



**SPECIAL PLANNING, BUILDING AND ZONING COMMISSION MEETING  
VILLAGE OF HAWTHORN WOODS  
2 LAGOON DRIVE, HAWTHORN WOODS, ILLINOIS  
TUESDAY, DECEMBER 9, 2014  
6:00 p.m.**

**MINUTES**

**I. Call to Order and Roll Call**

Present: Chairperson Susy Rein called the meeting to order at 6:03 p.m.  
The following members were present: Commissioners Kaiser,  
Rychlik, Lindquist, Donovan, Merkel and Rein

Absent: LaGro

Staff: Donna Lobaito, Chief Administrative Officer  
Erika Frable, PE, Public Works Director/Village Engineer  
Michael Cassata, AICP, Planning Manager

Consultants: Lee Fell, PE, Christopher B. Burke Engineering, Ltd.  
Al Maiden, Rolf C. Campbell & Associates

Trustee: Dominick DiMaggio

Village Attorney: Patrick Brankin

A quorum was established.

**II. Opportunity for the Public to Address the Commission**

None this month.

**III. Approval of Minutes**

A. Approval of Minutes of the November 12, 2014 Planning, Building and Zoning  
Commission Meeting

Motion by Kaiser, second by Merkel to approve the minutes of the November 12,  
2014 Planning, Building and Zoning Commission meeting.

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

**IV. Public Hearing**

A. Continuation of Stonebridge—William Ryan Homes—Consideration, Review and  
Recommendation to the Village Board for a Request for:

- i. A Special Use Permit for a Planned Unit Development, Including Departures  
from the Zoning Ordinance, Land Subdivision Ordinance, and Building

Regulations Ordinance of the Village to Allow for the Property to be Developed as a Planned Unit Development as set Forth in the Application or as Amended During the Course of the Public Hearing Process;

- ii. Preliminary Plat of Subdivision Approval; and
- iii. Such Other Relief or Approvals as the Commission and the Village Board May Determine Reasonably Necessary

Transcripts of this portion of the meeting were prepared by Joan M. Holub, C.S.R. of Q & A Reporting, Inc. and are attached hereto as Exhibit "A".

Commissioner Merkel left the meeting at 7:23 p.m.  
Commissioner Merkel returned to the meeting at 7:25 p.m.

Commissioner Donovan left the meeting at 7:30 p.m.  
Commissioner Donovan returned to the meeting at 7:32 p.m.

Ms. Rein called for a break at 8:17 p.m.

The meeting reconvened at 8:30 p.m.

Motion by Merkel, second by Kaiser to close the public hearing.  
Upon a voice vote, all voted aye and the motion carried.

Ms. Rein called for a break at 9:52 p.m.

The meeting reconvened at 10:01 p.m.

#### **V. Adjournment**

Motion by Kaiser, second by Donovan to adjourn the meeting. Upon a voice vote, all voted aye, and the motion carried. There being no further business, the meeting adjourned at 11:03 p.m.

  
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Susy Rein, Chairperson

IN THE MATTER OF THE APPLICATION OF  
 STONEBRIDGE-WILLIAM RYAN HOMES FOR  
 CONSIDERATION, REVIEW AND RECOMMENDATION  
 TO THE VILLAGE BOARD FOR A SPECIAL USE  
 PERMIT FOR A PLANNED UNIT DEVELOPMENT,  
 INCLUDING DEPARTURES FROM THE ZONING  
 ORDINANCE, LAND SUBDIVISION ORDINANCE,  
 AND BUILDING REGULATIONS ORDINANCE TO  
 ALLOW THE PROPERTY TO BE DEVELOPED AS  
 A PLANNED UNIT DEVELOPMENT; PRELIMINARY  
 PLAT OF SUBDIVISION APPROVAL; AND SUCH  
 OTHER RELIEF OR APPROVALS AS ARE DEEMED  
 REASONABLY NECESSARY.

(Public hearing held before the  
 Planning, Building and Zoning Commission  
 on Tuesday, December 9, 2014, at the  
 hour of 6:00 p.m. at the Village of  
 Hawthorn Woods, 2 Lagoon Drive,  
 Hawthorn Woods, Illinois.

Q & A REPORTING, INC.  
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 Crystal Lake, IL 60014  
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 qareportinginc.com

PRESENT:

- 1 SUSY REIN, CHAIRPERSON
- 2 JIM MERKEL
- 3 CHRIS DONOVAN
- 4 DAVE LINDQUIST
- 5 TOM RYCHLIK
- 6 JIM KAISER
- 7 DOMINICK DiMAGGIO, Trustee Liaison
- 8 DONNA LOBAITO, Village Administrator
- 9 MICHAEL CASSATA, Village Planning Manager
- 10 ERIKA FRABLE, Village Engineer
- 11 JENNIFER PAULUS, Chief of Police
- 12 AL MAIDEN, Rolf C. Campbell & Associates
- 13 LEE FELL, Christopher Burke & Associates

APPEARANCES:

- 9 ZANCK, COEN, WRIGHT & SALADIN, PC, by
- 10 THOMAS R. BURNEY,
- 11 on behalf of the Developer, William Ryan Homes
- 12 SCHAIN, BANKS, KENNY & SCHWARTZ, LTD, by
- 13 PATRICK T. BRANKIN,
- 14 on behalf of the Village of Hawthorn Woods.

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CHAIRPERSON REIN: This evening we are continuing with a public hearing for the Stonebridge-William Ryan Homes, Consideration, Review, and Recommendation to the Village Board of a request for a Special Use Permit for a Planned Unit Development, including departures from the Zoning Ordinance, Land Subdivision Ordinance, and Building Regulation Ordinance of the Village to allow the property to be developed as a Planned Unit Development as set forth in the application or as amended during the course of public hearing process; Preliminary Plat of Subdivision Approval and such other Relief or Approvals as the Commission and the Village Board may determine reasonably necessary.

So just a little review, especially for a few who may be new to the process this evening. This is our third night in a series for this public hearing which has been continued from night to night until it's completed. We first met on October 28th when the developer, the applicant, gave its presentation of the proposed subdivision known as Stonebridge. We started that evening, followed that that evening with comments from the public that was in attendance, and we continued with public comment on November 12th and the applicant's rebuttal, and that's how far we got. As I announced last month, tonight the -- remainder of the public hearing is for the Commissioners, Planning, Building and Zoning

Commissioners, to do cross-examination of anybody who gave testimony in the previous two nights. They can ask questions of the applicant and their experts; they can ask questions of members of the public who gave testimony. Once we have all of our questions answered, then we will close the public hearing, and at that point we will make motions, which are usually based in the affirmative based on what the applicant applied for. We state our motion, and then we will deliberate with the staff on each motion to determine if we want to vote to include that as is or amend the motion or on and on it goes. Ultimately, our goal is to end up by taking a vote of the Plan Commissioners what we recommend on this applicant to go forth to the next Village Board meeting, and the Village Board will make its decision at that time. Once again, I don't know if it will take this long, but tonight we will go as late as 10:00 p.m. if necessary.

Just to review for anybody who's new out there, the Planning, Building and Zoning Commissioners, each of the people on the dais--these three chairs, those two chairs, and myself-- are all residents of the Village of Hawthorn Woods. We all serve as volunteers in this capacity. We have other, regular jobs, and we bring those experiences and perspectives to this roll as volunteers. Up on the dais with me, we also have Dominick DiMaggio who is on the Village Board

1 of Trustees. He, too, is a resident and a volunteer, and he's  
 2 an elected official. He will sit in the Village Board  
 3 meeting when this is discussed, and he will be able to answer  
 4 questions by virtue of having sat through these hearings with  
 5 us. Next to him is the Village Attorney, Pat Brankin, and next  
 6 to me is the Village Administrator, Donna Lobaito. We have  
 7 over here our regular consultants to the Village; starting on  
 8 the left, Michael Cassata, the Village Planner; Jennifer  
 9 Paulus, the Chief of Police; Erika Frable, the Village Engineer  
 10 and head of Public Works; Lee Fell, who is also a Village  
 11 Engineer Consultant, and Al Maiden, who is a Planning  
 12 Consultant for us. We have our court reporter this evening who  
 13 is taking the transcript of tonight's conversation.

14 So with all that said, we will jump right  
 15 into it.

16 Gentlemen, you previously received from me an  
 17 order of topics for this evening so we have our questions  
 18 organized to put forth to this group. The first topic for  
 19 tonight for our questions and cross-examination is subdivision  
 20 design, site plan, lot size and density, that general group of  
 21 issues as it pertains to this application

22 Who would like to go first?

23 Mr. Lindquist.

24 COMMISSIONER LINDQUIST: Good evening. After reviewing

1 the current submittal, looking at the preliminary plat from  
 2 Spaceco, I do have some lingering concerns about some of the  
 3 dimensions and areas of some of the properties. There is a  
 4 dramatic change in the scale of the properties between the  
 5 south boundary line and the adjacent subdivision of  
 6 Acorn Acres, and I would like to have the developer consider  
 7 the following recommendations. I would like to see the  
 8 properties facing Acorn Acres be a minimum width of 90 feet.  
 9 Several of the properties have already been altered to 95 feet,  
 10 but the properties 16 through 20 I would like to see increased  
 11 to 90 feet. That will result in the elimination of one  
 12 property.

13 CHAIRPERSON REIN: Dave, are you prosing this as a  
 14 question to the developer?

15 COMMISSIONER LINDQUIST: No -- well, yeah. I guess so.

16 I guess so. It's specific recommendations that -- I understand  
 17 that they are recommendations. I have no authority to --

18 CHAIRPERSON REIN: Yeah. As a rule, guys, here's the way  
 19 I kind of typically look at this -- and some of you are newer  
 20 to this than others -- but there are probably many things that  
 21 I'm sure during the deliberations we are going to share as  
 22 opinions with each other, how we feel about the proposal and  
 23 different aspects of it. At this particular time -- and you  
 24 can share some of those things at that time so long as you're

1 seeking to get a response from the developer, in other words  
 2 will they or won't they redo this, because our dialogue time  
 3 with the applicant or with the audience is now, and once we  
 4 close the public hearing our dialogue is with each other, and  
 5 it's hard for us to ask for those things, but if you're seeking  
 6 to ask the developer for a consideration, then if you would  
 7 pose that so they have their question.

8 COMMISSIONER LINDQUIST: Okay. That's the intention,  
 9 proposing it as a suggestion. And it's to create a smoother  
 10 transition between the two subdivisions.

11 I'd also like to suggest lots 10 -- 3 through  
 12 10, that those be increased to the extent that there's a  
 13 minimum of 90 feet adjacent to Acorn Acres and also to the  
 14 County property along the east borderline, and I think that  
 15 will result in potential loss of a lot. But this --

16 COMMISSIONER MERKEL: Dave, I'm sorry, can you repeat the  
 17 second-to-last comment?

18 COMMISSIONER LINDQUIST: It's lots 4 through 10. There  
 19 are four lots in there that are 75 feet wide. I'd like to see  
 20 them increased to 90 feet.

21 COMMISSIONER MERKEL: You're not touching 3, which is  
 22 less than that; right?

23 COMMISSIONER LINDQUIST: Actually, I'm not -- I'm trying  
 24 not to redesign this for anybody, but by taking one of these

1 units out of here, it will result in that -- it can result in  
 2 that property being wider.

3 COMMISSIONER MERKEL: Okay.

4 COMMISSIONER LINDQUIST: And then this is something else  
 5 I would look into considering. That's lots 44 through 47. I'm  
 6 also trying at the same time to get the area of the lots up to  
 7 a quarter of an acre, in other words getting rid of the lots  
 8 that are less than a quarter of an acre. This kind of plays  
 9 into this. Lots 44 through 47, I'd like to see those lots  
 10 changed to three, which will eliminate some of the smallest  
 11 lots in the subdivision.

12 So I guess, to sum it up, I'd like to see  
 13 90-foot lots facing the adjacent subdivision, and I'd like to  
 14 see as many of the sub-quarter-acre lots increased. That's it.

15 CHAIRPERSON REIN: So not to be redundant, I came in with  
 16 one of the same questions for the developer, which I'm raising  
 17 it kind of a different way. Rather than lots in group 22  
 18 through 26 or 8 through 12, whether a lot could be eliminated  
 19 into each of those groups in order to widen the lots against  
 20 the adjacent property. So it's pretty much skinning the cat a  
 21 different way. Ultimately, you'd lose lots in order to achieve  
 22 what you're asking for.

23 COMMISSIONER LINDQUIST: Yes.

24 CHAIRPERSON REIN: So before we move on with anything

1 else, I don't know, Chuck, if you'd be the one to answer that  
2 question, Chuck Hanlon, or who would answer the question from  
3 the applicant as to whether or not the applicant would consider  
4 those requests as a condition to approval of this plan?

5 MR. BURNEY: We're sending in the lawyer. I'm Tom  
6 Burney.

7 Could we perhaps just hear the whole list of  
8 modifications you want?

9 I mean, it's difficult to just take one at a  
10 time.

11 I mean, it's obviously a hardship on us to do  
12 that. We felt we designed it in a manner where we have those  
13 transitions to Acorn Acres. We have a park there. There's a  
14 substantial buffer provided in that green space, again, in  
15 recognition of the transition.

16 But if we could hear everything.

17 CHAIRPERSON REIN: So are you talking about everything,  
18 for example, in the site-planning category?

19 MR. BURNEY: Yes.

20 CHAIRPERSON REIN: We're trying to keep our comments  
21 accordingly, whether we're talking about the road or talking  
22 about stormwater management. I think that could work for us.  
23 If we want to get out all of our questions regarding -- or  
24 requests regarding site planning at this time, sure, Tom.

1 MR. BURNEY: Thanks, Ms. Rein.

2 CHAIRPERSON REIN: You want to have a list so we can  
3 remember.

4 MR. BURNEY: I'm keeping track.

5 CHAIRPERSON REIN: All right. Thank you, Mr. Burney.  
6 Okay. Next?

7 COMMISSIONER MERKEL: I just have a simple question.

8 CHAIRPERSON REIN: Use your mic, please.

9 COMMISSIONER MERKEL: I just have a simple question.

10 What is the open space -- I tried to figure it out, and I  
11 couldn't get there -- open space excluding the stormwater  
12 management? Do we know what that number is? Percentage of the  
13 total 60 acres, 59.18 acres.

14 MR. WYNSMA: We can come up with that for you. We just  
15 need to run the calcs real quick.

16 Nate Wynsma, William Ryan Homes.

17 The entire open space is 34.86 acres or  
18 58.89 percent, but we'll back out -- you want to know from --

19 COMMISSIONER MERKEL: What I've got here to it says open  
20 space with stormwater management is 35.4 acres. That's the  
21 latest I've seen. I'd just like to exclude the stormwater  
22 management off that number.

23 MR. WYNSMA: We'll figure those out.

24 CHAIRPERSON REIN: Thank you, Mr. Wynsma.

1 I was just checking something with our  
2 counsel here.

3 For the record, I want to state that I'm  
4 assuming, especially from those I recognize from the applicant,  
5 that you have been previously sworn in earlier parts of this  
6 public hearing. If there's anybody that we ask a question of  
7 or who approaches to a question that's been asked and you have  
8 not been sworn in at a previous night of this public hearing,  
9 please indicate that when you come up to the microphone and our  
10 court reporter will swear you in for the record. Thank you.

11 Jim, do you have any other?

12 COMMISSIONER MERKEL: I do but not on this subject.

13 CHAIRPERSON REIN: Anybody else have questions in this  
14 category?

15 COMMISSIONER RYCHLIK: Okay. Geometrically, talking  
16 about lot size, what I would recommend, suggest, that your  
17 sections along like lot 16, lot 21, lots 8 to 12, lot 22, along  
18 tangent stretch of the linear roadway, I think my suggestion is  
19 to look to incorporate long sloping curves to help slow traffic  
20 down. When it comes to dovetail into future discussion about  
21 connecting roads going south, similarly the public right-of-way  
22 that extends south towards Bruce Circle, if it were to  
23 introduce a little bit of maybe a sinuous, for the lack of a  
24 better term -- engineers don't like to use the word sinuous --

1 to introduce a little bit of a curvilinear run, potentially  
2 even going as far to move lot 21 to the west side of that  
3 public right-of-way. Then the connecting road would be forced  
4 to curl around the lot and again would slow the whole  
5 connection down so they're not running into a direct line.

6 CHAIRPERSON REIN: So that was a request for their  
7 consideration in terms of the site design consideration.

8 Any other gentlemen at the table have

9 questions in this category, whether it be for the applicant or  
10 for members of the audience who gave testimony?

11 COMMISSIONER LINDQUIST: Would you go over the categories  
12 again?

13 CHAIRPERSON REIN: This is our biggest catchall category.

14 When you think about the application kind of on the front end  
15 here, and that is subdivision design, site plan, lot sizes, and  
16 density as represented in the preliminary plat, so it's kind of  
17 the overall land plan design; not landscaping, not the depth of  
18 engineering but the overall design.

19 COMMISSIONER LINDQUIST: And then the roads --

20 CHAIRPERSON REIN: Roads is going to be a separate topic.  
21 COMMISSIONER LINDQUIST: That's good.

22 COMMISSIONER DONOVAN: I had two things. One was in the  
23 open, which I believe was outlot D, there is just an open area  
24 in there, and all of homes there except for three are lookouts,

1 but there's three homes -- three or four homes that are not  
 2 lookouts, and I was trying to understand why those particular  
 3 homes, which I believe were 51, 2, 3, and 4 were not lookout or  
 4 walkouts, if there was a particular reason.

5 MR. WYNSMA: If it's okay to answer, we're just following  
 6 existing topography there and/or what's being developed as new  
 7 topography. If you recall, along that east property line or  
 8 that southeast property line to the unincorporated property the  
 9 original plan that we proposed had a retaining wall there that  
 10 we were trying to hold grade that was coming from the south.  
 11 It was above us, and we were putting in retaining wall in  
 12 there. And by raising that whole cul-de-sac you're talking  
 13 about, we eliminate that retaining wall providing for more tree  
 14 preservation along that side. When we lifted that, it created  
 15 some lookout-walkout on the north side of it, the west side of  
 16 it but blending into existing topography as you go towards the  
 17 bridge. We're blending into what would be existing grade  
 18 there. And so there are no -- as we come down, it eliminates  
 19 the opportunity for lookouts.

20 COMMISSIONER DONOVAN: Okay. The one other question was,  
 21 from where the road extension is going into the property it  
 22 doesn't seem like there's anyway sidewalks that were extending  
 23 into Acorn Acres there. It looked like they stopped at the  
 24 property line instead. Since they're building a new extension,

1 it didn't look like there were sidewalks that were going to be  
 2 going into Acorn Acres at all. I wanted to clarify that on the  
 3 drawings. I looked at a couple different ones. I just  
 4 couldn't tell.

5 MR. WYNSMA: Yeah, that's correct. The road spec for  
 6 Acorn Acres is the village typical, which is a concrete band  
 7 with no sidewalks. It's open ditch. So what we've proposed is  
 8 a continuation of that spec on the Acorn Acres side of the  
 9 property that would then blend into the full public  
 10 right-of-way cross-section on our property. So because Acorn  
 11 Acres doesn't have any sidewalks, in discussions we decided  
 12 what we propose extending it into there.

13 CHAIRPERSON REIN: Nate, where does that transition occur  
 14 then? Is it at the subdivision lot line, or is it when you get  
 15 to the front of the street, like the front edge of your lots as  
 16 the right-of-way goes through?

17 MR. WYNSMA: I think as close to the property line as  
 18 possible. I mean, obviously, if it's all public right-of-way  
 19 we can blend it south of the line, north of the line, whatever  
 20 Staff or the Village feels appropriate. But at some point as  
 21 close to the property line as possible would be the transition  
 22 from the flat concrete ribbon up to the curb cross-section.  
 23 It's a little wider, so it would have to at some point make  
 24 that transition.

1 I think in talking with the neighbors -- and  
 2 I don't know if this really has any bearing, but in talking  
 3 with the neighbors that their desire besides not having a road  
 4 was to make it as much of a not -- or not make it an attractive  
 5 nuisance or appear to be an attractive route for vehicles to  
 6 take. I think their desire in talking was to keep it the same  
 7 cross-section that they have to the greatest extent possible.

8 CHAIRPERSON REIN: So camouflage?

9 MR. WYNSMA: Yeah. I think there were some

10 recommendations for rumble strips or things of that nature.

11 CHAIRPERSON REIN: Does that answer your questions?

12 COMMISSIONER DONOVAN: It does. But it also led into  
 13 another one, and that is, it seems like the road extension is  
 14 going to be very close to lot 25's driveway. That was why I  
 15 was asking about the sidewalks. I was trying to determine how  
 16 much space was in there, if there's going to be any screening  
 17 to that particular lot. Now, he's going to have on road right  
 18 there. It looks like there may not be any available room there  
 19 to give them any screening for traffic at all.

20 CHAIRPERSON REIN: What he's talking about -- and I know  
 21 this borders on road topics, but I know it goes to the general  
 22 layout, so we'll allow it at this time. But for the audience's  
 23 sake, I believe what Mr. Donovan is referring to is what the  
 24 audience would know as No. 7 Bruce Circle South. On this plat

1 it's shown as lot 25, the original platting, but if you were  
 2 facing the front of the houses on Bruce Circle North, it will  
 3 be to the house to the left of this proposed stub road;  
 4 correct?

5 MR. WYNSMA: Yeah. If you're facing south?

6 CHAIRPERSON REIN: If you're facing the house -- if  
 7 you're facing the school, you're facing towards the property  
 8 you're applying for, that the house to the left of the stub  
 9 road you're showing as lot 25 is technically known as No. 7  
 10 Bruce Circle South, which I believe the audience member --  
 11 Bruce Circle North. I'm so sorry. Thank you.  
 12 Speak up.

13 COMMISSIONER LINDQUIST: There's also a driveway on the  
 14 opposite side.

15 COMMISSIONER DONOVAN: Say that again, please.

16 COMMISSIONER LINDQUIST: There's also the same  
 17 consideration from the opposite side of that right-of-way.  
 18 There's a driveway there as well.

19 COMMISSIONER MERKEL: On lot 24.

20 COMMISSIONER LINDQUIST: Yeah.

21 MR. WYNSMA: I believe that house utilizes a side-load  
 22 driveway off of that right-of-way.

23 COMMISSIONER LINDQUIST: Yes.

24 CHAIRPERSON REIN: They're talking about No. 9 Bruce

1 Circle North in that context.

2 So you're asking about overall layout of the  
3 site and how that works?

4 COMMISSIONER DONOVAN: Yeah. It just seemed like it was  
5 very tight in that particular space for those two where the  
6 cut-through was coming through.

7 MR. HANLON: I'll just add that I think when the previous  
8 subdivision was built the grading seems to be there. There's  
9 the basic -- you kind of see the gravel peeking through the  
10 weeds there. It's more worn down up to that first driveway.  
11 Then the ditches are kind of there. The bases are there. It  
12 needs to be cleaned up before we pave it. But spatially, I  
13 believe pretty much of road base and ditches are there now. So  
14 I don't think the cleaning it up and paving it will turn into a  
15 hard surface. I really don't think it's going to change the  
16 look and feel of what's out there now because the subdivision  
17 was already graded. It's not as if we're going to go into a  
18 virgin condition and create this road. It's pretty much there  
19 with the ditches. It's just got to be cleaned up and paved.  
20 It's not always going to change it drastically from what they  
21 have now.

22 CHAIRPERSON REIN: For the record, speaking is Mr. Chuck  
23 Hanlon.

24 MR. HANLON: I'm sorry. Chuck Hanlon.

1 CHAIRPERSON REIN: Thank you.

2 Anything else, Mr. Donovan? Any questions on  
3 that at this time?

4 Mr. Kaiser, do you have any questions?

5 COMMISSIONER KAISER: Not at this time.

6 CHAIRPERSON REIN: I have a few additional under this  
7 subject category.

8 My first questions apply to the fact for a  
9 number of years the Village and Staff and others have cited  
10 this parcel as a good example of a parcel that could be  
11 developed with a conservation design plan, and so as I know we  
12 just went through our comprehensive planning process which took  
13 nine months of deliberation, we had many public forums for  
14 residents, businesses, many people commented on what they  
15 wanted to see in this village in the future, and  
16 conservation-design planning was one of those things. And this  
17 parcel, like I said, because of the wetlands and the other  
18 natural features has long been sited as a potential spot for  
19 this.

20 In your application, Land Planner Chuck

21 Hanlon cited -- or referred to this plan as being consistent  
22 with conservation design principles and cited Randall Arendt in  
23 the presentation and referred to examples in our comprehensive  
24 plan.

1 Before I get to my question, I just want to  
 2 say if this development were to be approved and built, I would  
 3 strongly prefer it end up being called a cluster subdivision  
 4 rather than a conservation plan because I don't believe it fits  
 5 the true definition of a conservation plan. In our last  
 6 meeting Mr. Sambor, an audience member, gave testimony  
 7 regarding the fact that he contacted Randall Arendt about  
 8 conservation planning and about this particular proposal. In a  
 9 letter of response from Mr. Arendt that was entered into the  
 10 record at our last meeting, one of the things I found very  
 11 interesting is that this "father" of conservation design  
 12 planning, the man who coined the term and the parameters that  
 13 move us recognize today, he indicated that he would be  
 14 willing -- he offered -- I guess he said in the letter he  
 15 offered himself to work cooperatively and collaboratively with  
 16 the Village and the applicant to create a true conservation  
 17 design for this property to insure that the first large  
 18 development approved under our new comprehensive plan standards  
 19 sets a positive precedent for future applicants to follow. He  
 20 stated he can also recommend design consultants in our area who  
 21 have had considerable experience in designing conservation  
 22 subdivisions. That is in part of his letter, that offer.  
 23 So my question for the applicant at this time is,  
 24 would you be open to accepting that offer and working with

1 Randall Arendt or one of his proteges to consider redesign of  
 2 this particular proposal on this particular parcel to make it  
 3 that precedent-setting, show-stopping conservation plan design  
 4 that, you know, everybody could point to in the Village of  
 5 Hawthorn Woods?  
 6 MR. HANLON: I'll say my name first. Chuck Hanlon, WBK  
 7 again.  
 8 In reading Randall's letter, I really believe  
 9 the only item that we could be talking about is the idea that  
 10 to be conservation design you have to leave 50 percent of your  
 11 buildable area as open space. I believe if you look at this  
 12 graphic, if you look at his books, if you look at the graphics  
 13 that are taken from his books and put into conservation -- into  
 14 your comprehensive plan in our conservation design that at a  
 15 glance all the diagrams look extremely similar. I think the  
 16 only difference we're talking about is the requirement to have  
 17 50 percent of the buildable area be in open space.  
 18 COMMISSIONER MERKEL: Mr. Hanlon.  
 19 MR. HANLON: Yes.  
 20 COMMISSIONER MERKEL: In his books he clearly states  
 21 50 percent less than stormwater management of the area --  
 22 MR. HANLON: Yes.  
 23 COMMISSIONER MERKEL: -- so it's not just 50 percent.  
 24 MR. HANLON: It's more than that. So it's a -- that's a

1 particularly difficult hardship. I believe that Randall Arendt  
 2 wrote a letter saying he would prefer this not be called  
 3 conservation design. I think we're fine with that. We can  
 4 call it something else. I can assure you that there are most  
 5 likely developments that have been referred to as conservation  
 6 design that have not matched up with the idea of 50 percent of  
 7 the buildable area minus detention as being in open space.

