL: Chris, do we know that? 14 MR. HEINEN: I -- I would say majority 15 of -- of the lots on the lots on the interior there 16 -- were 90. 17 MR. MERKEL: So again, that -- that -- 18 MR. HEINEN: I'd have to check. 19 MR. MERKEL: -- 5, 6, 7, around there, 20 those are approximately 90 feet -- 21 MR. HEINEN: Correct. 22 MR. MERKEL: -- on average. Does that 23 answer your question, Mr. Staab? 24 MR. STAAB: Yes.</p>

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<p style="text-align: right;">53</p> <p>1 MR. MERKEL: Thank you. Anybody else? 2 Excellent. 3 MS. VANHEULE: My name is Leigh VanHeule. 4 I'm at 18 Tournament Drive South in Hawthorn Woods. 5 And I tried to get -- I also agree; I think the 6 exterior, the golf lots feel like they are going to 7 look like they belong in the neighborhood. So I'm 8 feeling really good about that, other than all 9 those trees are lining up like little engines, and 10 I'm kind of hoping that they're kind of taking a 11 little more aesthetic into it, so it doesn't look 12 like a street of -- of trees on the golf course. 13 So that was one comment. 14 And then I tried to get a sense of 15 what the sizes were of those interior lots because 16 that was, I think, one of my biggest concerns, 17 which I think is what we're all kind of -- I'm 18 hearing from others as well. So I went to the Lake 19 County Assessor's Office, and I tried to pull from 20 some of the smaller communities that -- that had 21 smaller lot sizes, just so I could get some sense 22 of how do these interior lots compare. So I was 23 able to find just four homes that I want -- I 24 thought might be helpful. And maybe other people</p>	<p style="text-align: right;">55</p> <p>1 to give some relative thought, those homes are -- 2 the two I was able to just pop up were 3 2,600-square-foot homes, so I -- I think that those 4 homes are not going to be what we would see on the 5 interior, just to put it in perspective. But I was 6 at least pleased to know that what Toll was 7 proposing were all bigger homes and bigger lots 8 than those particular -- than those particular 9 developments, based on my uneducated non-expert 10 opinion. But I just thought it might -- it might 11 help to share that. Okay. 12 MR. MERKEL: Awesome. Thank you so much. 13 MS. VANHEULE: You're welcome. 14 MS. MASSEL: Thank you. 15 MR. MERKEL: All right. Anyone else? 16 And Chris, just a question for you. Maybe the -- 17 I'm still -- one -- a couple things, one being the 18 landscaping, the trees and such. Well, that -- 19 that will happen when we block the -- however they 20 -- they plat this out and the design will be and 21 whoever's building, that will be done at that 22 point; correct? 23 MR. HEINEN: Yes. We -- we're working 24 right now with Toll to create a development</p>
<p style="text-align: right;">54</p> <p>1 can go and look at similar lot sizes, too. But 2 there was -- in Hawthorn Hills, that's the Pulty -- 3 I believe that's the Pulty development; right? 4 MR. MERKEL: The Pulty, yep. Yep. 5 MS. VANHEULE: Okay. 55 Pacific is on a 6 lot size of 7,148. The -- the home itself is 2,865 7 square feet, but the lot size was 7,148. It sold 8 for \$600,300 -- \$600,300 -- sorry; hard word to 9 say. Anyway, but the lot size there is 0.164 acres 10 -- and then -- but what Toll is proposing is larger 11 than that. Then the other one was 12 Vine Street. 12 That didn't sell real recently, but, again, it was 13 a 8,100-square-foot lot, which I was able to find 14 one over there which was -- had a similar lot size. 15 Then the other area I looked at was that new 16 development at the corner of Fairfield and Old 17 McHenry, which is right around the corner from 18 here, I think, and those lot sizes are much 19 smaller, 5,200 -- 20 MR. MERKEL: Right. 21 MS. VANHEULE: -- 5,400. 22 MR. MERKEL: Right. 23 MS. VANHEULE: So we would know that we 24 would be bigger than those. So again, just trying</p>	<p style="text-align: right;">56</p> <p>1 agreement that would incorporate a lot of those 2 requirements, very similar to what we do with MI 3 Homes -- 4 MR. MERKEL: Yeah. 5 MR. HEINEN: -- and the rear landscaping 6 requirements. So, yeah, as -- as part of that, 7 we'll evaluate each home that comes in. I agree, I 8 would more strategically place where trees are 9 located. So we'll -- we'll take it on a lot-by-lot 10 basis, but we'll assure that there'll be two per 11 lot. 12 MR. MERKEL: But do -- but do -- do we 13 do that at this point? My -- my question is more 14 the Phase 5 where there's adjacency to much larger 15 homes, much bigger lots. Is there -- do we specify 16 berming and more than two one-inch diameter trees, 17 whatever it is, along -- do we do that now, or is 18 that done at the next phase? 19 MR. HEINEN: More than likely, that 20 would be done in final. Obviously, engineering and 21 drainage would play a big part in any type of 22 berming, maybe. So the -- the final will still 23 come before the Board in terms of final plats and 24 final plans and landscaping once determined by the</p>

