



AGENDA
REGULAR VILLAGE BOARD MEETING
Village Hall - Public Meeting Room
Monday, August 4, 2014 – 7:00 p.m.

Reasonable accommodations/auxiliary aids will be provided to enable persons with disabilities to effectively participate in any public meetings of the Board. Please contact the Village Administrative Office (847.883.8600) 48 hours in advance if you need special accommodations to attend. Regular Village Board Meetings will not proceed past 10:30 p.m. unless there is a consensus of the majority of the Trustees to do so.

CALL TO ORDER

1.0 ROLL CALL

2.0 APPROVAL OF MINUTES

2.1 Approval of the July 28, 2014 Regular Village Board Meeting Minutes

3.0 REPORTS OF OFFICERS

3.1 Mayor's Report

3.2 Village Clerk's Report

3.3 Village Treasurer's Report

3.4 Village Manager's Report

4.0 PAYMENT OF BILLS

4.1 Bills Presented for Payment on August 4, 2014 in the amount of \$562,852.06

5.0 CITIZENS WISHING TO ADDRESS THE BOARD (on agenda items only)

6.0 PETITIONS AND COMMUNICATIONS

7.0 CONSENT AGENDA

Items on the Consent Agenda will be approved by one motion. If a Trustee wishes to discuss any item, it will be pulled from the Consent Agenda and discussed under "Unfinished Business".

7.1 Approval of Amendment to Ordinance No. 08-3057-40 and Architectural Review Board recommendations regarding a proposed monument ground sign at Lincolnshire Retail Center (Village Green)

7.2 Approval of a Resolution Amending the approved plans of Ordinance No. 07-3005-33 permitting the installation of cellular antennae at a lower mounting height and revised mounting design on an existing monopole tower

7.3 Approval of Purchase of a Replacement 16-Yard Self-Contained Trailer Mounted Leaf Machine from R.N.O.W. Inc., West Allis, Wisconsin in the Amount of \$46,098.00 (Village of Lincolnshire)

8.0 ITEMS OF GENERAL BUSINESS

8.1 Planning, Zoning & Land Use

8.11 Approval of a Resolution permitting redesign of a detention pond at the Forestview Subdivision to reduce slope angles, allowing a retaining wall

and fence to be eliminated (Forestview, Inc.)

8.12 Further consideration of Referral of an amendment to Rezoning Ordinance No. 07-2993-21 to permit elimination of a required screening fence at the Forestview Subdivision (Forestview, Inc.)

8.2 Finance and Administration

8.3 Public Works

8.4 Police

9.0 **REPORTS OF SPECIAL COMMITTEES**

10.0 **UNFINISHED BUSINESS**

11.0 **NEW BUSINESS**

12.0 **EXECUTIVE SESSION**

13.0 **ADJOURNMENT**



One Olde Half Day Road
Lincolnshire, IL 60069
www.village.lincolnshire.il.us



2.1

**MINUTES
REGULAR VILLAGE BOARD MEETING
Monday, July 28, 2014**

Present:

Mayor Blomberg	Trustee Brandt
Trustee Feldman	Trustee Grujanac
Trustee McDonough	Trustee Servi
Trustee McAllister	Village Clerk Mastandrea
Village Treasurer Curtis	Village Attorney Simon
Village Manager Burke	Chief of Police Kinsey
Finance Director Peterson	Director of Public Works Woodbury
Community & Economic Development Director McNellis	Superintendent of Utilities Hawkins
Superintendent of Administration Pippen	Assistant to the Director of Public Works Horne

ROLL CALL

Mayor Blomberg called the meeting to order at 7:00 p.m. and Village Clerk Mastandrea called the Roll.

2.1 Approval of the July 14, 2014 Regular Village Board Meeting Minutes

Trustee McDonough moved and Trustee Brandt seconded the motion to approve the minutes of the Regular Village Board Meeting of July 14, 2014 as presented. The roll call vote was as follows: AYES: Trustees Brandt, Servi and McDonough. NAYS: None. ABSENT: Trustees McAllister and Feldman. ABSTAIN: Trustee Grujanac. The Mayor declared the motion carried.

3.0 REPORTS OF OFFICERS

3.1 Mayor's Report

Mayor Blomberg thanked all who helped with coordinating and participating in the Taste of Lincolnshire this past weekend.

3.2 Village Clerk's Report

Village Clerk Mastandrea reported she received an e-mail from an individual in the Corporate Center noting how much they enjoyed the Food Truck Friday and requested this be held once a month.

3.3 Village Treasurer's Report

3.31 Revenues and Expenditures by Fund for the month of June, 2014

Finance Director Peterson reported Revenues and Expenditures for the month of June 2014 have been reviewed by the Treasurer, and all funds have been properly recorded.

3.4 Manager's Report

Village Manger Burke noted the August 11, 2014 Regular Village Board and Committee of the Whole meetings were re-scheduled to next Monday, August 4, 2014.

Village Manger Burke reported he received a preliminary report from staff that the Taste of Lincolnshire ended in the black this year taking into account the Village's contribution of \$15,000. The total amount of the Village contribution could possibly be less once the Chamber reports the final beer sales. Village Manger Burke extended his thanks to Tonya Zozulya, the entire Community & Economic Development team, and all staff who volunteered their efforts with the Taste of Lincolnshire event.

4.0 PAYMENT OF BILLS

4.1 **Bills Presented for Payment on July 28, 2014 in the amount of \$502,365.79**

Finance Director Peterson provided a summary of the July 28, 2014 bills prelist presented for payment with the total being \$502,365.79. The total amount is based on \$172,100 for the General Fund, \$285,400 for Water & Sewer Operations, \$300 for Retirement Fund, \$200 for Water & Sewer Improvements, \$150 for Fraud, Alcohol, Drug Enforcement, \$4,500 for Vehicle Maintenance, \$900 for the E-911 Fund, \$250 for Sedgebrook SSA, and \$38,400 for the General Capital Fund.

Trustee Servi moved and Trustee Grujanac seconded the motion to approve the bills prelist as presented. The roll call vote was as follows: AYES: Trustees Servi, Grujanac, McDonough and Brandt. NAYS: None. ABSENT: Trustees McAllister and Feldman. ABSTAIN: None. The Mayor declared the motion carried.

5.0 CITIZENS WISHING TO ADDRESS THE BOARD (on agenda items only)

6.0 PETITIONS AND COMMUNICATIONS

Mr. Lee Fell, representing Lincolnshire Sports Association (LSA) wanted to thank the Mayor and Board for the support in approving Summer Slam which raised just under \$10,000 for LSA. Mr. Fell provided an update regarding the event.

7.0 CONSENT AGENDA

8.0 ITEMS OF GENERAL BUSINESS

8.1 Planning, Zoning & Land Use

8.2 Finance and Administration

8.21 Receipt and Presentation of 2013 Village of Lincolnshire Comprehensive Annual Financial Report (Audit) (Village of Lincolnshire)

Finance Director Peterson provided a summary of the 2013 Lincolnshire Comprehensive Annual Financial Report.

Sikich, the auditing firm has communications with the Village Board before and after the Audit as a requirement. Finance Director Peterson reviewed the Management Letter issued by Sikich.

There were no questions raised by the Village Board. Finance Director Peterson thanked the Directors and all other staff who were involved with the audit.

8.3 Public Works

8.4 Police

9.0 REPORTS OF SPECIAL COMMITTEES

10.0 UNFINISHED BUSINESS

11.0 NEW BUSINESS

12.0 EXECUTIVE SESSION

ADJOURNMENT

Trustee McDonough moved and Trustee Grujanac seconded the motion to adjourn. The voice vote was unanimous and Mayor Blomberg declared the meeting adjourned at 7:30 p.m.

Respectfully submitted,
VILLAGE OF LINCOLNSHIRE

Barbara Mastandrea
Village Clerk



VILLAGE OF LINCOLNSHIRE
BILLS PRESENTED FOR PAYMENT
August 4, 2014

General Fund	\$	34,845.96
Water & Sewer Operations	\$	14,204.26
Motor Fuel Tax	\$	-
Retirement Fund	\$	51,441.03
Water & Sewer Improvements	\$	6,448.93
Fraud, Alcohol, Drug Enforcement		
Vehicle Maintenance	\$	29,410.52
E 911 Fund		
Park Development Fund	\$	-
Sedgebrook SSA	\$	408,125.00
SSA Traffic Signal	\$	-
General Capital Fund	\$	<u>18,376.36</u>
GRAND TOTAL	\$	562,852.06

Christopher Curtis, Village Treasurer

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-- VILLAGE OF LINCOLNSHIRE --
DETAIL BOARD REPORT

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MANUAL CHECKS ISSUED 07/29/2014 THRU 08/04/2014

INVOICE # VENDOR #	INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	CHECK #	CHECK DATE	ITEM AMT
I2211			IMRF				
06598	07/23/14	01	ACCELERATED PAYMENT- BECK	0601709101	201420	07/30/14	5,068.38
						INVOICE TOTAL:	5,068.38
32044	07/23/14	01	MEMBER CONTRIB 07/2014	0600452230	201422	07/31/14	12,185.25
		02	EMPLOYER CONTRIB 07/2014	0601709101			34,187.40
						INVOICE TOTAL:	46,372.65
						VENDOR TOTAL:	51,441.03
P1140			PAYLOCITY				
101092937	07/28/14	01	07/25 PAY SERVICES	0112619130	201423	07/29/14	484.90
						INVOICE TOTAL:	484.90
						VENDOR TOTAL:	484.90
						TOTAL ALL INVOICES:	51,925.93

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-- VILLAGE OF LINCOLNSHIRE --
DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 08/04/2014

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

GENERAL FUND			
00	ASSETS-LIABILITIES-REVENUES		
F3216	FREEDMAN ANSELMO ET AL		983.76
G1107	GEWALT HAMILTON ASSOCIATES	9,275.00	2,096.00
S1348	SUN-TIMES MEDIA	1,891.20	287.20
T1470	THE FRESH MARKET	19,598.00	10,670.00
	ASSETS-LIABILITIES-REVENUES		14,036.96
01	ADMINISTRATION		
A0117	AMERICAN EXPRESS	16,996.03	204.00
I0290	ILCMA	420.00	151.38
	ADMINISTRATION		355.38
02	FINANCE		
S1348	SUN-TIMES MEDIA	1,891.20	384.00
	FINANCE		384.00
05	POLICE		
A0117	AMERICAN EXPRESS	16,996.03	50.00
C1004	CHICAGO COMMUNICATIONS LLC	7,517.96	155.00
F0707	FEDEX	743.46	13.26
W1124	JAMIE C. WATSON	578.00	62.94
	POLICE		281.20
08	COMMUNITY & ECO DEVELOPMENT		
I2344	IEDC		385.00
	COMMUNITY & ECO DEVELOPMENT		385.00
12	INSURANCE & COMMON EXP		
A0974	A T & T	1,373.62	110.16
A1631	ADVANCED BUSINESS GROUP LLC	12,666.88	1,421.87

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-- VILLAGE OF LINCOLNSHIRE --
DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 08/04/2014

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

GENERAL FUND			
12	INSURANCE & COMMON EXP		
B1006	BEST COURIER & DELIVERY SVC	439.93	21.87
I1076	ILLINOIS PUBLIC RISK FUND	111,513.00	9,060.35
L1463	LOGSDON OFFICE SUPPLY	1,054.80	72.89
M1195	MICHAEL MERANDA, JR	2,695.32	232.48
	INSURANCE & COMMON EXP		10,919.62
20	PW ADMINISTRATION		
S1348	SUN-TIMES MEDIA	1,891.20	43.20
	PW ADMINISTRATION		43.20
21	PW STREETS		
G1467	GREEN ACRES LANDSCAPING	82,546.43	955.00
L2075	LECHNER & SONS UNIFORM RENTAL	2,401.80	63.65
	PW STREETS		1,018.65
22	PW PARKS & OPEN SPACE		
A0117	AMERICAN EXPRESS	16,996.03	33.98
C1260	ARTHUR CLESEN, INC.	4,727.36	28.32
D1465	THE DAVEY TREE EXPERT CO	2,425.00	450.00
G0723	W. W. GRAINGER, INC	3,715.68	37.15
L2075	LECHNER & SONS UNIFORM RENTAL	2,401.80	78.06
L2746	LINCOLNSHIRE COMMUNITY		677.12
M1222	MARKTIME MEDIA		487.50
N0407	NORTH SHORE GAS	5,804.31	70.22
W1422	MICHAEL WAGNER & SONS, INC	197.43	79.36
	PW PARKS & OPEN SPACE		1,941.71
25	BUILDINGS & GROUNDS		
B1638	BADE PAPER PRODUCTS	6,295.75	543.00
C1534	CLARKE AQUATIC SERVICES	3,801.00	3,276.00
N1304	NORTHWEST ELECTRICAL SUPPLY	900.69	836.40
W1422	MICHAEL WAGNER & SONS, INC	197.43	339.94
	BUILDINGS & GROUNDS		4,995.34

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DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 08/04/2014

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

WATER & SEWER OPERATIONS			
00	ASSETS-LIABILITIES-REVENUES		
R1033	BRIAN RIGHEIMER		1,058.00
	ASSETS-LIABILITIES-REVENUES		1,058.00
01	W/S ADMINISTRATION		
A0974	A T & T	1,373.62	12.25
A1631	ADVANCED BUSINESS GROUP LLC	12,666.88	155.49
B1006	BEST COURIER & DELIVERY SVC	439.93	21.88
I1076	ILLINOIS PUBLIC RISK FUND	111,513.00	4,042.31
L1463	LOGSDON OFFICE SUPPLY	1,054.80	8.10
V1444	VERIZON WIRELESS	13,126.95	237.22
	W/S ADMINISTRATION		4,477.25
02	PW OPERATING		
F0707	FEDEX	743.46	51.84
F1448	FLOLO CORPORATION	6,875.00	7,465.00
L2075	LECHNER & SONS UNIFORM RENTAL	2,401.80	70.85
M1075	MIDWEST METER INC	65,223.92	900.00
N0407	NORTH SHORE GAS	5,804.31	181.32
	PW OPERATING		8,669.01
WATER & SEWER IMPROVEMENTS			
01	OPERATING		
R1735	RUSH TRUCK CENTER	2,521.20	4,457.25
S1426	STANDARD EQUIPMENT COMPANY	3,939.18	1,991.68
	OPERATING		6,448.93
VEHICLE MAINTENANCE			
01	OPERATING		
A0120	AVALON PETROLEUM COMPANY	25,736.17	24,076.08
A0675	ALLDATA		1,500.00
A0702	ARLINGTON HEIGHTS FORD	4,052.06	2,182.88
C2150	CHICAGO PARTS & SOUND	160.68	355.33

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DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 08/04/2014

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

VEHICLE MAINTENANCE			
01	OPERATING		
I1076	ILLINOIS PUBLIC RISK FUND	111,513.00	836.34
L2075	LECHNER & SONS UNIFORM RENTAL	2,401.80	27.62
N1423	NAPA-SHERIDAN AUTO PARTS	936.12	7.88
P1459	PRECISION SERVICE & PARTS	155.34	18.17
R1077	RUSSO POWER EQUIPMENT	1,836.49	54.42
R1229	REINDERS, INC.	982.85	93.85
S2760	STANDARD INDUSTRIAL &	5,149.00	257.95
	OPERATING		29,410.52
SEDGEBROOK SSA			
01	OPERATING		
U1133	US BANK- CORP TRUST SERVICES	743,506.25	408,125.00
	OPERATING		408,125.00
GENERAL CAPITAL FUND			
21	PW STREETS		
R1735	RUSH TRUCK CENTER	2,521.20	8,652.29
S1426	STANDARD EQUIPMENT COMPANY	3,939.18	9,724.07
	PW STREETS		18,376.36
	TOTAL ALL DEPARTMENTS		510,926.13

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-- VILLAGE OF LINCOLNSHIRE --
 PAID INVOICES BY ACCOUNT NUMBER

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GENERAL FUND
 ACTIVITY FROM 07/29/2014 TO 08/04/2014