8 I spent 3 1/2 years working on a development  
 9 project shoulder to shoulder with Randall Arendt, and I think I  
 10 have a sense as to what he believes are the tenants of  
 11 conservation design. What's in a book, what's in a  
 12 comprehensive plan is a guide. I think if the Village wants to  
 13 stay very tight to this 50 percent, that needs to be in an  
 14 ordinance. If people are looking at real estate developments  
 15 and looking at land and looking at the economics, that alone  
 16 would change the economics drastically. It would probably more  
 17 than cut the value of the land in half, the raw land, if you're  
 18 really going to impart that particular density standard on the  
 19 property. If you start to look I subtraction, if you took any  
 20 property at a hundred percent and you set aside the stormwater  
 21 management are, you then set aside 50 percent of the buildable  
 22 area, you know that most developments have 20 percent in  
 23 roadways; most developments have say 12, 14 percent in  
 24 stormwater management, you start to get down less than

1 30 percent if you start doing the subtraction from where you  
 2 can place lots. So that's a big hardship on any particular  
 3 proposed development. I'm not saying that they haven't been  
 4 done. There's been some unique cases where they've been done  
 5 at a density like that. If Randall Arendt were to enter in the  
 6 picture and start to sketch over this plan that he's aiming for  
 7 50 percent of the buildable open space -- or 50 percent of the  
 8 buildable area to be open space -- I'd kind of look over my  
 9 shoulder at my client -- I think that exercise would be a  
 10 non-starter. No disrespect to Randall Arendt's design fare.  
 11 It's just mathematically, percentage-wise, economically I don't  
 12 see how that can work.

13 So I'm going to say that our entire team is  
 14 very proud of this design. I think it's a very attractive  
 15 design. We've taken into account the three dimensions as you  
 16 drive and move about the development. We have pushed the  
 17 development off of the south property line to create that  
 18 buffer. We've created a lot of interesting curves. It's just  
 19 not a subdivision that you turn into and when you see the first  
 20 two lots you see the entire development. As you move through  
 21 the development, there's changes, twists and turns, pocket  
 22 parks, particular views that we've created. We're very proud  
 23 of the plan. We think it's very attractive. We think it will  
 24 be a great addition to the community. It may not be what

1 everybody wants to buy. It may not be what our neighbors to  
 2 the south want to live next to. But it's something we think is  
 3 very desirable compared to what's out there.

4           So I guess to answer your question, I believe  
 5 that this is very much in the spirit of conservation design.  
 6 If we're going to design that unless there's 50 percent of the  
 7 buildable area we can't call it that, then we won't call it  
 8 that. But otherwise we're very proud of the project. We think  
 9 we've responded to the site, and we think we've responded even  
 10 further to issues raised by the neighbors, issues raised by the  
 11 Staff. We have made adjustments in the grading and vertical  
 12 issues on the southeast corner to help preserve trees and help  
 13 preserve existing grading. We're obviously not going to go  
 14 back through it, unless you ask more questions about the  
 15 drainage. But we certainly covered how we were able to make  
 16 improvements that go beyond the property that will begin to  
 17 assist the neighbors. So with that said, my client can say yes  
 18 or no to your question, but that exercise is going to --  
 19       MR. BURNLEY: Chuck, you indicated that you feel that you  
 20 worked elbow to elbow with Mr. Arendt. He identifies some of  
 21 the conservation design principles besides those that you've  
 22 identified that have been incorporated into this plan.

23       MR. HANLON: To use -- the word cluster is often used as  
 24 a switch-out for the word conservation many times. It depends

1 on everybody's definition. But certainly compacting the  
 2 footprint of the physical development area, creating lots that  
 3 are smaller so that you can spin off meaningful open spaces,  
 4 connected open spaces rather than to carve up some of those  
 5 areas into individual lots as prior plans were for to be  
 6 completed on this property in the past; taking into  
 7 consideration the drainage, working with the existing natural  
 8 topography that's on the property, and creating drainage that  
 9 allows for infiltration. And you've heard the word treatment  
 10 train, from where it starts to where it goes to, and how the  
 11 detention areas are designed themselves; in this case detention  
 12 areas of that outlets into a wetland, that gives us a further  
 13 natural further infiltration, infiltration that's already part  
 14 of the property. All those types of things are part of what  
 15 you call conservation design.

16       MR. BURNLEY: And anticipation in his literature for a  
 17 certain portion of the ground to be incorporated into the  
 18 farming, is that -- and if so is that an influence on this plan  
 19 in terms of the ability to farm?

20       MR. HANLON: There are areas in his books that do refer  
 21 to that portion of the property could or should remain in a  
 22 farming practice. That's very difficult to incorporate in a  
 23 new subdivision other than making an orchard or something, but  
 24 we have not proposed that.

1 MR. BURNEY: And is the common ownership of open space,  
2 is that an element that you've observed him advocating?

3 MR. HANLON: Yes. Not only common ownership of the open  
4 space, in this case we have common ownership of HOA property.  
5 We also have a public park that would be for all residents of  
6 the village certainly adjacent to and very proximate to the  
7 neighbors to the south. But beyond that, if we were working  
8 with Randall we would talk about views, we would talk about  
9 placing those -- some of those open space we have in this  
10 development along single-loaded roadway areas so they're  
11 extremely visible and accessible, just not cast off to the  
12 owners.

13 MR. BURNEY: So Ms. Rein, I know in answer to your  
14 question that we appreciate his offer to help us on this  
15 design. We believe that with this site and with the economics  
16 of land development issue in Chicago and with all the amenities  
17 we've incorporated into this plan, we hope that you would look  
18 favorably on this plan as one that doesn't go all the way to  
19 what Mr. Arendt would perceive but we've taken, I think,  
20 substantial steps towards that and the Village can hold itself  
21 out, hold this development out as an example of future  
22 developments in your community.

23 CHAIRPERSON REIN: Thank you, Mr. Burney. For the  
24 future, if you end up participating in this way at the mic --

1 and you're welcome to do so -- if you can make sure that you  
2 lean towards the mic so everyone and the court reporter can  
3 hear your comments as well.

4 Mr. Lindquist, I believe, has a follow-up  
5 question.

6 COMMISSIONER LINDQUIST: Yes. I think -- you know, I'm a  
7 big advocate of conservation design. I've been on the Planning  
8 Commission for a hundred years or something like that trying to  
9 get conservation subdivision design into this community because  
10 I think it's a primary point. But what I see in this case --  
11 and again I've lived here for 45 years. I've seen this  
12 property go into corn and soybeans for 45 years. And when I  
13 look at this and I see 59.18 acres and 26.27 of it is wetland  
14 and buffers, that's 45 percent already. I think that is enough  
15 of a penalty to be able to consider and increase in the density  
16 and I think that it is -- get rid of everything that's  
17 buildable and take 50 percent of what's left, I think that  
18 is -- I do feel that that is a hardship, and that's why I  
19 haven't pursued it heavily there. There are other features  
20 that I'd like to see in a conservation subdivision that I don't  
21 see here, but this probably isn't one of them. I would like to  
22 have seen some fewer lots but not necessarily a lot fewer, but  
23 a few fewer, as I mentioned earlier, maybe three or four fewer  
24 so that some of the lots bordering are wider than they are.

1 But I have to say that, although I am a big advocate of  
 2 conservation design, I think what you're proposing here is  
 3 pretty reasonable from the standpoint of the land use. And  
 4 there is going to be visually a very substantial amount of open  
 5 space.

6 MR. HANLON: I appreciate you saying that because that  
 7 all is true in a sense of the size of the parcel versus the  
 8 size of the areas that are already unbuildable and encumbered.  
 9 From there we took it and worked on the design of the  
 10 development; let's just get into the property and try to create  
 11 a very interesting and attractive design for the portion that  
 12 is buildable. We obviously did not use all the buildable  
 13 property. If we had done that, we would have less open space  
 14 and more lots if we would have used all the buildable property.  
 15 We did not do that.

16 CHAIRPERSON REIN: While you're still up there, I just  
 17 want to clarify. I believe your answer to my question, your  
 18 ultimate answer to my question, is no. In other words, you  
 19 don't choose to redesign with Randall Arendt's help.

20 MR. HANLON: No disrespect, obviously, to the question --  
 21 CHAIRPERSON REIN: I understand. I just want to make  
 22 sure we get the real answer.

23 MR. HANLON: I consider Randall to be a friend, so  
 24 there's no disrespect to any of his talents. There's the idea

1 of walking into it. If you're talking about doubling or  
 2 tripling of building the open space and cutting density in  
 3 half, I don't know if the actual size is worthwhile. I don't  
 4 know that my client could begin to deal with it from an  
 5 economic standpoint.

6 CHAIRPERSON REIN: In a related question, I know we heard  
 7 some testimony of Fields of Long Grove, which I think many of  
 8 us are familiar with in terms of an example of some outstanding  
 9 conservation design, and that is located near here. I'm  
 10 curious -- and I believe it's what some of us envisioned,  
 11 something like that, going in this spot over the years. Is  
 12 that type of product anything that you guys considered or  
 13 envisioned for this spot at one time, or did you just not go  
 14 there?

15 MR. HANLON: There was a time when I could have answered  
 16 exactly what their gross in density was, and the project was  
 17 certainly attracting a lot of attention at that time. I  
 18 believe that project probably has a higher degree of open space  
 19 percentage, and I know that they definitely had some sensitive  
 20 land and wetlands as well. I'm not sure what was already  
 21 encumbered with what was land versus what was truly buildable,  
 22 and those percentages, I think I did glance and I think the  
 23 property has a higher degree of open space, perhaps a lot of  
 24 the also already unbuildable. From a design standpoint, it's

1 similar, it's clustering, it's creating smaller lots. I think  
 2 their lots may even be tighter to the buildings themselves as  
 3 opposed to a fee simple back yard where the lots lines are very  
 4 close to the structure or closer to the wetland edges than what  
 5 we have.

6 So I would submit the two developments aren't  
 7 dissimilar in design and intent. They may not shake out  
 8 exactly the in open space and building, and I don't know what  
 9 their numbers are. We believe we've tried to do as good of a  
 10 design project as we could, not just the layout but stormwater  
 11 and landscape-wise, and we're asking for this development to be  
 12 judged on its merits and not so much compared to other  
 13 projects.

14 CHAIRPERSON REIN: And I understand you have filed an  
 15 application, you want it judged on its merits. This is our job  
 16 to ask those type of questions. I hope you can appreciate  
 17 that.

18 Stay at the mic, Chuck.

19 MR. WYNSMA: Just real quick, I have a limited knowledge  
 20 of the Fields of Long Grove. But I think where -- it's really  
 21 kind of a different starting point for a community like that,  
 22 that is if you look at the Fields of Long Grove from what I  
 23 recall of the development it's all private streets; it's very  
 24 narrow pavement widths, it's very narrow setbacks. It is, I

1 believe, no sidewalks, very rural in character. It's also  
 2 designed as, I believe, a maintenance-free community. It's  
 3 very much an empty-nester or age-targeted type of community.  
 4 So I think in some ways that location, that property, either  
 5 way, it's developed and designed and the intention of how the  
 6 homeowner's association functions there is kind of apples and  
 7 oranges to this community.

8 CHAIRPERSON REIN: Okay. Thank you.

9 Mr. Hanlon, in preparing your land plan for  
 10 this particular proposal, did you review the plan that we've  
 11 approved for this parcel back in 2007?

12 MR. HANLON: Was that the one with maybe not all one-acre  
 13 lots but kind of one-acre lots where --

14 CHAIRPERSON REIN: It was also called Stonebridge.  
 15 Mancini was the developer.

16 MR. HANLON: Yes. I looked briefly at that plan, but  
 17 since we weren't heading anywhere near that direction, I didn't  
 18 honestly spend a lot of time focusing on it.

19 CHAIRPERSON REIN: Do you recall how many lots were in  
 20 there? I'm just asking.

21 MR. HANLON: I believe -- somebody can correct me if I'm  
 22 wrong -- I feel like it might be 41.

23 CHAIRPERSON REIN: 40. And I ask that because many of  
 24 us sat through those deliberations and, you know, arrived at a

1 plan that we thought fit that property at that time. And I  
 2 realize today is a different time, we have a different  
 3 applicant in front of us.

4 The plan that you all are presenting in  
 5 particular for this hearing represents a 50 percent increase in  
 6 the number of homes for that same parcel, and I'm just curious  
 7 as to what was behind the choice to up it that much from the  
 8 last approved plan.

9 MR. HANLON: There was no direction or pre-thought to up  
 10 this from any particular number from any other plan. It's  
 11 probably easier for me because I had no history with that other  
 12 plan, so I just looked at it and said that's interesting but  
 13 that's old, we're doing something new. There was no  
 14 preconception that, well, we must be 50 percent higher than  
 15 that plan was. We just did a plan that we felt was attractive,  
 16 in the spirit of what we believed the Village was looking for,  
 17 something that we thought the market would desire from where  
 18 people are currently with wanting in terms of housing and lot  
 19 size and just set out to do a very excellent plan on the  
 20 property. That's really all we did. And it ended up with --  
 21 and we added a couple more lots. Previously we were alerted to  
 22 some of the drainage issues, focused on the trees and the  
 23 grading in the southeast corner, removed a couple of lots  
 24 before it even got to the Planning Commission. So we've

1 loosened up a couple lots in response to that, but otherwise  
 2 there was no aiming for a particular number. Just do a  
 3 creative, interesting plan for the property with a particular  
 4 lot size in mind to fit the housing. And it yielded 62 lots,  
 5 and we've taken a couple out for good measure, and now we're at  
 6 60.

7 CHAIRPERSON REIN: My final question on this topic -- the  
 8 other gentlemen may have a few follow-ups -- goes to that lot  
 9 size. The number-of-lot issue stays on that topic. This  
 10 property is 59.18 acres. I know we started this segment of our  
 11 meeting asking about increasing lot widths along the boundary  
 12 of Acorn Acres and which, skin the cat another way, that could  
 13 result in removal of a lot or two in order to achieve that.

14 My direction question to you and you guys  
 15 come up at this time to answer the group of questions we've  
 16 asked you on this topic is, would you be willing to reduce this  
 17 proposal to 58 lots and achieve that spread or adjustment to  
 18 get it down to just slightly less than one house per acre and  
 19 to achieve the width of the lots along the southern boundary?

20 MR. HANLON: I think our team would need a few minutes to  
 21 huddle on that, unless there's an answer.

22 MR. BURNLEY: Chuck, if I could just share the microphone  
 23 with you, do you have the exhibit in terms of how you designed  
 24 this and where you've located the homes and the separations

1 that you've provided to Acorn Acres? Why don't you describe  
2 that exhibit.

3 MR. HANLON: The one that's here, the dashed line is  
4 following the actual building lines of Acorn Acres, pretty much  
5 their previous size in a sense to -- it's not as clear without  
6 that line. So over in this area here we do have what we've  
7 created. Their homes sort of dip in this fashion further away  
8 from these lots that we are proposing in this location. As you  
9 progress to the west, you know, we start out with an open space  
10 area that's 150-ish feet here, and it goes up to 375 feet let's  
11 say from this corner down to the property line where these  
12 homes are a little bit closer. The one place where the closest  
13 home to our property line we still have a buffer, that is here.  
14 As you go to the north, we're up against the wetlands and  
15 stormwater management in this area. So the park is located  
16 here. I think that creates a natural break, their own movement  
17 of the existing homes, and it creates a great separation  
18 between these lots here. Here we had a little less separation,  
19 and we widened the lots as a mitigating factor. That's what we  
20 did different than what he did anywhere else. So I think,  
21 Mr. Burney, wanted to go through that. I think that means  
22 something, how we designed, certainly looking to get south and  
23 reflect what was there to make the best.

24 MR. BURNEY: Ms. Rein, in answer to your question and

1 Mr. Lindquist's, ultimately it's your body that gets to make a  
2 recommendation to the Village Board, but we'd ask you to  
3 consider when you're making that recommendation that  
4 preeminently would this reduction in lots advance some  
5 substantial public benefit conversely to the loss in value that  
6 we would suffer by virtue of those lots. And we believe that  
7 we've designed a plan that's consistent with the public  
8 welfare, and we would hope that you would agree with us and not  
9 recommend to the Village Board a reduction in lots for all the  
10 reasons that we have been presenting and all the questions  
11 we've been answering for the last two and now three nights.  
12 But we recognize that ultimately it's you folks that get to  
13 make the recommendation, and all we can do is reiterate a lot  
14 of the facts in terms of there was a lot of thought put into  
15 this plan, a lot of thought in terms of the impacts on our  
16 neighbors. There was substantial improvements. We're going to  
17 get to that in a next segment of your questioning in terms of  
18 the solutions to the stormwater management problems, and we're  
19 bearing a substantial amount of that cost. So we'd  
20 ask -- and just coming out of a terrible recession and the  
21 economy, we want a development that's going to succeed, and so  
22 we ask you to sort of put all of that into the equation as you  
23 arrive at your recommendation to voluntarily agree that's not  
24 something that we believe is really going to substantially

1 advance some public interest. You may disagree with me and my  
2 client. So thank you.

3 CHAIRPERSON REIN: Mr. Lindquist.

4 COMMISSIONER LINDQUIST: I'd like to add, I'd ask you why  
5 you're willing to widen the lots on the left side of the park  
6 but not on the right side of the park? What's the logic in  
7 that?

8 MR. BURNEY: That's a good question.

9 MR. HANLON: Again, our initial desire -- the Chairwoman  
10 asked what was our design goals when we started the project.  
11 We weren't looking for 95 foot lots. Those lots are wider than  
12 the project needs and what we think the market wants. So  
13 starting over here again, it's this substantial difference in  
14 the depth of how far away those existing homes are. The  
15 mitigating factor, there's trees there, there's other buffers  
16 beyond the spatial buffer. There's a much larger spatial  
17 buffer between what's existing and what's proposed as compared  
18 to over in this location of the property, so we did the only  
19 other design item that we thought made sense, was to widen the  
20 lots to mitigate the difference. We realize there's a  
21 difference in housing and development style and density and lot  
22 size from our proposed to what's existing to the south. That's  
23 why we widened those and we didn't see a need to widen these  
24 with the great separation from what would be back of home to

1 back of home with future homes that could be there.

2 Does that make sense?

3 CHAIRPERSON REIN: Does that answer your question, Dave?  
4 MR. HANLON: To widen a couple lots when you're 300 feet  
5 away, it didn't seem to be as much of a benefit.

6 COMMISSIONER LINDQUIST: The rear yards on both sides of  
7 the park are the same. I mean the rear-yard requirements. The  
8 fact that the homes are built a little farther, I think we  
9 should look in terms of the lot and setback lines as opposed to  
10 exactly where the homes are when we're creating a relationship.

11 MR. WYNSMA: One of the things I wanted to point out --  
12 and this kind of goes to the architecture and what we've  
13 developed for the property, and, you know, we have a variety of  
14 ranch homes, two-story homes -- we talked a little bit about I  
15 think at the last meeting tree preservation on lots 4 and 7  
16 where we talked about the variety in depths of some of the  
17 plans that we're offering. So on those lots we're trying to  
18 preserve trees, restricting to shallower plans, we've varied  
19 our front yard setbacks 25 and 30 feet depending on the  
20 architecture of the home. We have developed plans that have  
21 recessed garages that could go to a 25-foot front setback if  
22 they have a projecting garage to a 30-foot setback. We've  
23 tried to create some variety in the street scape, variety in  
24 the depth of the homes. We also have a variety in the width of

1 our homes, and that's one of the reasons why we have a variety  
 2 in the width of our lots, and part of what we see as being  
 3 attractive about some of the smaller lots versus some of the  
 4 larger lots is for our ranch buyers and some of those ranch  
 5 plans -- and I think there's a previous development that was  
 6 recently approved in the village where they've got ranch and  
 7 single-family lots at 55 and 65 feet wide -- we're not trying  
 8 to strictly build to that demographic or to that buyer, but by  
 9 having a variety in lot widths, we have the ability to sell a  
 10 smaller ranch home on a smaller lot that requires less  
 11 maintenance, and so part of that's maybe more in keeping with  
 12 that buyer versus the larger lots and some of the open space  
 13 lots. But walkout basements, lookout basements that appeals to  
 14 a whole different buyer. So the width of that house might be  
 15 different. The depth of that house might be different, but  
 16 just like the variety of architecture we've tried to create  
 17 that same variety in the lots themselves.

18 COMMISSIONER LINDQUIST: Nonetheless, there is no  
 19 guarantee on that, on the 75-foot lots that are directly up  
 20 against the southwest corner there that those will be ranch  
 21 homes, and you're asking for side yards that are as low as  
 22 seven feet. So I don't agree that there's any logic in stating  
 23 that the 75-foot lot up against a 150-foot wide lot is going  
 24 to --

1 MR. WYNSMA: The reality is the 75-foot lot won't  
 2 accommodate some of our plans. The larger two-story homes  
 3 would not physically fit on those lots, which is why we  
 4 designed it that way. It becomes a built-in restriction list  
 5 that our sales associate -- our sales associate has that  
 6 knowledge and knows which homes will fit on which lot. So  
 7 we've kind of created variety in order to create variety for  
 8 our buyers, variety in the lot size, variety in the footprint  
 9 of the home. The reality is some of those homes -- and again,  
 10 when you go to some of the options that we offer for room  
 11 bump-outs and additions and increase in square footage of home,  
 12 again, on some of those lots they just won't accommodate those  
 13 larger homes.

14 MR. BURNEY: Ms. Chairman, we have answers to a couple of  
 15 those other questions.

16 Chuck, one of the gentleman that asked -- I  
 17 think it was over here -- about the curvilinear streets.

18 Chuck, do you recall the question about that?

19 MR. HANLON: Yes.

20 MR. BURNEY: Could you just comment on that and perhaps  
 21 what some of the site restraints are and whether or not you've  
 22 attempted to effect that kind of curvature that was discussed.

23 MR. HANLON: Compared to many plans I've worked on in the  
 24 past and other plans on the drawing board, this plan is pretty

1 curvilinear. There's some pretty tight radiuses which we're  
 2 requesting a variation on. Of course, I think many ordinances,  
 3 the reason you ended up asking for a variations on center line  
 4 radiuses, sometimes they're made too big and that speeds cars  
 5 up. Some of these tight radiuses that we're asking for  
 6 variation for will serve as a traffic-calming effect. We don't  
 7 have really, again compared to many developments in the  
 8 existing area that you can picture, too many real long, long  
 9 straight runs of roadways before you hit a curve. The project  
 10 is relatively limited in size.

11 What I would rather offer if we collectively  
 12 determine that there still needs to be something of a  
 13 traffic-calming device, there's other methods in terms of  
 14 putting an island and restricting pavement width. There's some  
 15 small traffic-calming islands that you can put in. Certainly  
 16 in this -- I know the jury may not be fully out on whether this  
 17 road will connect or not. If it were to connect, I would  
 18 suggest that that's a place where you could very much slow  
 19 people down by putting a traffic-calming device in the center  
 20 of the roadway itself, a small island that forces you to tap  
 21 your brakes and go around. And not to get off on a detail, but  
 22 they can be designed to be extremely effective in how they  
 23 work, actually probably more effective than just trying to add  
 24 more curves to the roadway.

1 MR. BURNEY: Chuck, while you're in that area, there was  
 2 a question about moving lot 21 which is on the east side over  
 3 to the west side and curving the road around. Do you have an  
 4 opinion on that?

5 MR. HANLON: I think -- who asked?

6 COMMISSIONER RYCHLIK: I'm doodling it here on the plat.  
 7 It looks like you're going to swap some land in lot 21 to 22 to  
 8 bring the road around from where it comes off, and I don't know  
 9 what you want to call the road --

10 MR. HANLON: Talking about just a curve like this?

11 COMMISSIONER RYCHLIK: And also to better align that as a  
 12 cross intersection instead of -- it looks like it was just  
 13 stuck on there instead of actually lined up with the opposing  
 14 road.

15 MR. HANLON: Yeah. I totally understand what you're  
 16 saying. When you first raised it, I thought you were trying to  
 17 move -- that was pretty severe.

18 COMMISSIONER RYCHLIK: Just to move a little bit of the  
 19 lot area.

20 MR. HANLON: I'm understanding what you're talking about.

21 MR. BURNEY: Would that cause a loss in the park or not?

22 COMMISSIONER RYCHLIK: A little bit.

23 MR. HANLON: Probably a little bit. But I understand

24 where you're going. I understand you've got the intersection.

1 COMMISSIONER RYCHLIK: I don't know what the name of the  
2 roads are, where it makes the loop in the smaller part with  
3 that line with the other and force that loop --

4 MR. HANLON: I thought you were talking about moving the  
5 lot. It was too severe. I understand what you're saying.

6 MR. BURNEY: That's something we would definitely look at  
7 if that's the consensus of the Board.

8 We had one other question, the gentleman over  
9 here.

10 COMMISSIONER MERKEL: I just had one more.

11 CHAIRPERSON REIN: They haven't answered your first one;  
12 right?

13 MR. BURNEY: Should we just pile them up?

14 CHAIRPERSON REIN: Go ahead and answer his first  
15 question.

16 COMMISSIONER MERKEL: And that actually was to your point  
17 about the conservation design. I wanted to get the math on  
18 the --

19 MR. BURNEY: Yeah. And we have that. Bill Loftus.  
20 Bill.

21 MR. LOFTUS: For the record, Bill Loftus.  
22 The direct, short answer is the high water  
23 line of the three basins that are depicted on the plan  
24 represent about 3.3 acres of land. But before you crank away

1 on the calculator on what that does to your open space  
2 calculation, I will tell you, as an engineer you have the  
3 capability sometimes of engineering these basins, and you've  
4 all seen these rectangular, they're square, they're deep, they  
5 look like an engineer did them. In this case we really focused  
6 on water quality and working with the land plan. So these  
7 basins, in my opinion, are part of the story of the  
8 conservation design or on the stormwater story on water  
9 quality, habitat, U corridors. So we really tried to soften  
10 these curves up so it doesn't look like an engineer did them.  
11 But 3.3 acres.

12 COMMISSIONER MERKEL: 3.3 acres?

13 MR. LOFTUS: Is the land area -- I think that was your  
14 question -- that was set aside for stormwater detention.

15 COMMISSIONER RYCHLIK: Bill, is that the high water  
16 level?

17 MR. LOFTUS: Yes.

18 COMMISSIONER MERKEL: Okay. Thank you.

19 CHAIRPERSON REIN: You kind of asked it a different way.  
20 Open space excluding stormwater management area.

21 MR. LOFTUS: I left the math open a little bit because I  
22 didn't have the slide in front of me on the total open space  
23 calc.

24 AUDIENCE MEMBER: 35.4 minus 3.3.

1 MR. LOFTUS: There is it. 35.4 acres less the 3.3.  
 2 MR. HANLON: That's 35.4 -- Chuck Hanlon. 35.4 is  
 3 excluding still the public park area, the 3.71, so that's the  
 4 private open space that would be owner maintained by the HOA,  
 5 and out of that 35.4, 3.3 would be the high water line that  
 6 Bill spoke of. So whatever open space calculation you're doing  
 7 with or without the public open space, if you're interested in  
 8 seeing how the impact of the stormwater is you take 3.3 off of  
 9 any of those numbers.  
 10 CHAIRPERSON REIN: Jim, I know you have one more  
 11 question. Use your mic, please.  
 12 COMMISSIONER MERKEL: I was actually going to hold this  
 13 question for the landscape plan, Mr. Sagen, but it's in  
 14 relation to the design. I'm still a little concerned about --  
 15 I think it was Mr. Daygen (phonetic spelling)?  
 16 CHAIRPERSON REIN: Degner.  
 17 COMMISSIONER MERKEL: Mr. Degner -- regarding root  
 18 diameter of the trees. My concept I'd like to consider for our  
 19 colleagues is the road which is unidentified here, the one that  
 20 goes into the cul-de-sac on the southeast corner, just kind of  
 21 roughing it out, I was doing, if we can move that street ten  
 22 degrees to the left that would pull everything to the left.  
 23 Obviously you might lose a lot there, but it saves more trees,  
 24 the root diameters of those trees, and also helps us with the

1 lot width. It's a rough thing I did. Is that even feasible?  
 2 Dave, you follow me?  
 3 COMMISSIONER LINDQUIST: Yes.  
 4 COMMISSIONER MERKEL: Basically looking to move that road  
 5 about 10 degrees this way.  
 6 CHAIRPERSON REIN: To get it away from the tree  
 7 preservation.  
 8 COMMISSIONER MERKEL: Exactly.  
 9 CHAIRPERSON REIN: To get it out of the private lot line?  
 10 Is that what you're --  
 11 COMMISSIONER MERKEL: Yes.  
 12 CHAIRPERSON REIN: And I understand why this is hybrid  
 13 landscape and design issue.  
 14 COMMISSIONER MERKEL: Exactly.  
 15 MR. HANLON: I think it makes sense. Greg Sagen has  
 16 prepared another detailed exhibit for that corner that might --  
 17 in addressing your questions that he can --  
 18 COMMISSIONER MERKEL: Do we want to do that one --  
 19 MR. SAGEN: Unless you've got other landscape questions.  
 20 COMMISSIONER MERKEL: That's why I brought it up. Do you  
 21 want to talk about it now? It is referencing lots.  
 22 CHAIRPERSON REIN: This is a design issue, so we can  
 23 speak to it at this time.  
 24 I will say this just as an overall caveat,

1 when we're talking about redesign I know this is the  
 2 opportunity to ask -- make requests for redesign. Our  
 3 consultants haven't had a chance to review any redesign and to  
 4 see if it's even feasible and to give us feedback on that. So  
 5 that's kind of a cautionary statement to know that. I think  
 6 we'll go ahead with Greg's thing now since this does speak to  
 7 the layout question, and then we'll move on to our next topic.