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<p>57</p> <p>1 (indiscernible). 2 MR. MERKEL: Thank you. Okay. Last 3 chance. Anyone from the -- I knew somebody else 4 had something to say. 5 MS. HOLDER: Hi. Diane Holder, 13 6 Harborside Way. I just have two concerns, and one 7 of them has already been mentioned, and that's that 8 retention basin and the fact that those lots back 9 up to it, and I want to be very, very careful that 10 none of our children would come to have an accident 11 there and drown. So that's my biggest concern. 12 The other one is the fact that we have only one 13 entrance into this area for 61 homes. It's a lot 14 of congestion, probably 120 cars going in and out 15 of there. So those would be my two concerns. 16 MR. MERKEL: Excellent. Thank you. 17 That is, I guess, a good Jim question. Did we do 18 -- is there a traffic study on the increase of 19 density out of one in and out? 20 MR. PRECHTEL: There would -- there would 21 not be a traffic study that would be required. 22 You're not looking to put a signal or anything. 23 It's just the -- 24 MR. MERKEL: There's a lot of -- lot of</p>	<p>59</p> <p>1 MR. MERKEL: Last chance. Anyone else? 2 All right. At this time I'm looking for a motion 3 to close the public hearing. 4 MR. PREBLE: So moved. 5 MR. MERKEL: And a second? 6 MS. MASSEL: Second. 7 MR. MERKEL: All right. Okay. I guess 8 there's a roll vote. 9 MS. LOBAITO: Mr. Merkel. 10 MR. MERKEL: Aye. 11 MS. LOBAITO: Mr. Tischi. 12 MR. TISCI: Aye. 13 MS. LOBAITO: Ms. Massel. 14 MS. MASSEL: Aye. 15 MS. LOBAITO: Mr. Blackshaw. 16 MR. BLACKSHAW: Aye. 17 MS. LOBAITO: Mr. Preble. 18 MR. PREBLE: Aye. 19 MR. MERKEL: All right. So the public 20 hearing is now closed, and at this point we will 21 deliberate. 22 MR. BRANKIN: Madam Court Reporter, do 23 you need a break? 24 MR. MERKEL: Five-minute break before --</p>
<p>58</p> <p>1 people coming out at one stop. This is the main 2 concern here. 3 MR. PRECHTEL: And then with regards to 4 the detention basin of WDO, or Development Works, 5 it does require a safety retention basin deeper or 6 over a certain depth. 7 MR. MERKEL: Yep. 8 MR. PRECHTEL: So that -- 9 MR. MERKEL: That's all covered? 10 MR. PRECHTEL: There -- it would be 11 covered under that. 12 MR. MERKEL: All right. Anyone else? 13 Do you have a question or -- 14 MR. PREBLE: I was just -- I was just 15 looking at the possible -- sorry. I was just 16 looking at possible access points, and I just was 17 making a comment to myself that with the existing 18 houses and the layout of the golf course, it's -- 19 MR. MERKEL: There's no way. 20 MR. PREBLE: There's no way. 21 MR. MERKEL: Yeah. 22 MR. PREBLE: Right now, there's a giant 23 mountain of mulch there. You can't go out anyway, 24 so --</p>	<p>60</p> <p>1 MS. LOBAITO: No. 2 MR. MERKEL: Okay. All right. 3 MR. BRANKIN: She's good. 4 MR. MERKEL: She's good. Okay. So 5 we're at the point now for deliberation. At this 6 point we would normally propose a -- a motion, and 7 then we can tweak that as we go forward and we can 8 give it to the Board. So if Staff is kind enough 9 to write us up a -- write up a new motion, and 10 then, again, we can -- I can read that, and then we 11 can put those in your packet, and then we can 12 alter, tweak, suggest, modify, or whatever from 13 from there. 14 So, again, I look for a motion to -- 15 based on the revised plans, an amendment to the 16 special -- the specialties plan development for the 17 Hawthorn Woods Country Club, 1) approval of 18 preliminary plats of subdivision Phase 5 and 6; and 19 2) approval of an amendment to the specialties plan 20 development for the Hawthorn Woods Country Club 21 with the preliminary replat and -- re-plan and 22 replat of Phase 5, as set forth on the plans and 23 materials submitted with the application, including 24 an increased density of 1.41 dwelling units per</p>