ACCOUNT #	ACCOUNT DESCRIPTION VENDOR NAME	VENDOR #	TRANSACTION DESCRIPTION	CHECK #	CHECK DATE	ITEM AMOUNT
01-00-45-2255	EMP DED MISC FREEDMAN ANSELMO ET AL	F3216	CASE NO. 12AR 01296	71286	08/04/14	983.76
			ACCOUNT TOTAL:			983.76
01-00-50-2482	STRUCTURAL/CIVIL ENG REV- INSP GEWALT HAMILTON ASSOCIATES GEWALT HAMILTON ASSOCIATES GEWALT HAMILTON ASSOCIATES	G1107 G1107 G1107	SFR-3 PRESTON CT.-ENGR.REVIEW SFR-217 NHAMPTON--ENGR.REVIEW NOAH'S-200 BARCLAY-ENGR.REVIEW	71288 71288 71288	08/04/14 08/04/14 08/04/14	386.00 462.00 1,248.00
			ACCOUNT TOTAL:			2,096.00
01-00-60-2819	EGG HARBOR SIGN SUN-TIMES MEDIA	S1348	Hearing notice, Egg Harbor	71307	08/04/14	287.20
			ACCOUNT TOTAL:			287.20
01-00-70-4020	SALES TAX THE FRESH MARKET	T1470	2nd qtr sales tax rebate	71310	08/04/14	7,106.00
			ACCOUNT TOTAL:			7,106.00
01-00-70-4021	LOCAL HOME RULE SALES TAX THE FRESH MARKET	T1470	2nd qtr HR sales tax rebate	71310	08/04/14	3,564.00
			ACCOUNT TOTAL:			3,564.00
01-01-63-1000	MEMBERSHIPS ILCMA	I0290	SHOUKRY MEMBERSHIP	71290	08/04/14	151.38
			ACCOUNT TOTAL:			151.38
01-01-63-3000	PROFESSIONAL DEVELOPMENT AMERICAN EXPRESS	A0117	2014 SURVEY MONKEY	71271	08/04/14	204.00
			ACCOUNT TOTAL:			204.00
01-02-61-5000	LEGAL NOTICES SUN-TIMES MEDIA	S1348	Treasurer's report publish	71307	08/04/14	384.00
			ACCOUNT TOTAL:			384.00
01-05-61-3009	EQ MAINT- IN-CAR VIDEO CAM					

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-- VILLAGE OF LINCOLNSHIRE --
 PAID INVOICES BY ACCOUNT NUMBER

GENERAL FUND
 ACTIVITY FROM 07/29/2014 TO 08/04/2014

ACCOUNT #	ACCOUNT DESCRIPTION VENDOR NAME	VENDOR #	TRANSACTION DESCRIPTION	CHECK #	CHECK DATE	ITEM AMOUNT
01-05-61-3009	EQ MAINT- IN-CAR VIDEO CAM CHICAGO COMMUNICATIONS LLC	C1004	Repair Camera System #85	71279	08/04/14	155.00
			ACCOUNT TOTAL:			155.00
01-05-61-3020	EQ MAINT- LOCAL RADIO FEDEX	F0707	Watson-ship out radio equip	71284	08/04/14	13.26
			ACCOUNT TOTAL:			13.26
01-05-63-3002	PROF DEV- CERTIFIED COURSES AMERICAN EXPRESS	A0117	ULANOWSKI CHILD SAFTY CERT	71271	08/04/14	50.00
			ACCOUNT TOTAL:			50.00
01-05-63-8604	REFURBISH PORTABLE RADIOS JAMIE C. WATSON	W1124	Reimburse for HT1000 Radio	71313	08/04/14	62.94
			ACCOUNT TOTAL:			62.94
01-08-63-1000	MEMBERSHIPS IEDC	I2344	TZ MEMBRSHP-6/2014 THRU 5/2015	71292	08/04/14	385.00
			ACCOUNT TOTAL:			385.00
01-12-61-4000	PROF SERV- VIDEO SERVICES MICHAEL MERANDA, JR MICHAEL MERANDA, JR	M1195 M1195	7/14/14 RVB/COW MTG 7/21/14 PARK BOARD MTG	71297 71297	08/04/14 08/04/14	116.24 116.24
			ACCOUNT TOTAL:			232.48
01-12-61-5503	DATA SYS- INTERNET CONNECTION A T & T ADVANCED BUSINESS GROUP LLC ADVANCED BUSINESS GROUP LLC	A0974 A1631 A1631	N PK INTERNET THRU 08/09/14 DATA SYS- T-1 LINE CONNECTION DATA SYS- VPN SERVICE CHARGE	71275 71276 71276	08/04/14 08/04/14 08/04/14	110.16 231.44 67.50
			ACCOUNT TOTAL:			409.10
01-12-61-5508	DATA SYS- TECH SUPPORT/BACKUP ADVANCED BUSINESS GROUP LLC	A1631	DATA SYS- ABG SERVICE CHARGE	71276	08/04/14	407.25
			ACCOUNT TOTAL:			407.25
01-12-61-5510	DATA SYS- BACKUP					

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-- VILLAGE OF LINCOLNSHIRE --
 PAID INVOICES BY ACCOUNT NUMBER

GENERAL FUND
 ACTIVITY FROM 07/29/2014 TO 08/04/2014

ACCOUNT #	ACCOUNT DESCRIPTION VENDOR NAME	VENDOR #	TRANSACTION DESCRIPTION	CHECK #	CHECK DATE	ITEM AMOUNT
01-12-61-5510	DATA SYS- BACKUP ADVANCED BUSINESS GROUP LLC	A1631	DATA SYS- BACKUP SERVICES	71276	08/04/14	715.68
			ACCOUNT TOTAL:			715.68
01-12-61-6000	POSTAGE BEST COURIER & DELIVERY SVC	B1006	7/11/14 ATTORNEY PACKET	71277	08/04/14	21.87
			ACCOUNT TOTAL:			21.87
01-12-61-8801	WORKERS COMP ILLINOIS PUBLIC RISK FUND	I1076	Sept premium & admin fee	71291	08/04/14	9,060.35
			ACCOUNT TOTAL:			9,060.35
01-12-61-9130	CONT SVC- PAYROLL PROCESSING PAYLOCITY	P1140	07/25 PAY SERVICES	201423	07/29/14	484.90
			ACCOUNT TOTAL:			484.90
01-12-62-1000	OFFICE SUPPLIES LOGSDON OFFICE SUPPLY	L1463	Budget binders, misc	71293	08/04/14	72.89
			ACCOUNT TOTAL:			72.89
01-20-61-5000	LEGAL NOTICES SUN-TIMES MEDIA	S1348	Londonderry resurf bid notice	71307	08/04/14	43.20
			ACCOUNT TOTAL:			43.20
01-21-61-9042	CONT SVC- PKWAY RESTOR GREEN ACRES LANDSCAPING	G1467	Mow vacant property 7-3-14	71289	08/04/14	60.00
			ACCOUNT TOTAL:			60.00
01-21-62-3117	R&R- STREETScape RESTOR MAT GREEN ACRES LANDSCAPING	G1467	Briarwood planting&mat'ls	71289	08/04/14	895.00
			ACCOUNT TOTAL:			895.00
01-21-63-6000	UNIFORMS LECHNER & SONS UNIFORM RENTAL	L2075	Uniform rental	71294	08/04/14	63.65
			ACCOUNT TOTAL:			63.65
01-22-61-8000	GAS UTILITIES					

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-- VILLAGE OF LINCOLNSHIRE --
 PAID INVOICES BY ACCOUNT NUMBER

GENERAL FUND
 ACTIVITY FROM 07/29/2014 TO 08/04/2014

ACCOUNT #	ACCOUNT DESCRIPTION VENDOR NAME	VENDOR #	TRANSACTION DESCRIPTION	CHECK #	CHECK DATE	ITEM AMOUNT
01-22-61-8000	GAS UTILITIES NORTH SHORE GAS	N0407	Parks natural gas service	71299	08/04/14	70.22
			ACCOUNT TOTAL:			70.22
01-22-61-9089	TREE REMOVAL- EMG, HAZ, DISEAS THE DAVEY TREE EXPERT CO	D1465	Emerg hazard tree removal	71283	08/04/14	450.00
			ACCOUNT TOTAL:			450.00
01-22-61-9215	SPECIAL EVENTS- RED, WHT, & BM LINCOLNSHIRE COMMUNITY	L2746	ICE MAKER REIMBURSEMENT	71295	08/04/14	677.12
			ACCOUNT TOTAL:			677.12
01-22-61-9220	SPECIAL EVENTS- TASTE OF LNSHR MARKTIME MEDIA	M1222	TOL-POSTER DESIGN & PRINTING	71298	08/04/14	487.50
			ACCOUNT TOTAL:			487.50
01-22-62-3026	MAINT MAT- PAINT & SUPP ARTHUR CLESEN, INC. W. W. GRAINGER, INC MICHAEL WAGNER & SONS, INC	C1260 G0723 W1422	Orange flagging tape-trees Poison Ivy cleanser NP Plumbing supplies	71280 71287 71314	08/04/14 08/04/14 08/04/14	28.32 37.15 79.36
			ACCOUNT TOTAL:			144.83
01-22-63-6000	UNIFORMS AMERICAN EXPRESS LECHNER & SONS UNIFORM RENTAL LECHNER & SONS UNIFORM RENTAL	A0117 L2075 L2075	LIFE GUARD SWIM SUIT Uniform rental Uniform rental	71271 71294 71294	08/04/14 08/04/14 08/04/14	33.98 16.41 61.65
			ACCOUNT TOTAL:			112.04
01-25-61-9051	CONT SVC- POND & SWALE MNT CLARKE AQUATIC SERVICES CLARKE AQUATIC SERVICES CLARKE AQUATIC SERVICES CLARKE AQUATIC SERVICES	C1534 C1534 C1534 C1534	V Hall Aquatic weed services PWF Aquatic weed services Durham swale aquatic weed svcs SLP Aquatic weed services	71281 71281 71281 71281	08/04/14 08/04/14 08/04/14 08/04/14	809.50 252.50 429.00 1,785.00
			ACCOUNT TOTAL:			3,276.00
01-25-62-3021	MAINT MAT- LIGHTING PRODUCTS					

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-- VILLAGE OF LINCOLNSHIRE --
 PAID INVOICES BY ACCOUNT NUMBER

WATER & SEWER OPERATIONS
 ACTIVITY FROM 07/29/2014 TO 08/04/2014

ACCOUNT #	ACCOUNT DESCRIPTION VENDOR NAME	VENDOR #	TRANSACTION DESCRIPTION	CHECK #	CHECK DATE	ITEM AMOUNT
02-00-75-4180	W/S USER FEES BRIAN RIGHEIMER	R1033	WATER/SEWER REIMB OVERPAY	71303	08/04/14	1,058.00
			ACCOUNT TOTAL:			1,058.00
02-01-61-1002	TELEPHONE- CELLULAR VERIZON WIRELESS	V1444	DATA PLAN UTIL 06/13-07/12/14	71312	08/04/14	237.22
			ACCOUNT TOTAL:			237.22
02-01-61-5503	DATA SYS- INTERNET CONNECTION A T & T	A0974	N PK INTERNET THRU 08/09/14	71275	08/04/14	12.25
	ADVANCED BUSINESS GROUP LLC	A1631	DATA SYS- T-1 LINE CONNECTION	71276	08/04/14	25.72
	ADVANCED BUSINESS GROUP LLC	A1631	DATA SYS- VPN SERVICE CHARGE	71276	08/04/14	7.50
			ACCOUNT TOTAL:			45.47
02-01-61-5508	DATA SYS- TECH SUPPORT/BACKUP ADVANCED BUSINESS GROUP LLC	A1631	DATA SYS- ABG SERVICE CHARGE	71276	08/04/14	42.75
			ACCOUNT TOTAL:			42.75
02-01-61-5510	DATA SYS- BACKUP ADVANCED BUSINESS GROUP LLC	A1631	DATA SYS- BACKUP SERVICES	71276	08/04/14	79.52
			ACCOUNT TOTAL:			79.52
02-01-61-6000	POSTAGE BEST COURIER & DELIVERY SVC	B1006	7/11/14 ATTORNEY PACKET	71277	08/04/14	21.88
			ACCOUNT TOTAL:			21.88
02-01-61-8801	WORKERS COMP ILLINOIS PUBLIC RISK FUND	I1076	Sept premium & admin fee	71291	08/04/14	4,042.31
			ACCOUNT TOTAL:			4,042.31
02-01-62-1000	OFFICE SUPPLIES LOGSDON OFFICE SUPPLY	L1463	Budget binders, misc	71293	08/04/14	8.10
			ACCOUNT TOTAL:			8.10
02-02-61-3007	EQ MAINT- REP RESVOIR/LIFT ST					

DATE: 07/29/14
 TIME: 11:50:58
 ID: AP4A0000.WOW

-- VILLAGE OF LINCOLNSHIRE --
 PAID INVOICES BY ACCOUNT NUMBER

WATER & SEWER OPERATIONS
 ACTIVITY FROM 07/29/2014 TO 08/04/2014

ACCOUNT #	ACCOUNT DESCRIPTION VENDOR NAME	VENDOR #	TRANSACTION DESCRIPTION	CHECK #	CHECK DATE	ITEM AMOUNT
02-02-61-3007	EQ MAINT- REP RESVOIR/LIFT ST FLOLO CORPORATION	F1448	Pump #2 repair at Old Mill Wds	71285	08/04/14	5,215.00
	FLOLO CORPORATION	F1448	Field svc to remove pump	71285	08/04/14	2,250.00
			ACCOUNT TOTAL:			7,465.00
02-02-61-8000	GAS UTILITIES NORTH SHORE GAS	N0407	Utilities natural gas service	71299	08/04/14	181.32
			ACCOUNT TOTAL:			181.32
02-02-61-9110	REMOTE READ CENTER MAINT MIDWEST METER INC	M1075	7-14 to 7-15 Maint Agreement	71296	08/04/14	900.00
			ACCOUNT TOTAL:			900.00
02-02-63-6000	UNIFORMS LECHNER & SONS UNIFORM RENTAL	L2075	Uniform rental	71294	08/04/14	18.41
	LECHNER & SONS UNIFORM RENTAL	L2075	Uniform rental	71294	08/04/14	52.44
			ACCOUNT TOTAL:			70.85
02-02-63-9000	BUSINESS EXPENSES FEDEX	F0707	Ship IEPA test results	71284	08/04/14	51.84
			ACCOUNT TOTAL:			51.84
			WATER & SEWER OPERATIONS			14,204.26

DATE: 07/29/14
TIME: 11:50:58
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-- VILLAGE OF LINCOLNSHIRE --
PAID INVOICES BY ACCOUNT NUMBER

RETIREMENT
ACTIVITY FROM 07/29/2014 TO 08/04/2014

ACCOUNT #	ACCOUNT DESCRIPTION VENDOR NAME	VENDOR #	TRANSACTION DESCRIPTION	CHECK #	CHECK DATE	ITEM AMOUNT
06-00-45-2230	EMP DED-IMRF IMRF	I2211	MEMBER CONTRIB 07/2014	201422	07/31/14	12,185.25
			ACCOUNT TOTAL:			12,185.25
06-01-70-9101	IMRF IMRF IMRF	I2211 I2211	EMPLOYER CONTRIB 07/2014 ACCELERATED PAYMENT- BECK	201422 201420	07/31/14 07/30/14	34,187.40 5,068.38
			ACCOUNT TOTAL:			39,255.78
			RETIREMENT			51,441.03

DATE: 07/29/14
TIME: 11:50:58
ID: AP4A0000.WOW

-- VILLAGE OF LINCOLNSHIRE --
PAID INVOICES BY ACCOUNT NUMBER

WATER & SEWER IMPROVEMENTS
ACTIVITY FROM 07/29/2014 TO 08/04/2014

ACCOUNT #	ACCOUNT DESCRIPTION VENDOR NAME	VENDOR #	TRANSACTION DESCRIPTION	CHECK #	CHECK DATE	ITEM AMOUNT
07-01-80-7004	VEH- REHAB TRUCKS STANDARD EQUIPMENT COMPANY	S1426	Unit 250 sweeper rehab	71308	08/04/14	1,991.68
			ACCOUNT TOTAL:			1,991.68
07-01-80-7006	VEH- REHAB TRUCK (#251) RUSH TRUCK CENTER	R1735	Cab renovate, eng. overhaul	71306	08/04/14	4,457.25
			ACCOUNT TOTAL:			4,457.25
			WATER & SEWER IMPROVEMENTS			6,448.93

DATE: 07/29/14
 TIME: 11:50:58
 ID: AP4A0000.WOW

-- VILLAGE OF LINCOLNSHIRE --
 PAID INVOICES BY ACCOUNT NUMBER

VEHICLE MAINTENANCE
 ACTIVITY FROM 07/29/2014 TO 08/04/2014

ACCOUNT #	ACCOUNT DESCRIPTION VENDOR NAME	VENDOR #	TRANSACTION DESCRIPTION	CHECK #	CHECK DATE	ITEM AMOUNT
12-01-61-8801	WORKERS COMP ILLINOIS PUBLIC RISK FUND	I1076	Sept premium & admin fee	71291	08/04/14	836.34
			ACCOUNT TOTAL:			836.34
12-01-61-9020	CONTRACT SVC- DEALER REPAIRS ARLINGTON HEIGHTS FORD	A0702	Repairs to #246	71274	08/04/14	2,120.79
			ACCOUNT TOTAL:			2,120.79
12-01-62-5002	GAS AVALON PETROLEUM COMPANY	A0120	Fuel	71272	08/04/14	24,076.08
			ACCOUNT TOTAL:			24,076.08
12-01-62-5006	PARTS ARLINGTON HEIGHTS FORD	A0702	Rear trailing arm for #99	71274	08/04/14	62.09
	CHICAGO PARTS & SOUND	C2150	Spk plgs, pcv valve, fan blt	71282	08/04/14	60.84
	CHICAGO PARTS & SOUND	C2150	Brakes for #99	71282	08/04/14	294.49
	NAPA-SHERIDAN AUTO PARTS	N1423	Oil filters for #230	71301	08/04/14	7.88
	PRECISION SERVICE & PARTS	P1459	Oil filters	71302	08/04/14	18.17
	RUSSO POWER EQUIPMENT	R1077	Seal and bolts	71304	08/04/14	51.64
	RUSSO POWER EQUIPMENT	R1077	Fuel tank bushing	71304	08/04/14	2.78
	REINDERS, INC.	R1229	Air cleaner bracket	71305	08/04/14	35.11
	REINDERS, INC.	R1229	Front wheel cap & spacer	71305	08/04/14	58.74
	STANDARD INDUSTRIAL &	S2760	Pressure washer hose	71309	08/04/14	257.95
			ACCOUNT TOTAL:			849.69
12-01-63-4000	PUBLICATIONS ALLDATA	A0675	Data Subscription	71273	08/04/14	1,500.00
			ACCOUNT TOTAL:			1,500.00
12-01-63-6000	UNIFORMS LECHNER & SONS UNIFORM RENTAL	L2075	Uniform rental	71294	08/04/14	27.62
			ACCOUNT TOTAL:			27.62
			VEHICLE MAINTENANCE			29,410.52