8 MR. SAGEN: For the record, Greg Sagen, Signature Design  
 9 Group, landscape architect.

10 The exhibit I passed out in front of you and  
 11 it's not on the screen here is somewhat of a summation of what  
 12 we discussed at the last public hearing and the questions that  
 13 came into play regarding the large oak trees on the site and  
 14 what we could do to preserve them. So what this exhibit does  
 15 is summarizes those things we testified at the last meeting we  
 16 would do to attempt and save, which I've identified are the  
 17 three key large, desirable oak trees that are doing well in  
 18 this reach of the property. There's tree no. 60, which is in  
 19 the back end of lot 4, tree no. 98, back end on lot 7, and  
 20 tree no. 1828 which we retagged was originally 100 that falls  
 21 into the HOA property. Based on testimony given previously and  
 22 what our client has agreed to do, lot 4 and lot 7 will carry  
 23 certain building box restrictions. The buildable area is now  
 24 highlighted in gold. The lots carry a 25-foot front-yard

1 setback and shallower depths, being 55- or 60 feet buildable.  
 2 What that provides is the ability to maintain in excess of  
 3 30 feet of ungraded area around these trees. The tree  
 4 preservation fencing has been realigned and shown to identify  
 5 that limit of construction, which will be, again, in excess of  
 6 30 feet from the trunk of these trees. In addition to this,  
 7 our client, we are suggesting establishing a conservation area,  
 8 a 30-foot-wide conservation area behind lots 2 through 5 that  
 9 is crosshatched going to each property line because there was  
 10 concern of the neighbors that they were going to be clearing  
 11 out all those trees. We wanted to restate that that was not  
 12 the intent. They provide a mutually beneficial buffer. So in  
 13 order to maintain and preserve those trees -- and that's  
 14 basically all the trees along that property line behind those  
 15 lots -- we've identified as conservation easements, which  
 16 subsequent homeowners cannot remove those trees, and also with  
 17 the tree preservation fencing showing where we are preserving  
 18 the majority of the trees in that area. Those trees that are  
 19 being removed beyond those limits are primarily box elder or  
 20 other undesirable understory trees. So it's agreed that we  
 21 will try to preserve the most desirable trees.

22 The last item that falls out of this  
 23 discussion but I will again state is my client is agreeable,  
 24 this is a very degraded woodland, as those of you that walked

1 the site know, and we're willing to invest money into  
 2 reforestation of this area, at least 30 small, two-inch caliper  
 3 understory trees, likely hackberry, maple, hickories, oaks.  
 4 Those trees would be indigenous and would be natural succession  
 5 to this type of woodland to insure that what we're all trying  
 6 to preserve indeed grows in that area.

7 So I wanted to answer that.

8 COMMISSIONER MERKEL: Mr. Sagen, thank you for that.

9 A question for you: The black line, the  
 10 dotted black line you call the tree-preservation fencing  
 11 work-limit line --

12 MR. SAGEN: Yes.

13 COMMISSIONER MERKEL: -- can you give me the definition  
 14 of that? Does that mean there's no grading beyond that line,  
 15 no excavation, no additional grading of any sort?

16 MR. SAGEN: No. That is going to be the limit of  
 17 construction. Re-grading, any storage or materials would be  
 18 prohibited beyond that, so that is the limit line for any  
 19 activities beyond there. Currently this site plan -- and,  
 20 Bill, please correct me if I'm wrong -- does not require any  
 21 utilities to be put in along this property line, so that entire  
 22 property line with the exception -- I will point out one  
 23 caveat -- the proposed storm sewer extension along the south  
 24 property line for the benefit of our homeowners to the south

1 that would encroach beyond this lot line, so there would be  
 2 subsequent fencing to limit the construction, the limits of  
 3 that trench line for that storm sewer. Except for that there  
 4 would be no other construction in that area.

5 COMMISSIONER MERKEL: I guess my only question is, if you  
 6 look at lot 4, that line is tangent to lot 4; correct?

7 MR. SAGEN: Yes.

8 COMMISSIONER MERKEL: So basically, you're saying there  
 9 will be no construction equipment, no grading beyond the  
 10 foundation of that building? It seems almost impossible.

11 MR. SAGEN: What that allows for is the building  
 12 development -- what you see in development is not necessarily  
 13 the full footprint of that building is the allowable area, and  
 14 I believe there's four feet beyond that.

15 COMMISSIONER MERKEL: Again, four feet seems almost  
 16 impossible, doesn't it?

17 MR. SAGEN: If they build all the way up to that back  
 18 lot line, it would be tight.

19 Nate just mentioned that their homes range  
 20 from 41 feet deep to 55 feet deep, so they would have a number  
 21 of products that would fit on that lot and still allow for  
 22 workable room.

23 COMMISSIONER MERKEL: So that lot is 55 feet is a  
 24 buildable area, so they could put a 55-foot home, which again,

1 I can't understand how you can get anything behind that to  
2 construct that property 55 feet.

3 CHAIRPERSON REIN: That's one of the lots that can be  
4 product-restricted or product-selected.

5 COMMISSIONER MERKEL: It would have to be reg --

6 MR. SAGEN: That is the intent on restricting that gold  
7 area, that buildable area, and the limit line also at  
8 30-feet-plus is a very conservative area for that tree. But  
9 again, we all want to protect that tree, so we want to make  
10 sure it's reasonable.

11 COMMISSIONER MERKEL: The diameter of the green

12 circle -- I'm sorry. What's the diameter?

13 MR. SAGEN: The green circle shows a 30-foot diameter --  
14 or, excuse me, 30-foot radius.

15 COMMISSIONER MERKEL: 30-foot radius?

16 MR. SAGEN: So the limit line is slightly beyond that.

17 COMMISSIONER MERKEL: And again, did yourself and the  
18 other gentleman, the arborist, agree on that dimension? I was  
19 still fuzzy on the math.

20 MR. SAGEN: It's function -- the other gentleman I don't  
21 believe is here to testify. In general, critical-root zoning  
22 he was referencing typically is one foot per inch, and that  
23 assumes when you're doing construction around the entire tree  
24 that's the critical-root zoning that needs to be maintained

1 around the tree. Where you can preserve more roots on the  
2 opposite side, you can be a little bit more aggressive on that  
3 side, but we use as a starting point for the drip-line  
4 reference that somewhat follows that shape. So this line is  
5 slightly into because I believe there's a 36-inch oak tree,  
6 three number 90? I don't have --

7 AUDIENCE MEMBER: Tree 60, it's a 41. So times 2 --

8 MR. SAGEN: Okay. Tree no. 60, I'm being told, is a  
9 41-inch oak, so we are into that critical area. If you use  
10 that math, we are encroaching into that critical area on the  
11 root zone on the northwest side, but we are preserving in its  
12 entirety the entire east-southeast and other portions of the  
13 root zone. So in my experience you are being able to preserve,  
14 the natural state, all of root zone, you're going to preserve  
15 more than enough to not impact that tree, the healthier, bigger  
16 tree. And that's also true for tree no. 98. You can be a  
17 little aggressive on one side, ut you're more conservative on  
18 the other side.

19 COMMISSIONER MERKEL: Tree -- what is that -- the one at  
20 the bottom you have plenty of room. It's the other two, 98 and  
21 1828.

22 MR. SAGEN: I'm sorry. I didn't mean to walk away. I  
23 just wanted to get my -- okay. Tree 60 is a 41-inch burr oak;  
24 tree 98 is a 42-inch burr oak; 1828 is the 48-inch drop-dead,

1 beautiful burr oak there. We are going to have a storm sewer  
 2 on the bottom, so we're able to maintain a larger area around  
 3 that. We will have to be very cognizant, and Bill and I will  
 4 discuss this and how we bring the storm sewer trench through  
 5 there. It will be beyond that critical root zone area. There  
 6 would be no impact on that side if we extend the storm sewer to  
 7 relieve water problems in that corner.

8 Yes, sir.

9 COMMISSIONER LINDQUIST: There is another weapon that  
 10 could be put into play here. It was very successful on our  
 11 property. I have a 24-inch oak that's maybe ten feet from my  
 12 home. It's been there for 45 years and still looking good.  
 13 And that's root-feeding. Those roots were fed to insure that  
 14 the tree would have the best chance possible of surviving. And  
 15 there are several other trees out in the front of the property  
 16 where the septic field was cut through that were also all  
 17 root-fed, and they've all survived. You might want to consider  
 18 root feeding as a mitigator of any damage to the root system.

19 MR. SAGEN: Commissioner Lindquist brings up a great  
 20 point on how you handle that end. Obviously, I think as I  
 21 testified previously, we would be root-pruning the limits of  
 22 our construction, so surgically cutting those roots so they're  
 23 not torn or extra damage done to them, and then doing  
 24 root-feeding on top of the trees, the micro-fungal along the

1 edge of the trees to improve regeneration. There's a number of  
 2 things that you can do to insure that the roots that are cut  
 3 rejuvenate and help sustain the tree. That's a very good  
 4 point. And again, the amount of roots that are going to be  
 5 maintained on the trees are more than adequate to insure that  
 6 these trees survive.

7 CHAIRPERSON REIN: Anything else, guys, on this subject?

8 MR. BURNEY: Might I just --

9 MR. SAGEN: In closing -- excuse me, Tom -- in closing I  
 10 think we can preserve these trees without having to realign  
 11 the road, working with the geometry we were given and trying to  
 12 make that work.

13 COMMISSIONER MERKEL: It is close though.

14 MR. SAGEN: It is close. Without a doubt, it is close.

15 COMMISSIONER MERKEL: Realignment is a much better  
 16 option.

17 MR. SAGEN: It's a consideration.

18 COMMISSIONER MERKEL: Thank you. Nice job on this. Very  
 19 helpful.

20 MR. BURNEY: I thought it's a good job, too.

21 Might I just add that this is a condition we  
 22 would ask you to incorporate if you were to be kind enough as  
 23 to recommend approval that if this plan is to be adopted and  
 24 between now and when we come back for final following up on

1 Mr. Lindquist's suggestion that we have a plan for the  
 2 preservation of these trees and protection of the root zones  
 3 that you can review and approve by final. But we presented  
 4 this. We intend to live by it. Thank you.

5 CHAIRPERSON REIN: Thank you Mr. Burney.

6 I know we started with a big category, and  
 7 for the sake of -- I know the Plan Commissioners know what  
 8 orders of categories we're going in in our line of questioning,  
 9 but for the sake of the audience who may have to be juggling  
 10 things I'm going to quickly tell what order the rest of our  
 11 discussion and our questioning will be in case you have to  
 12 leave to pick up a kid or something. Our next topic is going  
 13 to be proposed road connection and traffic impact study. After  
 14 that we're going to talk about stormwater management, then  
 15 engineering plans, Stonebridge architecture, landscape plan,  
 16 lighting, fiscal impact and anything else. That's how our line  
 17 of questioning will go for those that need to know to plan your  
 18 time.

19 Okay. I believe we have exhausted our  
 20 current questions on the first topic; correct? And I know it  
 21 took a long time. It's a big topic. So hopefully, we can get  
 22 through this this evening.

23 So our next topic is a traffic study and road  
 24 connection, that we have proposed connection between this

1 subdivision and Acorn Acres.

2 Who would like to begin?

3 Mr. Lindquist.

4 COMMISSIONER LINDQUIST: First and foremost, I'd like to  
 5 make it very clear that nobody that has been interviewed at any  
 6 of the Acorn Acres meetings has suggested that there not being  
 7 emergency access through this designated right-of-way. So I'd  
 8 like to take that out of the equation. Nobody is saying no  
 9 emergency access. But we would like it limited to emergency  
 10 vehicles, pedestrians, and bicycles. And I have a litany of  
 11 reasons here that have been suggested.

12 CHAIRPERSON REIN: Dave, excuse me, but before you go  
 13 into these reasons, which you are certainly allowed to share,  
 14 I'm wondering if these should be shared during deliberations.  
 15 We have specific questions --

16 COMMISSIONER LINDQUIST: I was going to start with the  
 17 traffic engineer. I have questions for him.

18 CHAIRPERSON REIN: Okay. I don't want to keep you from  
 19 sharing your thoughts. I'm just trying to keep it in order.

20 COMMISSIONER LINDQUIST: I understand.

21 If I could bring the traffic engineer to the  
 22 microphone.

23 CHAIRPERSON REIN: So this would be Eric Russell of KLOA.

24 MR. RUSSELL: Yes.

1 COMMISSIONER LINDQUIST: I notice that in the initial  
 2 review by Staff it was recommended that the traffic study was  
 3 not approved; subsequent reviews, it's gone to I think no  
 4 comment.

5 What I would like to ask is -- I've talked to  
 6 Michael Cassata, and I think, Michael, you may want to weigh in  
 7 on this -- what is the impact going to be on Bruce Circle North  
 8 of this proposed interconnection which effectively is a  
 9 thoroughfare, creates a thoroughfare? What is the  
 10 additional -- according to your studies, what is the additional  
 11 amount of traffic that this development will generate on Bruce  
 12 Circle North from this connection and west?

13 We came up with a number, Michael. I believe  
 14 it was a very small number.

15 MR. CASSATA: Yes. That's correct. So we looked -- we  
 16 compared the existing traffic figure to the rejected figure,  
 17 and it specifically at the turning movements coming from Miller  
 18 Road going left on to Brierswood lane and also coming south  
 19 turning on to see the traffic flow moving northwest and also  
 20 moving southwest.

21 COMMISSIONER LINDQUIST: The reason I wanted to talk to  
 22 Michael about this is that I see over 200 parking spaces at the  
 23 school. I see -- I have something here that I think --

24 CHAIRPERSON REIN: Do you have a copy for the developer?

1 COMMISSIONER LINDQUIST: I have enough for most of you  
 2 here.

3 CHAIRPERSON REIN: What Mr. Lindquist has passed out,  
 4 audience, is a map with the roads through the thoroughfares  
 5 through the Acorn Acres neighborhood highlighted and out toward  
 6 Miller Road and out to Old McHenry.

7 COMMISSIONER LINDQUIST: Yes. I've transposed a rough  
 8 footprint of the school. It looks like I transposed it  
 9 backwards, but it's still in that same general area. I want to  
 10 make note of how this type of a connection creates -- it seems  
 11 like it's going to create a lot more traffic than the study has  
 12 proposed because, first of all, traffic will probably not be  
 13 continuing to use Miller Road or Echo Lake Road because it's a  
 14 difficult intersection at McHenry and we're feeding into this  
 15 whole system here. You can see how it does create a very nice  
 16 thoroughfare from Old McHenry Road over to Miller and Route 12  
 17 as well as continuing into Lake Zurich. I understand that I  
 18 think it's the elementary school that is going to -- I think  
 19 there are different schedules so that the travel is kind of  
 20 spread out, but it's hard for me to believe that there will be  
 21 one additional car -- or two additional cars on Bruce Circle  
 22 North in that location with all the opportunities there are for  
 23 accessing the school on Bruce Circle North, from Abbey Glenn to  
 24 Old McHenry Road to Summit to Miller Road, and I find it hard

1 to believe that is the case, especially in light of the fact  
 2 that we have over 200 parking spaces and we have school buses.  
 3 We have some school buses that come through Acorn Acres. We're  
 4 pretty much used to that. But I think the traffic situation is  
 5 going to be a lot more dramatic than one or two cars, but at  
 6 the same time I would like to accept the traffic report as  
 7 adding one or two cars because then why are we connecting? If  
 8 we can get emergency vehicles in and we're only expecting one  
 9 or two cars, why are we connecting?

10 MR. RUSSELL: We're connecting to provide a convenience  
 11 to not just the residents of the adjoining subdivision but the  
 12 residents of the new subdivision that's being proposed.

13 COMMISSIONER LINDQUIST: It sounds like additional cars.

14 MR. RUSSELL: There are certainly going to be some cars  
 15 that use the connection. I don't think we ever doubted that.  
 16 I think the majority of those cars will be related to the  
 17 school. We did a real close analysis as to where the school  
 18 boundaries were for the elementary school and the elementary  
 19 schools as well as the middle school. And, again, we mentioned  
 20 this at the last hearing. The elementary school boundaries for  
 21 Spencer Loomis extend just immediately south of the proposed  
 22 subdivision, so there's going to be no cut-through traffic  
 23 associated with Spencer Loomis for the elementary that's going  
 24 to come through this connection. It's going to be the Middle

1 School North students that will use this connection. We looked  
 2 at the three elementary schools that feed into Middle School  
 3 North, and a portion of those that currently go to -- the  
 4 portion of the students that go to Seth Paine, depending on  
 5 where they reside, may be some of them that will use this  
 6 connection. A portion of the students that go to May Whitney  
 7 that when they get to the middle-school age may use this  
 8 connection. None of the students that are going to Spencer  
 9 Loomis that would go to the middle school will use the  
 10 connection. So we proportioned it out that way based on what  
 11 the enrollment of the school is, and we also proportioned it  
 12 out based on an understanding of the fact that a majority of  
 13 the students are bused to the school to try and get an idea of  
 14 what is the potential of the traffic that might use the  
 15 connection associated with the school. There may be over 200  
 16 spaces with the school, but there's certainly not going to be  
 17 200 cars that use the connection. We have anticipated base on  
 18 the enrollment number somewhere between 20 and 30 cars that  
 19 would come in the morning, go back for dropping off, same thing  
 20 in the afternoon, that would be oriented to Middle School  
 21 North, only Middle School North. They will come in the 7:30 to  
 22 8:00 o'clock time frame. There's a short window of time on the  
 23 school days during the school year and there will be  
 24 school-related traffic that certainly will use this connection.

1 I disagree with you that this will be a  
 2 thoroughfare. First of all, it's a very short segment of road.  
 3 It could be designed with traffic-calming devices. As Chuck  
 4 had mentioned, that can be a very, very stringent and slow  
 5 movement. It can be a bridge, these one-lane bridges to the  
 6 east of here.

7 COMMISSIONER LINDQUIST: We don't see that on the  
 8 drawings.

9 MR. RUSSELL: None of the traffic-calming devices are on  
 10 there. They will be by the final design stage. So that short  
 11 segment of road, it can be very slow. It's not a very direct  
 12 route from Old McHenry to Miller. It's a very circuitous  
 13 route. That traffic can be calmed. It can be directed away  
 14 based on how the road is designed. There's already some  
 15 cut-through traffic on Bruce Circle now. Everyone acknowledges  
 16 that. So there's going to continue to be people that will use  
 17 the road that will come through the neighborhood to get to Old  
 18 McHenry whether they cut through Acorn Acres, this subdivision,  
 19 make their way through the traffic-calming devices, they stay  
 20 on Acorn Drive or they continue to use Acorn Lane. We do know  
 21 that the line of traffic on Acorn Drive is not high. We  
 22 calculated in the rush hour 75 cars total in one-hour period;  
 23 your the morning rush hour, afternoon rush hour, school rush  
 24 hour, a total of 75 cars in an hour, and that's a two-way

1 right-of-way. While that is not for a neighborhood street that  
 2 has a certain number of homes -- I'm not sure what the number  
 3 is -- that's not a tremendously high number. We're talking  
 4 about maybe 20 to 30 cars school related. I might add to that  
 5 number on school days during the school year. Will there be  
 6 other traffic that uses the connection and cut-through? There  
 7 certainly may be some, but that number is very low, and that's  
 8 what the traffic report represents.

9 COMMISSIONER LINDQUIST: I have a comment here on one of  
 10 the reviews that states that the School District has told us  
 11 they prefer two road connections in order to prevent additional  
 12 delays during school peak hours. That kind of sounds to me  
 13 like the school would like to see them able to dump into Acorn  
 14 Acres instead of forcing the cars out on to McHenry Road. Has  
 15 that been factored in?

16 MR. RUSSELL: I don't know how the school bus-routing  
 17 would be associated. Again, the school auto traffic is going  
 18 to become based on where the people live. That's the analysis  
 19 we do. Specific to how the school buses are routed, I really  
 20 can't answer that.

21 Again, there wouldn't be any elementary  
 22 school buses that would be traveling to the south. There would  
 23 be the middle school. There can't be but a couple buses at  
 24 most that would serve the district to the south. It might be a

1 couple buses a day.

2 COMMISSIONER LINDQUIST: You did mention something about

3 this is not -- you don't consider this to be a thoroughfare. I

4 think one of the reasons that this has been advocated is from

5 our subdivision ordinance which states, 10-3-2, no. 1,

6 Continuity, provide for the continuation, protection of

7 existing principal streets in adjacent areas.

8 Now, this does not seem to apply in this case

9 because it really isn't continuation of principal street --

10 MR. RUSSELL: Correct.

11 COMMISSIONER LINDQUIST: -- okay? So I'd like to also

12 suggest that be taken out of the equation. That's not

13 necessarily true. But I definitely have concern.

14 And there's one other thing that I'd like to

15 add, and that is the argument that this connection appears on a

16 site plan dating back to the late '60s. In the late '60s it

17 was anticipated that this area would be developed in

18 single-family residential homes. There was no thought of a

19 school, a double school going in. To me, that kind of changes

20 the equation. So when we talk about we're changing something

21 that we looked at in the '60s and '70s and thought this was a

22 good idea would still apply with the addition of the school. I

23 think that changes the equation.

24 I think I'm going to -- I don't think -- I

1 know that it's a very unpopular topic in Acorn Acres. The

2 people that are impacted by this, by the development, have

3 signed a petition. 100 percent of them are against this

4 connection, and it's because of the character. It's because of

5 the fact that we have light traffic on Bruce Circle North that

6 we're able to use it. We don't have sidewalks. We have

7 probably heard this over and over again. We have joggers. We

8 have people pet walking. We have people just exercising on the

9 streets, and we really don't like the idea of it becoming more

10 of a thoroughfare. I think to even refer to this street -- I

11 don't know that you've done this -- I think to even refer to it

12 as a collector is a misnomer because I think we'd have to

13 classify this rather as a local street because we have

14 driveways emptying on it. It happens to be a collector because

15 it's already been turned into sort of a thoroughfare from

16 McHenry Road and Miller Road, but now that there's a light and

17 a school in here, it just seems to me that the equation is

18 different. Thank you.

19 CHAIRPERSON REIN: Anybody else?

20 MR. Rychlik.

21 COMMISSIONER RYCHLIK: When I look at the opposite

22 direction, in my experience and my opinion, I think the

23 cut-through has become a viable alternate. The regional

24 traffic system doesn't have the capacity to support it. So in

1 the case of what we're looking at here -- and I'll go to my  
 2 question next -- Old McHenry Road is congested, Route 12 is  
 3 congested, Miller Road is congested, then the other roads  
 4 become viable. We should look at it this way because I don't  
 5 want to drive up to Gilmer Road in the evening. So my  
 6 suggestion for the traffic study would be to consider Echo Lake  
 7 Road and Old McHenry, or at least evaluate the potential for  
 8 that intersection to have some improvements to make that  
 9 intersection viable, and then road connections that are back  
 10 doors between two small local roads won't draw the traffic  
 11 because people that are interested in making the exit to go  
 12 north towards the school could use safely and conveniently Echo  
 13 Lake Road, which is actually more designed for that. I agree  
 14 with your estimate of the site traffic, but I understand how  
 15 Eric's calculation is on the calculation for traffic study.  
 16 It's one in three will be here are specific to the site, the 60  
 17 homes, so it doesn't count the school.

18 My next question or suggestion for the  
 19 traffic study is, has the traffic study for this development --  
 20 CHAIRPERSON REIN: Use your mic.  
 21 COMMISSIONER RYCHLIK: I'm sorry. Has the traffic study  
 22 that supported the development of the original signal at Abbey  
 23 Glenn and Old McHenry Road considered this subdivision? I  
 24 think it was a KLOA study that generated it.

1 MR. RUSSELL: I think we did the previous study.  
 2 COMMISSIONER RYCHLIK: The intersection design study for  
 3 Abbey Glenn and Old McHenry considered 60 lots or 30 lots or a  
 4 certain number of lots and the connection south of -- Abbey --  
 5 south of Spencer Loomis?  
 6 MR. RUSSELL: I don't recall. I think it did, but I  
 7 don't want to say for sure.  
 8 COMMISSIONER RYCHLIK: Okay. Last question, traffic guy.  
 9 We get a picture right up there. Do we have any of the images  
 10 that are looking at Hubbard and Abbey Glenn?  
 11 CHAIRPERSON REIN: Hubbard? Hubbard Lane and Abbey  
 12 Glenn?  
 13 COMMISSIONER RYCHLIK: Thank you. We could use that if  
 14 you follow the cursor. Oh, there you go. Zoom worked. Thank  
 15 you. Very nice.  
 16 Okay. Hubbard Lane enters the school with  
 17 very significant proximity to Old McHenry Road.  
 18 CHAIRPERSON REIN: Could you speak into the mic.  
 19 MR. RUSSELL: It's about a 150 feet between Old McHenry  
 20 Road and Hubbard.  
 21 COMMISSIONER RYCHLIK: Would you recommend that?  
 22 MR. RUSSELL: Recommend what? Extending the road?  
 23 COMMISSIONER RYCHLIK: That geometry, 150 feet?  
 24 MR. RUSSELL: What we suggested, we've looked at the

1 queuing of traffic when school lets out and bus extension.  
 2 What we've recommended and Staff has agreed, the stop sign at  
 3 Hubbard is really just during those times when the traffic is  
 4 flowing out of the school that storage space is used, the  
 5 buses. As long as there is some traffic control at that  
 6 location.

7 COMMISSIONER RYCHLIK: If I could make a more radical  
 8 suggestion, could we move the connection to the other side of  
 9 the detention pond and the lift station that's there? So move  
 10 Hubbard Road another 200 feet south so it's along the property  
 11 line between Stonebridge and the elementary school district and  
 12 you could still have sort of a one-way-out so bus traffic can  
 13 make the loop around the school but then the majority of your  
 14 interface is 300 feet from Old McHenry instead of 150.

15 MR. RUSSELL: It can certainly be considered. This is  
 16 something that the Village and the School District can work on.  
 17 Like the road intersection, it's something that the Village can  
 18 work with the County and those types of improvements. It  
 19 certainly makes sense.

20 COMMISSIONER RYCHLIK: This one would involve those  
 21 agencies. But, I mean, if this development and the  
 22 considerations and concerns of the community, the Commission  
 23 are about traffic impact specific to this development, all of  
 24 those things are on the table for consideration, whether they

1 be all-incumbent a requirement of the development to approve  
 2 these or a shared cost with District 95, Hawthorn Woods, Lake  
 3 County DOT. And even the last development that was here  
 4 exercised their means in lieu of. Maybe an opportunity for --  
 5 I know Old McHenry has plans for renewal. But at any rate,  
 6 that's my most radical suggestion, is I think we should  
 7 seriously look at limiting the access southbound traffic to  
 8 westbound traffic on what exists as Hubbard, and the majority  
 9 of that use, if you could look at the roads that run across the  
 10 south side of Loomis School and extend that to where it  
 11 intersects with Abbey Glenn, that will provide much more the  
 12 distance queue to make the turn off of Old McHenry, queue up  
 13 the intersection, safely make the choice as to what you're  
 14 going to do as long as it provides separation from the bridge.  
 15 That's our engineer.