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<p style="text-align: right;">61</p> <p>1 acre to 2.26 dwelling units per acre, and an 2 increase in residential lots from 18 to 29, and 3 Phase 6 with an increased density from 1.47 4 dwelling per unit acre to 2.36 dwelling units per 5 acre, an increase in residential lots from 36 to 6 58, as well as other such relief or approval as the 7 Commission may determine reasonably necessary in 8 connection with the foregoing. Again, three 9 sentences next time, if that makes sense. I'm just 10 kidding. So that's the motion at hand. Do we want 11 to make any tweaks, deliberations, concerns? 12 MR. BRANKIN: So to get it on the table, 13 someone could just say so moved, and then once 14 there's a second, then it would be on the table and 15 could be discussed. 16 MS. MASSEL: So moved. 17 MR. TISCI: Second. 18 MR. MERKEL: So now we're going to 19 deliberate, yeah? 20 MR. BRANKIN: Correct. 21 MR. MERKEL: Eric, do you mind putting 22 up Phase 5 again? I guess my only -- my only 23 question here is last time -- again, I -- I was 24 hopeful that we would have a lot reduction in Phase</p>	<p style="text-align: right;">63</p> <p>1 combined, to only reach about just shy of 18,000 2 combined, which is still about 10,000 less square 3 feet than the 29,000 off adjacent to it. It seems 4 to make a little bit more sense, but, obviously, 5 economically does not favor the sales. So it, you 6 know, it's certainly a debate. 7 MR. MERKEL: So you're thinking -- 8 MR. BLACKSHAW: I -- I -- I would agree 9 with this statement that those are -- I mean, an 10 8,000-square-foot lot in this community, based off 11 of my knowledge, is extremely small, and I do not 12 see -- based off of what MI is doing and other 13 developers in the area, if these had spec homes or 14 were being built at their current lot size without 15 any revisions, they would all sell. 16 MR. MERKEL: Would not sell? 17 MR. BLACKSHAW: Would all sell. 18 MR. MERKEL: Would all sell? 19 MR. BLACKSHAW: Absolutely. I -- I 20 don't have one developer that I work with that is 21 having any issue selling new construction. 22 MR. MERKEL: So are you suggesting -- I 23 -- I have two -- two thoughts. Those three lots, 24 make two large and one smaller or kill one?</p>
<p style="text-align: right;">62</p> <p>1 5. We did move, told them to move from one -- from 2 the outside inside. It didn't lose a lot. Ms. 3 Marley, we brought up the comment, those two -- the 4 rest of the lots are a decent size. Two of them -- 5 one of them is -- is smaller. The comment we just 6 heard about other lots or other lots in the 7 neighborhood, in the community, that was very 8 helpful, but I am struggling with that big lot 9 adjacent to it. It just seems like there's a 10 chance or an opportunity to shift those longer and 11 get a bigger lot and take away from that 12 27,000-square-foot lot. Just a comment between 13 rest of the gang here. 14 Or, again, I was originally thinking let 15 -- let -- can we kill one of those? I understand 16 the -- the P&amp;L. I understand the, you know, you 17 have to make money. I understand all that. It 18 would have been -- I think it would have been a 19 nice opportunity -- gesture to take one out from 20 here and three out from the other side, but you 21 guys did a great job. That's just my thought. I'd 22 love to hear your comments. 23 MR. BLACKSHAW: I mean, I -- I would 24 agree with the Lots 23 and 24, when it's still</p>	<p style="text-align: right;">64</p> <p>1 MR. BLACKSHAW: Yeah. I think I would 2 say, combine the 23 and 24, and that would 3 alleviate, you know, the -- anything sub 10,000 4 square feet -- 5 MR. MERKEL: Yeah. 6 MR. BLACKSHAW: -- and how they shift 7 from there, I think is, you know, certainly up to 8 them. 9 MR. MERKEL: And you're -- but, in 10 essence, you're killing the lot? 11 MR. BLACKSHAW: Yeah. 12 MR. MERKEL: Is that -- is that more 13 palatable or is that -- more palatable than -- than 14 trying to steal square footage from a big one? 15 MR. BLACKSHAW: Well, I -- I think 16 because what they said with the setbacks and what 17 you have to do from, like, how the lots themselves 18 have to set, you -- you -- it wouldn't be feasible 19 to push it into the other area based off of what 20 they described. 21 MR. MERKEL: And again, I assume you 22 guys looked at that; right? There was no way to 23 steal from that lot. It just looks like an awful 24 big lot.</p>