DATE: 07/29/14
TIME: 11:50:58
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-- VILLAGE OF LINCOLNSHIRE --
PAID INVOICES BY ACCOUNT NUMBER

SEDGEBROOK SSA
ACTIVITY FROM 07/29/2014 TO 08/04/2014

ACCOUNT #	ACCOUNT DESCRIPTION VENDOR NAME	VENDOR #	TRANSACTION DESCRIPTION	CHECK #	CHECK DATE	ITEM AMOUNT
20-01-64-7100	BOND PAYMENT US BANK- CORP TRUST SERVICES	U1133	Sedgebrook SemiAnnual Interest	71311	08/04/14	408,125.00
			ACCOUNT TOTAL:			408,125.00
			SEDGEBROOK SSA			408,125.00

DATE: 07/29/14
TIME: 11:50:58
ID: AP4A0000.WOW

-- VILLAGE OF LINCOLNSHIRE --
PAID INVOICES BY ACCOUNT NUMBER

GENERAL CAPITAL FUND
ACTIVITY FROM 07/29/2014 TO 08/04/2014

ACCOUNT #	ACCOUNT DESCRIPTION VENDOR NAME	VENDOR #	TRANSACTION DESCRIPTION	CHECK #	CHECK DATE	ITEM AMOUNT
51-21-80-7004	VEH- REHAB TRUCKS STANDARD EQUIPMENT COMPANY	S1426	Unit 250 sweeper rehab	71308	08/04/14	9,724.07

						ACCOUNT TOTAL:
						9,724.07
51-21-80-7006	VEH- REHAB TRUCK (#251) RUSH TRUCK CENTER	R1735	Cab renovate, eng. overhaul	71306	08/04/14	8,652.29

						ACCOUNT TOTAL:
						8,652.29

						GENERAL CAPITAL FUND
						18,376.36
						=====

REQUEST FOR BOARD ACTION
Regular Village Board
August 4, 2014

Subject:	Egg Harbor Monument Ground Sign
Action Requested:	APPROVAL of Amendment to Ordinance No. 08-3057-40 and Architectural Review Board recommendations regarding a proposed monument ground sign at Lincolnshire Retail Center (Village Green)
Petitioner:	Egg Harbor Cafe Management Company
Originated By/Contact:	Stephen Robles, Village Planner Department of Community & Economic Development
Referred To:	Village Board/Architectural Review Board

In the presentation materials of the July 28th meeting, the Tree Removal Location Exhibit noted the Code requirement for the inclusion of shrubs in the proposed area of tree removal, in order to screen the parking area from the street. Code Section 13-2-1(C)(3) states: *Parking Lots – Shrubs or small trees not less than 4' in height will be densely planted in groups of ten plants minimum covering at least 50% of the linear length of the parking lot.* This Code language was inadvertently left out of the Draft Ordinance in the July 28th meeting packet. It has now been added to the attached Ordinance. Staff apologizes for any inconvenience this omission may have caused.

Staff will also work with the property owner to locate the replacement trees in suitable locations within the Village Green Center, which do not obscure buildings/signs and are not simply tucked-in to the rear of the property.

Reports and Documents Attached:

- Revised Draft Ordinance, amended by Staff.

Meeting History	
Referral to Village Board (COW):	April 28, 2014
Architectural Review Board:	June 17, 2014
Committee of the Whole (Public Hearing):	July 28, 2014
Current Village Board	August 4, 2014

ORDINANCE NO.: _____

**AN ORDINANCE AMENDING A SPECIAL USE
FOR A PLANNED UNIT DEVELOPMENT
FOR THE LINCOLNSHIRE RETAIL CENTER
(VILLAGE GREEN – EGG HARBOR CAFÉ)
(ORDINANCE NO. 95-1401-31)**

WHEREAS, Ordinance No. 95-1401-31 granted a special use for a planned unit development for the Lincolnshire Retail Center planned unit development on the property commonly known as Village Green and legally described in **Exhibit A** attached hereto and made a part hereof by reference (the “Subject Property”) (collectively, the “PUD Ordinance”);

WHEREAS, the PUD Ordinance was amended, in part, with respect to the Tenant Signage Plan, by Ordinance 08-3057-40, adopted August 25, 2008 (the “First Amendment”);

WHEREAS, the PUD Ordinance was amended, in part, with respect to the Tenant Signage Plan for the tenant commonly known as Eddie Merlot’s, by Ordinance No. 12-3236-06, adopted February 27, 2012, (the “Second Amendment”);

WHEREAS, the PUD Ordinance was amended, in part, with respect to the Tenant Signage Plan for the buildings commonly known as 200 Village Green and 185 Milwaukee Avenue, by Ordinance No. 13-3277-03, adopted January 14, 2013, (the “Third Amendment”);

WHEREAS, a public hearing was held on July 28, 2014, on a request from Village Green Baceline, LLC, a Colorado limited liability company (“Owner”), and Harbor Cafés Corporation, d/b/a Egg Harbor Cafe (“Tenant”) (Owner and Tenant are hereafter collectively referred to as “Developer”) as Developer of the Subject Property, for a further amendment (“Special Use Amendment”) to PUD Ordinance; and

WHEREAS, the Tenant operates a restaurant in a single-occupancy space, as currently configured, which is more commonly referred to as Suite 100, 300 Village Green (the “Leased Premises”);

WHEREAS, the aforesaid public hearing was held pursuant to legal notice as required by law and all persons desiring an opportunity to be heard were given such opportunity at said public hearing; and

WHEREAS, the Special Use Amendment provides for a modification to the PUD Ordinance to permit additional changes to the “Tenant Signage Plan,” described as Exhibits G in the PUD Ordinance, to permit the erection and maintenance of a single-tenant monument sign along Olde Half Day Road for the use and benefit only for the occupant of the Leased Premises; and

WHEREAS, the Corporate Authorities have concluded that the Special Use Amendment, subject to and in conformance with the terms and conditions of this Ordinance, will be beneficial to the Village, will further the development of the Subject Property, and will otherwise enhance and promote the general welfare of the Village and the health, safety and welfare of the residents of the Village.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Lincolnshire, in exercise of its home rule authority, as follows:

Section 1. Recitals. The Parties hereby confirm the truth and validity of the representations and recitations set forth in the foregoing recitals and do further acknowledge that they are material to this Ordinance. Such recitals are hereby incorporated into and made a part of this Ordinance as though they were fully set forth herein. The Parties further agree that this Ordinance shall be liberally construed so that the purpose and intent represented by the recitals shall be accomplished to the greatest extent permitted by law.

Section 2. Amendment to PUD Ordinance.

A. **Future References.** From and after the effective date of this Ordinance, all references to the PUD Ordinance shall be deemed to mean the PUD Ordinance, as amended by the First Amendment, Second Amendment, Third Amendment and this Ordinance. Except as modified by this Ordinance, all provisions of the PUD Ordinance shall remain in full force and effect.

B. **Special Use Amendment.** The PUD Ordinance is hereby amended to permit the changes to the “Tenant Signage Plan,” described as Exhibits G in the PUD Ordinance, described in Section 3 below, subject to the following conditions and restrictions:

1. Within one year from the installation of the ground sign, the evergreen trees identified in the “Tree Location Exhibit”, attached hereto in **Exhibit C**, shall be removed and comparable replacement tree species shall be planted elsewhere on the site, subject to the approval of the Director of Community and Economic Development, **and additional shrubs or small trees shall be planted in place of the removed trees adjacent to the parking lot in compliance with Section 13-2-1(C)(3) of the Lincolnshire Village Code.**
2. The Olde Half Day Road wall sign shall be relocated to the east façade of the trash enclosure identified in the “Tree Location Exhibit”, attached hereto in **Exhibit C**.
3. Any sign face changes for any lessee of the Leased Premises shall be subject to approval of the Director of Community and Economic Development.

4. In the event the Leased Premises is split for multiple occupancy or the tenant thereof ceases to use the single-tenant monument sign herein approved, Owner shall be required to obtain approval from the Architectural Review Board for any sign face changes to said single-tenant monument sign, provided no amendment to the PUD Ordinance shall be required.

Section 3. Plan Approval. The following plan documents comprising Group Exhibit B, attached hereto and made a part hereof by reference, are hereby approved and all standards, requirements, designs or specifications in such exhibits shall be binding on the Subject Property and considered conditions of approval for this Special Use for a Planned Unit Development. Furthermore, to the extent that the plan documents comprising Group Exhibit B conflict with the plan documents in the PUD Ordinance (known as Exhibit G (Tenant Signage Plan)), the exhibits attached to this Ordinance shall prevail and the PUD Ordinance shall be deemed amended to the extent of such conflict.

- A. Petitioner's Tenant Signage Plan, prepared by North Shore Sign, date stamped received July 21, 2014, attached hereto in **Exhibit B.**

Section 4. Sign Exceptions. The items described below and depicted on the approved plans attached as Group Exhibit B are not in full compliance with the applicable regulations of the Village Sign Code for the Downtown Development Sign Area, however the Board of Trustees hereby grants the following Special Exceptions to such regulations pursuant to the authority provided in Section 6-14-14(M)(7)(c)(9):

- A. Section 12-9-1(A)(2), to permit two monument identification signs along the Olde Half Day Road frontage of the Subject Property.
- B. Section 12-9-1(A)(1), to increase the overall length of the sign from 9' to 11'-8".
- C. Section 12-9-1(A)(1), to increase the overall sign area, from 54 square feet to 70 square feet.
- D. Section 12-9-1(A)(6), to permit internal illumination for a single-tenant ground sign within the Downtown Sign District.

Section 5. Superseding Effect. The specific terms and conditions of this Ordinance shall prevail against other existing ordinances of the Village to the extent of any conflicts. Except for the foregoing limitation, the development of the Subject Property remains subject to all terms and conditions of applicable Codes and Ordinances of the Village of Lincolnshire including, without limitation, zoning ordinances, building codes, subdivision regulations and regulations concerning the construction and design of public improvements.

Section 6. Penalties. Any person violating the terms and conditions of this Ordinance shall be subject to a penalty not exceeding Five Hundred Dollars (\$500.00) with each and every day that the violation of the Ordinance is allowed to remain in effect

being deemed a complete and separate offense. In addition, the appropriate authorities of the Village may take such other action as they deem proper to enforce the terms and conditions of this Ordinance, including, without limitation, an action in equity to compel compliance with its terms. Any person violating the terms of this Ordinance shall be subject, in addition to the foregoing penalties, to the payment of court costs and reasonable attorneys' fees. This section shall not apply to the Village of Lincolnshire, its officials, agents or employees.

Section 7. Enforcement. The Subject Property shall be made available for inspection by any department of the Village at all reasonable times for compliance with this Ordinance and any other applicable laws or regulations.

Section 8. Effective Date; Assent. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law, provided, however, that this Ordinance shall not take effect until a true and correct copy of this Ordinance is executed by the Owner and Tenant, or such other parties in interest as the Village may reasonably identify, consenting to and agreeing to be bound by the terms and conditions of this Ordinance. Delivery to the Village of a copy of this Ordinance, as so executed, shall take place not later than sixty (60) days after the passage and approval of this Ordinance by the Corporate Authorities or within such extension of time as may be granted by the Corporate Authorities by motion.

PASSED this ___ day of _____, 2014, by the Corporate Authorities of the Village of Lincolnshire on a roll call vote as follows:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED this ___ day of _____, 2014.

Brett Blomberg, Mayor

ATTEST:

Barbara Mastandrea, Village Clerk

ACCEPTED:

Village Green Baceline, LLC,
a Colorado limited liability company

Harbor Cafes Corporation
d/b/a Egg Harbor Cafe

By _____

By: _____

Name: _____

Name: _____

Its: _____

Its: _____

Date of Execution: _____

Date of Execution: _____

STATE OF ILLINOIS)
) **SS.**
COUNTY OF _____)

I, the undersigned, a Notary Public, do hereby certify that _____,
who is the _____ of **Village Green Baceline, LLC** (“Owner”), and who is
personally known to me to be the same person whose name is subscribed to the foregoing
Ordinance, appeared before me this day in person and acknowledged that he signed and
delivered said Ordinance as his own free and voluntary act on behalf of the Owner, for
the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal, this ____ day of _____ 2014.

Notary Public

STATE OF ILLINOIS)
) **SS.**
COUNTY OF _____)

I, the undersigned, a Notary Public, do hereby certify that _____,
who is the _____ of **Harbor Cafes Corporation, d/b/a Egg Harbor Cafe**
("Tenant"), and who is personally known to me to be the same person whose name is
subscribed to the foregoing Ordinance, appeared before me this day in person and
acknowledged that he signed and delivered said Ordinance as his own free and voluntary
act on behalf of the Tenant, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal, this ____ day of _____, 2014.

Notary Public

EXHIBIT A

LEGAL DESCRIPTION OF THE SUBJECT PROPERTY

PARCEL 1:

LOT 2 IN LINCOLNSHIRE RETAIL CENTER, BEING A SUBDIVISION OF A PART OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 3], 1994 AS DOCUMENT 3547463 (EXCEPT THAT PART CONVEYED TO THE ILLINOIS DEPARTMENT OF TRANSPORTATION BY DEED RECORDED AS DOCUMENT 4191455 AND DOCUMENT 534524]), IN LAKE COUNTY, ILLINOIS.