16 CHAIRPERSON REIN: Erika or Lee, for that type of  
 17 suggestion -- and I'm trying to follow what Mr. Rychlik is  
 18 proposing here -- but for that type of suggestion to get any  
 19 traction, what would that require?

20 MR. FELL: Well, one, we would have to see some kind of  
 21 conceptual drawing on it. I know the lift stations over there,  
 22 so I'd have to look at the geometry. We'd also then have to  
 23 work with the School District, probably Aqua, depending on --  
 24 or I guess we own the lift station. But we'd have to look at

1 all this, the geometrics. I don't actually know if we have to  
2 contact the County per se. It's not in County right-of-way.

3 MS. FRABLE: Sewer and water run that route there.  
4 There's an easement for both.

5 CHAIRPERSON REIN: Requires significant consideration to  
6 figure out if it would work, is what you're saying.

7 MR. FELL: Yeah. Nothing that we could do tonight, if  
8 that's what you're asking.

9 CHAIRPERSON REIN: Okay.

10 COMMISSIONER RYCHLIK: One more for the road connection.

11 This builds off from what Courtney from Robin Crest talked  
12 about, calmed-access controls. The sinuous connection we  
13 looked at for kind of realigning how the connection road would  
14 be the median, Mr. Sagen recommended all of those. I think  
15 would need to be -- if we look at this road as a real  
16 connection, we would want to see those kind of elements  
17 included at the preliminary stage.

18 COMMISSIONER DONOVAN: You can correct me if I'm not  
19 addressing it here, but there was some communications that were  
20 given to us between the residents and some of the village staff  
21 that I found extremely helpful in these matters, and it's been  
22 brought up a couple times about traffic calming. And  
23 Chief Paulus had some e-mail exchanges with Mrs. Bayer  
24 regarding that.

1 And so I wanted to ask the Chief on her  
2 opinion on some of the traffic-calming measures because there  
3 are some traffic-calming measures that were put in place in  
4 this village seven or eight years ago. I know at Darlington  
5 there were and some others. So I'd like to know your opinion  
6 on the effectiveness of some of them and impact.

7 MS. PAULUS: Depending on the type of calming put in  
8 place is going to have a direct result on if people are going  
9 to choose to go around it, choose to accept it and move on.  
10 But the studies show -- and I'm sure the traffic engineer would  
11 agree -- that things like speed bumps and chokers and things  
12 like that get people to slow down at that point but then  
13 they're either in a hurry to get past it, in a hurry to get to  
14 it. They're going to slow down, and it creates -- engine speed  
15 goes up, things like that to go around. There's also  
16 maintenance issues. There's some people with disabilities have  
17 issues with speed bumps, humps, all those type of things.

18 My opinion is that they work for the people  
19 in that area, but people that are going to go a certain  
20 direction are going to go that way regardless, and they're just  
21 going to find their way around it or speed up right after it,  
22 would be my opinion, that they don't work as well as people  
23 think they're going to.

24 COMMISSIONER DONOVAN: I know we put in some bridges on

1 Darlington, and there's a lot of road damage in the hitches of  
 2 the cars and they ramp over it, and I think right after they  
 3 put it in wasn't it -- didn't the police department have some  
 4 issues with the kids finding out about them being great jumping  
 5 ramps?

6 MS. PAULUS: They're a great launch. And the study I did  
 7 after those were put in and those are just with our department  
 8 road tracks that they had no impact on the amount of traffic on  
 9 that road at all. It actually just increased violations. We  
 10 get more calls now that people are blowing stop signs.

11 COMMISSIONER DONOVAN: Okay.

12 MR. RUSSELL: Just as a little -- those types of devices  
 13 are more speed-control devices. They're not intended to divert  
 14 traffic, volume control. I agree they are effective in the  
 15 immediate area of the location where the traffic calming does  
 16 go in, but on short segments of a roadway such as this one you  
 17 mentioned, it could be very effective because you don't have  
 18 the distance to pick up speed, even before you make a turn.

19 COMMISSIONER DONOVAN: As follow-up to that, I guess I  
 20 wanted to ask Ms. Bayer a question. I believe she had  
 21 testified, and that --

22 CHAIRPERSON REIN: Cathy Bayer, Mr. Donovan is directing  
 23 his next question to you for your testimony in prior meetings.

24 COMMISSIONER DONOVAN: So that is that I live in

1 Glennshire, right behind the barn, which is very much like your  
 2 guys' area, built in the same time frame, and we have a lot of  
 3 the same issues that I heard the residents talk about with  
 4 drainage, and I know one of our largest issues is the fact that  
 5 the roads can be dangerous. Darlington's busy. Even though  
 6 the ribbons are there, they're really of no help. The  
 7 traffic-calming devices have not served really very much, very  
 8 much for us at all. So has the neighborhood -- and from what I  
 9 heard from this, the traffic issue that's there is an existing  
 10 traffic issue of people on the roads and this is going to add  
 11 probably, if you go by their numbers, 30 percent more, but the  
 12 real issue is that you don't have sidewalks. Has  
 13 Acorn Acres, since you have such a great homeowner's  
 14 association, have you looked at doing this in your  
 15 neighborhood? Talked to the Village about the possibility of  
 16 doing a neighborhood SSA funding if you can get the residents  
 17 behind it? Because your issue predates this development, and  
 18 this development whether they put in the cut-through as it  
 19 isn't going to change -- whether it goes in or not, you're  
 20 still going to have the traffic issues. Have you guys  
 21 discussed that as a homeowner's association at all?

22 CATHY BAYER: No, we have not. We have not because we've  
 23 been told that we're -- you can't have sidewalks in Hawthorn  
 24 Woods. So we've never even brought that up because I wasn't

1 aware that that would be a possibility.

2 COMMISSIONER DONOVAN: Do you want to address it? Can

3 they have sidewalks in Hawthorn Woods?

4 COMMISSIONER MERKEL: Sure.

5 MS. LOBAITO: Sure.

6 CATHY BAYER: Again, that would be a financial cost that

7 we would have to pay for. The Village would not help us with

8 that.

9 COMMISSIONER DONOVAN: I totally understand that. I know

10 if it would be something in my neighborhood I'd be 100 percent

11 behind. I don't know that my neighbors would be. A lot of

12 them, the ones that are more active and are out there with the

13 young children and jogging and running, I think would be -- we

14 have other financial issues that would impact us that I think

15 would hurt it. But it might be something that the association

16 should consider looking at to address their issues is.

17 MS. LOBAITO: And if I could just add, if one of our

18 engineers could comment on the fact that Acorn Acres has the

19 ditches and the feasibility of sidewalks in that location.

20 CATHY BAYER: I was going to ask, where do you even begin

21 with that, because we have just deep culverts. People are

22 constantly complaining about the water issue there, and that's

23 the only drainage we have are those culverts. So now if we

24 fill those in because we're going to put sidewalks, how does

1 that work?

2 MR. FELL: I does two things. One -- and I don't know

3 how the right-of-way works. I don't have it in front of me,

4 the topography. One would be to keep it on the opposite side

5 of the ditch, closer to the home within the right-of-way. The

6 other option then would be a little more difficult, would be

7 filling the ditch with the storm sewer, but I don't think

8 that's -- without seeing the grades and everything and the

9 drainage, I don't know if that's really an option. So the

10 first one would be on the opposite side of the swales. Again,

11 I don't know how much room there is off the top of my head.

12 CATHY BAYER: Okay. Who would I even begin to ask the

13 question if is this feasible? Would that be you?

14 MS. FRABLE: It would go through the Village.

15 CATHY BAYER: So Erika, I would need to talk to you about

16 that?

17 Okay. So I guess I'll e-mail you tomorrow,

18 and we can talk about seeing how feasible that would be and

19 what the costs would be.

20 MS. FRABLE: (Indicating.)

21 CATHY BAYER: Okay.

22 CHAIRPERSON REIN: Thank you, Cathy.

23 Anything else?

24 COMMISSIONER DONOVAN: No. That was it for traffic.

1 CHAIRPERSON REIN: Jim, do you have any questions on that  
2 topic?

3 COMMISSIONER MERKEL: I just have comments. To be  
4 honest, I'm conflicted on this one. We spent a lot of time and  
5 effort on our comprehensive plan, and in there, Dave, you  
6 clearly here, Dave, have cited some ordinances. Clearly, here  
7 the vision of connectivity between subdivisions, it states it  
8 very clearly that that is the vision for the Village. That's  
9 one thing. At the same time I heard loud and clear from all  
10 the testimony the residents obviously don't want the  
11 connection, loud and clear. I spent a lot of time -- I live on  
12 the other end of the village, but I spent a lot of time driving  
13 through your subdivision for the last month or so, and I put  
14 myself -- I went to the edge of Abbey Glenn there. I sat there  
15 for a second and envisioned myself living in one of those homes  
16 and in the new subdivision and there is no connection, and my  
17 wife says Jim run to Walgreen's and get a prescription for our  
18 kid or whatever. How am I going to get there? And if there is  
19 no connection, I kind of map I'm going to get out Old McHenry,  
20 cut through your subdivision, I guess. I don't know what this  
21 changes with or without the connection. I just don't know.  
22 I'm conflicted. Personally, yeah, you can come around and go  
23 Miller Road if you need to get to 12. I still think you're  
24 going to get this -- I don't think this is going to solve it by

1 not having the connection. I think the people in this  
2 subdivision, the new development, are going to come through  
3 Acorn Acres or Echo Lake, Miller Road, that route. I'm not  
4 sure about that.

5 COMMISSIONER LINDQUIST: We're not really against -- also  
6 in the comprehensive plan we talk about becoming more walkable  
7 and bikeable as a community, and we're not suggesting that we  
8 don't like our neighbors, that we're against the subdivision.  
9 We're saying let's be walkable and bikeable. It's a very short  
10 distance to get in there and walk around and meet anybody.

11 COMMISSIONER MERKEL: I'm not arguing that. Even if we  
12 closed off and widened the lot --

13 COMMISSIONER LINDQUIST: That's just you. That doesn't  
14 account for the school traffic.

15 CHAIRPERSON REIN: I think you're speaking on the  
16 neighborhood.

17 COMMISSIONER MERKEL: Yes.

18 CHAIRPERSON REIN: The subdivision.

19 COMMISSIONER MERKEL: There's no doubt. And I made a  
20 note. We talked about the last time the same issue. The  
21 school has a significant --

22 CHAIRPERSON REIN: Extenuating circumstances. I got  
23 that. The other comment I wanted to ask Chief Paulus is the  
24 connection. I get the two access points. I would love to hear

1 your comments. You addressed this one before a development of  
 2 that size with one connection point. What are your risks,  
 3 comments?

4 CHIEF PAULUS: Immediately it reduces our response time  
 5 as a police department. Depending on the officer's location  
 6 and where they're going, how they're going to get there and in  
 7 general emergency access points. With bollards or chain, we're  
 8 going to get around those because the time it takes to stop and  
 9 unlock those things and get a squad car through we don't use  
 10 them. They're there for a big fire engines backing up, engines  
 11 and tankers. I'm not going to use it. The problem we're going  
 12 to have is people using it think they can use it or go around,  
 13 and we have complaints about that, and you're still going to  
 14 have regardless. And I don't know that they do it now, but  
 15 you're going to have foot traffic, pedestrian or kids that are  
 16 going to go that way anyway. And I agree with you that if  
 17 you're going for run to the Walgreen's --

18 COMMISSIONER MERKEL: You're going through.

19 CHIEF PAULUS: -- you're going to go through it.

20 CHAIRPERSON REIN: What about a brush berm? A squad car  
 21 or a fire truck can drive through but a normal car isn't going  
 22 to. You know, in terms of an emergency access barrier versus  
 23 bollards, how does that work?

24 CHIEF PAULUS: You're saying --

1 CHAIRPERSON REIN: Sometimes there are brush berms that  
 2 you would -- in an emergency you could drive through that and  
 3 get access as an emergency ingress, but it's not -- I don't  
 4 have a picture of one, but I know we've considered them in the  
 5 past as opposed to a gate or bollards or something.

6 CHIEF PAULUS: I don't know that I'm familiar with that.  
 7 I'm not really familiar with that. I can tell you this, the  
 8 officers try and drive a Dodge Charger over with hills, I'm  
 9 probably going to say why didn't you just go around.

10 COMMISSIONER MERKEL: I guess my other comment on the  
 11 bollard thing, I know it sounds good on paper. We have two  
 12 access points, emergency points. I think as the Chief noted,  
 13 we talked about this, that somebody showed a picture at one of  
 14 our meetings where it was the middle of winter. It was

15 snowing, take the snow plows from one subdivision, fly to the  
 16 other one. The other one plowed to the other point that you  
 17 had a giant wall of ice and snow that no emergency vehicle or  
 18 Humvee is going to get through. I think you showed us that.  
 19 That's one of my concerns, too. We can talk about bollards,  
 20 about gates. If we are using them in the middle of winter, we  
 21 get an ice wall, we're not getting through it.

22 CHIEF PAULUS: We have issues even with a walk or  
 23 pedestrian path. We have issues where people if they want to  
 24 get through there and nobody's looking they will go that way.

1 We've had to work boulders around walking paths so people will  
2 stop driving where they're not supposed to drive.

3 COMMISSIONER LINDQUIST: I think in my opening statement  
4 I indicated that we're not suggesting that emergency vehicles  
5 be precluded from this access. I also did not mention anything  
6 about gates or bollards or rocks. It could be grass pavers  
7 where we have a base that you can drive on if there's a partial  
8 base in there, but if it looks like it's grass we could have a  
9 No Thoroughfare sign, and if somebody disobeys a No  
10 Thoroughfare sign we can probably tolerate that more so than  
11 day-to-day traffic pouring through on that road. Just have it  
12 open, have it grassy.

13 COMMISSIONER MERKEL: How do you plow that?

14 COMMISSIONER LINDQUIST: But have a No Thoroughfare.

15 It's like going down the freeway or the expressway. They have  
16 the turn-around. You can go the other way. It says emergency  
17 vehicle only, and every once in a while you'll see a nut do it.

18 CHIEF PAULUS: We have a similar situation at Tournament  
19 Drive where they put in the grass pavers, and that didn't work;  
20 so we put up a chain, and that didn't work; so we put up a bar  
21 with a chain, and now it's back to a cable, and constantly  
22 somebody or whoever is taking down the cable and driving over  
23 it, and it's just a constant issue, a constant hassle for us.  
24 I've requested on numerous occasions to close it off again with

1 boulders because I look to put rocks in the way of people, and  
2 the fire department doesn't want to do it just because they  
3 have access to that point and if there were a large structure  
4 fire in the area, you're talking about bringing in multiple  
5 tankers, they need to have a through -- they need to be able to  
6 get through, and they can't be turning the large tankers on a  
7 street, so they said they don't want to do that.

8 I'm just saying it's -- I'm not saying it's  
9 not an option, but more often than not it's a better option for  
10 somebody that wants to use that route as opposed to people  
11 using it for what it's supposed to be used for.

12 COMMISSIONER LINDQUIST: How about pavers with a camera?

13 CHIEF PAULUS: Somebody's got to watch the camera.

14 COMMISSIONER LINDQUIST: They're all over the place.  
15 Cameras are all over.

16 CHIEF PAULUS: Technically, I don't know. I think that  
17 might violate statute at this point. But most times we just  
18 have to put an officer. You catch the people doing that.  
19 They're doing it until the next group decides to try it as  
20 well.

21 COMMISSIONER LINDQUIST: Yeah.

22 CHAIRPERSON REIN: I want to be aware of Mr. Kaiser. Do  
23 you have any questions on that topic?

24 COMMISSIONER KAISER: No.

1 CHAIRPERSON REIN: I have a few. So, Mr. Russell, hang  
2 around.

3 Overall, I have to say -- this is not going  
4 to be a popular thing to say -- I don't have a high degree of  
5 confidence in a traffic study, and there's simple reasons. I  
6 feel like the attention to detail isn't quite there. One of  
7 the first things I was struck by is one of the streets  
8 referenced, the street was misnamed, misspelled. It's labeled  
9 as Briarwood, B-r-i-a-r-w-o-o-d, when the street is  
10 B-r-i-e-r-s. There are other places in this village with a  
11 similar name, and I think to have a study that's misnaming one  
12 of the main streets in the study is a problem.

13 I'm also concerned that traffic counts  
14 weren't taken at the intersection of Echo Lake Road and Old  
15 McHenry on the left turners. Am I correct on that?

16 MR. RUSSELL: Correct.

17 CHAIRPERSON REIN: I really think that's a factor in this  
18 traffic equation because if the access point were to be allowed  
19 I think that a lot of people would seek relief there from a  
20 left turn and come through this way because, as Mr. Rychlik  
21 said before, it is a problematic intersection and people will  
22 be angling around that.

23 Another question for you: On your diagrams  
24 are the red symbols representing stop signs?

1 MR. RUSSELL: Yes. The little Ts, yes.

2 CHAIRPERSON REIN: Okay. I know that, although I don't  
3 see it on any of our figures, the narrative in your document  
4 mentions stop signs at the intersection of Acorn Drive and  
5 Bruce Circle North, but they aren't shown on your drawings. So  
6 my first question is why aren't they shown?

7 My second question is, are you aware that  
8 there's also a stop sign intersection at Bruce Circle North and  
9 Bruce Circle South? Because that isn't illustrated either.

10 MR. RUSSELL: I think they are there. Since we didn't  
11 evaluate those intersections, they left them out of the  
12 schematic. There's several intersections down in the area that  
13 aren't depicted in the area because we didn't do traffic  
14 counts.

15 CHAIRPERSON REIN: If the stub road were to go through at  
16 Bruce Circle North to this subdivision, in your professional  
17 opinion what would be the traffic-controlling device that would  
18 be needed there?

19 MR. RUSSELL: It would be a stop sign over the stub road  
20 where it intersects Bruce Circle North.

21 CHAIRPERSON REIN: Would it be a single stop sign or  
22 three-way? What would be required to manage that traffic?

23 MR. RUSSELL: Well, at a minimum it would be a one-way  
24 stop on the stub. We could also work with Staff to see if it's

1 something that they feel should be an all-way stop. There  
 2 would be a stop sign at the other end where the subject street  
 3 extends there.

4 CHAIRPERSON REIN: The answer though is we don't know  
 5 whether a three-way stop would be required. In other words,  
 6 placing two more stop signs on that run of Bruce Circle North?  
 7 MR. RUSSELL: I don't think we have gotten that far yet.  
 8 Certainly, it's something we could figure out in the final  
 9 engineering.

10 CHAIRPERSON REIN: I'm trying to find a little map I  
 11 brought with me. The reason I'm asking is, if you were to take  
 12 your schematic and you were to place the stop signs that are  
 13 already in at Bruce Circle North and Acorn Drive at Bruce  
 14 Circle North and at Bruce Circle South and then you were to  
 15 draw in stop signs at the stub road, basically what you end up  
 16 with -- and my pile is too deep -- when you look at that road  
 17 in reality you'll see that at the intersection where the stop  
 18 sign after Acorn Drive and Bruce Circle North are that you head  
 19 uphill on Bruce Circle North and you pass one house -- pretty  
 20 much two houses, crest the hill, and then there's really only  
 21 one more house to pass before you would get to that next stop  
 22 sign that would be needed at that stub road. So there is from  
 23 a direction heading west, I believe it was, there are, in my  
 24 opinion, a potential that you're coming over a little and

1 there's a backup of cars or buses or something already at that  
 2 stop sign to allow that in-and-out traffic, and there's a  
 3 problem there. Likewise, coming from the other direction,  
 4 there is a curve, and so when you leave the stop sign at Bruce  
 5 Circle North and Bruce Circle South you had to pass a couple  
 6 houses, two or three, start to hit that curve which is pretty  
 7 much blinding, and you come around the curve and you only have  
 8 basically two houses left before you hit another stop sign.

9 I'm just really curious not only from a  
 10 safety perspective but from, again, because you can't see those  
 11 back up, what's backed up there until you come up the hill,  
 12 just from a traffic-flow perspective what having potentially  
 13 that many stop signs in that short an area does to flow or  
 14 noise, braking, restarting, all those things? What is your  
 15 professional opinion regarding that?

16 MR. RUSSELL: They're all one or all-way stop control.  
 17 Typically, in the neighborhood like this it's when two streets  
 18 that are equivalent in volume carried in the functionality of  
 19 the street, both being collector streets, intersect. I don't  
 20 think you have that situation here. Bruce Drive North is  
 21 defined as a collector street in the village's comprehensive  
 22 plan even though it's more like a neighborhood collector  
 23 street. The subject streets are a small local street that  
 24 would carry substantially less traffic. As I mentioned with my

1 first comment, we would certainly recommend putting a stop sign  
 2 on the stub street and not on Bruce Circle North, all-way stop  
 3 sign. To calm the traffic by a series of stop signs is not the  
 4 intent or purpose. It leads to more violations. My  
 5 professional opinion, I would believe a one-way stop on the  
 6 subject street only unless there would be some compelling  
 7 reason that it would need to be an all-way stop.

8 CHAIRPERSON REIN: Thank you for that opinion.

9 I know your report also indicates that on  
 10 page 11 of your study narrative under site access it states it  
 11 allows the residents of Acorn Acres to access the schools  
 12 directly while having to travel on Old McHenry Road as well  
 13 will provide them with signalized access to Old McHenry Road.  
 14 So would it also be your opinion to assume that other drivers  
 15 such as those from Lake Zurich, parents of children who travel  
 16 to Middle School North who are driving through Acorn Acres  
 17 would seek the same advantage?

18 MR. RUSSELL: Those are those 20 to 30 cars I was  
 19 referring to earlier. My comments that live in the area to the  
 20 south, that would be most likely to use this connection.

21 CHAIRPERSON REIN: And your numbers on the 20 to 30 cars,  
 22 are they counting the earlier when the other gentlemen were  
 23 asking questions about traffic during peak hours when school is  
 24 starting, when it's letting out at the middle school? It's

1 been my experience that there are a lot of late-afternoon and  
 2 evening activities, a lot of parents coming from work, trying  
 3 to get to the kids' sporting events that are taking place on  
 4 the fields and picking kids up from the bus after a game,  
 5 school plays, all those activities. Middle schools have a lot  
 6 of activity after hours. Does your traffic study, has it  
 7 considered those types of hours and flows?

8 MR. RUSSELL: We haven't looked at the evening hour  
 9 activities. Usually the morning hours is the peak time for the  
 10 school because everyone is coming in when school starts. In  
 11 the afternoon certain amounts of students will remain after  
 12 that hour. The dismissal is less than the hour of arrival as  
 13 far as traffic goes because a lot of kids that are staying  
 14 after school may get picked up in the following one or two  
 15 hours after dismissal. Then there are the special events that  
 16 occur. Whether those parents are coming from work or from the  
 17 home, I could expect there certainly would be some traffic from  
 18 the residents living south of Acorn Acres making use of the  
 19 connection on special days.

20 CHAIRPERSON REIN: Likewise, with any staff that's in  
 21 that parking lot -- I know we haven't really talked about staff  
 22 but schools have staff, but that's a lot of the cars.

23 MR. RUSSELL: The staff are going to come in the hour  
 24 before school. There will be a spread using the connection.

1 There won't be as much congestion in that one hour before  
2 school, and at dismissal will be the most noticeable.

3 COMMISSIONER RYCHLIK: If I may interject, where I think  
4 her comments are leading as a recommendation for the next draft  
5 of the traffic study, would it be feasible to identify total  
6 traffic? You have peak hour AM, PM, afternoon or school time  
7 peak, PM peak, normal rush hour. Would it be logical to add to  
8 those totals daily and added traffic so we identify to the  
9 Commission what the site is going to add and it then would be  
10 more useful to the bigger picture what is the site in  
11 combination with the two schools going to add to that area  
12 analyzed in your next edition?

13 MR. RUSSELL: We could certainly provide more information  
14 as to it. The site generated volume over a 24-hour basis would  
15 be using that connection.

16 COMMISSIONER RYCHLIK: Does that paraphrase what you're  
17 saying?

18 CHAIRPERSON REIN: It helps. There is other versions.  
19 The other thing that doesn't make sense to me  
20 and I don't know if it's a typo or what is page 23 and 24.  
21 When you look at all the traffic counts for every 15 minutes  
22 and when it lists Acorn Drive westbound, in some of these cases  
23 it's all zeros on the whole page. Are we really to believe  
24 nobody in the morning or afternoon ever traveled westbound on

1 Acorn Drive? I mean, or is that just an oversight in terms of  
2 the data being added to the sheet?

3 MR. RUSSELL: Where are you seeing this?

4 CHAIRPERSON REIN: Page 23 and 24. Some 15-minute  
5 traffic count, some in the afternoon and some in the morning  
6 section for McHenry Road northbound. And every time you  
7 reference Acorn Drive westbound there's nothing but zeros in  
8 the chart.

9 MR. RUSSELL: Is that in the appendix of the report? Is  
10 that the raw data sheets?

11 COMMISSIONER RYCHLIK: Acorn Drive. I think the way the  
12 sheet's oriented in the way he's oriented the intersection,  
13 he's oriented Old McHenry is the north-south road for purposes  
14 of entering into the model and Acorn Drive is only going east,  
15 not west. So the way he's oriented it, it looks like there's  
16 zero drive was Acorn Drive with Old McHenry.

17 CHAIRPERSON REIN: It doesn't go past it.

18 MR. RUSSELL: I think you're right.

19 CHAIRPERSON REIN: I appreciate that comment. I didn't  
20 interpret it that way. I'm sorry.

21 My remaining question is for Staff actually.

22 I mean, I have a lot of comments when it comes to

23 deliberations. I do have a Staff question. And that is, I

24 know I saw in your additional reports a question -- I think

1 maybe it was you, Erika -- about why is this road labeled as  
 2 emergency access like the first version of the report that came  
 3 through which did have the words emergency access. I happen to  
 4 know why it was labeled that, because everything since 2001  
 5 I've been involved in discussions regarding this road from when  
 6 the land was first proposed for development of the new schools  
 7 and all documents. At that time the Village's intent was for  
 8 the Bruce Circle access point to allow ingress and egress and  
 9 emergency-vehicles-only or pedestrians or bike riders, and that  
 10 actually goes as far as on the site investigation report  
 11 prepared for the Lake Zurich School District by its engineers  
 12 and surveyors and continuing on to our own land-planning  
 13 consultant, Rolf Campbell and Associates. In reviewing the  
 14 subdivision previously approved for this parcel, it mentions  
 15 that the Village's plan to connect this subdivision with the  
 16 Bruce Circle stub. Having served on the Village Board and  
 17 Planning Commission continuously since 2001 when this parcel  
 18 was proposed I did participate in those discussions and public  
 19 meetings, so I know that's why that's on there.

20 My question for you, Erika, is when the  
 21 school property was -- when we were negotiating with the Lake  
 22 Zurich School District about where could they find some land in  
 23 Hawthorn Woods to put their new schools since they were out of  
 24 the local space, there were many descriptions with the

1 neighborhood groups on other parcels about how that would work.  
 2 When the agreement was reached on this parcel, the neighborhood  
 3 known as Lakewood Estates which abuts the school property to  
 4 the north, it was agreed that they would have an  
 5 emergency-access road only off of that school property, which  
 6 it is still that way; correct?

7 MS FRABLE: Yes.

8 CHAIRPERSON REIN: Okay. My question for you, so that's  
 9 I believe it's called Elderberry Drive. Does that ring a bell?  
 10 Jennifer's nodding yes. Do you know -- and I know you're newer  
 11 to staff than this era, and so maybe somebody else along the  
 12 table would know. Was Elderberry Drive to be for emergency  
 13 access only?

