

**PLANNING, BUILDING AND ZONING COMMISSION MEETING
VILLAGE OF HAWTHORN WOODS
2 LAGOON DRIVE, HAWTHORN WOODS, ILLINOIS
TUESDAY, SEPTEMBER 13, 2011
6:00 PM**

MINUTES

I. Call to Order and Roll Call

Chairperson Rein called the meeting to order. Roll call indicated the following members were present: Chairperson Rein, Commissioners Thomas, Kaiser, Salvi and Lindquist. Absent: Commissioners Merkel and LaGro. However Commissioner Merkel arrived part way through the Toll Brothers hearing. Also present: CAO: Donna Lobaito.

Trustee DiMaggio arrived at 6:15 p.m.

II. Opportunity for the Public to Address the Commission

No participants.

III. Public Hearing – Consideration of Appeal – Solar Energy Panels on front elevation – 13 Old Barn Road – Applicant, Bradley Cohen

Also present with the applicant were Mr. Schmidt and Andrew Patellaro. Cohen asks Board to consider California law which does not allow municipalities to ban solar panels on the basis of appearance. The Village rejected the applicant's Plan because these are panels on the front elevation. The appeal goes to the Planning, Building and Zoning Commission. Mike Salvi raised the issue that we passed an ordinance that did not allow this type of installation. The concern is setting precedence on this issue. Dave Lindquist discussed the comparison of satellite dishes to the changes in solar panel technology. Mr. Salvi is concerned that the appeal claims Ms. Lobaito was incorrect in denying the application, but she made no mistake. The ordinance does not allow us to change the decision. He believes we will probably need to add an architectural review provision in the ordinance for front elevations. Mr. Salvi moves to recommend approval of the permit and reversal of Ms. Lobaito's decision which was seconded by Mr. Arnold.

Vote: Ayes: Kaiser, Salvi, Lindquist, Thomas

Motion Passes.

Ms. Lobaito discussed transferring the solar panel from the building code to the zoning code and perhaps make a change allowing for this type of installation on the front elevation or at least an architectural review of this type of installation. A public hearing to move the solar energy systems to the zoning code will be scheduled for October.

IV. Consideration of a Request for the Approval of an Amended Preliminary Plat, Phase VI – Hawthorn Woods Country Club – Applicant, Toll IL HWCC, LP

Toll Brothers representatives were present. Mr. Salvi disclosed a prior conflict and does not believe the conflict exists any longer, but discloses same and also recused himself to insure there is no conflict.

Mr. Lindquist moves to recommend approval of the Amended Preliminary Plat subject to conditions. Seconded by Mr. Thomas.

The number of total homes in the entire project has not changed. However, the market conditions have changed and as a result the developer would like to change the marketing strategy for more single family homes on smaller lots.

Mr. Merkel believes that this strategy is probably good but that the lot size will change significantly (20%). This was supposed to be where the biggest homes, but now the smallest homes are to be located here. The existing property owners may be affected since Toll Brothers is building smaller homes. Mr. Merkel is also concerned about change of subdivision plat. He favors the change but wants to consider the homeowners or buffering or berming to alter things a little.

Brian Wulfestieg, Representative from Toll Brothers reported that the plan is to place a park on the North side. It is green space now and the plan is to add a gazebo to make it more of a gathering space. This area will not be an active park. In the new platted homes the lot size will have about a 10% reduction. The reason the larger lots are on the inside is based on using the same roads and the center area would be difficult to reconfigure. Buffering or berming is not considered unless there would be additional easement and probably association costs and smaller lot sizes. Toll Brothers has communicated with the Association representatives. The toughest question is the impact on the property values. The balance is between more sales of homes that would sell versus homes that are not selling. Both are driving forces. Toll Brothers stated that they do not anticipate lowering the prices which is good for present homeowners

Patty Chiselko lives in a Signature Home and is a golfer. She is concerned about the change of the Signature Models, and the square footage of the newly platted homes compared to the Signature Models. Toll Brothers has not set a house size for the homes. The Columbia model which is 3,300 square feet can fit on these lots. The square foot minimum for a Signature Home is 2,200 square feet for a single story. Her other concern is eliminating one section of signature models in later phases.