ALSO DESCRIBED AS FOLLOWS: THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 43 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 2 IN LINCOLNSHIRE RETAIL CENTER. BEING A SUBDIVISION OF PART OF SAID SOUTHEAST QUARTER, RECORDED MAY 31, 1994 AS DOCUMENT 3547463; THENCE NORTH 89 DEGREES 22 MINUTES 58 SECONDS EAST, ALONG A NORTH LINE OF SAID LOT 2, 2,432.88 FEET TO A CORNER OF SAID LOT 2; THENCE SOUTH 01 DEGREES 43 MINUTES 30 SECONDS EAST, ALONG A LINE OF SAID LOT 2, 2,296.6] FEET TO A CORNER OF SAID LOT 2; THENCE SOUTH 89 DEGREES 54 MINUTES 06 SECONDS EAST, ALONG A LINE OF SAID LOT 2, ALSO BEING AGREED BOUNDARY LINE "A" RECORDED ON FEBRUARY 16, 1990 AS DOCUMENT NUMBER 2878871, 146.32 FEET, TO THE EASTERLY TERMINUS OF SAID AGREED BOUNDARY LINE "A", ALSO BEING A POINT OF BEGINNING OF AGREED BOUNDARY LINE "D" RECORDED MARCH 25, 1994 AS DOCUMENT NUMBER 3514110; THENCE NORTH 89 DEGREES 12 MINUTES 30 SECONDS EAST, ALONG A LINE OF SAID LOT 2, ALSO BEING SAID AGREED BOUNDARY LINE "D", 87.09 FEET, TO A POINT OF BEGINNING OF AGREED BOUNDARY LINE "E" RECORDED MARCH 25, 1994 AS DOCUMENT NUMBER 3514111; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG SAID AGREED BOUNDARY LINE "E", 477.80 FEET, TO THE NORTH RIGHT OF WAY LINE OF OLDE HALF DAY ROAD AS CONVEYED TO THE ILLINOIS DEPARTMENT OF TRANSPORTATION BY TRUSTEE DEED RECORDED ON AUGUST 20, 1998 AS DOCUMENT NUMBER 4191456; THENCE NORTH 78 DEGREES 56 MINUTES 50 SECONDS WEST, ALONG SAID NORTH RIGHT-OF-WAY OF OLDE HALF DAY ROAD, FOR THIS AND THE NEXT 4 COURSES, 240.36 FEET; THENCE NORTH 71 DEGREES 00 MINUTES 40 SECONDS WEST, 100.50 FEET; THENCE NORTH 77 DEGREES 47 MINUTES 05 SECONDS WEST, 81.71 FEET; THENCE NORTH 04 DEGREES 24 MINUTES 37 SECONDS WEST, 15.88 FEET; THENCE SOUTH 85 DEGREES 24 MINUTES 00 SECONDS WEST, 30.00 FEET; THENCE NORTH 52 DEGREES 32 MINUTES 43 SECONDS EAST, 55.94 FEET; THENCE NORTH 00 DEGREES 59 MINUTES 00 SECONDS EAST, 201.46 FEET; THENCE NORTH 44 DEGREES 01 MINUTES 00 SECONDS WEST, 33.70 FEET; THENCE NORTH 89 DEGREES 01 MINUTES 00 SECONDS WEST, 233.76 FEET; THENCE SOUTH 46 DEGREES 22 MINUTES 10 SECONDS WEST, 42.72 FEET TO THE EAST RIGHT OF WAY LINE OF MILWAUKEE AVENUE (STATE ROUTE 21) AS DEDICATED PER DOCUMENT NUMBER 3547463; THENCE NORTH 00 DEGREES 59 MINUTES 00 SECONDS EAST, ALONG SAID EAST RIGHT OF WAY LINE, FOR THIS AND THE NEXT COURSE, 246.92 FEET; THENCE NORTH 00 DEGREES 51 MINUTES 44 SECONDS EAST, 178.07 FEET, TO THE POINT OF BEGINNING, IN LAKE COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 43 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 2 IN LINCOLNSHIRE RETAIL CENTER BEING A SUBDIVISION OF PART OF SAID SOUTHEAST 1/4 RECORDED MAY 31, 1994 AS DOCUMENT 3547463; THENCE NORTH 89 DEGREES 22 MINUTES 58 SECONDS EAST, ALONG A NORTH LINE OF SAID LOT 2, 432.88 FEET, TO A CORNER OF LOT 2; THENCE SOUTH 01 DEGREES 43 MINUTES 30 SECONDS EAST, ALONG A LINE OF SAID LOT 2, 296.61 FEET, TO A CORNER OF SAID LOT 2; THENCE SOUTH 89 DEGREES 54 MINUTES 06 SECONDS EAST, ALONG A LINE OF SAID LOT 2, 146.32 FEET; THENCE NORTH 89 DEGREES 12 MINUTES 30 SECONDS EAST, ALONG A LINE OF SAID LOT 2, 87.09 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 89 DEGREES 12 MINUTES 30 SECONDS EAST, ALONG SAID AGREED BOUNDARY LINE 'D' RECORDED MARCH 25, 1994 AS DOCUMENT 3514110, 46.79 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 30 SECONDS EAST, ALONG SAID AGREED BOUNDARY LINE "D", AND ITS EASTERLY EXTENSION, 345.79 FEET, TO THE INTERSECTION WITH A LINE THAT IS 3.50 FEET EAST OF AND PARALLEL TO THE EAST LINE OF THE WEST 7.10 CHAINS OF TI EAST 1/2 OF SAID SOUTHEAST 1/4 OF SECTION 15; THENCE SOUTH 00 DEGREES 41 MINUTES 19 SECONDS EAST, ALONG SAID PARALLEL LINE 228.96 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 395.32 FEET, TO A POINT ON AGREED BOUNDARY LINE "E" RECORDED MARCH 25, 1994 AS DOCUMENT 3514111, SAID LINE ALSO BEING AN EASTERLY LINE OF SAID LOT 2; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG SAID AGREED BOUNDARY LINE 'F', 226.64 FEET, TO THE POINT OF BEGINNING, IN LAKE COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT 2 IN LINCOLNSHIRE RETAIL CENTER, BEING A SUBDIVISION OF PART OF SAID SOUTHEAST 1/4, RECORDED MAY 31, 1994 AS DOCUMENT 3547463; THENCE NORTH 89 DEGREES 22 MINUTES 58 SECONDS EAST, ALONG A NORTH LINE OF SAID LOT 2, 432.88 FEET TO A CORNER OF SAID LOT 2; THENCE SOUTH 01 DEGREES 43 MINUTES 30 SECONDS EAST, ALONG A LINE OF SAID LOT 2, 296.61 FEET TO A CORNER OF SAID LOT 2; THENCE SOUTH 89 DEGREES 54 MINUTES 06 SECONDS EAST, ALONG A LINE OF SAID LOT 2, 146.32 FEET; THENCE NORTH 89 DEGREES 12 MINUTES 30 SECONDS EAST ALONG A LINE OF SAID LOT 2 AND ITS EASTERLY EXTENSION, 133.88 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 30 SECONDS EAST, ALONG AGREED BOUNDARY LINE 'D' RECORDED MARCH 25, 1994 AS DOCUMENT 3514110 AND ITS EASTERLY EXTENSION, 345.79 FEET TO THE INTERSECTION WITH A LINE THAT IS 3.50 FEET EAST OF AND PARALLEL TO THE EAST LINE OF THE WEST 7.10 CHAINS OF THE EAST 1/2 OF SAID SOUTHEAST 1/4 OF SECTION 15; THENCE SOUTH 00 DEGREES 41 MINUTES 19 SECONDS EAST ALONG SAID PARALLEL LINE 228.96 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00 DEGREES 41 MINUTES 19 SECONDS EAST, CONTINUING ALONG THE AFORE DESCRIBED COURSE, 329.18 FEET TO THE INTERSECTION WITH A LINE 30.00 FEET NORTHERLY OF AND PARALLEL TO THE CENTERLINE OF OLDE HALF DAY ROAD; THENCE NORTH 78 DEGREES 56 MINUTES 50 SECONDS WEST, ALONG SAID 30 FOOT PARALLEL LINE, 406.83 FEET TO AN EAST LINE OF SAID LOT 2; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID EAST LINE OF LOT 2, 251.16 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 395.32 FEET TO THE POINT OF BEGINNING (EXCEPT THAT PART CONVEYED TO THE ILLINOIS DEPARTMENT OF TRANSPORTATION BY DEED RECORDED AS DOCUMENT 4191456), IN LAKE COUNTY, ILLINOIS.

PARCEL 4:

A NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF PARCEL 1 AS CREATED IN COVENANTS, RESTRICTIONS AND RECIPROCAL EASEMENT AGREEMENT RECORDED AS DOCUMENT 3551015, FOR STORM WATER DRAINAGE, PEDESTRIAN AND VEHICULAR INGRESS, EGRESS, PARKING, PASSAGE AND TRAFFIC IN, OVER, UNDER, UPON, ACROSS AND THROUGH PORTIONS OF LOT 1 TN LINCOLNSHIRE RETAIL CENTER, AFORESAID, AS

SHOWN ON ENGINEERING PLANS PREPARED BY MANHARD CONSULTING, INC., LAST
REVISED MAY 6, 1994.

GROUP EXHIBIT B
TENANT SIGNAGE PLAN

EXHIBIT C
TREE LOCATION EXHIBIT

REQUEST FOR BOARD ACTION
Village Board
August 4, 2014

Subject:	Resolution Amending the approved plans of Ordinance No. 07-3005-33 permitting the installation of cellular antennae at a lower mounting height and revised mounting design on an existing monopole tower
Action Requested:	Approval of Resolution
Petitioner:	LCC Law, on behalf of American Tower Corporation/Verizon Wireless
Originated By/Contact:	Stephen Robles, Village Planner Department of Community & Economic Development
Referred To:	Village Board

Summary:

- At the July 28th Village Board meeting, it was the consensus of the Village Board to approve the Amendment request for the installation of six small-cell antennae at a mounting height of 35 feet.
- The attached resolution memorializes approval of the Amendment request.

Reports and Documents Attached:

- Resolution Authorizing Modifications to Ordinance No. 07-3005-33, prepared by Staff.

Meeting History	
Initial Village Board (COW):	July 28, 2014
Current Village Board Discussion:	August 4, 2014

Resolution # _____

**RESOLUTION AUTHORIZING MODIFICATIONS TO ORDINANCE NO. 07-3005-33
FOR THE COLOCATION OF VERIZON WIRELESS ANTENNAE, 202 HALF DAY
ROAD**

This Resolution is made and entered into as of this _____ day of _____ 2014, by the Village of Lincolnshire, a Home Rule municipal corporation of the State of Illinois, in accordance with Article VII, Section 6 of the Constitution of the State of Illinois (1970) and organized and existing under the terms of the Illinois Municipal Code, 65 ILCS 5/1-1-1, et. seq. (hereinafter, "Village").

WITNESSETH:

WHEREAS, American Tower, Inc. (hereinafter, the "Owner") is the legal title holder of that property commonly known as 202 Half Day Road, formerly 15251 Riverside Drive, and more specifically identified by P.I.N. 15-15-404-170 (hereinafter, the "Property"); and

WHEREAS, the Owner applied for approval of a special use for the operation and maintenance of a personal wireless telecommunications facility (hereinafter, the "PWTF") comprised of one (1) 155' tall monopole with a total of five (5) wireless carriers; and

WHEREAS, Ordinance No. 07-3005-33 (hereinafter the "Ordinance") approving the special use for the PWTF on the Property is in full force and effect from and after its adoption on October 8, 2007 in the manner provided by law; and

WHEREAS, as a condition of the Ordinance, the plans for the improvement of the Property shall be in general conformance with the documents comprising Exhibit A of the Ordinance, which included a Certificate of Necessity prepared by Rizzo Consulting, Inc. dated July 31, 2007, identifying the lowest collocation mounting height of 110'; and

WHEREAS, Section 4 of the Ordinance provides future modifications to the plans and improvements authorized by the Ordinance may be approved by motion of the Mayor and Board of Trustees, provided the proposed change is consistent with the intent and purpose of the Chapter 16 of Title 6 of the Lincolnshire Village Code; and

WHEREAS, on July 3, 2014, Lora, Chanthadouangsy, Castellanos, LLC., on behalf of the Owner (hereinafter the "Applicant"), submitted an application seeking a modification of the plans approved by the Ordinance to permit the installation and ring mounting of six (6) small cell antennae at a mounting height of thirty-five (35) feet; and

WHEREAS, the Mayor and Board of Trustees at a public meeting on July 28, 2014, reviewed the application, proposed small cell antennae installation plans, and current and proposed coverage maps prepared by the Applicant, a copy of which attached hereto as **Exhibit A**; and

WHEREAS, The Village Board determined that, based on the application and the Village's zoning authority under the Middle Class Tax Relief and Job Creation Action of 2012, the

request does not substantially change the physical dimensions of such tower or base station and is consistent with the intent and purpose of the Chapter 16 of Title 6 of the Lincolnshire Village Code.

NOW, THEREFORE, the Mayor and Board of Trustees of the Village, in exercise of its home rule authority, approve a modification to the plans authorized by Ordinance No. 07-3005-33 to permit Verizon Wireless to install six (6) small cell antennae at a mounting height of thirty-five (35) feet on the existing PWTF in substantial conformity to the manner described in the application attached hereto as Exhibit A.

IN WITNESS HEREOF, the Village of Lincolnshire has caused this Resolution to be executed and attested as of this _____ Day of _____, 2014.

VILLAGE OF LINCOLNSHIRE,

Brett Blomberg, Mayor

ATTEST:

Barbara Mastandrea, Village Clerk

EXHIBIT A

**REQUEST FOR BOARD ACTION
Village Board
August 4, 2014**

Subject:	Forest View Subdivision Improvements, Thornfields Lane & Rt. 22
Action Requested:	Approve Resolution Revising Final Pond Engineering Plans and Consideration of a Request to Amend Rezoning Ordinance No. 07-2993-21 related to fence screening requirement for the 7-lot Forestview Subdivision
Petitioner:	ForestView, Inc.
Originated	Steve McNellis, Director
By/Contact:	Department of Community & Economic Development
Referred To:	Zoning Board

Proposed Detention Pond Revision:

At the July 28th Committee of the Whole meeting, there was consensus to permit proposed Engineering Plan revisions to reshape the detention basin for the Forestview Subdivision. The proposed change would add additional area in the northeast and southeast corner of the approved pond, and would allow the retaining wall and safety fence to be eliminated from the plans in favor of more gradual slopes at the edge of the detention basin. The consensus was subject to Staff review of previous Public Hearing minutes and discussion at that time related to detention basin size, pond slope, safety issues and tree preservation. The attached minutes cover Zoning Board Public Hearings during the original 2007 Rezoning and Subdivision approval and the 2013 Plat approval. Committee of the Whole minutes related to discussion of the Zoning Board recommendations are also included. Staff reviewed the minutes and the paper/electronic files of this Subdivision and find no issues or concerns that would conflict with the current proposal to revise the detention basin engineering.

Should the Board concur, a Resolution is attached for approval, memorializing the proposed changes to the detention basin, pond fence, retaining wall and tree preservation.

Proposed Screening Fence Elimination:

At the July 28th Committee of the Whole meeting the Board also discussed a proposal to eliminate the required fence along the west property line in favor of landscape screening to be negotiated with each consenting property owner. The Board reached no conclusion regarding referral of this matter to the Zoning Board. Staff researched the original approvals and has attached the minutes of the Public Hearings addressing this Ordinance stipulation both in 2007 and in 2013.

The Village Board also requested staff review the requirements of this Subdivision related to the timing of screening fence construction. The attached summary states the Forest View Ordinance requirement and the Village Subdivision Code requirement. Essentially, the Developer may have up to three homes permitted and under construction; however, no occupancies can be permitted for any house until all Public Improvements, including the proposed screening fence, are approved and accepted by the Village Board. This would permit the Village Board time to wait until fall to evaluate screening necessities in this area and not impact the developer's ability to move forward.

Staff seeks direction from the Board regarding whether to permit this request to proceed. If the Board would like to permit the proposal to move forward, staff will initiate arranging a meeting with adjacent property owners.

Reports and Documents Attached:

- Resolution approving Detention Pond Revision, prepared by Staff.
- Minutes of 2007 and 2013 Zoning Board & Committee of the Whole Public Hearings and discussion regarding Forestview.
- Summary of Public Improvement Requirements related to Forestview Fence, prepared by Staff

Meeting History	
Initial Referral to Village Board (COW):	January 28, 2013
Zoning Board Meeting:	July 9, 2013
Consideration & Discussion (COW):	August 5, 2013
Village Board Discussion:	August 26, 2013
Consideration & Discussion (COW):	November 11, 2013
Regular Village Board:	November 25, 2013
Consideration & Discussion (COW):	<i>July 14, 2014 – Meeting Cancelled</i>
Consideration & Discussion (COW):	July 28, 2014
Current Consideration & Discussion (VB)	August 4, 2014

**VILLAGE OF LINCOLNSHIRE
LAKE COUNTY, ILLINOIS**

RESOLUTION _____

**A RESOLUTION APPROVING
AN AMENDMENT TO FINAL ENGINEERING
FOR THE FOREST VIEW SUBDIVISION**

WHEREAS, the Village of Lincolnshire is an Illinois home rule municipal corporation organized and operating under the Constitution and Laws of the State of Illinois;

WHEREAS, in 2007 the Village approved the rezoning of certain property commonly known as Forest View Subdivision (“Forest View”) from R-1 to R-3 residential; and

WHEREAS, on November 25, 2013, the Village approved a Final Plat of Subdivision for Forest View, including the final engineering plans for said subdivision; and

WHEREAS, the final engineering plans for Forest View included a storm water management system comprised, in part, of a detention basin located on Outlot A (the “Basin”); and

WHEREAS, Title 7 of the Village of Lincolnshire Municipal Code (Subdivision) provides that no substantial deviation from final engineering plans and specifications shall be allowed without the written permission of the Village Board; and

WHEREAS, the owner of Forest View has applied to the Village Board to amend the final engineering plans for the subdivision to redesign the Basin to (i) change the grading, (ii) expand the footprint, (iii) permit the removal additional trees, and (iv) eliminate the perimeter fence surrounding the Basin; and

WHEREAS, the Village Board desires to grant conceptual approval to the owner's application to amend the Basin, subject to all applicable regulatory authorities approving the amended final engineering plans.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Trustees of the Village of Lincolnshire, in exercise of its home rule powers, as follows:

Section 1. Recitals. The Mayor and Board of Trustees find the foregoing recitals to be a full, complete and accurate statement of the facts relevant to this resolution and set forth the Board's purpose and intent.

Section 2. Amendment. The Mayor and Board of Trustees grant conceptual approval to the owner's application to amend the final engineering plans for the subdivision commonly known as Forest View to revise the Detention Basin located on Outlot A by (i) changing the grading, (ii) expanding the footprint, (iii) permitting the removal additional trees, and (iv) eliminating the perimeter fence surrounding the Basin, all as more specifically described in the drawings prepared by _____, comprising ___ pages, and identified as _____, a copy of which is attached hereto as Exhibit A and made a part hereof by reference (the "Drawings").

Section 3. Limited Approval. The approval granted in Section 2 is conceptual only and does not authorize construction of any site or building improvements, nor does it exempt future site or building improvements in Forest View from complying with the applicable Village approval and permitting process. A condition precedent to the owner receiving a permit to construct the revised Basin in the manner described in the Drawings shall be the approval of the final engineering plans for the Basin by (a) Village staff, and (b) Lake County Storm Water Management Commission.