14 MS. FRABLE: I don't know. It would be easy to find out  
 15 the answer to that.

16 But I do want to point out that the school is  
 17 not a public road. So it's a different issue. You would be  
 18 running a public street into the school's private property and  
 19 through the parking lot. It's a little different than Hubbard  
 20 Lane. I don't want to say it was planned to come through, but  
 21 it's built to village standards for the most part. So I think  
 22 it's a different situation because that would clearly drive  
 23 right through the middle of the school's property.

24 CHAIRPERSON REIN: How is that road protected as

1 emergency access at this time?

2 MS. FRABLE: I don't know.

3 CHAIRPERSON REIN: Okay.

4 COMMISSIONER LINDQUIST: It doesn't look like a street.

5 CHAIRPERSON REIN: Okay.

6 MS. FRABLE: It's paver blocks. I'm not aware of  
7 anything keeping people from --

8 COMMISSIONER LINDQUIST: Right.

9 CHAIRPERSON REIN: I do have other comments for a later  
10 time, but that's the end of my questions on the traffic  
11 engineer.

12 Does anybody have any further on the road  
13 connection questions?

14 (No response.)

15 If not, we're going to take a seven-minute  
16 break to give court reporter a rest. We will reconvene at  
17 8:25.

18 (Recess taken.)

19 CHAIRPERSON REIN: I realize this is taking quite a  
20 while. We're trying to be thoughtful and get all of our  
21 questions out, and I know it takes a long time. It's an  
22 important part of the process. So I appreciate everybody  
23 hanging in there.

24 We'll reconvene.

1 Okay. Our next item up is stormwater  
2 management. Again, just jump right in. We'll keep it rolling.  
3 Mr. Lindquist.

4 COMMISSIONER LINDQUIST: I would like to sort of  
5 reiterate what Mr. Liepa led up with at the last public hearing  
6 where the public was involved, and I think we're at a point now  
7 where we have to a large extent identified the fact that the  
8 cause of the flooding problem on Lydia Court is not a single  
9 issue. It's the multiple issues. I would feel that the  
10 developer is doing a responsible job at this point in dealing  
11 with their component in this flooding issue. Another component  
12 is just the rainfall that lands in that area, the fact that  
13 there is no stormwater management in the area of those  
14 properties. That doesn't include collapsed agricultural tiles.

15 The major contribution in the most recent  
16 history has been new because we've never seen it before or I've  
17 never seen it in 45 years until last year -- I guess 43 years,  
18 subtract a couple years -- but there is an issue that I think  
19 our Staff will need to pursue in our behalf because it deals  
20 with the Lake County Stormwater Management Division because the  
21 storm sewer that they have placed along Old McHenry Road we  
22 feel that we have identified a major source of stormwater  
23 runoff that has newly contributed to flooding that starts at  
24 One Acorn Drive and continues all the way to Lydia Court and

1 all the way to our pond across Acorn Drive. That is an issue  
 2 that needs to be resolved. The County is to the best of my  
 3 knowledge responsible for that, and I know that Mr. Liepa has  
 4 contacted people in that division, and they've pretty much  
 5 admitted that it is a part of the issue. So that being said,  
 6 I'm pretty comfortable with where we will be as far as the  
 7 developer's component in the stormwater management system, how  
 8 that impacts Lydia Court and the northeast end of Acorn Drive.

9 But I would like to be on record as having  
 10 said that I would like to suggest that Staff assist us in  
 11 communicating with Lake County Stormwater Management and that  
 12 we kick butts and take names over there and get that brought  
 13 under control.

14 CHAIRPERSON REIN: It looks like Mr. Fell has a  
 15 response.

16 MR. FELL: Actually, SMC will be reviewing the new  
 17 drainage for this particular project on behalf of the Village  
 18 so there's not a conflict of interest with our engineering. So  
 19 actually that will help you out. They'll be reviewing it  
 20 themselves.

21 COMMISSIONER LINDQUIST: I think that's the quickest road  
 22 to a solution, is that they take care of that issue.

23 MR. FELL: Correct. That will be something that we can  
 24 actually point out to them to look at.

1 COMMISSIONER LINDQUIST: Thank you.

2 CHAIRPERSON REIN: One of the questions -- I was going to  
 3 jump in here because I had a question directly about them and I  
 4 want to dovetail so we could get this issue off the table. I  
 5 wanted to ask the applicant -- I know that I heard in the  
 6 testimony not just about Lake County but IDOT seems to have  
 7 control and responsible.

8 No?

9 COMMISSIONER RYCHLIK: No. It's Lake County.

10 MR. FELL: It's Lake County DOT for Old McHenry Road.

11 CHAIRPERSON REIN: It is Lake County. Okay. Including  
 12 those culverts? It has nothing to do with IDOT?

13 MR. FELL: Correct. It's in their right-of-way.

14 CHAIRPERSON REIN: I stand corrected. It's Lake County.

15 So my question to the applicant is, I know  
 16 that isn't part of your plat that you're proposing, it isn't  
 17 your responsibility, but I for one would be a lot more

18 comfortable about approving any development on that parcel if  
 19 it was a condition that Lake County corrected that other part  
 20 as well. I'm worried about more impervious surface and issues  
 21 on your parcel, and we already know that that water problem,  
 22 that much of it which starts with the Lake County culvert  
 23 situation, when it flows over part of Acorn Acres and also  
 24 impacts the parcel you're looking at, I'm just thinking in the

1 whole grand scheme of things it would be most appropriate if  
 2 that is a condition that gets addressed too in order for this  
 3 parcel to be developed by anybody. And I'm wondering how you  
 4 respond to that.

5 MR. BURNEY: So if I can understand, are you suggesting  
 6 that this development couldn't go forward until Lake County  
 7 solves the problems that they've created with those culverts?

8 CHAIRPERSON REIN: That's what I'm asking about. And I'm  
 9 hoping it can be a joint exercise in improvement and everything  
 10 getting approved at the same time. I'm worried about going  
 11 forward with development and adding more impervious surface and  
 12 without this being fixed. I'm just thinking it could  
 13 complicate things further.

14 MR. BURNEY: Right. This will be just so commercially  
 15 unfeasible for us. We couldn't get any loans. We'd be  
 16 dependent on another government body. We've kind of looked at  
 17 this as a partnership. We believe that we've shown an  
 18 engineered solution to this development is going to greatly  
 19 assist Lydia Court, that this is a situation where having an  
 20 engineering solution is better than leaving ground in the  
 21 natural state because all the problems that are recurring it  
 22 would be akin to requiring -- and I forgot the name of the  
 23 gentleman who testified with his son that we would have to  
 24 solve the problems that he's causing to contribute to this

1 flooding. We can't be dependent on parties outside our  
 2 control. And that goes back to the partnership that the  
 3 Village Staff, Mr. Fell, your great civil engineering work,  
 4 work with Lake County DOT to recognize that they are causing a  
 5 problem here and to remedy this. So we're -- certainly, we're  
 6 willing to partner, but to hold our development up until that  
 7 problem is solved just is not doable.

8 Mr. Lindquist.

9 COMMISSIONER LINDQUIST: I was just going to emphasize  
 10 what you said there. Any contribution that the development  
 11 makes that will impact Acorn Acres will be mitigated by their  
 12 component of the system. So as he is suggesting, it will be an  
 13 improvement. It may not be the final answer, but it is a  
 14 difficult situation for him to have to deal with it.

15 CHAIRPERSON REIN: And I realize that. I didn't know how  
 16 it works, so that's why it was a question.

17 COMMISSIONER LINDQUIST: We're not going to be getting  
 18 worse by approving the development.

19 CHAIRPERSON REIN: Okay. That answers my question.

20 Dave, do you have more questions or

21 stormwater management? Or Mr. Rychlik, who looks ready to go?  
 22 You're up.

23 COMMISSIONER RYCHLIK: Well, okay, so to start off,

24 before I had the developer's testimony my list of questions for

1 Mr. Loftus was longer than my list for Mr. Russell. Bill, you  
 2 did a great job of covering 90 percent of that and even  
 3 identifying things that were brought to the attention by the  
 4 residents. So fantastic.

5 What I could ask, if you could come up, one  
 6 thing that I just want to follow up: When everything's broken,  
 7 sewers are at their capacity, when you look at this area here  
 8 and look at the subdivision, have you analyzed what happens in  
 9 the subdivision and what happens when the systems are failing  
 10 and how deep they fill up before the drain overflows?

11 MR. LOFTUS: We have and we have not. We've provided an  
 12 overland flow route. So as the Commission is aware, the storm  
 13 sewers that we've designed have been designed for the ten-year  
 14 event. We provided the hundred-year overland flow route so  
 15 that all that water gets conveyed to the detention pond. We  
 16 could look at an inundation period, you know, look at that,  
 17 something that is in excess of a hundred years.

18 COMMISSIONER RYCHLIK: It would be, what happens when  
 19 things break? I mean -- well, I take exception to that only  
 20 because I designed the same system. The consideration is not  
 21 so much -- recognize you designed to a ten-year conveyance, a  
 22 hundred year for detention but you design for how it breaks.  
 23 So our consideration wouldn't necessarily be -- maybe it's part  
 24 of the final stormwater management report, is where does this

1 thing start to flood, what does the flood area look like during  
 2 this critical hundred-year storm or exceeding? You get that  
 3 one, and then the next day we get the second one right behind  
 4 it. These are things that I've been required from SMC, too.  
 5 It could just be a precursor to what you might be in for.

6 MR. LOFTUS: I don't anticipate that being a problem, and  
 7 I anticipate having to go through that exercise. But I don't  
 8 have an answer for you tonight.

9 COMMISSIONER RYCHLIK: Right, of course. A suggestion.  
 10 With respect to the adjoining storm sewer  
 11 part of the Lake County DOT sewers at Acorn and Old McHenry  
 12 Road, similarly to Echo Lake and Old McHenry when we talked  
 13 about traffic considerations, I believe Old McHenry Road is in  
 14 the County's five-year plan or right at that cusp.

15 MR. FELL: I don't know off the top of my head.

16 COMMISSIONER RYCHLIK: So there may already be  
 17 consideration for incorporating the storm sewer here, and by  
 18 running this stormwater management plan through Lake County's  
 19 Great Lakes SMC logically it would extend that the DOT would  
 20 have that information when they complete the phase one for the  
 21 road, but it would be something that we could suggest then that  
 22 they share that.

23 I have one more stormwater comment, but I  
 24 don't know if it's a question as much as an answer to testimony

1 to neighbors who talked about Flint Creek Watershed. When  
 2 we're working on these developments, the volume of water will  
 3 increase commensurate with the impervious cover, but the rate  
 4 is decreased significantly. Bill outlined that pretty well.  
 5 And for the homeowners east of Acorn Drive, Echo Lake, and east  
 6 of the subdivision, they're really not going to see much in the  
 7 way of impact, but going west of here we'll no longer see peak  
 8 flows from this 60 acres, but we'll be reducing, cutting off  
 9 that flush flow that's generated by this land, which exists  
 10 now. It's coming off there as farmland and out of control.  
 11 That's a comment.

12 MR. LOFTUS: I agree.

13 CHAIRPERSON REIN: The follow-up to your Flint Creek  
 14 topic, the watershed, I know we heard testimony about getting  
 15 an opinion from the Flint Creek Watershed agency on the impact  
 16 of this development on Stonebridge and Acorn Acres  
 17 subdivisions, especially as it relates to Copperfield's  
 18 detention basin.

19 Lee, as part of the review process with the  
 20 SMC, did they look at the Flint Creek Watershed? Did they  
 21 offer an opinion? Or Erika.

22 MS. FRABLE: I could tell you that I contacted a  
 23 gentleman from Flint Creek. Lee got me the information. And  
 24 SMC had also been contacted, so SMC is in dialogue with them

1 already at the pre-application stage, and then I've had  
 2 dialogue with them. He says really at this point there isn't  
 3 much until final engineering. He'll take a closer look. I did  
 4 mention to them that Hawthorn Woods' rate is more restrictive  
 5 than SMC, so that's a benefit to Flint Creek. There has been  
 6 direct communication with him from SMR as well as the Village,  
 7 so I think we're all on the same page.

8 CHAIRPERSON REIN: Okay. Thank you.

9 MS. FRABLE: If I may also say one other thing? The  
 10 issue with the culvert over Old McHenry, it isn't quite as big  
 11 of an issue as people may think that it is. There's only a  
 12 little bit of property on the north side of Old McHenry, just a  
 13 little bit of the ditch line that drains through that culvert  
 14 onto the south side, and then from there it drains -- it kind  
 15 of drains as it always probably I imagine it always did. It  
 16 flows to the low spot. So it isn't that much water. So I  
 17 don't really know what Lake County DOT will do about it because  
 18 they get the water off of their streets and off of the ditches.  
 19 They're not going to run a storm sewer system through the  
 20 neighborhood or something like that, so I just don't see -- so  
 21 we could have dialogue with them. Unless there are  
 22 improvements coming up, like Tom suggested, if it's in the  
 23 five-year plan then maybe there is something they can look at  
 24 in time, but I don't really see that being a viable option.

1 We'll make further contact, but I don't see it resolving this  
2 issue.

3 CHAIRPERSON REIN: Mr. Lindquist.

4 COMMISSIONER LINDQUIST: Why do you think there's a  
5 24-inch culvert under the road there?

6 MR. LOFTUS: Bill Loftus again.

7 Just for the record, I think Erika is right  
8 on point. This is one area where my testimony -- my previous  
9 testimony diverted a little bit from the neighbors'. I agree  
10 with Erika. It's a relatively small tributary area that's a  
11 tributary to that culvert. I've been told by Lake County DOT  
12 that the reason that was 24 inches was that was the smallest  
13 sewer size they would allow under their roadway at that time,  
14 at the time it was installed. I think it's still the smallest  
15 size that's allowed under a major road like that. So I was  
16 told that the 24-inch diameter was not based on any kind of  
17 calculation other than minimum pipe sizing.

18 COMMISSIONER LINDQUIST: I wish we could have had the  
19 foresight to hike up there when the water was flowing to  
20 actually see where it was coming from, just looking at the  
21 variety of pipe size and the fact that the big box culvert  
22 opens on top.

23 MR. LOFTUS: I thought the same thing when I saw the  
24 photo.

1 COMMISSIONER LINDQUIST: We'd like to see where the  
2 12-inch line goes.

3 MR. LOFTUS: I can say we know one thing for sure. When  
4 we go forward with this drainage plan and we get to Lake County  
5 SMC and the County's involved, because of the attention this  
6 matter has been given it is going to be scrutinized to the nth  
7 degree. So it's not going to be up to me. Erika is going to  
8 have her opinion; the Plan Commission is going to have theirs.  
9 We know the improvements we're showing will greatly improve the  
10 drainage issues at Acorn Acres, whether the County participates  
11 or not. We also know that the improvements will be even better  
12 if and when the unincorporated land becomes developed in the  
13 County with additional stormwater detention. So we're  
14 confident of that, and that's been our testimony.

15 CHAIRPERSON REIN: Any other questions on stormwater  
16 management?

17 (No response.)

18 Okay. I have one more. Erika, have we  
19 gotten any word yet on whether we qualify for any of that grant  
20 money for improvements off-site on private land?

21 MS. FRABLE: No, we haven't. There's a meeting Thursday  
22 night for the Watershed Management Board. However, SMC -- our  
23 grant application scored the highest out of the seven or nine  
24 applications submitted, so that's great news, but SMC

1 recommended for SIRF financing instead of the Watershed  
 2 Management Board funding. Don't ask me what SIRF stands for, I  
 3 don't remember. And so there's a meeting in January where it's  
 4 going to be addressed, I think it's January 7th, and then at  
 5 that point recommendations will be made, and it will be voted  
 6 on in February. And this is the same time line that the  
 7 Watershed Management Board grant would have. It's a  
 8 difference -- they're meeting in December for Watershed  
 9 Management Board and in January, but they're not voting on  
 10 either until February, so it's not slowing us up. But I think  
 11 it gives the Village a better opportunity. There's only  
 12 \$30,000 in this grant, the WMB, and with the SIRF funding  
 13 there's a lot bigger pool of money. So I think it will give us  
 14 a better chance of getting the small amount we're requesting.

15 CHAIRPERSON REIN: That's bigger money.

16 MS. FRABLE: I don't think we will get more than we  
 17 requested, but there's a better chance of us getting what we  
 18 requested because there was only 30,000 total.

19 CHAIRPERSON REIN: Can you remind us about how much of  
 20 the proposed improvements, which I know we debated a little  
 21 bit -- there was testimony on proposed improvement off-site --  
 22 about how much -- if we even got the full amount of the grant  
 23 what would be the remainder of the investment required to make  
 24 those off-site improvements?

1 MS. FRABLE: Well, rough numbers, the estimate that  
 2 Christopher Burke came up with -- and there is no engineering  
 3 done for this. It was just this is a side item we think that  
 4 we need. Nobody did any survey work. Christopher Burke was  
 5 trying to assist the Village in submitting an application to  
 6 help out the Village and the residents in Acorn Acres to try  
 7 and get this issue resolved. So the estimated cost was just  
 8 under a hundred-thousand, 998 or something like that. The  
 9 requested funding was like 29,800, so it's a difference in 30  
 10 to a hundred, so \$70,000. It's a significant difference in  
 11 funding. I do say that say they were a contractor working in  
 12 the area that had all their equipment here and they were  
 13 mobilized, it would cost them a lot less to do it, but if the  
 14 Village is trying to do a project like this we would have to  
 15 hire a contractor to do just this job, and it would cost a lot  
 16 more to do.

17 CHAIRPERSON REIN: So in the example you just cited,

18 which I appreciate that, the idea if a contractor were in the  
 19 area doing other work with similar equipment such as the  
 20 developer itself, that could save money if that was arranged,  
 21 too.

22 MR. FELL: One thing would be, I think one of the  
 23 requirements of the grant is to go out for a bidding process,  
 24 so it would have to be an open bid for contractors to pick up.

1 MS. FRABLE: So then it wouldn't necessarily save money.  
2 It would be prevailing wages.

3 MR. FELL: Right. That's using the grant funds.

4 CHAIRPERSON REIN: Okay. To use the grant funds.  
5 Understood.

6 I believe in the testimony, Mr. Burney, you  
7 indicated -- I know there was some discussion about whether the  
8 developer could participate in any way in off-site  
9 improvements, which we truly appreciate. Mr. Loftus has  
10 already constructed a plan, a solution, which is very much  
11 appreciated. I believe your testimony was that the developer  
12 of the subdivision could not go on private land in order to  
13 make any improvements; is that correct?

14 MR. BURNNEY: I don't know if that's a legal requirement,  
15 but it's a very practical difficulty. It's been horror stories  
16 when that's happened. So it would be like the Village -- I  
17 think Erika had indicated to you, you know, this is not the  
18 kind of thing that she would ever recommend and I imagine your  
19 attorney would not recommend going on private land to try and  
20 solve some storage drainage problem, just like the Village  
21 wouldn't want to incur that liability and perhaps a complaint  
22 that it wasn't done right or something else was done wrong. It  
23 ultimately has to be a private project by the property owners.  
24 And I thought I heard some discussion about a special service

1 area. Perhaps one of the gentleman suggested for sidewalks in  
2 the neighborhood and that the special service area would also  
3 be a vehicle to allow the neighborhood to raise the money to  
4 fairly share the burden for these on-site stormwater detention  
5 issues. So that would be our position. I didn't state a  
6 legal -- I stated it's a practical problem.

7 CHAIRPERSON REIN: A practical problem for your choice.

8 I guess my question is whether or not the developer would be  
9 interested in contributing anything, say if somebody waived  
10 liability, contributing labor or financial resources to see to  
11 some of this done off-site?

12 MR. BURNNEY: You know, to the extent that we were  
13 mobilized, and as Erika again suggested, that we could achieve  
14 some economies of scale, you know, Nate and his company are  
15 looking to partner with the Village. That's something that we  
16 would certainly not turn a blind eye to. But in terms of a  
17 financial contribution, you know, there's significant impact  
18 fees that we're paying in connection with this. The Village  
19 has a great deal of discretion in terms of how some of that  
20 money is being spent. You know, that's an area that could be  
21 explored. To the extent that we could achieve some economies  
22 of scale by mobilizing equipment that was already there, but it  
23 looks like Lee Fell squashed that idea because of prevailing  
24 wage requirements.

1 CHAIRPERSON REIN: Bid on it and bid low.

2 MR. BURNEY: So have I answered your question?

3 CHAIRPERSON REIN: I think so. I don't always know  
4 what's possible. It's my job to ask.

5 MR. BURNEY: Thank you.

6 CHAIRPERSON REIN: Okay. Anything else you need to add  
7 to that, Lee or Erika?

8 MS. FRABLE: The only thing I wanted to add was just that  
9 my comment was just for the Village's perspective. The Village  
10 wouldn't go on private property and do that type of work.

11 So I think that's it.

12 CHAIRPERSON REIN: Okay. Thank you.

13 All right. That takes us to our next topic,  
14 which is engineering plans.

15 So anything else engineering? I know we've  
16 touched on engineering. Do you have any other general  
17 engineering questions that you want to ask?

18 Mr. Lindquist.

19 COMMISSIONER LINDQUIST: The engineer, just pushing the  
20 conservation subdivision a little bit farther, is there any of  
21 the stormwater management components that could be done more  
22 sustainably by bioswaling?

23 I know that you've got a big hump that you  
24 need to get over, and a lot of it's on this side of the hump.

1 But that is one of the features that they try to do. They try  
2 to minimize impervious surface so that stormwater is managed to  
3 as great an extent as possible on the land.

4 MR. LOFTUS: The short answer is yes. We have  
5 incorporated, as previously testimony showed, we've  
6 incorporated some of those elements into our stormwater plan,  
7 but there are even opportunities where we have an open-grade  
8 structures in some of these larger rear yard areas where we  
9 could set the structure slightly higher than the surrounding  
10 grade. It might look like to the average person like we missed  
11 that elevation, by in actuality it would be by design so you  
12 could actually create some of these rain gardens or bioswale  
13 areas that collect water prior to entering the structure. We  
14 would actually as a practice our firm would look for all those  
15 opportunities on subdivision design to incorporate in the plan.

16 COMMISSIONER LINDQUIST: Okay. That's it.

17 CHAIRPERSON REIN: Mr. Rychlik.

18 COMMISSIONER RYCHLIK: So looking at Mr. Sagen's report  
19 with the gold boxes, for the last leg of that storm sewer  
20 running out towards the southeast corner could consideration be  
21 given to make that run directional, keep the trenching away  
22 from --

23 MR. LOFTUS: You know, I don't want to dismiss it as --  
24 it's a possibility. We're putting that in as a benefit to the

1 property owner, obviously, there so they won't have to go  
 2 redisturb that area in the future. I think -- I want to talk  
 3 to Greg. I was very much in lock step with his earlier  
 4 testimony about the root-burning issues. That was the one  
 5 exception to that area that Greg correctly pointed out that we  
 6 penetrate that zone that we kind of left off limits. So I  
 7 would want to talk to Greg about what is in the best interest  
 8 of those trees. So I think I'm going to err on the side --  
 9 given the shallow nature of the last run of that pipe, I'm  
 10 going to err, probably, and say it will probably end up being  
 11 an open trench with proper root pruning, as Mr. Lindquist  
 12 pointed out before, feeding those roots and, you know, with  
 13 everything in our power. We have the trench opened up. You've  
 14 seen too many examples of contractors, and engineers for that  
 15 matter, ripping roots with a backhoe bucket, which we know  
 16 is --

17 COMMISSIONER RYCHLIK: Is not good practice.

18 MR. LOFTUS: -- not the proper way to do.

19 COMMISSIONER RYCHLIK: Last engineering question. So  
 20 building on what Bill had mentioned with regards to sustainable  
 21 improvements. In your original analysis for all the hard  
 22 surfaces generated by the site infrastructure, was analysis  
 23 considered using permeable pavement that way reducing the  
 24 footprint of the detention basins which could potentially --

1 while it makes the road more --

2 MR. LOFTUS: You're saying that impervious pavement in  
 3 the street --

4 COMMISSIONER RYCHLIK: Correct.

5 MR. LOFTUS: -- or the sidewalk or for the path network?  
 6 I have to be honest. We did not. We do not  
 7 consider permeable pavement as an option for the street. We  
 8 are not an engineering firm to stamp out BMPs unless it really  
 9 makes sense. What I would look for opportunities in the  
 10 geotechnical makeup of the soil, and basically if I don't have  
 11 infiltration rates that are significant that's a feel-good, but  
 12 it's not necessarily, in my opinion, a benefit.

13 CHAIRPERSON REIN: I believe Erika Frable has something  
 14 to add.

15 MS. FRABLE: Driveways would be okay with me, but I would  
 16 probably not want -- I would need to do more research on doing  
 17 it for the public roads.

18 CHAIRPERSON REIN: Any other engineering questions or  
 19 answers?

20 I'm not trying to prevent questions. I'm  
 21 just trying to move it along.

22 COMMISSIONER RYCHLIK: I had mine in all the other  
 23 others.

24 CHAIRPERSON REIN: Okay. Bill, I believe you can sit

1 down.

2 Our next topic is Stonebridge architecture,

3 which probably falls to Nate Wynsma since he addressed that

4 before.

5 Anybody have any questions regarding the

6 house plans, architecture, those sorts of things?

7 All right, Mr. Lindquist, go.

8 COMMISSIONER LINDQUIST: I drove past the subdivision --

9 this would be the architectural people.

10 CHAIRPERSON REIN: Probably Nate.

11 Use your mic, Dave.

12 COMMISSIONER LINDQUIST: I drove past this subdivision.

13 I'm not sure, it's either on Route 45 or 83 north of here,

14 where it was homes similar to this that were on narrow lots,

15 and I noticed how good it felt just looking at it because they

16 had a model that does not carry gable roofs to the side yard

17 where the side yards are narrow and where we're left with areas

18 that never receive the sunlight. I think I talked about this

19 earlier maybe in the first -- maybe I didn't. I seem to recall

20 mentioning this. But I would like to strongly suggest that you

21 consider keeping the roofs that are close to the side yards so

22 that we can let daylighting into those spaces, and it also

23 creates less massing, less look of a continuous look to the

24 roofs, puts a break in the bones. And when I go past this

1 place again -- I'll try to remember the name of it and maybe

2 get some pictures of it -- but it was very impressive how the

3 massing of the building have an impact on how close the

4 property lines are.

5 Another thing that -- and these are

6 considerations -- I noticed your side elevation. I don't know

7 if you can pull that up.

8 MR. WYNSMA: Which?

9 COMMISSIONER LINDQUIST: The side elevation of any of the

10 two-story buildings.

11 CHAIRPERSON REIN: Side.

12 COMMISSIONER LINDQUIST: There. Really?

13 MR. WYNSMA: This is an exhibit. This is not an

14 elevation of any of the homes necessarily that you're seeing in

15 front. This was an exhibit to show maximum height of 38 feet

16 of what that looks like. Now, this particular house that's

17 shown in elevation here may not actually have a 12-by-12 roof

18 pitch as a standard. And again, in fact, if you look back at

19 some of those craftsman elevations, most of them have a

20 side-sloping gable on the roof element. It happens to be this

21 house that doesn't, and it's shown with the maximum roof pitch,

22 and that's why it's not in a rendering because that's not a

23 standard elevation that we offer. It was just an exhibit to

24 show maximum roof height.

1 COMMISSIONER LINDQUIST: Okay. Well, we had talked about  
 2 the distribution on the premier materials. I'd like to revisit  
 3 that as far as what I consider to be the fact that somebody may  
 4 be able to see the side of one of these buildings or maybe even  
 5 the rear of one of these buildings. And I notice as I drive  
 6 down -- just down Midlothian Road driving past a lot of  
 7 subdivisions, the only thing I see driving past the subdivision  
 8 is three walls of vinyl. I don't see the lipstick on the pig  
 9 on the other side because that's only for the people that are  
 10 coming home to it.