Motion to approve: Ayes: Mr. Kaiser, Mr. Lindquist, Mr. Thomas, Nay from Mr. Merkel. Passes – majority of quorum.

Continuation of Public Hearing on signs Text Amendment - signs

V. Continuation of Public Hearings on Signs – Text Amendment.

Motion to open public hearing and to continue to October 6, 20911 meeting by Mr. Salvi and second by Mr. Thomas.

On a voice vote, the Motion Passes.

VI. Consideration of Public Hearing on Overlay District

Pam Newton made some changes to what was completed in the PB & Z meeting. There shall be a professional opinion and the Village is looking for approval with pictures instead of drawings to be representative and also have the village planner review.

Motion to open Public Hearing by Mr. Thomas and seconded by Mr. Merkel. Motion passes on a voice vote.

Mr. Kaiser had some corrections to the draft. On page 17, part D should have a comma in the second sentence between the words Lots and building. There was also a discussion about the words dark skies concept on page 21 E1. It was discussed that it should probably be Dark Skies Initiative concept. On page 23, part H 2 the word point should be points and the word spot should be spots. Chairperson Rein noted that on page 1 what is now the first paragraph was the third paragraph. Chairperson Rein had other corrections: on page 2 item C is redundant with last part of the sentence. She notes that on page 3 and the following pictures should match up with the description regarding page breaks. She also wanted to verify that the Commission will see the actual pictures prior to approval. On Page 11 where it states Water Walk Connections and does not correlate. The light fixtures on page 14 are not what the Commission approved. On Page 20 B3- changes “our” to “the”. Also add “all of which will provide access...”. On page 21 D6 and D7 are new. She believes 7 should be eliminated. With regard to paragraph 6 it should probably not give a choice and should provide that the developer shall pay to the Village because the Village may want to design and build the trail. She is also concerned that the Specific Design standards in 7 are not listed for the Water Walk.

No motion to approve, but a motion to continue is made by Mr. Lindquist and seconded by Mr. Thomas which passes unanimously.

VII. Consideration of Public Hearing on Protected Trees

Environmental Committee met and asks that we remove from the list of protected trees the Ash tree. They want us to eliminate the permit requirement and encourage the removal of the Ash trees. As a result the Ash tree needs to be removed from the protected tree list.

Mr. Thomas moves to open and is seconded by Mr. Merkel. Motion is approved unanimously.

Motion to close public hearing by Mr. Lindquist and seconded by Mr. Thomas and is approved unanimously.

Mr. Lindquist motions to recommend removal of the Ash Tree from the Village Protected Tree List and is seconded by Mr. Thomas. The motion passes unanimously.

VIII. Approval of June 14, 2011 Minutes, June 21 minutes and August 8th Minutes

Discussion:

Chairperson Rein Suzy said that attorney Shapiro was present at the June 14th meeting and should be added for attendance. Also she noted that under new Business, Bernie Schmidt's card says he is CEO of Renewable Energy Alternatives.

On paragraph A of June 21st minutes the word shop should be crops.

Mr. Thomas motioned to approve the June 14, June 21 and August 8th minutes as amended in the discussion and is seconded by Mr. Merkel. Motion passes unanimously.

IX. Department Head Report

Ms. Lobaito suggested that we eliminate skate board ramps provisions since we have none in the village. . She also advised as to the joint meeting of the Finance Committee and the PB & Z on October 1 and is looking for a quorum.

There was also a discussion about staff altering PB & Z recommendations prior to submission to the Board for approval to eliminate confusion.

She also advised the Commission that one year ago we had a ban on solar and wind and the wind moratorium will need to be extended.

X. Adjournment

Mr. Kaiser motioned to adjourn which was seconded by M. Thomas and passes unanimously.

Susan K. Rein
Chair