Section 4. Superseding Effect. The specific terms and conditions of this Resolution shall prevail against other existing resolutions or motions of the Village to the extent of any conflicts. Except for the foregoing limitation, the development of Forest View remains subject to all terms and conditions of Applicable Codes and Ordinances of the Village of Lincolnshire including, without limitation, zoning ordinances, building codes, subdivision regulations and regulations concerning the construction and design of public improvements.

Section 5. Penalties. Any person violating the terms and conditions of this Resolution shall be subject to a penalty not exceeding Five Hundred Dollars (\$500.00) with each and every day that the violation of the Resolution is allowed to remain in effect being deemed a complete and separate offense. In addition, the appropriate authorities of the Village may take such other action as they deem proper to enforce the terms and conditions of this Resolution, including, without limitation, an action in equity to compel compliance with its terms.

Section 6. Enforcement. The Subject Property shall be made available for inspection by any department of the Village at all reasonable times for compliance with this Ordinance and any other applicable laws or regulations.

Section 7. Effective Date; Assent. This Resolution shall be in full force and effect from and after its passage and approval, provided, however, that this Resolution shall not take effect until a true and correct copy of this Resolution is executed by the owners of Forest View, or such other parties in interest as the Village may reasonably identify, consenting to and agreeing to be bound by the terms and conditions of this Resolution. Delivery to the Village of a copy of this Resolution, as so executed, shall take place not later than sixty (60) days after the passage and approval of this Resolution by the Corporate Authorities or within such extension of time as may be granted by the Corporate Authorities by motion.

PASSED this ____th day of _____, 2014, by the Corporate Authorities of the Village of Lincolnshire on a roll call vote as follows:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED this ____th day of _____, 2014.

Brett Blomberg, Mayor

ATTEST:

Barbara Mastandrea, Village Clerk

ACKNOWLEDGED and ACCEPTED

this ____ day of _____, 2014.

Forest View, Inc., Owner

EXHIBIT A

DETENTION BASIN DRAWINGS FOR FOREST VIEW SUBDIVISION

[*SEE ATTACHED*]

11/14/06
ZB

APPROVED AS SUBMITTED Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Tuesday, November 14, 2006, in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL

PRESENT: Chairperson Itkin, Members Rubinstein and Pratt, Alternate Brusso, and Trustee Liaison McDonough

ABSENT: Members Salzenstein and Topping

ALSO PRESENT: Steve McNellis, Director of Community Development, Krysti Barksdale-Noble, Planner, Jennifer Hughes, Village Engineer, and Tony Gliot, Village Forester

CALL TO ORDER: Chairperson Itkin called the meeting to order at 7:01 p.m.

1.0 ROLL CALL

The roll was called by the secretary and **Chairperson Itkin** declared a quorum to be present.

2.0 APPROVAL OF MINUTES

2.1 Approval of the Minutes of the Zoning Board Meeting held on Tuesday, October 10, 2006.

Mr. Rubinstein moved and **Mr. Pratt** seconded a motion to approve the minutes as submitted. The motion passed unanimously by voice vote.

3.0 GENERAL BUSINESS

3.1 **Public Hearing** regarding a request to rezone a 7.27 acre parcel from R1 Single Family Residential to R-3 Single Family Residential, for the proposed 7-lot Forest View Subdivision, located at 13 Half Day Road (on the south side of Half Day Road, west of Oakwood Lane). (Antonio Fanizza Associates, Ltd.)

3.2 Consideration and discussion of a request to rezone a 7.27 acre parcel from R1 Single Family Residential to R-3 Single Family Residential, for the proposed 7-lot Forest View Subdivision, located at 13 Half Day Road (on the south side of Half Day Road, west of Oakwood Lane). (Antonio Fanizza Associates, Ltd.)

Chairperson Itkin recessed the Zoning Board meeting and opening the Public Hearing.

Steve McNellis, Director of Community Development, summarized Staff's memorandum dated November 10, 2006, and noted that the homes in the proposed 7-lot subdivision would be located along the east side of the property. The main roadway through the development will be a public street, with right-in/right-out access on Rt. 22, ending in a cul-de-sac and located along the west side of the site, due to the presence of significantly higher quality trees along the east side of the property. While trees would have to be removed for the homes, roadway and detention pond, the majority of the trees unaffected by those facilities will be

retained, and the eastern 30' of each residential lot will be retained in a Conservancy Area, while a 10' buffer will be retained around the remainder of the subdivision boundaries. The meandering roadway is proposed to be buffered from the rear yard of Essex Lane homes by the preservation of a number of existing trees along the lot line, additional tree and shrub plantings for screening, and the inclusion of a 6' wooden fence along the developed portion of the subdivision between the homes on Essex Lane. The detention pond for this subdivision would be located south of the southernmost residential lot, ending approximately 275' north of the southernmost property line of the homes on Melrose Lane. It is proposed to be dry, with a small stilling basin on one end which would be wet most of the time. The overall pond would remain dry, except during storm events, and the area south of the pond would remain vegetated with many of the existing trees.

FENCE

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* POND

Director McNellis further noted that there are several Staff recommendations which will be discussed upon completion of the developer's presentation. However, the aforementioned proposed 6' wooden fence along the western property line between the development and the rear yards of the Essex Lane homes would require a separate variation for its height and opacity requirements. Secondly, Staff has some concerns about a portion of the detention pond being located on an easement of one of the new proposed residential lots and consideration should be given to revising the detention pond design to relocate the detention pond so that it is located entirely on Outlot A. This would eliminate any confusion with regard to landscaping and maintenance of the pond.

John Pikarski, Jr., Attorney, representing the owner and developer, was sworn in by Chairperson Itkin and noted his presence as a resource person to aid the project engineer. He provided a brief overview of the 7.27 acre rectangular wooded parcel and noted that the existing R1 zoning classification of the property is in place because it was the default zoning classification when the property was annexed to the Village. Therefore, since the zoning classification is inconsistent with the surrounding property, the suitable zoning classification would be R3, Single Family Residential, which is consistent with and would not adversely impact the objective of the Comprehensive Policies Plan of the Village.

Kevin Lewis, Project Engineer with IG Consulting, Inc., was sworn in by Chairperson Itkin and noted that he has been working with the developer and Staff over the past 2-3 years to develop a plan to meet the requirements of the Village, the developer, and the residents. In addition, they have been working with Lake County Stormwater Management Commission (LCSMC), which governs how the detention and the stormwater is managed on the site. In working through a plan which meets those requirements, they have received conceptual approval from LCSMC. Subsequently, they have met with the Village Forester to incorporate his concerns to make the plan more appropriate for the site, given its configuration, and meet the requirements for the R3 zoning of the surrounding properties. Because stormwater management is such a concern on the site, **Mr. Lewis** explained the natural route of the stormwater which flows from the east to the west. Any water on the site will be

collected in the detention pond, released out, and directed to the Des Plaines River through an underground piping system already in place. He assured that most of the time, the detention pond area will be dry. However, to be in compliance with LCSMC requirements for improving the water quality released into the river, a wet basin and plantings have been planned in order that the water will be as clean as possible. **Chairperson Itkin** inquired if the site or any portion is within a floodplain. **Mr. Lewis** responded that the site is not within an area that is considered part of FEMA's base flood elevation of the 100-year storm. He explained that an extensive study has been done of the entire watershed area which passes through the site and discovered a portion southeast of the site would have an increase of water level during an infrequent large 100-year storm (1% chance of occurrence), along with an existing condition within that area. Therefore, in order to comply with LCSMC concerns to not adversely impact those residents southeast of the site with additional flooding, the developer has planned the stormwater management on the site accordingly. He further noted that the necessity of the pond was driven by the amount of impervious surface area on the site.

* POND

With regard to Staff's comments, Mr. Lewis stated that the proposed fence located along the west property line of the subdivision will provide an added level of privacy and screening from headlights to the residents on Essex Lane, and they will cooperate with Staff to meet all fence code requirements of design, height, and opacity. Also, **Mr. Lewis** explained that since Lot 7 was significantly oversized, it has been reshaped and removed from the detention basin area.

* FENCE

Further, in his overview of the site, **Mr. Lewis** pointed out that a conservancy area has been created around the perimeter of the subdivision and will be maintained in its natural condition in conjunction with the Plat of Subdivision. In addition, the orientation of the site road and berming along Rt. 22, along with the proposed landscaping will offer visual and sound screening.

Chairperson Itkin asked the Petitioner if the Rezoning Findings of Fact should be entered into and made part of the record, to which **Mr. Lewis** responded affirmatively.

Charles Wax, 30 Melrose Lane, Lincolnshire, was sworn in by Chairperson Itkin and expressed concern for the southernmost area of the site, as his property abuts same. **Mr. Lewis** responded that the area around the perimeter of the site will mostly remain untouched by saving any existing trees.

Walter Roth, 66 Oakwood Lane, Lincolnshire, was sworn in by Chairperson Itkin and expressed concern for the dead trees located within the easterly designated 30' conservancy area wherein some of their limbs have fallen onto the power lines, causing power outages. He also inquired if there were intentions to remove any of the dead or diseased trees in the conservancy areas on the site. **Mr. Lewis** explained that any dead or diseased trees on the entire site, including within the conservancy area, which the Village Forester deems necessary will be removed as part of the development process.

Jennifer Rubin, 14 Essex Lane, Lincolnshire, was sworn in by Chairperson Itkin and expressed concern for further water issues impacting those currently existing between her property and the adjacent property at 12 Essex Lane, especially since the storm drain is located within the same area. Since recent heavy rains left standing water in that area, she was also concerned with the detention pond's ability to lessen any surface waters. With regard to the proposed fence, **Ms. Rubin** inquired as to its length along the west perimeter of the site and if any trees or bushes were planned for both sides of same. Lastly, she pointed out frequent loss of power due to issues with the overhead power lines and inquired if consideration had been given to burying the power lines to prevent an ongoing power loss to the area. **Mr. Lewis** explained that the compensatory storage at the south end of the site will drain into the aforementioned storm drain to ensure the elimination of standing water on the subdivision site and no adverse impact on the surrounding properties. However, there are no provisions to improve any existing water drainage issues outside of the site, which is typical with land development. With regard to the distance of the fence, **Mr. Lewis** noted that it is proposed to extend approximately midway to the detention pond, and he is open to reducing the length. **Director McNellis** inserted that the fence is proposed to extend midway across the back of 16 Essex Lane and would not extend as far south as the property line between 16 and 14 Essex Lane as currently proposed.

Mr. Lewis also noted that there is proposed landscaping of additional trees and shrubs on the subdivision side of the fence; however, there is not landscaping currently proposed on the neighbor side of the fence. Additionally, he stated that the existing power lines which serve the neighboring properties will remain as is and be used accordingly.

Mr. Rubinstein inquired if there have been provisions made for drainage of the detention pond if the water level gets too high. **Mr. Lewis** responded that if the water level in the detention exceeds the designed 100-year flood level, there is a method for releasing same. **Mr. Lewis** explained as the water flows across the site towards the Des Plaines River, the curb along the back side of the road will direct the overflow water to the catch basin and when it reaches volume capacity, the backflow water will disperse onto the land area between the road and fence, thereby keeping excess water within the site. **Chairperson Itkin** expressed concern for the drainage impact upon the properties to the west of the subdivision. **Mr. Lewis** pointed out the water flow during a large rain event naturally flows across the site and into the underground piping at various locations. Therefore, the control of the water flow within the subdivision will mimic the natural flow, until the 100-year storm event occurs, at which time the water will be directed into the pond, in order to avoid any drainage onto the properties to the west.

Karen Madigan, 28 Essex Lane, Lincolnshire, was sworn in by Chairperson Itkin, * FENCE and expressed an initial concern for fencing and landscaping details along the western edge of the subdivision site, as well as the electrical and other utilities. **Mr. Lewis** ensured that the fence would be in accordance with Staff's recommendation

and the Village Code. **Director McNellis** added that a public hearing for a variance will be held for the fence, as the proposed fence differs in height and opacity as required by Code. **Mr. Lewis** offered various examples of the trees and shrubs proposed along the fence and rear perimeter of the site, cited the various water/sewer connection sources, and noted that Com Ed will work with the other utility companies to best serve the site. **Ms. Madigan** inquired as to the feasibility of underground power lines and ground mounted electrical transformers in lieu of pole mounted. **Jennifer Hughes, Village Engineer**, responded that the feasibility issues with regard to transformers and underground power lines has not yet been addressed, however, at the appropriate time, the Village will bring same forward to Com Ed. Further, **Ms. Madigan** requested consideration be given to the placement of landscaping on the west (Essex Lane) side of the fence and become a requirement of the subdivision. From a Village point of view, **Director McNellis** noted that if there is a strong desire to include landscaping on the west side of the fence, it could be a recommendation by the Zoning Board. Limited discussion ensued with regard to the mechanism, placement, and maintenance of additional landscaping on the west side of the fence, as individual residents may or may not have a preference for same. **Mr. Lewis** noted that the subdivision side of the fence will have landscaping, most of which will eventually grow above the fence height and become a benefit for the adjacent neighbors. Also, planting ivy along the west face of the fence would be a consideration. **Ms. Madigan** interjected that the proposed landscaping along the west side of the fence could be on subdivision property while the adjoining properties get the benefit of same, as it is often times standard in many developments. Further, she noted her understanding and appreciation for the importance of the fence with regard to security, noise, privacy, and vehicle headlights issues; however, she prefers the inclusion of landscaping along the west side of the fence in order to shelter its existence. **Mr. Rubinstein** inquired as to the number of property owners affected by the fence, to which **Mr. Lewis** responded that the fence begins at 9 Half Day Road and extends into the northern half of 16 Essex Lane.

* FENCE

* FENCE

Jerald Behrens, 24 Essex Lane, Lincolnshire, was sworn in by Chairperson Itkin, expressed his concerns for the percentage of impervious surface within the subdivision and its effect on flooding his property once the detention pond meets its capacity. He also inquired as to the water capacity of the pond and the likelihood of his property being inundated with water. Further, he noted that during his residence of 39 years on Essex Lane, he has enjoyed the subject wooded property through his window wall on the rear of his house and is disappointed to see a road proposed on the west side of the subdivision site, as it will be eliminating healthy tree stands. **Mr. Behrens** stated that he does not want a fence across his backyard, although without the fence he would have to endure the nuisance of headlights, noise, etc. from the subdivision road. Since it appears he has no choice with regard to the fence, he requested that it be 6'-8' in height and landscaped on both sides. He requested consideration be given to the impact of the proposed subdivision on the adjacent property owners with regard to his aforementioned issues. **Mr. Lewis** responded that 1.5 acres of the overall site has been allocated to impervious surface. He ensured that extensive studies have been done with regard to the water issues of

* FENCE

the site and noted the capacity of the detention pond is approximately 49,000 cubic feet of detention between the 10 and 100-year compensatory storage. To respond to Mr. Behrens concerns for the effect of lights upon his property, **Mr. Lewis** stated that there are no street lights proposed in the subdivision and the purpose of the fence is to limit the amount of light interference to the neighbors' property. **Chairperson Itkin** expounded on Mr. Behrens' concern with overflow water on his property and inquired if there is the potential of more water impacting the properties to the west of the site. **Mr. Lewis** explained that the entire basis of the design is to capture all of the water up to the 100-year storm event and release it into a pipe. He pointed out that the any water occurring from a 10 to 100-year event which used to pass through those properties will no longer do so because it will be collected on site, directed into the basin, and into the pipe, and Mr. Behrens will notice less water accumulating on his property. However, if the water exceeds the 100-year event, it will pass through the adjacent properties, with no more of an impact than that which is already occurring.

* FENCE

* POND

Doug Madigan, 28 Essex Lane, Lincolnshire, was sworn in by Chairperson Itkin, expressed his contention of the recent flash floods and the 3' of standing water at various street corners along Essex Lane and Oxford Drive. He requested that consideration be given to the amount of density of paved land on the proposed subdivision site and the insufficient size of the detention pond, as well as its potential impact on additional drainage and flooding in the area.

Ms. Rubin, resident from 14 Essex Lane, requested a guarantee from the developer ensuring that the water from the proposed subdivision with its lack of absorbent area will not impact the existing properties on Essex Lane. **Mr. Lewis** confirmed that he is acutely aware of water being a big issue of this site and the Village Engineer can attest to the months of revisions with Lake County SMC in order to get to the point of sizing the detention basin using the required methods of LCSMC in such a way that it will not have a negative impact on the proposed and existing homes. He noted his awareness of the standing water in this area; and through extensive research and multiple levels of review from the Village Engineer and LCSMC in this process, he ensured that there would be no adverse impact upon the neighboring properties along Essex Lane.