11 MR. WYNSMA: Well, one of the things I would point out,  
 12 you can't really tell very well in these front elevations, but  
 13 there's a minimum four-foot return on any masonry material on  
 14 the side. One thing I would point out, as we kind of talked  
 15 about earlier, these are two examples of colonial and a rear  
 16 Georgian elevation. We talked about this in a previous  
 17 meeting, that these lots -- we talked about the setback to  
 18 Acorn and the treatment of these homes, that we agreed that  
 19 whatever elevation will be chosen for those 10 lots -- and that  
 20 kind of goes to the comment about the lot size and treatment of  
 21 those home as it relates to Acorn Acres -- any home backing to  
 22 Acorn Acres would have the same architectural elements in the  
 23 front of the home including the masonry materials, shutters,  
 24 window grids, trim, gable ends, so that we've got architecture

1 that's consistent with the front elevation also to the rear of  
 2 the home.

3 COMMISSIONER LINDQUIST: How about the side elevation?  
 4 Because looking at the layouts here, there's going to be a lot  
 5 of side elevations that will be visible. Are the side  
 6 elevations going to be blank?

7 MR. WYNSMA: They vary. They vary in the amount of  
 8 windows that they have, in the type of roof or gable end.

9 COMMISSIONER LINDQUIST: As far as the wall material.

10 MR. WYNSMA: It is not vinyl siding.

11 COMMISSIONER LINDQUIST: Right. I understand. Is it  
 12 just siding? In other words, we're just putting --

13 MR. WYNSMA: It varies --

14 COMMISSIONER LINDQUIST: -- good materials on the front  
 15 and the back. But what are we doing on the side?

16 MR. WYNSMA: It varies by house. For the most part it  
 17 would be siding material. We carry our overhangs all the way  
 18 through as you can see on some of these houses where it's  
 19 apparent. The window treatment. What you're seeing here is  
 20 all right-hand garage elevations, where you are not seeing that  
 21 side of the home that has different treatment to the garage,  
 22 but there isn't -- I mean, it is -- the true front elevation  
 23 and the rear elevation of those ten homes that front Acorn is  
 24 where most of the architectural detail is focused.

1 COMMISSIONER LINDQUIST: Okay. I would like to suggest  
 2 that something else on the side of the buildings. You may want  
 3 to expand that to include the side elevations or consider it  
 4 because those, as you can see, are generally cut off sharply  
 5 and are massive flat sheets, and without any break in the  
 6 materials, it's not going to be pretty.

7 CHAIRPERSON REIN: So Dave, do you have a specific  
 8 request of the applicant regarding what would resolve that, a  
 9 specific request that they can answer to?

10 COMMISSIONER LINDQUIST: I think what I would ask is that  
 11 what you're doing on the rear -- you're scaling it down on the  
 12 rear elevation so the rear elevation isn't going to be as  
 13 grandiose as the front elevation, but could we carry the  
 14 materials around the side elevations that we're carrying on the  
 15 back, the rear?

16 It sounds like the price you're getting for  
 17 these homes, the prices are quite high. I'm surprised that we  
 18 can't afford to upgrade, you know, a certain kind of material  
 19 on the side elevation. Do you feel that the marketplace just  
 20 doesn't appreciate it --

21 MR. WYNSMA: Honestly, no.

22 COMMISSIONER LINDQUIST: -- for the money?

23 MR. WYNSMA: No. No. I think if you go to the typical  
 24 buyer and you say for \$20,000 we can brick the sides of the

1 home or for \$20,000 you can have the gourmet kitchen and ultra  
 2 master bath, that's where they choose to spend the money.  
 3 There's a lot of elements to a home that are like that. Every  
 4 market's different, but there's appreciation by the market of  
 5 what they see as value and what they're willing to pay for.

6 COMMISSIONER LINDQUIST: That kind of gets me to the  
 7 whole point here. We would like to think -- or I would like to  
 8 think that in Hawthorn Woods we are not minimalist, and I think  
 9 the pricing that I heard is more than adequate for a little bit  
 10 of treatment on the side elevations. If for some reason or  
 11 other that's wrong, I would be very surprised. The new  
 12 homes -- when we do the entire home, we consider every surface  
 13 in there to be important, and I think the Village has in  
 14 general maintained that standard. I know that as we go forward  
 15 that we're getting less and less into the people building  
 16 individual homes on lots and that we're dealing with  
 17 developers, so that brings a whole new flavor to the subject.

18 MR. WYNSMA: I mean, it kind of goes to your code, your  
 19 building code as well, and I can't talk -- speak specifically  
 20 to that. There are -- you know, I think there are  
 21 consistencies here with Hawthorn Hills, with Hawthorn Woods  
 22 Country Club, and some of your previous developments that have  
 23 been built or are being built in Hawthorn Woods.

24 COMMISSIONER LINDQUIST: I haven't seen Hawthorn Hills

1 yet, but I know that we're going to be looking at some of that.

2 MR. WYNSMA: Is that the previous -- is that the Icon  
3 Development -- I'm sorry. That's Pulte. I'm talking about  
4 Icon's subdivision, the previous Dartmoor -- Hawthorn Trails.  
5 Sorry. I got them confused.

6 MS. LOBAITO: So Dave, I'm having a hard time  
7 understanding what you're suggesting. I know the builder had  
8 said that they would wrap the brick four feet around on the  
9 side. What more are you looking for as far as architectural  
10 amenities? If you could describe that for them, that would be  
11 helpful.

12 COMMISSIONER LINDQUIST: Yeah. I would say if you look  
13 at the back elevation the materials here carried around,  
14 carried for the full length of the building. When I hear four  
15 feet around the corner, that means it goes four feet around the  
16 corner and then the side, so there's no continuity in the  
17 building materials around the building.

18 COMMISSIONER MERKEL: So, Dave, you'd want to carry that  
19 all the way around up to the belt line?

20 COMMISSIONER LINDQUIST: Well, if we cut it down to the  
21 lower height and carry the materials around the building in the  
22 unlikely possibility that somebody may actually look at the  
23 side of the building, and I know people have -- unfortunately,  
24 the architect addressed this. I know a lot of people are so

1 used to seeing this one-sided elevation for residential housing  
2 that it's kind of like normal now. It's almost like nobody  
3 except unless you get into the real-higher custom designs do  
4 you see anything in term of the whole building. I felt that in  
5 Hawthorn Woods we deserve better.

6 CHAIRPERSON REIN: Dave, are you asking for that on --  
7 the rear elevation treatments that they have offered as part of  
8 their proposal are on the lots that are adjacent to Acorn  
9 Acres; correct?

10 MR. WYNSMA: Correct.

11 CHAIRPERSON REIN: So is what you're asking for on those  
12 homes or on every home in the development? Is that what you're  
13 requesting?

14 COMMISSIONER LINDQUIST: Well, I'll tell you what I'd  
15 like to see. I'd like to see it consistent throughout the  
16 community. I'd rather see building all siding all the way  
17 around and not be ashamed of the siding. So I don't mind  
18 seeing a building that's all siding. My home is all siding.

19 MR. WYNSMA: We were specifically asked not to offer any  
20 of those homes. We offer --

21 COMMISSIONER LINDQUIST: That's okay. I'm just saying --

22 MR. WYNSMA: -- so we've got a minimum masonry standard  
23 that we're -- it sounds like you're talking about a more  
24 universal or a global change to your building code, is what

1 You're talking about, that would be the standard for every  
 2 builder. Or are you saying for this one subdivision it should  
 3 be four-sided material but the next one and the next one  
 4 aren't?

5 COMMISSIONER LINDQUIST: I think the Hawthorn Hills thing  
 6 was a situation where a lot of these buildings -- or at least  
 7 we were told a lot of these buildings are not going to be seen.  
 8 They're up against treatment plants and they're off in the  
 9 distance and so they're not seen. So some of it has to do with  
 10 whether we see it or not.

11 MR. WYNSMA: 220 units, I think they're going to be seen,  
 12 at least a handful of them.

13 COMMISSIONER LINDQUIST: Well, I don't know -- are we  
 14 getting anything on those run-ins or are we getting lipstick?  
 15 I'm trying to remember.

16 MS. LOBAITO: So in the Hawthorn Hills subdivision there  
 17 are certain key lots, and those key lots have some type of a  
 18 stone or brick on all four sides. Those are the ones that about  
 19 Hawthorn Woods Country Club, Countryside Meadows.

20 COMMISSIONER LINDQUIST: Okay. Well, I don't want to  
 21 make it sound like I'm special or like the people -- I'd like  
 22 to see it on all the buildings. I would be overjoyed if I  
 23 could see it from the Acorn Acres side because a lot of that is  
 24 exposed.

1 COMMISSIONER MERKEL: So are you recommending, Dave,  
 2 masonry around all four sides up to that --

3 CHAIRPERSON REIN: The water table?

4 COMMISSIONER KAISER: -- water table? I call it the belt  
 5 line.

6 COMMISSIONER LINDQUIST: I would say that that would be  
 7 acceptable. I mean, heaven-forbid it would run the full height  
 8 of any of those walls. It's going to be better to have at  
 9 least the continuity of the material as opposed to a sudden --

10 CHAIRPERSON REIN: Speaking of continuity --

11 COMMISSIONER LINDQUIST: -- departure.

12 CHAIRPERSON REIN: -- what about shutters and those sorts  
 13 of things? There are other --

14 COMMISSIONER LINDQUIST: There are side elevations. You  
 15 know, you indicated when you put that elevation on here it's  
 16 not going to look like that, but maybe it is. If we don't do  
 17 window grids and shutters and details on the side of the  
 18 building, that is how it's going to look.

19 MR. WYNSMA: Just so I understand, is this just specific  
 20 to this project or is this a code change to the Village?

21 COMMISSIONER LINDQUIST: We don't have codes that deal  
 22 with the aesthetics. We have building codes that deal with  
 23 construction issues. We use the National Building Code.  
 24 There's nothing that deals with materials.

1 MS. LOBAITO: Actually, we do have a section on the  
 2 village code that's in our building code that deals with  
 3 exterior materials.  
 4 COMMISSIONER LINDQUIST: For residents?  
 5 MS. LOBAITO: Yes.  
 6 COMMISSIONER LINDQUIST: That wasn't just that the --  
 7 CHAIRPERSON REIN: The architect usually --  
 8 MS. LOBAITO: No. There's a section. There's an  
 9 amendment to our building code. It's an exhibit in the  
 10 building code that deals with approved exterior materials, so  
 11 it states --  
 12 COMMISSIONER LINDQUIST: Does it state where --  
 13 MS. LOBAITO: No. Not where. So it does not deal with  
 14 the different building elevations. So specifically there's  
 15 approved materials and materials that are not allowed, two  
 16 different lists.  
 17 COMMISSIONER LINDQUIST: Okay. Well, that's what the  
 18 building code says. I guess I disagree with it. I would like  
 19 to see the materials carried around the building.  
 20 CHAIRPERSON REIN: Do you have something you were going  
 21 to add to that?  
 22 COMMISSIONER RYCHLIK: Thank you. Acorn Acres runs the  
 23 south property line, the east property line. What I was  
 24 wondering is with the majority of the traveling public, 12,000

1 cars a day roughly on Old McHenry Road, could that rear lot  
 2 elevation be amended for the lots that face that? So it would  
 3 be lots 50 to 60 or at least some portion of that, maybe it's  
 4 just 55, 67 that actually back straight up?  
 5 MR. WYNSMA: I need to look at the overall plan.  
 6 COMMISSIONER RYCHLIK: It just makes sense if we're  
 7 treating it for the hundred people in Acorn Acres, show a good  
 8 face to the 1,200 people that drive by.  
 9 CHAIRPERSON REIN: Good suggestion, Tom.  
 10 COMMISSIONER RYCHLIK: 12,000.  
 11 MR. WYNSMA: Which --  
 12 COMMISSIONER RYCHLIK: Right. So from there, run around  
 13 the U to the left.  
 14 MR. WYNSMA: This?  
 15 COMMISSIONER RYCHLIK: Yes.  
 16 MR. WYNSMA: This is all wooded here, wetland.  
 17 COMMISSIONER RYCHLIK: That's actually what you see when  
 18 you drive by Old McHenry.  
 19 COMMISSIONER LINDQUIST: There's a tree line.  
 20 COMMISSIONER RYCHLIK: Right. It's visible. I'm just  
 21 suggesting it. I think it would be a suggestion. If you have  
 22 a rear-elevation requirement along the east side for what faces  
 23 Old McHenry Road and what has clear sight, give that the  
 24 opportunity to show a good face.

1 COMMISSIONER DONOVAN: I'd like to add to that. That  
 2 was my one area on the building elevation was that area there  
 3 on that HOA, outlot E, where you have this circle. You kind of  
 4 made it into an informal gathering area for those homes, and  
 5 that was the one area -- not so much in the other areas. That  
 6 was the one area I thought the elevations would come into play  
 7 a little more.

8 MR. WYNSMA: I think one of the things you've got to keep  
 9 in mind there is there's going to be an enhancement to all of  
 10 those, not all of them. But you pointed out earlier there were  
 11 three that weren't lookout-walkout. Once you introduce a  
 12 lookout-walkout you've got that many more windows, deck, and  
 13 stairs, lower patio. You've got a whole other element to the  
 14 home that I think adds to the architecture of the home there  
 15 that most of those homes will have that type of element, either  
 16 lookout or walkout. When you start talking about introducing  
 17 masonry material or introduce other things, then you're now  
 18 talking about -- to just get to a water-table level of the  
 19 first floor you're talking about a story and a half of stone or  
 20 a story and a half of brick. And now, again, I don't want to  
 21 bore anybody with the buyer or what the market value is, but  
 22 when you're buying a walkout basement, that's already a premium  
 23 and there's cost to that. Most people are buying it because  
 24 they want to spend significant dollars finishing that living

1 space. To have a brick facade on it, now they're a story and a  
 2 half, adds tens of thousands of dollars to that home that  
 3 they've already bought specifically so they could have living  
 4 space, daylight, livable, accessible living space in the lower  
 5 level. So I understand what you're saying, but I think those  
 6 homes will just by virtue of the topography there have a lot  
 7 more architecture to them because of those elements.

8 CHAIRPERSON REIN: I think you're probably right. Maybe  
 9 though without shutters or whatever the flat facade on parts of  
 10 it could be a challenge. I think we've heard enough of what  
 11 our objectives are. What we're trying to achieve, I think you  
 12 have a grasp of that.

13 Is there anything that you can offer, that  
 14 you can suggest that would help achieve that without going as  
 15 far as tens of thousands of dollars of stone?

16 MR. WYNSMA: I think if there's concern and a  
 17 recommendation of the Plan Commission to the Board that says we  
 18 want to have some architectural elements on, like Don was  
 19 talking about, key lots -- I can't see the lot numbers here --  
 20 but insure that -- we may be doing this as a standard anyway --  
 21 but window grids, window trim, wrapping the windows, shutters,  
 22 those kinds of elements that on key lots that are visible from  
 23 Old McHenry, the rears or sides of any of these lots, the key  
 24 lots coming into the sides of these homes, kind of going to

1 what Mr. Lindquist was saying, the sides of these homes on the  
 2 park that are visible as you drive down the street, there's  
 3 probably a half a dozen of them. You'd say those are key lots,  
 4 so these are the side elevation or the side and rear should be  
 5 treated with window grids, trim, shutters, elements of the  
 6 architecture from the front around the side or rear. We'd be  
 7 willing to incorporate them.

8 CHAIRPERSON REIN: We would have to map that out and  
 9 identify the --

10 MR. WYNSMA: Yeah, if it's a directive to Staff. I think  
 11 if I spent a couple minutes here I could X out six or seven of  
 12 them that are key lots like that.

13 COMMISSIONER LINDQUIST: I think the reason I'm asking  
 14 for this, too, is Acorn Acres is concerned about what the  
 15 development is going to look like because they know what they  
 16 look like and they know what this other type of housing looks  
 17 like and they don't like it, and I've heard this from several  
 18 people who live in there. I'm just trying to let you know that  
 19 there is a sensitivity because their homes are built uniformly,  
 20 distribution of materials, and they're concerned about what's  
 21 happening next door.

22 MR. WYNSMA: I understand.

23 CHAIRPERSON WYNSMA: Okay. Any other questions on house  
 24 plans, architecture?

1 (No response.)

2 All right. I've got a couple.

3 I know you've got approximately eight  
 4 different floor plans, a total of 25 different exteriors.  
 5 You've got 60 lots planned, and you have that monotony kind of  
 6 mapping. Is there a way to figure out how many times you will  
 7 allow each of these floor plans and elevations to be used in  
 8 specific combination?

9 I mean, like, are there any other limitations  
 10 you put so that somebody -- so it can't be abused? I mean,  
 11 aside from that monotony mapping, what do the statistics show?  
 12 MR. WYNSMA: Yeah. Well, it's a good point, good  
 13 question.

14 Outside of that monotony, one of the things  
 15 we talked about at one of the previous meetings was that there  
 16 are really -- that these six homes backing to the park are  
 17 really the only kind of straightaway where you've got six homes  
 18 in a row. Most of our homes are kind of curving away from each  
 19 other or curving towards each other in a cul-de-sac. What we  
 20 find is with this many plans and this many elevations and the  
 21 reality is we try to presell every home, but we will build  
 22 models and we will build specs, speculative homes. When we do  
 23 that, we plan out a variety of Georgian elevations and  
 24 craftsman and colonials. So we as the builder kind of dictate

1 a number of homes that re built just on spec. But I think with  
 2 this many homes and plan alternatives and such a wide variety  
 3 of plans and sizes, if it were four plans with three elevations  
 4 each and 120 lots, then I'd say that would be a big concern of  
 5 ours as well, would be just pure monotony of someone choosing  
 6 the same home, same elevation over and over. I think  
 7 this plan really kind of lays itself out to about 20 lots on  
 8 the east and about 20 lots in the core, 20 to 25, and the west  
 9 side, it really separates itself out pretty well from a  
 10 streetscape, I guess.

11 CHAIRPERSON REIN: I've heard that you're requesting some  
 12 amendments to the annexation agreement that currently controls  
 13 this parcel. Can you tell me what those amendments -- what  
 14 amendments you're requesting?

15 MR. WYNSMA: Sure.

16 Tom, do you want to address that?

17 CHAIRPERSON REIN: The reason I ask is I know it

18 stipulates that the residential parcel shall be used solely for  
 19 single-family residents, park, dedicated open space. Your  
 20 application is good with that. That totally fit. But in  
 21 Article 9, Development of the Residential Parcel, Section 11,  
 22 it does address monotony, and it stipulates that neither the  
 23 same the elevation for a particular lot shall be used more than  
 24 once. And so I'm trying to reconcile this because I know that

1 that currently controls this parcel. And I know there's a  
 2 reason the annexation agreement had these stipulations in it in  
 3 the first place, is because this parcel is adjacent to a  
 4 neighborhood with all custom homes. They're all different from  
 5 each other. There is no builders-spec game plan to it, so I've  
 6 just always been curious about what you're proposing perhaps.  
 7 I've seen it come up on the agenda and get continued and  
 8 continued. I didn't know how you were trying to address that  
 9 issue.

10 MR. BURNEY: The idea that that would go before the --  
 11 hopefully we'll get a recommendation tonight and go to the  
 12 Village Board in January, and that's one of the amendments.  
 13 There's also a question about the road, dedicating the road  
 14 which is now a private road. It's the school district who  
 15 negotiated that annexation agreement without a builder and  
 16 don't believe that that was a practical then and is practical  
 17 now. It wouldn't allow us to proceed if that provision stayed  
 18 as it was. So we've attempted to follow some of the other  
 19 monotony codes that the Village has approved in connection with  
 20 other developments, and we would appeal to the -- ultimately  
 21 that's the Village Board issue as to whether they want to  
 22 exercise their discretion to approve the amendment or not.

23 CHAIRPERSON REIN: Okay. Do you guys have questions on  
 24 landscape plans?

1 We talked about the mature trees already. We  
2 addressed that. Any other questions?

3 COMMISSIONER DONOVAN: I had a couple. So first of all,  
4 let's start with the public park. I was trying to understand  
5 what is the intent going to be, to just have a grass field  
6 there? What is the intent of the public park use?

7 I mean, it's going to be dedicated to the  
8 village, it's my understanding. What is the Village's  
9 intention with that park?

10 MS. LOBAITO: The Village doesn't have any plans right  
11 now. I think what we're waiting for is the developer to submit  
12 to us a breakdown of what those amenities will be. So we don't  
13 have any plans right now for the park.

14 COMMISSIONER DONOVAN: So there is also a large amount of  
15 homeowner's association property here, which I know I've  
16 mentioned in the past in our previous developments. These are  
17 fairly new ideas and concepts to our Village, maintaining the  
18 homeowner's association, maintaining the large properties.  
19 Along the plans, I guess, where the oak trees were you had  
20 marked in there that there's an area there were going to be  
21 completely protected. There's nothing going to be removed in  
22 those areas behind lots, looks like, 2, 3, 4, 5. What is the  
23 makeup of the existing -- of the existing -- I think you had  
24 talked a little bit about it before -- of the existing plant

1 material?

2 MR. SAGEN: The existing vegetation in that area?  
3 COMMISSIONER DONOVAN: Yeah.

4 MR. SAGEN: That's what I had considered as crosshatched  
5 area on this exhibit right in through here, for benefit of the  
6 Board. For the benefit of the audience. This stretch between  
7 lots 2 and 5 is a 30-foot wide buffer. It's a mixed hedgerow.  
8 It's a combination undesirable, box elder; there's some -- a  
9 few good black walnuts in there that have reseeded themselves.  
10 There's some white pines adjacent that the neighbors have  
11 planted. There's a large number of elms in that stretch. So  
12 it's a mixed planting of some desirable, many undesirable  
13 trees. What it does provide is a density and a natural buffer  
14 there between the land uses, so that's why it's being preserved  
15 and maintained for the sole purpose, not necessarily just for  
16 the quality of the plant material.

17 COMMISSIONER DONOVAN: So it's not an area that would  
18 need to be mowed then? It seems like it's a fairly wooded,  
19 grassy area.

20 MR. SAGEN: It's a dense, woody, brushy area. It's  
21 intended to be maintained in that state. That is a buffer and  
22 wildlife corridor, if you will.

23 COMMISSIONER DONOVAN: Because I know that oaks don't  
24 like basically anything be it on their roots; best left alone,

1 and we're looking at some oaks that we're trying to save. So  
 2 does that extend now into the homeowner's association, I think  
 3 that's D? Is that going to be an area that you guys are  
 4 planning on over-seeding? Is it going to be left more of a  
 5 natural vegetative state?

6 MR. SAGEN: That's a great question. The area we're  
 7 speaking to as far as reforestation initially, our intent would  
 8 be this corner here that's not included in the backyard, the  
 9 backyard easements. This is typically when you walk out the  
 10 woodland area. It's larger canopy. It's more open. There's  
 11 the area that's basically a degraded woodland area that has the  
 12 dead oaks and dying oaks and some of the good oaks. That's the  
 13 area replanted and left in its natural state, natural  
 14 understory. Once you come up the property line then, this also  
 15 will be left in a natural state, but currently it's in  
 16 succession as a wood, brushy, old tree line.

17 COMMISSIONER DONOVAN: So the intent is to take that area  
 18 down there at the corner and you're going to add in some  
 19 additional new plantings --

20 MR. SAGEN: Yes.

21 COMMISSIONER DONOVAN: -- you talked about 20 or so  
 22 understory trees in this area --

23 MR. SAGEN: That's correct.

24 COMMISSIONER DONOVAN: -- and keeping it more of a

1 natural state, which will keep along with what they currently  
 2 have there at Acorn Acres but really renewing it, because I  
 3 think somebody mentioned that about seven years ago there was  
 4 one of these oaks in there -- was that correct?

5 MR. SAGEN: Yes. They've been in decline. A lot of them  
 6 have died. There's an area walking with the neighbors, I think  
 7 we're in agreement. I think they would concur. I don't want  
 8 to speak for the residents, but in our field walk they also saw  
 9 it being left natural, letting that natural succession. They  
 10 like the character of the area, and it would be an amenity for  
 11 our residents as well.

12 COMMISSIONER DONOVAN: I would agree. I guess I would  
 13 like to see even more of the understory of the shrubs. You  
 14 talked about trees but even more of the shrubs that would be  
 15 brought in, maybe dogwoods, something to add to the natural  
 16 state to it, but also to help to return it or try to  
 17 maintain -- not really maintain because the oaks have died off  
 18 or are dying off but to renew it into a natural. So is there  
 19 more plant material -- so my request would be more plant  
 20 material would be added in there, maybe some more understory.

21 MR. SAGEN: What I understand you saying is this stretch  
 22 here where it's more scrubby -- excuse me. I'll use the  
 23 other -- in this reach here where we have the overgrown shrubby  
 24 hedgerow, we'll augment that with some plant material. I think

1 there will be more appropriate things along the edge of it,  
 2 redbuds, dogwoods, serviceberry, things that would be more  
 3 ornamental. And in keeping with the narrower character, we can  
 4 introduce some trees along the edge also. I think my client  
 5 would be willing to do that. It's going to be an asset for  
 6 those lots that back up to it. So we would be in agreement  
 7 with that. I think that makes a lot of sense.

8 CHAIRPERSON REIN: You're talking, Greg, behind lots --

9 MR. SAGEN: 2 through 5. Basically the area that's  
 10 identified as the conservation easement.

11 CHAIRPERSON REIN: Yes.

12 COMMISSIONER DONOVAN: And I think -- I know I've talked  
 13 to Michael a little bit on an e-mail exchange regarding -- and  
 14 I brought this up last time about the homeowner's association,  
 15 and I believe that he mentioned that there will be some  
 16 covenants introduced later down the road, developed by the  
 17 developer regarding the long-term maintenance of the site.

18 MR. BURNEY: That's correct, sir. That's part of the  
 19 final engineering.

20 COMMISSIONER DONOVAN: So I guess this question would be  
 21 more to staff. I think that, like I mentioned before, this is  
 22 a new sort of development that we're looking at, and I think we  
 23 need to maybe establish some -- and work with them to establish  
 24 a little more rigorous covenants. It's great where there's

1 52 percent or whatever open land here and a lot of money being  
 2 spent on the grading, the maintaining of the -- or not the  
 3 maintaining but to really recharge the wetlands now. But I'm  
 4 concerned about what's going to happen in 30 years if it's not  
 5 properly maintained by the homeowner's association. Is that  
 6 charge going to remain in plantings that you're putting in  
 7 these wetlands? You're not going to be removing any of the --  
 8 well, I shouldn't say any. There's going to be a lot of the  
 9 invasive species left along property line between Acorn Acres  
 10 and this, and without a really strong maintenance plan, maybe  
 11 like every five years going in, you're going to see a lot of  
 12 buckthorn and grapevine start to get into these areas that  
 13 really ought to be recharging. Is that something that the  
 14 Village, that question, has started to or thought about looking  
 15 at really a much more long-term, aggressive approach to insure  
 16 these wetlands are maintained?

17 This particular property impacts a lot around  
 18 it. It's not just the maintaining of the retention ponds or  
 19 the neighborhood, but it's maintaining the retention ponds for  
 20 the neighborhood all around them, and if it's not properly  
 21 done, I'm concerned about what's going to happen down the road.

22 MR. BURNEY: May I just inquire? Mr. Sagen, do you  
 23 prepare long-term maintenance plans for open space like this,  
 24 sir?

1 MR. SAGEN: Traditionally, in developments like this  
2 there's a grow-in maintenance plan, typically three years and  
3 extends up to five years. Oftentimes that's the framework for  
4 a homeowner's association to continue on that maintenance plan  
5 in their future maintenance, or homeowner's associations hire  
6 firms like ours or other consultants to assist them in that  
7 manner.