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<p>65</p> <p>1 MR. BLACKSHAW: It's -- it's -- I mean, 2 it's just over a half-acre. So these are just 3 extremely small in comparison. I mean, that -- I'm 4 pretty sure the houses on the other side -- and I 5 mean, this -- I'm going to give you guys averages, 6 just based off of my experience in the sales in 7 there. Those other houses are at least a half-acre 8 on the other side of the east side there.</p> <p>9 MR. MERKEL: Yeah.</p> <p>10 MR. BLACKSHAW: So you're talking about, 11 you know, a third of the size lot compared to those 12 other ones.</p> <p>13 MR. MERKEL: Yeah. And -- and I'm with 14 you. That's why I showed you have adjacent very 15 large homes, where on the other side you don't have 16 that; you just have them across the fairway and the 17 same -- they're the same lot width so that they're 18 not as -- not as much of an issue or anything.</p> <p>19 MS. MASSEL: I would like to see them 20 combine Lot 23 and 24 as a good-faith gesture to 21 kind of even out the lots sizes, since the ones in 22 that area are on the bigger side. That's my 23 feeling.</p> <p>24 MR. MERKEL: Dante, any comments,</p>	<p>67</p> <p>1 have to -- I'm no expert developer, and they are 2 the expert developers, and they know what's going 3 to sell; right? So we have to take some of that 4 into consideration. But I'm supportive of their 5 new proposal as is.</p> <p>6 MS. MASSEL: In addition to combining 7 Lot 23 and 24, I want to say I like the fact that 8 they did increase the lot sizes, the lot widths --</p> <p>9 MR. MERKEL: Yeah.</p> <p>10 MS. MASSEL: -- that they increased the 11 house -- house sizes. I think that you guys have 12 -- did a great job with that. I just think that 13 the one little thing, if you could combine those to 14 just normalize a Phase 5, I think that would work a 15 lot better for the homes in that size. But I have 16 -- I also want to say that since MI has been 17 building, we've seen a positive increase in our 18 house value. So I am in -- in propose -- I'm in 19 favor of the proposal, just with that one caveat of 20 combining Lot 23 and 24.</p> <p>21 MR. BLACKSHAW: I -- I would agree. Any 22 type of movement in the sense of, you know, having 23 a developer come in here and finish this off would, 24 you know, not only greaten the whole community, but</p>
<p>66</p> <p>1 thoughts?</p> <p>2 MR. PREBLE: Go ahead.</p> <p>3 MR. TISCI: You go ahead.</p> <p>4 MR. PREBLE: I'm not opposed to the 5 combination of the lots, but I'm also looking at 6 just the -- when you start looking at all these 7 setbacks and everything else that goes with it, I 8 don't know. I -- I don't -- I think we're at a 9 point that I don't know if there's a whole lot more 10 we can do. I think that's maybe the only option. 11 And I think it's at a point where if -- if we want 12 to get this moving forward, I think we just have 13 to, you know, appreciate what we've got in front of 14 us.</p> <p>15 MR. MERKEL: Appreciate, and you're 16 saying that leave as is, or is your suggestion that 17 make (indiscernible)?</p> <p>18 MR. PREBLE: With -- with the -- with 19 the new amendment to the proposal that Toll brought 20 to us tonight --</p> <p>21 MR. MERKEL: Leave as is?</p> <p>22 MR. PREBLE: -- leave as is, yeah.</p> <p>23 MR. TISCI: I'm in a similar boat. I'm 24 not completely opposed to the combination, but I</p>	<p>68</p> <p>1 especially the country club itself. I think one of 2 the gentlemen mentioned HOAs and overhead and costs 3 and overall usage, and the -- there's not a doubt 4 in my mind that once, you know, MI or somebody else 5 who takes over this, that these things will fly off 6 the market. I mean, the inventory is at an 7 astronomically low point. We have great schools. 8 It's extremely sought after. It's a beautiful 9 community. So you know, for the -- it's a shame 10 that they've sat this long.</p> <p>11 MR. MERKEL: I agree. I agree. So I -- 12 I guess the only thing -- I'm with you, with 13 everybody. I -- I think we -- you guys heard us 14 loud and clear last time. I think you came back. 15 I -- I personally appreciate what we did. I think 16 I'm -- the only impasse we have is our debate here 17 on -- on -- on what we're proposing again. We can 18 -- we're going to propose -- whatever we propose, 19 we're going to propose to the Board, and the Board 20 could accept that recommendation or say, nah, they 21 don't want to do that; we want to go back to the 22 original, or whatever the case may be. So that -- 23 that's how it works. We are an advisory. So 24 again, we -- we put the -- we put the motion out</p>