Neal Barg, 28 Melrose Lane, Lincolnshire, was sworn in by Chairperson Itkin, and inquired if there are guidelines in existence for residential areas of development with regard to the creation of roads running through rear yards. He expressed concern for setting a precedence and meeting the Village's standards for residential development. **Director McNellis** explained that there is a 10' conservancy outlot running between the west side of the road's right-of-way and the rear of the neighboring residential properties. He also noted a 30' wide conservancy area will stretch the distance between the seven subdivision homes and the rear of the homes adjoining Oakwood Lane. **Mr. Barg** inquired as to the area at the southern end of the site between the Melrose Lane residents and the homes within the proposed subdivision. **Mr. Lewis** explained that in addition to the detention pond, there is a compensatory storage area, also known as a dry basin, through which any displacement of water normally

passing through the site would drain through in order to prevent raising the water on the adjacent properties. **Mr. Barg** also questioned who would be responsible for maintenance and liability of Outlot A, to which **Mr. Lewis** responded that a homeowner's association would be formed and comprised of the seven lots and be responsible for the maintenance and upkeep of Outlot A and the conservancy areas. Also, it is customary to have covenants and restrictions which become part of the Plat of Subdivision that would obligate the homeowners in this regard.

Ms. Madigan, resident of 28 Essex Ln., requested verification of the 1st floor elevations which appear to be 4'-5' higher than the grade, and suggested consideration be given to a combination berm and fence in order to mitigate the purpose of same. * FENCE **Director McNellis** inserted that the addition of a berm with the fence on the west side of the subdivision would eliminate several existing trees that provide natural, existing screening; therefore, since a variation would be required for a fence, perhaps consideration should be given to increasing the height of the fence. **Mr. Lewis** concurred with Director McNellis and noted that the better course of action was to conserve the area by providing only a fence.

Dave Schaid, 9 Half Day Rd., Lincolnshire, was sworn in by Chairperson Itkin, and stated that he was a new resident to the area. He is equally concerned with regard to the aforementioned issues expressed by the other residents, as he enjoys the privacy of his property and would not want to see it destroyed.

Chairperson Itkin closed the Public Hearing and reconvened the Zoning Board meeting.

Jennifer Hughes, Village Engineer, noted that the water, sanitary sewer, and access to the site has been set and the primary reason the proposed fence has not been extended any farther south along the west side of the site is due to the floodplain coming through the area and a fence would block the flood flow. **Ms. Hughes** explained the natural flow of water from Riverwoods Rd. west to the Des Plaines River and the drainage design of the proposed subdivision, and noted that the floodplain shifts within the property so that there are no potential impacts to the adjoining residents to the west by the floodplain shift. She also noted that, while Lake County SMC has not formally given their approval, they have signed off on the concept and believe it meets the regulations of the County. Therefore, from an engineering perspective, this subdivision will work as designed.

Chairperson Itkin recessed the Zoning Board meeting and re-opened the Public Hearing.

Mr. Behrens, resident at 24 Essex Lane, appreciated Engineer Hughes' explanation of the subdivision drainage system and questioned how the rain amount can be forecasted along with its impact upon the properties, as well as the computed effectiveness of the detention pond and drainage system. He noted that the majority of the residents on both sides of the proposed subdivision appear to be against the development. **Chairperson Itkin** noted the Zoning Board's appreciation for Mr. Behrens' comments and that all the citizens' comments will be taken into

consideration.

Chairperson Itkin closed the Public Hearing and reconvened the Zoning Board meeting.

Engineer Hughes pointed out that there are established procedures and standard scientific modeling for establishing the size of detention basin, as well as historical records of rainfall intensities have evolved over time, particularly in response to the 1986 floods which prompted the formation of the Lake County Stormwater Commission. Irregardless of whether or not the existing subject site is ever developed, **Ms. Hughes** cannot not promise that the properties on Essex Lane would ever be free from standing water, as the Essex Lane area and its entire subdivision does not have a detention basin because it was developed prior to 1986. **Ms. Hughes** explained that the drainage/detention for a subdivision is designed to a certain threshold and regulated to within a 1% chance of the occurrence of a 100-year storm event. However, there is no accounting for a 500-year storm event (a 1/2% chance) occurrence. As a result of the emphasis placed on stormwater management and extensive research taken into consideration, **Ms. Hughes** stated that the proposed subdivision has met the detention requirements. * POND

Chairperson Itkin expressed concern for IDOT's decision to make the ingress/egress to the proposed subdivision a right-in/right-out and the ability to enter the road when coming from the west. **Engineer Hughes** explained that legally you would proceed past the subdivision to the next signalized intersection (Oxford Drive) and make a u-turn to proceed east to enter the subdivision. Also, **Chairperson Itkin** inquired as the historical issues related to past development requests for the subject property. In the nine years **Director McNellis** has been with the Village, he noted that the biggest design issues have mainly been density, with regard to the amount and design of the lots, along with the road configuration. During such time, there was always discussion at the Village Board level and discomfort with the design of the lots and the number of lots; and thus, a referral was never forwarded to the previous Plan Commission or current Zoning Board. However, within the past year, the developer approached the Village Board with a revised design which was more consistent with the Village Codes and thereby afforded the developer the legal right for due process of subdivision development consideration. **Director McNellis** pointed out that currently the property is zoned R1 with 2-acre minimum and the developer is requesting R3 zoning with 1/2 acre or 20,000 sq. ft. minimum lot size.

Mr. Rubinstein noted that Staff's memorandum dated November 10, 2006, addresses the concerns of the public and should be take into consideration by the Zoning Board. **Director McNellis** added that the Petitioner has responded to the five standards for rezoning and it is the Zoning Board's responsibility to determine if the developer has met the Findings of Fact for Rezoning as previously entered into the record. Further, **Director McNellis** reiterated the following Staff's recommendations that should be considered for the proposed subdivision:

1. Relocate the deciduous trees shown on top of the berm, down to the bottom of the

- Rt. 22 side of the berm. A staggered row of 4 evergreen trees (Spruce or Pine) should then be planted along the top of the berm, to add additional screening year-round. This should be supplemented with a more formalized set of prairie grasses and colorful perennial prairie flowering-plants.
2. The fence located along the west property line of the subdivision should be of a high-quality wood, with a similar high-quality design to the traditional fencing examples required for Rt. 22 fences in the Fence Code. A separate fence variation must be applied for, due to height and opacity requirements. * FENCE
 3. The Linden tree in the cul-de-sac center should be increased in size to 4" DBH, at the time of planting.
 4. A rustic, 4' tall split-rail wooden fence should be added along the top of the detention pond in those areas with retaining wall.
 5. Consider revising the detention pond design to relocate the detention pond so that it is located entirely on Outlot A. If this is not possible, from an engineering point-of-view, minimize the detention pond area on the residential lot.

In conjunction with the above fifth recommendation, **Director McNellis** noted as previously presented by the developer, residential Lot 7 is being redesigned in order to relocate the detention pond entirely on Outlot A.

Chairperson Itkin inquired as to IDOT's position in allowing access to the site, to which **Mr. Lewis** confirmed that IDOT has agreed to the minimum access of a right-in/right-out to the subdivision. In response to the aforementioned recommendations, the developer has agreed to installing a 4" Linden tree as recommended by Staff. With regard to the request to install a rustic, 4' tall split-rail wooden fence along the top of the detention pond, Mr. Lewis noted that it has been discussed internally to try to keep the aesthetic look of the area as natural as possible by installing a stepped-retaining wall of less than a 3' drop versus a fence meandering through the site. * POND He noted his openness to any suggestions from the Board. Also, the fence located along the west property line of the subdivision has been previously discussed at length. Further, **Mr. Lewis** ensured that they will modify the landscaping plan and work with Staff to determine the appropriate plantings in the area of the site's access and at the same time offer attractiveness while achieving the goals of creating a sound barrier.

Trustee Liaison McDonough noted that a turning radius for emergency vehicles should be taken into consideration. In viewing the site plan, **Chairperson Itkin** inquired if the road could be moved east to run closer to the houses, in order to increase the conservancy along the west edge of the site and afford the Essex Lane residents more privacy. **Director McNellis** noted that shifting the road location would most likely minimize the lot size and possibly cause the elimination of one or two lots on the site. Further, he stated that the Fire District has reviewed the cul-de-sac turning radius.

In providing an overview of the tree preservation within the proposed subdivision, **Tony Gliot, Village Forester**, noted that the majority of quality trees are located on the eastern border of the site. As previously expressed by residents adjacent to the

subject site, **Mr. Gliot** confirmed that vegetation is encroaching on the power lines. He also noted that the landscaping plan as presented does succeed in preserving the highest quality trees on the site, especially with the road located on the west side of the subdivision. With regard to landscaping and tree preservation, **Mr. Gliot** explained that Staff would work directly with the developer and Com Ed to identify and address any problematic trees in association with the development of this parcel. Further, he ensured that within one to two years, the conservancy areas, outlots, and especially Outlot A will strongly resemble those areas as they currently appear with an improvement in the quality of vegetation. In response to suggestions for potential vegetation planted along the west side of the fence and the outlot on the western side of the property, **Mr. Gliot** pointed out that a minimum of 3' would be needed for any sustainable plantings. Also, the suggestion of ivy growing on a wooden fence would not be recommended by the Village Forester, as it would compromise the wood quicker than normal weather conditions. Overall, **Mr. Gliot** stated that the landscaping plan meets the preservation of the highest quality trees, and as the subdivision process continues, it will be refined to be consistent with other developments in Lincolnshire.

Given the issues presented and discussed, **Chairperson Itkin** expressed the consensus of the Zoning Board to revisit consideration and discussion with regard to the proposed subdivision at the next meeting. **Director McNellis** concurred that from a Staff's point of view, it is appropriate to consider all the questions and issues raised at this meeting to determine the proper responses to same by taking additional time in which to do so. **Director McNellis** requested any comments in particular for both Staff and the developer to consider for future response. **Chairperson Itkin** inquired as to the feasibility to shifting the road farther east on the site and thereby create less of a conservancy area on the east and alleviate issues of the proximity of same to the adjacent property owners on Essex Lane. Secondly, she requested follow-up regarding stormwater engineering concerns for additional review. With regard to the fence issue, **Chairperson Itkin** inquired as to the options to keep the fence as unobtrusive as possible, to which **Mr. Pratt** added consideration for landscaping options in conjunction with the fence, as well as his concurrence with shifting the road to the east. * FENCE

Mr. Lewis responded to the feasibility of moving the road farther east by noting that the conservancy on the east side of the parcel allows for the preservation of the high quality trees on the site, and any reconfiguration of the road towards the east, would compromise those trees. He explained that the distance between the edge of the road and the adjoining property lines of the Essex Lane residents is in excess of 40 feet. **Mr. Lewis** displayed an exhibit offering the distance between the adjacent homes and the proposed subdivision which delineates the proximity of same. **Chairperson Itkin** requested a scaled site map exhibiting the proximity of these homes to the proposed site. **Mr. Lewis** requested clarification with regard to the split rail fence surrounding the detention pond versus the stepped retaining wall. **Village Engineer Hughes** noted that since the detention pond is located within a residential area, a physical barrier of additional vegetation would be necessary in order to address the issues of safety and security. **Director McNellis** expressed concern for completely * POND

surrounding the pond with vegetation, and noted consideration be given to a combination of fence and landscaping in order to leave the detention pond open to some view for safety reasons. He further requested that the developer provide detailed options with regard to fencing and/or landscaping surrounding the detention pond. Trustee Liaison McDonough inquired as to the availability of engineering standards relating to safety and security with regard to detention ponds.

* Pond

Following the Petitioner's presentation of their development plans for the proposed 7-lot Forest View Subdivision, located at 13 Half Day Road, and testimony from concerned citizens, the Zoning Board offered the following feedback, and requested that the Petitioner return to the next regularly scheduled Zoning Board meeting for a continuation of the discussion on this matter:

1. Explore the feasibility of shifting the road location farther east on the site to alleviate issues of the proximity of same to the Essex Lane property owners;
2. Provide follow-up regarding stormwater engineering concerns for additional review;
- FENCE (3.) Address options of fencing and landscaping along the west property line of the site in order to provide an unobtrusive view with regard to the road;
4. Create a scaled site map exhibiting the proximity of the proposed site with the adjacent property owners;
- POND (5.) Address the issue of safety and security associated with the options of fencing or landscape screening the detention pond.

3.3 Consideration and discussion of a Preliminary Plat of Subdivision and Preliminary Engineering Improvement Plans for the Forest View Subdivision. (Antonio Fanizza Associates, Ltd.)

Comments related to the rezoning were also to be addressed for this agenda item.

3.4 **Public Hearing** regarding proposed text amendments to Sections 6-2, Definitions, 6-5A, R1, R2 and R3 Single-Family Residence Districts, and 6-5B, R2A Single-Family Residence District, in order to address the bulk regulations for individual single-family lots. (Village of Lincolnshire)

3.5 Consideration and discussion regarding proposed Text amendments to Sections 6-2, Definitions, 6-5A, R1, R2 and R3 Single-Family Residence Districts, and 6-5B, R2A Single-Family Residence District, in order to address the bulk regulations for individual single-family lots. (Village of Lincolnshire)

Due to the late hour and lack of any public present to make comment, the Public Hearing was opened and continued until the next regularly scheduled Zoning Board meeting.

4.0 UNFINISHED BUSINESS (None)

5.0 NEW BUSINESS

12/12/06
ZB

APPROVED AS SUBMITTED Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Tuesday, December 12, 2006, in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL

PRESENT: Chairperson Itkin, Members Topping and Pratt, Alternate Brusso, and Trustee Liaison McDonough

ABSENT: Members Salzenstein and Rubinstein

ALSO PRESENT: Steve McNellis, Director of Community Development, Krysti Barksdale-Noble, Planner, Stephen Robles, Planner, Jennifer Hughes, Village Engineer, and Tony Gliot, Village Forester

CALL TO ORDER: Chairperson Itkin called the meeting to order at 7:02 p.m.

1.0 ROLL CALL

The roll was called by the secretary and **Chairperson Itkin** declared a quorum to be present.

2.0 APPROVAL OF MINUTES

2.1 Approval of the Minutes of the Zoning Board Meeting held on Tuesday, November 14, 2006.

Mr. Topping moved and **Mr. Pratt** seconded a motion to approve the minutes as submitted. The motion passed unanimously by voice vote.

3.0 GENERAL BUSINESS

3.1 Consideration and discussion of a request to rezone a 7.27 acre parcel from R1 Single Family Residential to R-3 Single Family Residential, for the proposed 7-lot Forest View Subdivision, located at 13 Half Day Road (on the south side of Half Day Road, west of Oakwood Lane). (Antonio Fanizza Associates, Ltd.)

3.2 **Public Hearing** regarding a variation to Sections 6-15-2(A)(3) and 6-15-5(A)(4)(b) of the Lincolnshire Zoning Code, to permit a solid fence, rather than the permitted maximum 60% opaque fence, and to further permit that fence, located along parts of the west property line, to be greater than the permitted 4' maximum height, for the 7.27 acre parcel on the south side of Rt. 22, approximately 811 feet east of Oxford Drive, known as the proposed Forest View Subdivision (Antonio Fanizza Associates, Ltd.)

3.3 Consideration and discussion of a variation to Sections 6-15-2(A)(3) and 6-15-5(A)(4)(b) of the Lincolnshire Zoning Code, to permit a solid fence, rather than the permitted maximum 60% opaque fence, and to further permit that fence, located along parts of the west property line, to be greater than the permitted 4' maximum height, for the 7.27 acre parcel on the south side of Rt. 22, approximately 811 feet east of Oxford Drive, known as the proposed Forest View Subdivision (Antonio Fanizza Associates, Ltd.)

3.4 Consideration and discussion of a Preliminary Plat of Subdivision and Preliminary Engineering Improvement Plans for the Forest View Subdivision. (Antonio Fanizza Associates, Ltd.)

Chairperson Itkin recessed the Zoning Board meeting and opened the Public Hearing.

Steve McNellis, Director of Community Development, noted the presence of additional Staff members Jennifer Hughes, Village Engineer, Tony Gliot, Village Forester, Krysti Barksdale-Noble, Village Planner, and introduced the Village's newest staff member, Stephen Robles, as Planner. **Director McNellis** summarized Staff's memorandum dated December 8, 2006, and recalled the following issues that the Zoning Board requested be brought back for further consideration and provided a brief overview.