8 MR. BURNEY: I think to parlay that with -- I've seen  
9 Mr. Brankin's covenants -- there's the ability -- I don't know  
10 if the Village has engaged in this, but with backup special  
11 service areas, that if the requirements of that maintenance  
12 plan aren't being followed by the homeowner's association the  
13 Village has the ability to tax that community to go in and do  
14 the work and get repaid itself. Those would be couple of  
15 elements. I'm sure you and other people will have some other  
16 ideas, but that's where we'd start.

17 MR. BRANKIN: So that comes into final --

18 COMMISSIONER DONOVAN: Right.

19 MR. BRANKIN: -- those types of issues. And we have with  
20 the Pulte development had that in the covenants about a backup  
21 SSA. So there are those types of protections that we can build  
22 in, and we can work with Mr. Sagen as we have in the past and  
23 try to come up with more teeth to it when the covenants come  
24 back before you.

1 COMMISSIONER DONOVAN: I'm looking for more teeth. The  
2 Pulte was -- it was okay because it didn't have the kind of  
3 regional or the micro-regional impact that this aquifer site  
4 really has, and there is really a lot to the wetlands here, as  
5 we've all heard, and I think really it is important to be  
6 maintained long-term. I think the covenants on this particular  
7 lot are more critical than we see.

8 MR. BRANKIN: Okay.

9 MS. LOBAITO: And Chris, also, as Mr. Sagen mentioned,  
10 either a three-to-five-year maintenance plan, that seems to be  
11 consistent with what I recall with the Hawthorn Woods Country  
12 Club and Countryside Meadows subdivision. It sounds like what  
13 you are asking for is that there be a maintenance plan that  
14 goes beyond that three to five years, maybe something that's  
15 incorporated into the covenants along with a backup SSA  
16 provision?

17 COMMISSIONER DONOVAN: And specifically address the  
18 maintenance of the wetlands. That's really where the area is  
19 that I'm most concerned about.

20 MR. BURNEY: And sir, if I heard correctly, you were  
21 asked if there were plans for the large park, and we have  
22 preliminary plans certainly at this point. If you look at L103  
23 and then again L104, and then some details with perhaps the  
24 most pointed criticism in this proceeding directed at us by

1 Mr. Liepa about the fake tree branch, that's all on L105. We  
2 have started work on preliminary plans for the park as well.

3 MR. SAGEN: And I just want to make one last comment, and  
4 this kind of ties into what Nate was talking about with  
5 Commissioner Lindquist's concern about four-sided architecture  
6 and exterior appearance of our subdivision. I've got sheet  
7 L102 on the screen. We, too, recognize the visibility, and  
8 sometimes the sides of a home, regardless of whose home, isn't  
9 as attractive as the front and exterior views. When we design  
10 subdivisions -- and Chuck's been great about creating views and  
11 vistas -- what you'll notice here is as you enter the our  
12 subdivision lots 50 and 51, these clusters of evergreens  
13 strategically placed already on the sides of the home. Those  
14 two lots, I believe it's 15 and 16, you'll see the evergreen  
15 trees, the plantings, and the line of trees on the sides. As  
16 we come up here, lot 1 that fronts on Old McHenry, you see the  
17 extensive plantings on this side. And then in the backyard of  
18 these areas in addition to some of the landscape architecture  
19 we started introducing cluster of canopy trees along the back  
20 end. I would suggest that we'd be willing to add more  
21 additional landscaping. The landscaping in conjunction with  
22 the architecture will greatly soften the back of the home  
23 year-round, I think will benefit the views as much as just  
24 wrapping a brick band around the bottom. There are other

1 methods to help address that.

2 COMMISSIONER LINDQUIST: I just want to say, I always say  
3 that good landscaping always covers bad architecture.

4 MR. SAGEN: I always say that, and also with due respect  
5 to all my architect friends.

6 CHAIRPERSON REIN: I have a couple quick questions and  
7 suggestions I want your opinion, Greg, on. Throw these out  
8 before we get to final.

9 It looks like an asphalt trail is planned for  
10 recreation; correct?

11 MR. SAGEN: That's correct.

12 CHAIRPERSON REIN: Could a crushed granite or limestone  
13 trail path be as user-friendly or environmentally-friendly?

14 I don't know what the cost is in comparison.

15 MR. SAGEN: The cost is comparable. Oftentimes it's more  
16 maintenance. If you're a runner or a walker, you like the  
17 screening or the crushed gravel. If you're a biker, you like  
18 the asphalt. I could make arguments either way. Logistically,  
19 if there's slopes, you consider the asphalt. But we can  
20 consider it.

21 CHAIRPERSON REIN: Okay. Quick idea. Maybe put a fire  
22 pit in the center of the council circle.

23 MR. SAGEN: I think that geometry lends naturally for it.

24 CHAIRPERSON REIN: Is there landscaping planned along the

1 Bruce Circle stub road if that goes through?

2 MR. SAGEN: At this point in time just parkway trees down  
3 there. There's no additional landscaping.

4 CHAIRPERSON REIN: No additional screening.

5 Would you ever recommend any?

6 MR. SAGEN: We could definitely consider that clustering  
7 trees more to create a canopy, kind of a traffic-calming  
8 measure, sort of altering the geometry of the road.

9 CHAIRPERSON REIN: Okay. I have one question for Chuck,  
10 actually. Chuck, you testified that -- you said the developer  
11 will construct a portion of the east west-bike trail system on  
12 the south side of Old McHenry Road. Is that something that was  
13 testified to? I'm thinking it kind of ties into landscaping  
14 plans.

15 MR. HANLON: Chuck Hanlon.

16 I believe I probably did testify. I think  
17 maybe a couple -- I think it probably came up multiple times in  
18 previously conversations.

19 CHAIRPERSON REIN: I'm wondering, wouldn't this naturally  
20 connect to the sidewalk that the Village was requesting to be  
21 finished off to get up to -- where was that sidewalk, that  
22 connection that we were looking for -- Hubbard? I thought  
23 there was a segment, something -- I thought there was a segment  
24 of sidewalk that was connecting or adding a bike trail.

1 Do you know what I'm talking about?

2 MS. LOBAITO: No.

3 COMMISSIONER RYCHLIK: 103. 103 shows the sidewalk.

4 MR. HANLON: We only cover the frontage of the ownership  
5 of the development.

6 CHAIRPERSON REIN: I'm sorry? You're covering what?

7 MR. HANLON: We're only covering the frontage of the  
8 development itself on Old McHenry.

9 MR. SAGEN: It would be this stretch right here.

10 CHAIRPERSON REIN: Where the bike path -- so it kind of  
11 doesn't connect to say -- does it even go as far as Hubbard?

12 MR. HANLON: No.

13 CHAIRPERSON REIN: Okay. So it just kind of doesn't  
14 connect. It's just there.

15 MR. HANLON: I think we might have had discussion --  
16 Staff, correct me if I'm wrong -- about that, and part of the  
17 problem where you're trying to build a portion of the path  
18 where there's off-site work to be done by others. But do you  
19 build it not to connect to anything, or do you put the cash out  
20 there to get roads? I think we threw that out there. I think  
21 the answer was to go ahead and get the section done rather than  
22 just put the cash out there.

23 CHAIRPERSON REIN: I'm not trying to undo anything with  
24 Staff. I'm just wondering, it seems odd to me --

1 MR. HANLON: Well, it does. But I think at some point  
 2 you've got to build the incremental pieces as you come along.  
 3 I think the idea and the discussion with Staff, rather than  
 4 leave some cash in lieu of at least get a portion done. It is  
 5 odd and unfortunate, but at least part of a project where a  
 6 extremely long path was put together. The opposite of this  
 7 except for the front and we filled in a missing piece that had  
 8 not been there for 20 years. The opposite of this situation.  
 9 We've got to the start somewhere.

10 CHAIRPERSON REIN: Thank you.

11 Any other landscaping?

12 (No response.)

13 Streetlighting. Anybody have a question on  
 14 streetlight?

15 MR. HANLON: I'll just throw out that final locations for  
 16 streetlighting will be located as part of the final work, and  
 17 we testified before that we would comply with Dark Sky  
 18 standards for the light fixtures and work with the village on  
 19 the aesthetics and choice and selection of the light fixtures.

20 CHAIRPERSON REIN: Okay. That answers my questions.

21 Anybody else?

22 COMMISSIONER MERKEL: That was it.

23 CHAIRPERSON REIN: Okay. Any other -- we talked about  
 24 engineering plans.

1 Fiscal impact study, any questions there?

2 (No response.)

3 Any other questions? Any topic? Because

4 once we close the public hearing, we're done with our  
 5 questions.

6 (No response.)

7 Okay. It sounds like all the

8 cross-examination is complete. So before we take a motion to

9 close the public hearing, I'd just like to remind you that once

10 we do that it will be left to us to -- we're going -- to only

11 make motions and deliberate and close, is what we may be done.

12 So do we have a motion to close the public  
 13 hearing?

14 COMMISSIONER MERKEL: So moved.

15 COMMISSIONER KAISER: Second.

16 CHAIRPERSON REIN: Motion by Mr. Merkel, second by

17 Mr. Kaiser. All in favor of closing the public hearing say  
 18 aye.

19 (Response.)

20 Any opposed?

21 (No response.)

22 The public hearing is closed.

23 Thank you to all of you who participated in

24 the back-and-forth dialogues throughout the public hearing and

1 gave testimony. We appreciate that.

2 All right. We are facing -- it's 12 minutes  
3 to 10:00, and we have to take motions yet and take a vote.

4 All right. I think I'm getting some  
5 direction to try and stay and get this done. That's the  
6 directive I'm being given.

7 COMMISSIONER KAISER: Can we put a time limit on that?  
8 In the past it's taken a while.

9 COMMISSIONER LINDQUIST: I think there's going to be a  
10 lot of amendments.

11 COMMISSIONER KAISER: That's my concern.

12 CHAIRPERSON REIN: We're going to take a five-minute  
13 recess.

14 (Recess taken.)

15 CHAIRPERSON REIN: Okay. We are reconvening. Thank you  
16 for your patience. I was just seeking guidance on how to  
17 proceed in the most practical manner forward here.

18 I did want to move forward tonight with  
19 motions and deliberations and a vote. I think we've come up  
20 with a way to consider all the comments that have been made so  
21 far and that have been taken down in the transcript, and there  
22 will be room for more. So let me find my stack here. I'll  
23 start discarding some.

24 Okay. We're going to start with taking some

1 motions in the affirmative as we usually do, and then we can  
2 proceed to also have that motion include what's in the

3 transcript. There have been many things that we have asked for  
4 that are documented in the transcript which a motion-maker can  
5 choose to bring into that motion. Once the motion is made and  
6 seconded, we will have deliberations and people can speak to  
7 specific issues that they are strongly in favor of or against  
8 as it relates to this proposal. And if need be, after those  
9 discussions we can vote a motion up or down as it stands, or  
10 the motion-maker can amend it based on the discussions that  
11 have been heard by the group. I think that will be the best  
12 way to expedite and reference the transcript, and we'll go back  
13 before the Findings of Fact and see that these things were  
14 asked for and included in the transcript are considered in the  
15 motion.

16 Does that make sense to everybody up here as  
17 procedurally?

18 All right. So starting with the template for  
19 a motion, under Potential Action Items -- this was back in the  
20 Staff packet three meetings ago and continues to be applicable  
21 today based on the request of the applicant. The first thing I  
22 am seeking is a motion for a Special Use Permit for a Planned  
23 Unit Development subject to approval of the preliminary and  
24 final plat by the Village Trustees; approval of the preliminary

1 and final engineering plans by the Village Engineer; approval  
 2 of the final landscape plan by the Board of Trustees.  
 3 And we will do one -- okay.  
 4 Motion to include preliminary PUD  
 5 plan/preliminary PUD plat subject to: Approval of the  
 6 preliminary and final PUD plat of subdivision by the Board of  
 7 Trustees; approval of the plat of dedication by the Board of  
 8 Trustees; approval of the preliminary and final engineering  
 9 plans by the Village Engineer; approval of any off-site roadway  
 10 improvement plans and access permits by the Lake County  
 11 Division of Transportation; plan review comments provided by  
 12 Christopher B. Burke Engineering Ltd., dated September 25,  
 13 2014, and October 3rd, 2014; plan review comments provided by  
 14 Erika Frable, PE, Village Engineer, dated October 2nd, 2014,  
 15 and October 3rd, 2014; plan review comments provided by  
 16 Michael Cassata, AICP, Village Planning Manager, dated  
 17 September 26th, 2014; plan review comments provided by  
 18 Rolf C. Campbell & Associates dated September 26th, 2014; plan  
 19 review comments provided by Lake Zurich Fire and Rescue  
 20 Department dated May 19th, 2014; review and approval of  
 21 response-to-comments provided by the applicant, copies of which  
 22 are in the Preliminary Plan Submittal booklet; approval of the  
 23 departures as depicted in the Preliminary Plan Submittal  
 24 booklet.

Preliminary subdivision engineering subject  
 1 to: Approval of the preliminary and final plat by the Board of  
 2 Trustees; plan review comments provided by  
 3 Christopher B. Burke Engineering, Ltd., dated September 25th,  
 4 2014; plan review comments provided by Erika Frable, PE,  
 5 Village Engineer, dated October 2nd, 2014; approval of the  
 6 preliminary and final engineering plans by Village Engineer;  
 7 approval of the public services uses by all federal, state and  
 8 local regulatory agencies; approval of public water from Aqua  
 9 Illinois; approval of public sewer.  
 10 Preliminary landscape plan subject to:  
 11 Approval of the preliminary and final engineering plans by the  
 12 Village Engineer; approval of the final landscape plan by the  
 13 Board of Trustees; plan review comments provided by Michael  
 14 Cassata, AICP, Village Planning Manager, dated September 26th,  
 15 2014; plan review comments provided by Rolf C. Campbell &  
 16 Associates, dated September 26th, 2014.  
 17 Signage plan as a part of final plat  
 18 approval.  
 19 Lighting plan as part of final plat approval.  
 20 Application for special use permit for  
 21 display homes as a part of final plat application.  
 22 Building elevations subject to approval by  
 23 the Board of Trustees.  
 24

1 Approval of a construction-entrance plan  
 2 depicting all construction vehicles accessing the subject  
 3 property via a temporary access to be constructed off  
 4 Old McHenry Road. No construction traffic will be allowed on  
 5 any other roadway into the subject property.  
 6 Any other relief or approvals the Commission  
 7 may determine are necessary.  
 8 Review and approval of any necessary  
 9 documents as determined by the Village Attorney.  
 10 Resolution of parkland/land cash donation.  
 11 Execution of a subdivision improvement  
 12 agreement for on-site and off-site improvements prior to final  
 13 plat approval.  
 14 And agree to approval of backup SSA for  
 15 homeowner's association landscape assurances.  
 16 And so you heard, any reference to any other  
 17 relief and approvals which we can discuss to include has  
 18 already been typed into the transcript on the questioning that  
 19 came out would be swept into that motion.  
 20 Do I have a motion-maker and a second?  
 21 COMMISSIONER LINDQUIST: So moved.  
 22 COMMISSIONER KAISER: Second.  
 23 CHAIRPERSON REIN: Mr. Lindquist and Mr. Kaiser has  
 24 motioned and seconded.

1 All right. Here's where we start our  
 2 deliberations, guys. We've heard a lot of questions asked and  
 3 answered tonight. I asked you to withhold certain comments for  
 4 this period of deliberation you feel strongly about that you  
 5 want to talk about in the contents of this motion that we just  
 6 made and the approval that we're considering.  
 7 So who wants to start?  
 8 COMMISSIONER KAISER: You want to start with the same  
 9 format?  
 10 CHAIRPERSON REIN: Yes. Follow the same format. We're  
 11 starting with subdivision design, site plan, lot size, and  
 12 density.  
 13 COMMISSIONER KAISER: Dave, you started it. You asked  
 14 for 90-foot lots. Is that your recommendation?  
 15 CHAIRPERSON REIN: You've got to really hold the  
 16 microphone up.  
 17 COMMISSIONER LINDQUIST: I had asked that there be lots  
 18 deducted along the south side, 16 to 21, that one of those lots  
 19 be removed and one of those remaining lots be increased to 90  
 20 feet. I also asked -- that eliminates a lot of 75-foot lots  
 21 and gets those properties up to a minimum of quarter-acre. I  
 22 recommend dropping a lot along the south border to the east of  
 23 public park C and that those dimensions be added into the  
 24 75-foot properties and the balance distributed among the

1 balance of those and that those, basically lots 6 through 15,  
 2 because there's plenty of room to distribute the lot that goes  
 3 away. But that would leave the lots -- let's say lots 9 and 10  
 4 stay. That would leave them at 90 feet. And then an  
 5 additional unit would come out of lots 3, 4, 5, and 6 to  
 6 eliminate two 75-foot lots, increase them to 90 feet, and the  
 7 balance distributed between 1 through 5. So it's the reduction  
 8 of three lots and the expansion of 75-foot lots along the south  
 9 border. If they want the balance of it, they can have the  
 10 75-foot lots.

11 COMMISSIONER MERKEL: I guess my proposal and  
 12 accommodation is that either we need to propose to cant the  
 13 street up to take care of the trees I was concerned about or we  
 14 eliminate building on lot 4.

15 I don't know if you want to debate about  
 16 that or discussion?

17 CHAIRPERSON REIN: So just to review, just so we have  
 18 those kind of proposals on the table for the kind of redesign,  
 19 which is hard to do kind of on the fly, especially without  
 20 consultants being able to weigh in on it -- and I just want to  
 21 reiterate because the record will reflect those conditions that  
 22 have to go to the Village Board and the things we discussed, we  
 23 don't need to restate everything we stated. However, I think  
 24 it sounds like we need to reach some consensus on whether or

1 not our recommendations -- for example, it sounds like I'm  
 2 hearing that reducing some of the density on the borders  
 3 adjacent to existing neighbors is a priority in this group and  
 4 how they -- exactly how they achieve it, how wide the lots are,  
 5 maybe removing a couple lots, seem to be a suggested solution  
 6 or swinging that away from the trees.

7 COMMISSIONER MERKEL: It's achieving two different  
 8 things; one is lot density, lot width, lot size, which is  
 9 Dave's. Mine is more concerned about the -- which I agree with  
 10 that I tree thing. I mean, we could say the lot density facing  
 11 Acorn Acres subdivision, however that gets accomplished, and  
 12 them somehow we cant the street or eliminate those two lots  
 13 adjacent to the trees we want to save. If there was a  
 14 determination how to do that. Two different topics.

15 CHAIRPERSON REIN: Yeah, they are.

16 COMMISSIONER DONOVAN: I'm sorry. Just to clarify,  
 17 you're talking about from 6 to 15 about five feet, basically  
 18 widening lot five feet so 2 1/2 feet more each side of the  
 19 houses, right, approximately?

20 COMMISSIONER LINDQUIST: A lot of time I'm talking about  
 21 widening by 15 feet, from 75 to 90.

22 CHAIRPERSON REIN: What we've done in the past on other  
 23 subdivisions on big issues, we ask a lot of questions about a  
 24 lot of things that we've gotten resolved or got answer to,

1 which is why we took a straw poll. I guess I'd call for a  
 2 straw poll to determine whether or not there was consensus to  
 3 add that condition to the bigger conditions to make them a  
 4 condition of our approval. Did that work for you guys before?  
 5 COMMISSIONER KAISER: I guess my only concern is we  
 6 proposed a couple of them and it didn't happen.  
 7 CHAIRPERSON REIN: That's something we can't control.  
 8 All we can control is what we recommend --  
 9 COMMISSIONER DONOVAN: I agree.  
 10 CHAIRPERSON REIN: -- for approval and based on  
 11 everything we've heard and everything we've asked and had  
 12 answered and what we feel is really right.  
 13 COMMISSIONER RYCHLIK: Would it be appropriate, instead  
 14 of move this lot, this lot, let's set a density. We want to  
 15 decrease density by increasing the lot width, minimum lot  
 16 width, so from 75 put 80. Let the developer work with his 60  
 17 lots. He might be able to move some from left and right to  
 18 make that work.  
 19 COMMISSIONER LINDQUIST: I'm looking specifically at this  
 20 area here.  
 21 COMMISSIONER RYCHLIK: That's really dense.  
 22 COMMISSIONER LINDQUIST: I'm not taking it all away.  
 23 It's gone if they take this. But I'm not taking this. I'm  
 24 backing away from this. They have some 75-foot lots. To be

1 more compatible in the transition from one-acre lots to  
 2 quarter-acre lots, I'm making this recommendation. They've  
 3 already agreed to do -- they've gone to 95 on this side. Why  
 4 didn't they do it there? So basically we're taking -- we're  
 5 talking about lots 3 through 21, losing three 75-foot lots,  
 6 losing three 75-foot lots in the vicinity of 3 to 21.  
 7 CHAIRPERSON REIN: Discussion on that topic?  
 8 Where do you all stand on that?  
 9 COMMISSIONER MERKEL: I guess I'm fine with that. But 3  
 10 through -- what was the last number?  
 11 MR. BRANKIN: 21.  
 12 COMMISSIONER MERKEL: 21 encapsulates 4 and 7. So that  
 13 needs to be part of it, too.  
 14 COMMISSIONER LINDQUIST: Yeah.  
 15 COMMISSIONER MERKEL: Is that 3 plus 4 and 7?  
 16 COMMISSIONER LINDQUIST: 4 might be one of those that  
 17 might have to come --  
 18 COMMISSIONER MERKEL: If it does come out of it, it  
 19 doesn't gain you any lot space. It's going to be a strip --  
 20 COMMISSIONER LINDQUIST: Yeah, right.  
 21 CHAIRPERSON REIN: And a question I have, so 22 through  
 22 26 there isn't an issue there for you?  
 23 COMMISSIONER LINDQUIST: They've already been widened.  
 24 COMMISSIONER MERKEL: They're fine.

1 CHAIRPERSON REIN: So the way it's being stated right  
 2 now, in order to simplify it to determine if it gets added as a  
 3 condition this way, is, with the way you've stated it, Dave, is  
 4 losing three lots between lots 3 and 21.

5 COMMISSIONER LINDQUIST: We could say lot 20.

6 CHAIRPERSON REIN: Between lots 3 and 20 --

7 COMMISSIONER LINDQUIST: Yes.

8 CHAIRPERSON REIN: -- reducing the density and widening  
 9 the lot size.

10 COMMISSIONER LINDQUIST: Eliminating 75-foot-wide --  
 11 that's the rear lot lines. Eliminating 75-foot-wide rear lot  
 12 lines facing the adjoining subdivision.

13 CHAIRPERSON REIN: Is everybody clear on that particular  
 14 condition? Because I'm going to ask if you have any further  
 15 discussion on it. And once now it's clarified, if you want  
 16 that added as a condition to this motion and are willing to  
 17 amend the motion accordingly.

18 So the condition would be eliminating 75-foot  
 19 rear lot lines for lots 3 through 20, which will likely involve  
 20 losing some lots, and in order to achieve that. Is everybody  
 21 clear on that? Does anybody have any discussion on that?

22 COMMISSIONER KAISER: The only discussion I might add is  
 23 Tom had talked about changing -- was it 21 -- and if they were  
 24 going to put a slight curve in the road, I don't know how that

1 would impact it. Certainly, that would impact the drawing of  
 2 what actually has to be there. I don't know if Tom still likes  
 3 that in there. I like that idea as an idea of slowing traffic  
 4 down by putting that curve in. I don't know if you've gotten  
 5 far enough to say we want the road through either. We should  
 6 consider that as well.

7 CHAIRPERSON REIN: Right.

8 And so I guess we could come back to lot  
 9 21 --

10 COMMISSIONER KAISER: We could.

11 CHAIRPERSON REIN: -- I think now let's stick to -- the  
 12 intent of that condition is we don't have like and like against  
 13 each other. I think that's what the intent is. We don't have  
 14 like-lot sizes against like-lot sizes to existing neighborhood,  
 15 so the intent is to make those new lots a little bit wider to  
 16 provide a little more relief against an adjacent boundary. So  
 17 let's stick with that intent and objective right now.

18 Is there any further discussion on -- I'm  
 19 going to take a straw poll to see if perhaps we amend the  
 20 motion to include that. Okay. Any other comments?

21 (No response.)

22 All right. Could you please take a  
 23 roll-call -- okay. Just a voice.

24 All in favor of asking the motion-makers to

1 add that condition that we just voiced to their amendment say  
2 aye.

3 (Response.)

4 Any opposed.

5 COMMISSIONER DONOVAN: Nay.

6 CHAIRPERSON REIN: One opposed.

7 That's four in favor, one opposed.

8 MS. LOBAITO: This is just a straw poll, not taking a  
9 vote.

10 CHAIRPERSON REIN: Right. Now I need to ask the  
11 motion-makers -- you're amending your motion to include that  
12 specific condition. Okay.

13 MR. BRANKIN: You seconded it.

14 COMMISSIONER KAISER: Second.

15 CHAIRPERSON REIN: On the amended motion in total, yes.

16 COMMISSIONER KAISER: Each time we do that?

17 CHAIRPERSON REIN: No. What we're trying to do is take a  
18 straw poll on how you feel about the amended amendment and see  
19 if the motion-maker wants to amend the motion to be that  
20 specific it.

21 All right. I know there are several  
22 questions we asked and had answered that are already answered  
23 in the affirmative they would do something, and the record  
24 reflects that and those become -- by virtue of the motion we

1 made those will become part of the motion we have if we approve  
2 it.

3 We have some other bigger issues. Jim just  
4 brought up what are we going to do about the road? Swinging  
5 the road for the trees.

6 COMMISSIONER MERKEL: Do we swing the road to the left or  
7 eliminate those two lots?

8 CHAIRPERSON REIN: You need to speak into the mic so that  
9 everybody can hear.

10 COMMISSIONER MERKEL: My comment was on the trees. I  
11 offered two suggestions, either swing the road to the left to  
12 pull it further away from the trees or eliminate building on  
13 those two lots. I don't see how you can possibly build on  
14 those two lots and disrupt the issues Mr. Sagen brought up.

15 CHAIRPERSON REIN: That is the condition that Mr. Merkel  
16 is proposing. There is specifically either-other.

17 COMMISSIONER MERKEL: There are some other options.

18 There was an option that Tom had mentioned that was take one of  
19 the other lots.

20 COMMISSIONER RYCHLIK: So lot 58 is pretty large, looking  
21 at Mr. Sagen's picture. So potentially increasing the radius  
22 as we come around that curve would give lot 7 more room than  
23 move the building box closer to the road without decreasing the  
24 setback further. I get more room for the tree 98. The

1 recommendation is to increase the radius of the last piece.

2 CHAIRPERSON REIN: Bend the road.

3 COMMISSIONER MERKEL: It's still bending the road.

4 COMMISSIONER RYCHLIK: Similarly, if you take the stretch

5 here and add a curvy road, same kind of thing, you're bowing

6 out the road, so lot 59 moves west --

7 COMMISSIONER MERKEL: Shorter.

8 COMMISSIONER RYCHLIK: -- shift the whole thing here as  
9 it comes around --

10 COMMISSIONER MERKEL: Yes.

11 COMMISSIONER RYCHLIK: -- would achieve the objective.

12 COMMISSIONER MERKEL: I guess the proposal is protect the  
13 trees with one of those options. Do something with the road,  
14 make it more curvilinear.

15 CHAIRPERSON REIN: And that obviously with the review  
16 comments -- the challenge when we start moving roads, the  
17 consultants haven't had a chance to review it, and if their  
18 expert opinion actually adds some other issues -- wetlands is  
19 something else, so there is that caveat with it. But I think  
20 we understand the objective of protecting those trees even more  
21 than the developer has proposed.

22 (Inaudible discussion.)

23 Okay. So the suggestion has been that the  
24 condition to consider alternatives for protecting -- better

1 protecting the trees than currently proposed along that lot 7  
2 to lot 4.

3 COMMISSIONER KAISER: The only thing, for protection of  
4 trees that don't include what we're talking about to make some  
5 significant changes to geometric changes to the plan. It might  
6 be adjust the lots to moving them west, I guess, so that trees  
7 are better protected. Maybe that will be a better way of  
8 saying it.