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18 (69 to 72)

69	1 there, and we have to decide if -- if we're going 2 to vote on that as is or someone's going to make a 3 suggestion to tweak it. I threw out my two cents, 4 but what do you guys want to do? 5 MS. MASSEL: I would say move forward, 6 but with the caveat of combining Lot 23 and 24. 7 MR. MERKEL: All right. Legal advice 8 said we -- we could propose accepting the proposal 9 as is with the -- the -- what's the word you used? 10 MR. BRANKIN: Condition. 11 MR. MERKEL: -- with the condition that 12 we ask Toll to reconsider combining those two lots. 13 And again, I'm going to throw out -- take another 14 hard look at it and do something different to the 15 three lots to make two of them a little bigger, one 16 of them smaller. Again, one more time, can -- can 17 they do that with that condition? So we would 18 accept the proposal as is, go forward, present it 19 to -- to the Board with the -- the stipulation 20 condition they would consider doing what we 21 suggested on combining the two lots and/or taking 22 the three lots and making it -- one of them 23 smaller, two of them larger, somehow, some way, 24 looking at setbacks a different way; I don't know.	71	1 MR. HEINEN: Yes. 2 MR. MERKEL: Okay. At this point I am 3 -- one, thank you all for coming today; appreciate 4 the feedback, and, again, appreciate the openness 5 of Toll to relook at things. With that, I'm 6 looking for a motion to adjourn. 7 MS. MASSEL: So moved. 8 MR. TISCI: I second. 9 MR. MERKEL: Second. All in favor? 10 COMMISSIONERS: Aye. 11 MR. MERKEL: All right. We are 12 adjourned at 7:48. Thank you all. Have a good 13 evening. 14 (Off the record at 7:48 p.m.) 15 16 17 18 19 20 21 22 23 24
70	1 MR. BRANKIN: Is that okay with the 2 motion maker and the seconder? 3 MS. MASSEL: Uh-huh. 4 MR. BRANKIN: Okay. 5 MR. MERKEL: Gentlemen? 6 MR. TISCI: Yep. 7 MR. MERKEL: Okay. And if we -- if 8 we're good with that suggestion and that proposal, 9 then we need a -- a roll vote. 10 MS. LOBAITO: Mr. Merkel. 11 MR. MERKEL: Aye. 12 MS. LOBAITO: Mr. Tisci. 13 MR. TISCI: Aye. 14 MS. LOBAITO: Ms. Massel. 15 MS. MASSEL: Aye. 16 MS. LOBAITO: Mr. Blackshaw. 17 MR. BLACKSHAW: Aye. 18 MS. LOBAITO: Mr. Preble. 19 MR. PREBLE: Aye. 20 MR. MERKEL: All right. We are good 21 with that. And that'll go before the Board, you're 22 saying, June? 23 MR. HEINEN: 26th. 24 MR. MERKEL: 26th.	72	1 CERTIFICATE OF COURT REPORTER 2 I, Eva Walsh, the officer before whom 3 the foregoing proceedings were taken, do hereby 4 certify that said proceedings were electronically 5 recorded by me; and that I am neither counsel for, 6 related to, nor employed by any of the parties to 7 this case and have no interest, financial or 8 otherwise, in its outcome. 9 10  11 _____ 12 Eva Walsh, Court Reporter 13 6/14/2023 14 15 16 17 18 19 20 21 22 23 24

1 CERTIFICATION OF TRANSCRIPT

2 I, Karen M. Galvez, do hereby certify  
3 that the foregoing transcript, to the best of my  
4 ability, knowledge, and belief, is a true and  
5 correct record of the proceedings; that said  
6 proceedings were reduced to typewriting under my  
7 supervision; and that I am neither counsel for,  
8 related to, nor employed by any of the parties to  
9 this case and have no interest, financial or  
10 otherwise, in its outcome.

11

12 *Karen M Galvez*

13 \_\_\_\_\_

14 Karen M. Galvez  
15 Planet Depos, LLC  
16 June 28, 2023

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