1. Detention pond fencing, as proposed by Staff, versus the developer proposed landscaping surrounding the pond – Based upon further review with the Village's Building Department, **Director McNellis** explained that the International Building Code (IBC) requires a physical barrier in those areas where there is a retaining wall with a drop-off of 30" or greater. He noted the Village's willingness to accept a split-rail fence as a barrier around most of the pond, where the retaining wall is present, with the exception of 81' of the adjacent lot line for Lot 7, at which location a guardrail would be required in order to comply with the International Building Code (IBC). While there was no specific information on the Safety and Security issues of a fence vs. vegetation, Staff continues to believe that an open fence is safer, as it provides a visual connection to the pond for the surrounding neighbors to see if anyone were in distress. Whereas, vegetation screening would be more solid or opaque in appearance. * POND
2. With regards to the vehicular access, **Director McNellis** read the following general statement from Staff's memorandum dated December 15, 2006, which was provided within the Zoning Board's presentation packet: "There are varying requirements and permissibility for the u-turns that would be necessary to reach this development." He stated that specific detail would follow.
3. **Director McNellis** addressed the lot configuration issue and pointed out that the western property line, separating Lot 7 at the southernmost end of the development from the detention pond, was revised to meet Staff's recommendation that the pond be located entirely on an outlot. However, this does not meet good Subdivision or Lot Design Standards. Therefore, Staff recommends that the lot line be redesigned to minimize the angle changes.
4. The last issue to be addressed by Director McNellis was the Public Hearing fence variation request for a solid fence, 6' tall, rather than the code permitted 4' maximum height with 60% opacity, along the west property line extending 990'

from Rte. 22 to the detention pond. It would be located approximately 3' inside the property in order to permit a minimal area on-site for landscape screening the fence from the Essex Lane neighbors. The fence, as proposed, is cedar with a decorative cap element and would provide an appropriate screen from auto headlights and other visual obstructions associated with an infill subdivision. The Petitioner had submitted the Standards for Variation and they were included within Staff's presentation packet. **Director McNellis** noted that based upon the information provided by the developer regarding garage floor elevations in the new homes versus ground elevation at the fence, it appears as though the garage floor elevations will be 2'-3' below the top of the fence elevation. As such, Staff proposes consideration be given to raising the fence an extra 1' of height to 7' in order to effectively screen the auto headlights. In addition, it is recommended that the lattice-work top of the fence be no more than 25% of the overall height of the fence, in order to maintain proportions similar to the graphic presented in the packets, and that the lattice work be opaque.

Director McNellis requested that the Petitioner describe the Landscape Plan which has been designed to screen the fence, with comments from the Village Forester to follow same.

Kevin Lewis, Project Civil Engineer with IG Consulting, Inc., was sworn in by Chairperson Itkin, introduced John Pikarski, Jr., Attorney, representing the owner and developer, and stated his openness to any necessary modifications to Lot 7 per Staff's previous request. **Mr. Lewis** displayed an exhibit depicting the use of a split-rail fence around the detention pond versus landscaping and noted his agreement with same. He also noted that the 6' tall fence will be located 3' in to the property along the western side of the subdivision up to the detention pond, as recommended by Staff. Based upon the comments of the Essex Lane neighbors, **Mr. Lewis** noted that the fence variance request includes proposed landscaping on both sides of the fence, with the landscape materials being planted on the west side of the fence prior to fence installation. He explained that the varied species of plant material would be designed to grow within the 3' space on the west side of the fence, if, in fact, it is desired by the individual adjacent property owners. **Mr. Lewis** noted that maintenance of landscape material on the west side of the fence would be the responsibility of those individual homeowners. In addition, **Mr. Lewis** addressed the request to construct any new Com Ed transformers at ground level, rather than on poles. In recent correspondence with Com Ed, they proposed to bring service from a transformer on the north side of Rte. 22 and enter the development along the western third of the property with the service underground leading to a couple of utility pedestal locations, thus eliminating the need for any pole-mounted transformers.

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Chairperson Itkin inquired as to how he envisions the feasibility of a left turn ingress to the subdivision and/or a left turn egress from same. **Mr. Lewis** responded that a vehicle coming from the tollway and proceeding west would have to turn around at either the tennis club on Elm Rd. or a legal left turn onto a street past the subdivision, turn around, and proceed east to the subdivision street. With regard to

a left turn egress, a vehicle would exit right-out to the east and make a legal mid-block u-turn to proceed west, or enter onto Oakwood Lane and follow it to its egress onto Riverwoods Rd. to then proceed north to the intersection of Rte. 22 and Riverwoods Rd. and turn left (or west). He added that it is difficult to predict which course of action would be considered by the driver.

Mr. Topping inquired if the 3' on the west side of the fence abutting the Essex Lane homeowners' property would be deeded to those aforementioned, to which **Mr. Pikarski** responded negatively and noted that they would only have the use of the 3' landscaped fence-line property. However, should the Essex Lane homeowner decide against any landscaping, they would essentially acquire 3' of usable space even though they are not the rightful owner. **Mr. Topping** expressed concern for the continuous use of the 3' property by the Essex Lane homeowners or future homeowners wherein the developer would not use the subject 3' property for a number of years and ownership would revert to the adjacent homeowners. **Mr. Pikarski** explained that it is commonly called "adverse possession" and is done originally with permission and continues with on-going permission for its use; and therefore, it is not adverse to the property owner and in effect, acts as a gift for the use of 3' more of property.

Mr. Brusso expressed concern with Com Ed's response to providing electric service from a transformer on the north side of Rte. 22 to the western side of the development especially since there is a pole transformer servicing the residential properties east of the development. **Mr. Lewis** noted that he also questioned Com Ed with those exact concerns and it was explained to him that the main source of power feeding the properties on the south side of Rte. 22 comes from the north side of Rte. 22. Also, the overhead lines east of the subdivision would remain as they serve the properties to the east. However, the underground electric utility lines for the new homes within the development will run on the east side of the subdivision road with pedestals for each of the homes. **Jennifer Hughes, Village Engineer**, added that she definitely wants to see a plan of the utility line, as both the water line and sanitary sewer are within the utility easement and clearance will be an issue. **Mr. Lewis** stated his understanding of the necessity for such a plan and has requested same, to which Com Ed will be responding in the near future.

Tony Gliot, Village Forester, offered his comments with regard to the landscape concept of the development and noted that it lacks necessary details ie. species, quantities, and spacing, as well as some diversity by incorporating evergreen plant material to provide year around screening of the fence. However, the plan succeeds in demonstrating screening can be accomplished in the 3' wide area along the fence, albeit some refinement is needed.

Martin Klein, 53 Cedar Ln., Lincolnshire, was sworn in by Chairperson Itkin, and stated that he has lived in Lincolnshire since 1995 and his property is located at the southeast corner of the subdivision development. He noted that he selected the property due to the absence of hazards to his family, which included three small

children at that time. He also pointed out that the neighborhood area of Oakwood, Cedar, and Essex currently has many small children and he expressed concern for the hazards posed by the site's detention pond. Based on statistics regarding landscaping and decorative fences, children will still penetrate those "barriers", unless they are entirely impenetrable. In his opinion, it is a certainty that, at some point in time, a water hazard will claim a life, and **Mr. Klein** stated he does not want this in his backyard. He expressed concern for allowing this water hazard among neighborhoods with people who would be vulnerable to explore same and requested that great consideration to this issue be given by the Zoning Board. Further, he noted that any fencing selected to provide an effective barrier around the pond, would most likely affect the property value to the surrounding property owners and become a factor in terms of resale value.

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Drue Wax, on behalf of her parents, Charles and Drew Wax, 30 Melrose Ln., Lincolnshire, was sworn in by Chairperson Itkin and expressed concerns for the reduction of trees on the subdivision site impacting a change of water flow onto her parents property which is located on the southern end of the site. They have lived on Melrose Ln. for the past 20 years and have enjoyed the view of the forest. Further, **Ms. Wax** pointed out that the natural tree barrier has been thinning through the years and requested consideration be given to providing a vegetated landscape barrier, such as evergreens or a hedge, along the south property line to help divert any water issues, as well as buffer the impact of headlights from vehicles heading south on the subdivision road.

Village Engineer Hughes noted that the Wax residence is approximately 2'-3' higher than the south end of the subdivision. The floodplain that passes through does not encroach on the Melrose Ln. property and is mostly contained on the subdivision property; however, as it passes through the subdivision, it does spread out onto Essex Ln. properties. As it reaches Spring Lake Park, the culvert system does drain the vast majority of the Lincolnshire Subdivision east from Rte. 22 and Riverwoods Rd. southwest into the Des Plaines River. There is a great deal of area affecting that system and it is proposed to be tied into the storm sewer that makes its way to that location. Further, the developer was required to assess the impact of the subdivision upon said storm sewer and to analyze any potential piping backup impacts. Lake County SMC has reviewed same and is confident that the proposed subdivision will not have an impact on current water flow.

Chairperson Itkin expressed concern with regard to the impact of the headlights upon the properties to the south of the site, to which **Director McNellis** noted that with the number of trees expected to be retained on the south end of the subdivision property, sufficient screening was anticipated. However, he suggested that a stipulation for additional screening for review at a later date could be made part of a recommendation. **Village Forester Gliot** stated that there will be opportunities for tree replacement if necessary, as the developer will be held accountable for same as part of the initial site improvements.

Jane Ernst, 58 Oakwood Ln., Lincolnshire, was sworn in by Chairperson Itkin and noted that her property is located adjacent to the detention pond. She expressed concern for the depth of the pond, as she has two boys, ages 6 and 7, and coupled with their youthful curiosity and the uncertainty of the detention area holding any measurable water, Ms. Ernst is opposed to having the detention pond in the vicinity of her property and is fearful of the potential hazards it poses. Due to the thinning of the trees already occurring on the proposed subdivision site, Ms. Ernst is also concerned with the amount of trees to be removed from the site. With regard to site access, it was earlier pointed out that upon making a right-out onto Rte. 22, and another right onto Oakwood Ln., would allow a driver to eventually proceed to Riverwoods Rd. and Rte. 22 intersection to make a left turn in order to proceed west. Ms. Ernst noted that her subdivision would end up being a route for cut-through traffic generated from the limited site access of the new subdivision. * POND

Karen Madigan, 28 Essex Ln., Lincolnshire, was sworn in by Chairperson Itkin and pointed out that the Staff recommended 7' solid fence with the top lattice being opaque should be considered in order to provide the optimum screening. She also questioned the appropriateness of making u-turns at the earlier suggested properties in order to gain access to the site when heading west on Rte. 22. Further, Ms. Madigan noted that there are a number of hazards associated with this proposed development due to its density and zoning re-classification from R1 to R3. Wherein, if the site remained as R1 zoning, then no more than three homes could be built and detention may not be such a big issue with less impervious surface. She was unclear as to the benefits afforded to the community from this development. Ms. Madigan asked if there was consideration for underground detention in our residential subdivision. Village Engineer Hughes responded that there is a proposal for underground detention on another residential subdivision, but currently there is no underground detention in our residential areas. It primarily would be up to the developer to make such a decision, as it would be more costly and long-term maintenance would also be a factor. Chairperson Itkin pointed out that, underground detention would alleviate the safety issues involved with the detention pond; however, in terms of flooding there would be no change. In summary, Ms. Madigan requested consideration be given by the Zoning Board to the density of the site, and in return, the issues of detention, screening, and headlights could be addressed more sensitively and a favorable recommendation could stipulate that the developer would mitigate any unforeseen problems with regard to screening. Further, she requested clarification with regard to the utility easement location and fence plantings and their height. Lastly, Ms. Madigan suggested placing the fence on a berm which would serve to heighten the differential to mitigate the screening issues. * FENCE

Mr. Lewis referenced the site plan and pointed out the utility easements which are located primarily on the east side of the subdivision road. He noted that there is a landscape concept plan with an intermix of plant materials reaching up to 7' in height maturity and a maximum spread of 2', all of which would meet with the Village Forester's approval. In addition, Mr. Lewis noted that he had detailed the scenario of a SUV's headlights and its projection aimed toward the fence and determined the * FENCE

proposed significant landscape screening, along with the height of the fence, mitigated the headlight issue.

Mr. Klein recalled several past efforts to develop this property and inquired if Staff has resurrected the documentation from meetings for perusal by the Zoning Board. **Director McNellis** stated that minutes from meetings relative to past development proposals were not provided; however, more recent comments previously discussed were incorporated into Staff's memorandums to the Boards. **Chairperson Itkin** added that the Zoning Board preferred to review this proposal on its own merits. Further, **Director McNellis** noted that the density has been reducing each time a subdivision concept had been presented; however, the tree removal, stormwater and flooding, detention pond location, and access to the site have been consistent.

Chairperson Itkin extended her appreciation for public comments, closed the Public Hearing and reconvened the Zoning Board meeting for consideration and discussion. Based on the public comments and discussions with Staff, **Chairperson Itkin** noted that the development has a number of issues and recognized the developer's efforts and willingness to work with the Village to address these issues. **Mr. Topping** recalled the safety concerns expressed with regard to the detention pond; however, he pointed out that the right-in/right-out access to the site invites a tragedy and has become a safety issue, and the possibility for u-turns should be eliminated. **Chairperson Itkin** concurred and added that, not only residents, but emergency vehicles, school buses, delivery vehicles, etc. will have to negotiate access to the subdivision as well.

Mr. Pratt inquired if there is anything that could be done for additional safety of the detention pond, especially since it is secluded. **Village Engineer Hughes** noted that there are detention basins north of Rte. 22 located in Lincolnshire Woods that are very similar to the proposed pond. In fact, most of the subdivisions have detention basins which are partially located on the residents' properties in heavily wooded areas. There is a number of these basins that accumulate water during floods and the water later recedes, as well as couple of basins have open water. Since the subdivisions south of Rte. 22 were the first to be developed and prior to detention basins being required, it is unusual for a detention pond in the neighborhood of the proposed subdivision. However, since the subdivisions north of Rte. 22 were developed in the late 1970's and early 1980's, you will find several in that area.

* POND

* POND .

In reviewing the previously discussed issues, **Chairperson Itkin** stated her discomfort with the design of the access to the subdivision site and requested that the developer obtain clear direction from IDOT in order to obtain full access for the subdivision road. If necessary, she also offered consideration be given to a traffic study in order to justify the full access. **Mr. Lewis** noted that full access has become their preference, as well, and suggested working together with the Village to obtain same from IDOT.

Following the Petitioner's presentation of their requests and responses to the Zoning

Board and testimony from concerned citizens for the development plans for the proposed 7-lot Forest View Subdivision, located at 13 Half Day Road, the Zoning Board offered the following feedback, and requested that the Petitioner return to the next regularly scheduled Zoning Board meeting for a continuation of the discussion on this matter:

1. *Contact IDOT to obtain clear direction and criteria necessary to obtain full access for the subdivision road.*
- ② *Provide fence landscape plan details ie. species, size, and locations for additional review;*
- ③ *Address the issue of safety and security associated with the detention pond.*
4. *Endeavor to have Com Ed provide confirmation in writing with regard to any electrical connections, either underground or transformers, as well as contact all utilities to provide a mapping of their underground location in relationship to the sewer and water connections.*

3.5 **Continued Public Hearing** regarding proposed text amendments to Sections 6-2, Definitions, 6-5A, R1, R2 and R3 Single-Family Residence Districts, and 6-5B, R2A Single-Family Residence District, in order to address the bulk regulations for individual single-family lots. (Village of Lincolnshire)

3.6 Consideration and discussion regarding proposed Text amendments to Sections 6-2, Definitions, 6-5A, R1, R2 and R3 Single-Family Residence Districts, and 6-5B, R2A Single-Family Residence District, in order to address the bulk regulations for individual single-family lots. (Village of Lincolnshire)

Chairperson Itkin recessed the Zoning Board and opened the Continued Public Hearing.

Krysti Barksdale-Noble, Planner, summarized Staff's memorandum dated December 8, 2006, and recalled the following four key areas considered to bring consistency among the Residential Districts with regard to the Village's Code Regulations and expounded on each:

1. Establishing the R2A Residential District's yard requirements;
2. Defining and implementing a maximum impervious surface area in the Single Family Residential Districts;
3. Providing a Building Side Setback Plane requirement within all the Single Family Residential Districts; and
4. Crafting language which addresses the properties affected by some of the proposed zoning revisions, which could become non-conforming.

Planner Barksdale-Noble noted the Draft Ordinance addresses the non-conforming structures. However, it is Staff's recommendation to add the provision for impervious surface to the list of existing structures which can lawfully remain as well. Additionally, the provision restricts any building or structure which is non-

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would not be used, this area would be better served as landscaping rather than increasing the amount of pavement and impervious surface coverage in the Village. The Petitioner has responded to the 9 Standards for a Variation and are included within the packet. Based upon Staff's review of the proposed site plan and Standards for a Variation, we are recommending approval of a variation to landbank 83 parking stalls. **Planner Robles** further noted that should a variation be granted, specific language will permit the Village to require construction of the parking spaces upon our determination of their necessity. Therefore, Staff's memorandum dated April 10, 2007, has been distributed to the members which includes the subject condition language and should be added to the motion accordingly.

Chairperson Itkin closed the Public Hearing and reconvened the Zoning Board meeting.

- 3.2 Consideration and discussion of a request for a variation to landbank 83 parking spaces, in conjunction with a proposed 100,280 sq. ft. building expansion to an existing office/warehouse building located at 505 Schelster Road (Kubota Engine America Corporation)

Timothy Morgan, Architect with Timothy Morgan Associates, and on behalf of the Petitioner, was sworn in by Chairperson Itkin. **Mr. Morgan** requested that the Standards for a Variation be entered into and made part of the record, to which **Chairperson Itkin** responded affirmatively. **Mr. Brusso** expressed concern for the turn radius requirements and space required for a portion of the landbanked parking, and **Mr. Morgan** stated that sufficient turn-around space is available.

There being no further public testimony, **Chairperson Itkin** closed the Public Hearing and reconvened the Zoning Board meeting.

Chairperson Itkin noted that she has reviewed the Standards for a Variation and finds them addressed. She is also in concurrence with Staff's recommendation for approval.