9 CHAIRPERSON REIN: I think you just did. Do you guys  
10 understand what he's saying enough to deliberate it, discuss  
11 it? Okay.

12 So is there any further discussion on the  
13 preserving-the-trees issue after the way Jim has stated it.  
14 (No response.)

15 If there's no discussion, I'll take a straw  
16 poll on whether or not this group is in favor of adding -- if  
17 the motion-makers would like to amend the motion to that  
18 specific condition.

19 All in favor say aye.

20 (Response.)

21 Any opposed?

22 (No response.)

23 Five in favor.

24 All right. Are there any other -- did you

1 amend your motion? Oh, did the motion-makers agree to amend  
2 their motion according to the straw poll.

3 COMMISSIONER LINDQUIST: Yes.

4 COMMISSIONER KAISER: Yes.

5 CHAIRPERSON REIN: Both the motion-maker and the seconder  
6 agree to amend the motion according to that condition.

7 Okay. So are there any other -- we had again  
8 questions asked and answered by the developer in the course of  
9 talking about subdivision design, number of homes, general  
10 layout lot sizes. Are there any other unresolved conditions  
11 that any of you feel it's important to include in that topic?

12 (No response.)

13 Okay. Moving on to the road connection, we  
14 asked a lot of questions about the road connection. We got  
15 some answers on that. I don't know that we -- I guess  
16 Mr. Lindquist kind of took a stand on it. I don't know that  
17 anybody else did. This is our time for deliberation if you  
18 want to talk on that topic.

19 COMMISSIONER MERKEL: I have to consider what I heard. I  
20 think the traffic study did have some issues with it that we've  
21 all talked about. It wasn't completely understandable in  
22 certain cases. But I believe we need to go with our expert,  
23 our own village expert, which is the Chief, and she indicated  
24 that she would like to see that road go through without any

1 kind of changes, roads bumps, restrictions for the safety of  
2 her officers and the safety of the residents in the area, and I  
3 would continue the plan with the exception of perhaps making a  
4 curve to slow traffic down, as Tom had suggested, and that  
5 would alter lot 21 perhaps a little bit. That would be my  
6 suggestion.

7 COMMISSIONER DONOVAN: I would be in agreement with that  
8 suggestion --

9 CHAIRPERSON REIN: Use the mic.

10 COMMISSIONER DONOVAN: I would be in agreement with that  
11 suggestion as well.

12 I'm not so convinced on the curve of the road  
13 as I don't know if that's necessarily really going to impact it  
14 enough to really matter, but I think it's pretty clear from the  
15 Chief's comments here and in the written materials that it is  
16 for the public best interest, as you said.

17 COMMISSIONER RYCHLIK: The only thing I would add to how  
18 Jim worded it, it had the curve and the fan in the curve  
19 sections lining up with the opposing street, so I would suggest  
20 that the roads oppose each other as they interact. And then  
21 this would probably be more of a landscaping element. I  
22 strongly believe that the median through that curved section  
23 would provide the safety element, that is the slowing element,  
24 we like. I'm not a fan of speed bumps. It would provide

1 connection for emergency police, even residents, vehicles but  
 2 also do it safely and controlled.

3 So the suggestion would just be about the  
 4 alignment.

5 CHAIRPERSON REIN: I know I don't have a vote here this  
 6 evening, but I do have a strong opinion on that I'm going to  
 7 share because I am allowed to share opinions. As I mentioned  
 8 earlier tonight when I was asking the question of our staff, I  
 9 have been involved on this particular issue since 2001 in  
 10 serving in various capacities not only as a Village Board  
 11 Trustee where I was asked to be liaison to the School Board  
 12 during the project and trying to work with the neighborhoods on  
 13 reaching a cooperative conclusion on the schools going in  
 14 somewhere in the vicinity and in that place in particular, sat  
 15 in many living-room meetings with subdivisions surrounding that  
 16 parcel to know how much they feel this impacts them.

17 Obviously, Lakewood Estates got some relief on that with their  
 18 emergency access. And I know they're not codified, but I know  
 19 what verbal promises were made in meetings that ultimately  
 20 weren't codified into codes or vacated streets or whatever, but  
 21 I know what the intention was. I also -- Jennifer's not here  
 22 anymore. I totally understand where Jennifer's coming from and  
 23 wholly support emergency access and a way to do it in a way  
 24 that's responsible and accessible. I also wholly support

1 pedestrian-bike connectivity and in most cases vehicular  
 2 connectivity. I do believe that this particular road  
 3 connection has extenuating circumstances and that this  
 4 application, this subdivision in relation to the neighboring  
 5 one is in a unique position, different than any others  
 6 because -- and it's not all shown up on the map. You have  
 7 public schools located at both its back and front entrances.  
 8 We keep not talking about public school at the back entrance to  
 9 the neighborhood which is on Miller Road, and you have the  
 10 major road at Old McHenry and some at Lake Zurich. I'm not  
 11 going to repeat all that. But I do believe that this road  
 12 connection would in reality create a public connection to the  
 13 schools and not connectivity between neighborhoods. The  
 14 neighborhoods still connect to each other with pedestrian and  
 15 bike traffic going around the corner, but I believe that this  
 16 should be carefully considered by this Commission and carefully  
 17 considered by the Village Board because I think it is a  
 18 game-changer for the existing neighborhood because of the three  
 19 schools, two on one end. It would be on one end, especially if  
 20 that road goes through and one on the other and all of the  
 21 Pandora's Box doors that opens. Again, like I say, my opinion  
 22 on that comes from years of discussion on this issue and  
 23 participating in those other meetings. So that's my two cents  
 24 on it.

1 I prefer -- if this subdivision is approved,  
 2 I would prefer it be approved conditioned upon that road not  
 3 going through.

4 MS. FRABLE: Could you turn your mic.

5 CHAIRPERSON REIN: I know. I'm turning my head.

6 MS. FRABLE: It's hard to hear you.

7 CHAIRPERSON REIN: My summary statement is that although  
 8 I don't have a vote, I would prefer that if approval is granted  
 9 for this subdivision application that it be granted under the  
 10 condition that that stub road entering onto Bruce Circle North  
 11 from the new subdivision not be allowed to go through.

12 COMMISSIONER MERKEL: For emergency vehicles either?

13 CHAIRPERSON REIN: For emergency vehicles, yes. Yes.

14 Thank you for clarifying that. Emergency vehicles, yes.  
 15 Bikes, yes, pedestrians, yes. Not vehicular traffic, other  
 16 than emergency vehicles. That is my statement on that issue.

17 Mr. Lindquist.

18 COMMISSIONER LINDQUIST: I'm in full agreement with that.  
 19 And again, just to reiterate my opening statement we discussed  
 20 this during the public hearing was that we're not denying  
 21 emergency vehicle access. There's no reason that we can't have  
 22 a single lane connecting two subdivisions that is for use by  
 23 emergency vehicles. Nobody suggested gates, bumps, humps,  
 24 stones. Just access, single lane. The mechanism for that to

1 be worked out to the satisfaction of the people involved. But  
 2 this not become a thoroughfare as it will be when the school  
 3 begins to use our subdivision as a dumping ground for the  
 4 traffic that they can't manage at their intersection. The  
 5 residents are very adamant. It's not just a not-my-backyard  
 6 situation with them. They are adamant about this issue not  
 7 going through.

8 The traffic study is flawed. I don't know, I  
 9 think we might agree on that. I would like to suggest that we  
 10 accept it. We accept the part where there's going to be only  
 11 two cars and, therefore, not connect because we don't need a  
 12 connection for two cars. I am certain that there are going to  
 13 be many more cars than that that are going to be through our  
 14 subdivision, and as a result of this -- it's because of the  
 15 school. It's not just another subdivision. It is the school.  
 16 It's a twin school, and it's a traffic situation that is  
 17 extreme during the morning situation and to a lesser extent in  
 18 the afternoon because I think they discharge at different  
 19 times, but in the morning McHenry Road is blocked off with  
 20 traffic. The deceleration lane is more than full, and we don't  
 21 wish to see that congestion at this point. We don't like to  
 22 see that Acorn Acres, Bruce Circle North becomes a solution to  
 23 that problem.

24 Every person that chooses to drive their son

1 or daughter to school essentially make four trips. They come  
 2 to drop the child off, they return, they come back in the  
 3 afternoon to pick the child up, and they return. It's not just  
 4 a matter of the subdivision. If it were only a subdivision  
 5 going in there, I would not be sitting here arguing against the  
 6 connection, which is the reason that it was originally put in  
 7 place. It was in anticipation of a subdivision of single-acre  
 8 homes, not a school plus 60 homes. That's it.

9 CHAIRPERSON REIN: Is there any other discussion on the  
 10 road connection, how you guys feel about it?

11 COMMISSIONER RYCHLIK: I'd like to -- I apologize, David.  
 12 I'd like to counter a couple of your points. My main objection  
 13 is, agreeing we don't want to create a situation that puts an  
 14 unreasonable burden on the neighborhood, but I think that it's  
 15 a requirement or a point that we can make is that saying the  
 16 traffic study is flawed in its recommendation to recommend  
 17 improvements to the regional system to support lists  
 18 improvement and the school represents. (Inaudible.) If the  
 19 driving public can safely enter Miller onto Old McHenry and  
 20 safely enter the school without extensive queue backup past the  
 21 left turn lanes in either direction, you should get only the  
 22 local traffic to use this back road.

23 So my consideration is that the  
 24 recommendation be to improve the regional traffic support to

1 this proposed development.

2 CHAIRPERSON REIN: I don't know how we have control on  
 3 that. That's an excellent idea. It's not --

4 MR. BRANKIN: Right. And to solve a regional traffic  
 5 issue is -- I understand what you're trying to say, but as a  
 6 condition to a planned development, I just don't see that it's  
 7 workable for these types of conditions. You're trying to be  
 8 more specific as to this development and trying to ameliorate  
 9 any impact as it relates to this development.

10 COMMISSIONER LINDQUIST: Again, my argument is this: For  
 11 the residents of Acorn Acres, this is an everyday situation.  
 12 This is not something that may or may not ever happen because  
 13 the fire department is right down McHenry Road. There's no  
 14 reason to come through Acorn Acres or will they come from Acorn  
 15 Acres to get to the school or even the subdivision. They would  
 16 come in here for something in Acorn Acres. The police, let  
 17 them drive through there. Put up a No Thoroughfare sign. And  
 18 don't worry about snowplowing. If there's a single lane  
 19 through there, that would enhance bike traffic, that would  
 20 enhance pedestrian traffic, and emergency vehicles can easily  
 21 get through this.

22 I can't believe that we can't design  
 23 emergency access for a single vehicle at a time to get through  
 24 this site and not have to do an thoroughfare, a major

1 cut-through which is going to disrupt this community, this  
2 subdivision. I can't believe that that can't be done.

3 CHAIRPERSON REIN: I think it's also going to disrupt the  
4 proposed subdivision. I don't know which subdivision you're  
5 referring, but if I were living in the proposed subdivision,  
6 I'm not sure I would want that cut-through traffic either.

7 And I do believe that the school activity at  
8 all of those schools kind of takes place year-round with summer  
9 school and other activities. It isn't just a  
10 nine-months-out-of-the-year issue. The schools are used for  
11 other things.

12 COMMISSIONER DONOVAN: But in the proposed subdivision  
13 they are going to have sidewalks, and I think that's the major  
14 difference between that subdivision. To me, the issue is not  
15 the right-of-way or the public right-of-way through it. The  
16 issue is that the pedestrians are intermingling with the  
17 traffic in Acorn Acres. The pedestrians are separated from the  
18 traffic. The traffic that is going to go through here is not  
19 as much of an issue. You guys have the issue now with the  
20 traffic because they're interacting with -- the pedestrians are  
21 interacting with cars, and no matter what, people getting into  
22 the car already with a low volume, is it going to increase?  
23 Yes. By not allowing it through doesn't change the fact that  
24 that's the issue. That's the same issue in my neighborhood.

1 COMMISSIONER LINDQUIST: Let me just jump on this. That  
2 same issue came up when we were doing the Pulte development and  
3 the subdivision to the south of there, and it sounds good,  
4 sounds like it might be an answer, but the same issues came  
5 into question. There's a culvert. There's a limited  
6 right-of-way, and the cost of that is beyond belief, and it's  
7 not something that the residents of the subdivision are going  
8 to be able to afford. It was \$165,000, and I remember go  
9 through this subdivision, and our stretch is more than that.  
10 It's very expensive, and it's very unlikely it will happen  
11 unless somebody wins the lottery on Bruce Circle.

12 CHAIRPERSON REIN: Overall, it's just unfair to place the  
13 financial burden on the existing neighborhood because you're  
14 locating a new neighborhood there.

15 Are we ready at this point to -- I know,  
16 because we heard a lot of testimony, and I'm trying not to  
17 reiterate all the points made in public testimony. I tell them  
18 not to be redundant. We know it's part of the record as to  
19 why, for or against the road. But I think we shared our  
20 opinions. Are we ready to take a straw poll, or does anybody  
21 else want to chime in on whether the road going -- let's see  
22 how to I phrase this. Let's phrase it that -- I guess the  
23 natural thing is if we don't make it a condition the road is in  
24 the proposal, right? So right now I'm going to take a straw

1 poll on a condition that would be that the road not go through  
 2 if the approval is recommended. It's already looking to go  
 3 through in the proposal, so that would make it naturally get  
 4 approved. So the question is whether we add a condition of  
 5 change to the developer's proposal, the change of change being  
 6 the road not going through.

7 COMMISSIONER MERKEL: That's not what we're saying.  
 8 We're talking about it going through but only in a single  
 9 fashion, emergency access.

10 CHAIRPERSON REIN: Emergency access. Thank you for  
 11 continuing to remind me of that. I need to be reminded.  
 12 So if we were to add a condition to our  
 13 approval without just approving it the way they proposed it the  
 14 condition would be that the stub road would go through for the  
 15 purposes of emergency access only and bike and pedestrian  
 16 access only, no other vehicular traffic. So I'd like to take a  
 17 straw poll on whether or not you would like to suggest that the  
 18 motion-makers amend their motion to include that condition.

19 All in favor of adding that condition to the  
 20 motion say aye.

21 (Response.)

22 All opposed.

23 MR. DONOVAN: Nay.

24 COMMISSIONER RYCHLIK: Nay.

1 CHAIRPERSON REIN: Ayes raise your hands for me. Who's  
 2 in favor of adding that condition? Can you raise your hands?  
 3 We have two in favor of adding that condition. Those opposed  
 4 to adding that condition are three. Okay.

5 With that knowledge, it's up to the  
 6 motion-makers. The straw poll would indicate that it's not  
 7 carrying. Motion-makers, nothing to amendment.

8 MR. BRANKIN: Can I just say as well, whether or not that  
 9 there's a condition, obviously with the court reporter and the  
 10 concerns that are being raised here by the Commission the  
 11 Village Board is and will be made well aware of any concerns  
 12 that you all have, so I don't know that it's possible to  
 13 necessarily reach a consensus as it relates to this issue just  
 14 because there's such a divergence of opinion. But maybe  
 15 consider the fact that your voices are all set forth in the  
 16 transcript, which we don't always have transcripts for these  
 17 types of hearings, as opposed to minutes. So just keep that in  
 18 mind as well.

19 CHAIRPERSON REIN: All right. I realize that was rather  
 20 cumbersome. We're moving along here.

21 Any other conditions that need to be made  
 22 regarding road connection or traffic study?

23 COMMISSIONER RYCHLIK: Is there any issues to make  
 24 changes to Hubbard or is that --

1 COMMISSIONER MERKEL: I guess my question is, is that out  
2 of scope?

3 MR. BRANKIN: Is that off-site? I'm not sure what your  
4 condition would be.

5 COMMISSIONER MERKEL: You're talking about the school;  
6 right?

7 COMMISSIONER RYCHLIK: Right.

8 COMMISSIONER MERKEL: It's not in the scope.

9 COMMISSIONER RYCHLIK: I don't want to go way too far  
10 afield. If this development had fronted a public road and the  
11 road needed to provide that access --

12 MR. BRANKIN: Assuming the jurisdiction, right?

13 COMMISSIONER RYCHLIK: -- it would be the County's  
14 jurisdiction.

15 MR. BRANKIN: There's already a condition in there that  
16 it's subject to approval by any of the other regulatory  
17 agencies. If you're talking about mandating off-site road  
18 improvements, that's --

19 COMMISSIONER RYCHLIK: Hawthorn Woods can't do it, but  
20 the regulatory agencies could.

21 MR. BRANKIN: They could.

22 CHAIRPERSON REIN: I know as was said in the record  
23 earlier about curving that road for alignment, too. That's one  
24 of the things discussed if that goes through.

1 Okay. So now we go to the stormwater  
2 management. We talked with Staff about things to stay on top  
3 of with that and with SMC and Lake County DOT.

4 Are there any other conditions that need to  
5 be addressed?

6 (No response.)

7 Hearing none, we move on to any other  
8 engineering conditions. That was our next topic, was just  
9 general engineering plans that weren't covered.

10 Sorry. I'm turning my head again.

11 The next topic we brought up was the

12 Stonebridge architecture house plans. We had extensive

13 discussion about some architectural elements on the key lots,  
14 that where the sides or backs face certain things and getting  
15 directive to staff on identifying those key lots where sides  
16 and rear elevations may warrant enhancement.

17 We also talked a bit about landscaping as  
18 enhancement features to those elevations. And I believe the  
19 developer consented to those sorts of conversation.

20 Are there any other specific conditions that  
21 you feel need to be added regarding house plans?

22 Mr. Lindquist.

23 COMMISSIONER LINQUIST: First, I would like to recommend  
24 no two-story side elevations be gabled where the side yards are

1 minimum.

2 And I don't know if you want to do this in

3 two parts and do this part, the second part?

4 CHAIRPERSON REIN: You have two separate conditions?

5 COMMISSIONER LINDQUIST: Yes, two separate.

6 CHAIRPERSON REIN: So for the purpose of our -- to make

7 sure we fully understand because we're not architects, so no

8 two-story side elevations gabled where side yards are

9 minimum --

10 COMMISSIONER LINDQUIST: I'm going to change that from

11 minimum to standard side yard -- no -- or standard. Okay.

12 There are already some wide lots here. So unless -- not where

13 there's minimum but unless they meet the requirements for side

14 yards in the R-2.

15 MS. LOBAITO: Okay. My comment about the minimum side

16 yard of 20 feet is for R-1. Let me check.

17 MR. CASSATA: That's true.

18 CHAIRPERSON REIN: And gabled, can you describe to us

19 again. No two-story side elevations be gabled. Paint us the

20 picture of what you're --

21 COMMISSIONER LINDQUIST: Come to a peak. And side yard

22 presenting maximum surface, a flat maximum surface area --

23 CHAIRPERSON REIN: To the maximum height.

24 COMMISSIONER LINDQUIST: -- between buildings.

1 CHAIRPERSON REIN: Everybody got that? It's kind of

2 like the picture we saw, the side picture where it peaks at the

3 highest point.

4 MS. LOBAITO: It's 15 feet, the R-2.

5 CHAIRPERSON REIN: So are you saying -- your suggestion,

6 your request is no two-story side elevations be gabled where

7 the side yards are less than 15 feet?

8 COMMISSIONER LINDQUIST: Yes.

9 CHAIRPERSON REIN: Does everybody understand what he's

10 asking for?

11 COMMISSIONER MERKEL: Not really.

12 COMMISSIONER DONOVAN: It's difficult to --

13 COMMISSIONER MERKEL: I understand the gable roof is --

14 yeah, I understand. That's the front.

15 COMMISSIONER RYCHLIK: That's the front. That's the

16 side.

17 COMMISSIONER MERKEL: I get that. Why?

18 COMMISSIONER KAISER: It creates a tunnel effect when you

19 have two-story buildings, plus that extra half-story, full

20 story, depending on the roof and that the pitch of the roof and

21 when you walk through it it's like a big tunnel, and they're

22 not as generally aesthetically pleasing because it's like a big

23 wall with maybe some windows, no other decorations on it.

24 COMMISSIONER LINDQUIST: There are similar options,

1 turning the gables in the other direction. There are plenty of  
2 lots to run the gables.

3 CHAIRPERSON REIN: We'll address one condition at a time  
4 as we have been.

5 So is there any other discussion or questions  
6 regarding that particular condition recommended?

7 (No response.)

8 Straw poll. All in favor say aye.

9 (Response.)

10 Opposed?

11 (No response.)

12 After this straw poll, do the motion-makers

13 agree to amend their motion to include that specific condition?

14 COMMISSIONER KAISER: Yes.

15 COMMISSIONER LINDQUIST: Yes.

16 CHAIRPERSON REIN: Motion has been amended accordingly.

17 Dave, you said you had one other condition?

18 COMMISSIONER LINDQUIST: The second one is the use of  
19 exterior materials. I would like to see features on the side

20 elevations and rear elevation of the homes. I'd like to see

21 the entire subdivision, but I'm going to say Acorn Acres

22 because we're elitists. We have to look at it. We have to

23 look at the backs of these buildings and the sides. You don't

24 have to put all of that in.

1 COMMISSIONER MERKEL: How about just key lots? I thought  
2 that was a condition on those lots facing Acorn Acres.

3 COMMISSIONER LINDQUIST: I'd like to see it in the  
4 motion.

5 COMMISSIONER MERKEL: In the motion?

6 COMMISSIONER LINDQUIST: Yeah.

7 COMMISSIONER DONOVAN: He's proposing something  
8 different.

9 COMMISSIONER LINDQUIST: Sometimes they forget.

10 COMMISSIONER MERKEL: It's only a recommendation.

11 COMMISSIONER LINDQUIST: Well, to the Trustees.

12 COMMISSIONER MERKEL: You're talking about requiring all  
13 elevations facing Acorn Acres' back sides.

14 COMMISSIONER LINDQUIST: Along the south property line.

15 COMMISSIONER MERKEL: And all key lots.

16 COMMISSIONER LINDQUIST: Yes. I think they're already  
17 doing the key lots. That's why I didn't mention that.

18 COMMISSIONER MERKEL: I don't think they said they're  
19 doing it.

20 COMMISSIONER DONOVAN: They said they'd be amenable.

21 COMMISSIONER MERKEL: Open to it.

22 COMMISSIONER LINDQUIST: They can determine what their  
23 key lots are.

24 Talking about treatments such as masonry,

1 window trim, window mountings -- No -- yeah, mountings.

2 CHAIRPERSON REIN: Shutters.

3 COMMISSIONER LINDQUIST: Shutters.

4 CHAIRPERSON REIN: Where shutters are part of --

5 COMMISSIONER LINDQUIST: Where they're part of the  
6 design.

7 CHAIRPERSON REIN: So it's generally that the suggestion  
8 for this condition is the suggestion for treatments which Dave  
9 just listed, masonry, window shutters, where they fit the  
10 design on the side and rear elevations of homes adjacent to  
11 Acorn Acres and in other key lots as determined by staff and  
12 the developer. Does that sound right?

13 COMMISSIONER LINDQUIST: Yes.

14 CHAIRPERSON REIN: Is there any discussion on that?  
15 (No response.)

16 Straw poll. All in favor of adding that  
17 condition to the motion say aye.

18 (Response.)

19 Opposed?

20 (No response.)

21 Okay. So it sounds like the group would like  
22 to add that.

23 Would the motion-makers like to amend their  
24 motion accordingly?

1 COMMISSIONER KAISER: Yes.

2 COMMISSIONER LINDQUIST: Yes.

3 CHAIRPERSON REIN: Anything else on homes and anything  
4 else on the homesites, the home designs themselves?

5 (No response.)

6 All right. Then the next category was  
7 landscape plans. We talked about everything from tree

8 preservation to -- which I think we just addressed in another  
9 thing -- to covenants or maintenance, long-term maintenance  
10 plan for wetlands. I know our original motion has the SSA  
11 comment in it, backup SSA for homeowner's association landscape  
12 ordinances.

13 COMMISSIONER DONOVAN: I think the covenants that I  
14 talked about don't necessarily need to be addressed in this.

15 The fact that they're going to be addressed by the Village. I  
16 was addressing it more towards Staff.

17 MR. BRANKIN: Right. Note to Staff on that, and when it  
18 comes back. Okay.

19 COMMISSIONER DONOVAN: Right.

20 CHAIRPERSON REIN: We heard discussion on adding redbuds  
21 and dogwood trees along the scrubby area behind lots 2 through

22 5 and things like that. I think that was all indicated by  
23 agreement in the record by the applicant.

24 Is there anything else?

1 COMMISSIONER RYCHLIK: I know we passed the road  
2 connections and the potential here, the landscape median, if we  
3 could get a visual block included as part of the road between  
4 Abbey Glenn and Bruce Circle North.

5 CHAIRPERSON REIN: So I don't know if you heard him.  
6 What he's indicating is if that stub road goes through that  
7 there would be substantial landscaping and maybe a ditch.

8 COMMISSIONER RYCHLIK: A full center median for traffic.  
9 CHAIRPERSON REIN: A full center median for traffic.

10 COMMISSIONER DONOVAN: That was kind of what I was  
11 getting to when I asked them early on about the side lots.  
12 There wasn't -- I don't believe there's a lot of room in there  
13 for landscaping. Those driveways are very close to the stop  
14 sign, and I don't know how much landscaping there would even  
15 be. So that's part of what the issue is.

16 MR. BRANKIN: Staff will look at that as part --

17 COMMISSIONER RYCHLIK: Part of their review.

18 MR. BRANKIN: Correct.

19 COMMISSIONER RYCHLIK: It would have to be part of the  
20 design.

21 CHAIRPERSON REIN: Okay. So not added as a specific  
22 condition but Staff to review the appropriate landscaping  
23 picture or something like that --

24 MR. BRANKIN: Right.

1 CHAIRPERSON REIN: -- and maybe if something like that is  
2 in place.

3 MR. BRANKIN: I think it's a tangent on that other  
4 unanswered question.

5 COMMISSIONER RYCHLIK: Right.

6 CHAIRPERSON REIN: Okay. Is there any other condition  
7 that needs to be spelled out specifically in our motion  
8 regarding landscaping?

9 (No response.)

10 Okay. So then we had streetlighting. We  
11 didn't really hear much comment there other than agreement all  
12 around.

13 There are no other engineering comments or  
14 fiscal impact study comments or other comments in general.

15 So this will be my last call for any other  
16 conditions you want to discuss. There's also a chance here  
17 to discuss anything else you want to discuss before we vote on  
18 the amended motion. So I open the floor -- the table to that  
19 type of discussion.

20 (No response.)

21 Any discussion about the motion in general  
22 pro or con, whatever?

23 (No response.)

24 Okay. I'm hearing none. So I'll take a

1 roll-call vote on -- we know we've amended the motion. We have  
2 it on the table. We'll take a roll-call vote.

3 COMMISSIONER KAISER: Aye.

4 COMMISSIONER RYCHLIK: Yes.

5 COMMISSIONER LINDQUIST: No.

6 COMMISSIONER DONOVAN: Yes.

7 COMMISSIONER MERKEL: Yes.

8 CHAIRPERSON REIN: The motion has passed for

9 recommendation with the conditions attached. That will go

10 forward to the Village Board after we review Findings of Fact

11 at our next meeting. So the Findings of Fact will be based on

12 what was just determined here, and then once we do that it will

13 go on to the Village Board.

14 We are at the end of our agenda, so I am now  
15 seeking a motion for adjournment.

16 COMMISSIONER MERKEL: So moved.

17 COMMISSIONER DONOVAN: Second.

18 MR. BURNEY: Before you adjourn, I'd like to wish you all  
19 a Merry Christmas. Thank you for all of the time.

20 CHAIRPERSON REIN: Thank you for your patience.

21 MR. BRANKIN: Is there a second?

22 CHAIRPERSON REIN: Yes. Mr. Donovan.

23 COMMISSIONER DONOVAN: Second.

24 CHAIRPERSON REIN: All in favor of adjournment say aye.

(Response.)

We are adjourned. Thank you everybody for  
sticking it out an extra hour.

\* \* \* \* \*



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