Having made Findings of Fact, along with additional facts covered in a Public Hearing held on April 10, 2007, Mr. Rubinstein moved and Mr. Pratt seconded a motion to recommend approval to the Village Board of a variation to landbank 83 parking stalls, based on the facts and as presented in Staff's memorandum, dated April 6, 2007, and further subject to a stipulation in Staff's memorandum, dated April 10, 2007, that construction of these spaces will be required at the Village's sole discretion.

The motion passed unanimously by voice vote.

- * 3.3 Consideration and discussion of a request to rezone a 7.27 acre parcel from R1 Single Family Residential to R-3 Single Family Residential, for the proposed 7-lot Forest View Subdivision, located at 13 Half Day Road (on the south side of Half Day Road, west of Oakwood Lane). (Antonio Fanizza Associates, Ltd.)

Steve McNellis, Director of Community Development, summarized Staff's memorandum dated April 6, 2007, and noted that, when this issue was last discussed in December, there were several issues in which the Petitioner was requested to further research and respond to in order to make a better informed decision on a recommendation. These issues were:

1. Discussions with IDOT regarding the possibility for full vehicular access on Rt. 22.
2. Provide a fence landscaping plan, with details including species, planting sizes, etc.
3. Detention pond safety and security.
4. Follow-up with ComEd regarding their utility plan for the site.

The Petitioner has provided the aforementioned information within their packets. Also, due to the delay in returning to the Zoning Board, Staff once again provided the same letter of notice to the surrounding residents. Secondly, **Director McNellis** noted the presence of Adam Simon, Village Attorney, and Jennifer Hughes, Village Engineer, who are available to assist in any deliberations in this matter.

John Pikarski, Jr., Attorney, for the Petitioner, Antonio Fanizza, introduced Kevin Lewis, Project Civil Engineer with IG Consulting, Inc., and Neil Koenig, with Koenig, Lindgren, O'Hara, Aboona, Inc. (KLOA), traffic consultants, and reiterated the four issues of concern which have been addressed and information provided to the Zoning Board.

Chairperson Itkin alluded to the responses from both the Village Engineer and Mr. Koenig and noted the various options in lieu of left turn movements to access the proposed site. She inquired if Mr. Koenig felt that there was still a possibility for Forest View Subdivision to get full vehicular access on Rt. 22. **Mr. Koenig** responded that a representative from his firm is going to IDOT later in the week to explore their policy which only allows full vehicular access to two or three lot sites while restricting sites with four or more lots to only right-in/right-out access. He stated that, in all the years of working with IDOT, he had never heard of this policy before, and questions if this policy is restricted to Rt. 22 only. He noted his preference to have the opportunity to pursue further; however, he does not want to hold back approval of the subdivision and proceed with the development. In Mr. Koenig's professional opinion, **Chairperson Itkin** asked him what maneuver would people most likely take to access the site going westbound, to which he responded that they will most likely make a left turn into the subdivision. He also noted that Oakwood Drive is a right-in/right-out and similar traffic movements occur for access to same. **Chairperson Itkin** reiterated her concerns that Forest View is a small subdivision and it makes sense to have full vehicular access, and the access issue is a huge concern. **Mr. Koenig** referenced his traffic study and noted that the numbers show approximately 15 cars in a 24-hour period making a left turn into the proposed subdivision, which would have a negligible effect on an existing street like Oakwood Drive, for example. He assured that they would do their best to get IDOT to give a positive response for full access, however, he noted that the Village would have a better chance of getting IDOT to consider same. **Village Engineer Hughes** noted that she has not been asked to push one way or

another with this issue, as she has simply been gathering information and obtaining IDOT's policy in this regard. She pointed out that IDOT's policy was communicated to her by two different people at IDOT and it was apparent they were not going to vary on this matter. Further, **Ms. Hughes** explained why some of the existing intersections in Lincolnshire have been configured with regard to their access, which relates to available median space and right-of-way. She also indicated that the condition exists wherein vehicles are allowed to make a left turn into their driveway from Rt. 22. **Ms. Hughes** expressed concern for the extent in which the Village can push this issue and the fact that IDOT is not inclined to go further in varying their policy. Therefore, it becomes a policy issue and it becomes the Village Boards' decision to push for this policy. **Chairperson Itkin** maintains her belief that the right-in/right-out access is a safety issue, in spite of the traffic study results.

Mr. Brusso noted that the most dangerous condition would be allowing a left turn into the proposed subdivision. He suggested that a left turn out of the development with limited hours may be an acceptable alternative as a compromise, as a left turn into the site would definitely be a safety issue. **Chairperson Itkin** concurred with Mr. Brusso.

Mr. Pikarski suggested that the subdivision process should continue while negotiations are taking place with IDOT and the combined forces of the Village of Lincolnshire and KLOA can have a significant impact upon the decision makers at IDOT.

Director McNellis pointed out that the Zoning Board should consider whether the five Standards for Re-Zoning, as referenced in the memorandum from the Village Attorney, have been met. **Chairperson Itkin** read the Standards and agreed with 4 out of 5. It was her belief that the vehicular access to the site would not be an issue if the zoning classification were to remain R1. **Mr. Pikarski** respectfully disagreed, as the zoning classification has nothing to do with the traffic issue. He explained that the size of the lots are dictated by the Comprehensive Plan and the legislative intent of the community, as the underlying zoning of the adjacent properties was not dictated by the traffic patterns. He stated that the five Standards have been met as presented. Based on the assumption that the principal issue is limited only to traffic and access, **Village Attorney Simon** noted that traffic and access are not expressly described in the five Standards; however, they are drawn from case law which has evolved over the past 50 years or so. Therefore, in assessing the criteria, the Zoning Board should consider whether or not the relative gain to the Village, forcing the developer to have only a three-lot subdivision with R1 zoning and mitigating the traffic impacts that would result from same, necessarily offsets the hardship imposed upon the individual property owner, who must sacrifice those four extra lots. **Attorney Simon** pointed out that consideration should also be given to the evidence heard during the Public Hearing and further supplemented with regard to the traffic studies in balancing the benefit to the public and the burden to the property owner.

From the information presented and discussion, **Mr. Rubinstein** noted that too much emphasis has been put on the amount of traffic and on the density, and based upon the small amount of traffic, a left turn into the subdivision would not be a traffic hazard, as

motorists will do as they please, irregardless of the hazard or law. He believes the traffic issues should not keep the development from progressing and is in favor of recommending a re-zoning to R3. Further, **Mr. Rubinstein** suggested the recommendation should be subject to full access and IDOT's approval to the subdivision. **Mr. Pikarski** stated that the Petitioner would not be at all interested in accepting such a recommendation. However, a right-in/right-out, as presented, would be acceptable if they would be allowed to petition and lobby IDOT for the full access. **Village Attorney Simon** reminded the Zoning Board that Trustee Liaison McDonough will be able to relay the concerns expressed at length to the Village Board at the time this recommendation is presented for discussion. **Mr. Pikarski** reiterated that the Standards have been met and requested a vote from the Zoning Board. **Village Attorney Simon** restated the scenario of a three-lot subdivision with full vehicular access and the traffic generated from same versus a seven-lot subdivision with right-in/right-out access and incrementally the benefit to the Village as compared to the burden to the property owner restricted to a three-lot subdivision.

Chairperson Itkin indicated her understanding and requested input from the other members. **Mr. Pratt** noted his willingness to accept the motion as presented, to which **Mr. Rubinstein** and **Mr. Brusso** concurred. **Mr. Brusso** added that a compromise of a left turn out of the subdivision should be considered.

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Having made Findings of Facts, date stamp received November 6, 2006, Mr. Pratt moved and Mr. Rubinstein seconded a motion to approve and recommend approval to the Village Board of the rezoning of a 7.27 acre parcel located on the south side of Rt.22, approximately 811' east of Oxford Drive from R1 - Single-Family Residence District to R3 - Single Family Residence District to permit a seven-lot single-family residential subdivision, in general conformity with the Preliminary Site Engineering Improvement Plans, prepared by IG Consulting, Inc., date stamp received March 6, 2007.

With a roll call vote, the motion carried as follows:

	<i>3 - Ayes (Rubinstein, Pratt, Brusso)</i>
	<i>1 - Nay (Chairperson Itkin)</i>

- 3.4 Consideration and discussion of a variation to Sections 6-15-2(A)(3) and 6-15-5(A)(4)(b) of the Lincolnshire Zoning Code, to permit a solid fence, rather than the permitted maximum 60% opaque fence, and to further permit that fence, located along parts of the west property line, to be greater than the permitted 4' maximum height, for the 7.27 acre parcel on the south side of Rt. 22, approximately 811 feet east of Oxford Drive, known as the proposed Forest View Subdivision (Antonio Fanizza Associates, Ltd.)

Steve McNellis, Director of Community Development, noted Staff's recommendation for the following five stipulations should the Zoning Board recommend approval of the Variation for fence height and opacity along with the inclusion of two additional stipulations which were not listed in Staff's memorandum dated April 10, 2007, and have been included below:

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**MINUTES
COMMITTEE OF THE WHOLE MEETING
May 14, 2007**

Present:

- | | |
|-------------------------------------|---|
| Trustee Brandt | Trustee McDonough |
| Trustee Saltiel | Trustee Servi |
| Trustee Walder, Jr. | Trustee Walrath |
| Mayor Blomberg | Village Clerk Mastandrea |
| Village Manager Irvin | Dep. Village Clerk Marshall |
| Director of Public Works Tripicchio | Director of Community Development McNellis |
| Chief of Police Melvin | Director of Financial Systems Roelker |
| Village Engineer Hughes | Village Attorney Simon |
| Village Treasurer Curtis | Assistant to the Director of Public Works Scott |

Location: Village Hall, Public Meeting Room, One Olde Half Day Road, Lincolnshire, Illinois 60069.

ROLL CALL

Mayor Blomberg called the meeting to order at 9:35 p.m. and Village Clerk Mastandrea called the Roll.

APPROVAL OF MINUTES

2.1 Acceptance of the minutes of the Committee of the Whole Meeting of April 23, 2007

The minutes of the Committee of the Whole Meeting of April 23, 2007 were accepted as submitted.

ITEMS OF GENERAL BUSINESS

Planning, Zoning and Land Use

- * 3.11 **Consideration and discussion of a Zoning Board recommendation regarding a request to rezone a 7.27 acre parcel from R-1 Single Family Residential to R-3 Single Family Residential, for the proposed 7-lot Forest View Subdivision, located at 13 Half Day Road on the south side of Half Day Road, west of Oakwood Lane (Antonio Fanizza Associates, Ltd.)**

- 3.12 **Consideration and discussion of a Zoning Board recommendation regarding a variation to Sections 6-15-2(A)(3) and 6-15-5(A)(4)(b) of the Lincolnshire Zoning Code, to permit a solid fence, rather than the permitted maximum 60% opaque fence, and to further permit that fence, located along parts of the west property line, to be greater than the permitted 4' maximum height, for the 7.27 acre parcel on the south side of Rt. 22, approximately 811 feet east of Oxford Drive, known as the proposed Forest View Subdivision (Antonio Fanizza Associates, Ltd.)**
- 3.13 **Consideration and discussion of a Zoning Board recommendation regarding a Preliminary Plat of Subdivision and Preliminary Engineering Improvement Plans for the Forest View Subdivision (Antonio Fanizza Associates, Ltd.)**

Director of Community Development McNellis updated the Board on these matters per his memo to the Mayor and Board of Trustees dated May 10, 2007. He advised that the intersection will be a right-in, right-out. Because of security concerns with the pond, the developer will provide a split rail fence in that area. Mr. John Pikarski, attorney for Mr. Fanizza, said they were seeking approval on a seven lot subdivision. Originally they wanted twelve homes on the lot. He said they meet all of the standards and requests of the Village authorities. Mr. Kevin Lonis, IG Consulting, said they will try to save as many trees as they can. They have worked with Lake County Stormwater Management and the Village Engineer, and did a thorough study of the water shed area. The landscaped areas were described. Outlot A will be maintained by a homeowners' association. They are also requesting rezoning from R-1 to R-3.

The right-in, right-out was discussed. Mr. Neal Kenig, of KOLA, said that anyone coming from the east who wants to make a left turn will have to go to Oxford Drive and turn north or south and make a maneuver to turn around to come from the west to get into the property, and there would be signage saying no left turns. The next street to the east has the same type of configuration. There will be signage and an island that will preclude turning. If you want to leave the development to go west, you would go to Oakwood, then south on Oakwood to the next street and to Riverwoods and back on to Route 22 and proceed to the west. He was asked what would be the chances of someone taking that route to go left. Mr. Kenig said the homeowners on Oakwood have to do that. He said there will be plenty of people who just make the left turn whether they are allowed to do it or not. Trustee McDonough said that with the R-1 Zoning the development could have three homes and it would not have turning restrictions. Trustee McDonough said that at the Zoning Board he said "the way this is designed they will probably turn left on 22". Mr. Kenig said there was nothing to preclude people from turning left, and Trustee McDonough said "except the law". Trustee McDonough said that Mr. Kenig said at the Zoning Board meeting that coming out of the development people would also make an illegal left turn. Mr. Kenig agreed and he said the Police Chief could comment on what is happening at Oakwood because that is a much larger subdivision. Based on what is being proposed, Trustee McDonough said the zoning change has a public safety problem. IDOT gives full access in

and out with three homes with the current zoning. If the development goes to seven homes, IDOT will not give it full access. He said he agrees with the consultant. There are going to be illegal left turns into it and out of it, and he will not support the seven homes. Mr. Pikarski said that from a zoning standpoint this parcel is R-1 in a sea of R-3. He would like to concentrate on that and at the appropriate time he would like a vote on that, because to vote that down is indefensible. Trustee McDonough said the development's current zoning would give it enough homes to get full access. Trustee Saltiel said that this property has been owned by the petitioner for about 20 years, and he always wondered why the owner didn't buy 56 Oakwood or 58 Oakwood so he could put a roadway to connect from Oakwood. He said the petitioner is telling us to approve a seven home development, and if it is not safe, approve it anyway. He had the ability to do other things to enhance the value of his property, and he didn't do that. Chief of Police Melvin said he can't believe that we are sitting here talking about approving a subdivision and asking the Village Police Department to turn its head on an illegal movement. You are saying, "Yea, they are going to happen anyway". He said this is very upsetting to him. Is it happening at Old Mill? Absolutely, and we write tickets. It happens at Egg Harbor. People go from Walgreens to the North Village Green.. If the developer can get a full access, he is all for it, because IDOT has given us its blessing. But to sit here and say we are going to give right-in, right-out, and say what is going to happen and let it happen, then people are going to drive those cars down Oakwood and Cedar. Then the west bound cars, if they are going to abide by the law, are going to turn into Oxford, do something there, or turn onto Elm and cut through the tennis club. If this goes through and it is right-in, right-out, those residents are going to get tickets. Trustee Saltiel said that people who will live in that subdivision's safety is of paramount importance to us. He differs with the petitioner's assessment that we have to bifurcate the zoning issue from the subdivision issue. The issue of safety is still an important element of that zoning issue. Mr. Pirkaris felt they were being punished for being candid. Trustee McDonough said that people coming from work will have to pass their property, and either turn on private property or make an illegal turn on Oxford, and candor or no candor, the petitioner still doesn't have a solution for the Board that it could live with. Trustee Saltiel said we don't want to put a police car there because the police have more important things to do with their time. Our function is to make sure what we do promotes the safety of the Village. Director of Community Development McNellis advised that the comprehensive plan says this parcel is the same density as the properties around it. Mr. Pikaris asked "Does the fact that IDOT will allow left turns, make it safe?" Trustee Walrath said it is not a matter of seven versus three, he does not think the developer should be allowed to put three homes in there. He has only lived here 3-1/2 years and the speed and density of traffic down Half Day Road has grown significantly, and he has seen too many near misses, and they get more and more frequent. Director of Community Development McNellis advised that the developer could build three homes and with special permission from IDOT, not need the right-in, right-out. With two homes the developer would not need that permission. Village Engineer Hughes said IDOT would not budge off the #3, but she does not know what makes it the magic number. Mr Kenig said that if it is an unsafe condition out there, and I can tell you as an expert in accident investigation and everything else, if any person owning a home along there gets in an accident making a left

turn in or out there, he will be glad to work with the attorneys to sue the Village of Lincolnshire and the State of Illinois because they have allowed that movement to take place. The point is that "they" (IDOT) have designed something that they are allowing those turns to take place because somewhere deep in their minds they are saying "well, it's a safe condition". The Board did not want to change the zoning. Trustee Saltiel felt the Board might need to do an internal additional analysis, and the Board needed more time to review this. Mayor Blomberg asked if they should go to items 3.12 and 3.13 and Village Attorney Simon said that in view of the fact that the Board wants more time to address the zoning, it would not be necessary to discuss items 3.12 and 3.13 at this time. Trustee McDonough would like some information from the developer regarding how exactly does the driver coming from the east get into the development.

The Board agreed to extend the meeting past 10:30 p.m.

Mr. Pikaris asked the Board to review a case called LaSalle vs County of Cook which is the "seminal" case in zoning. It would be appropriate to ask the Board to consider the seven points in "La Salle" as those are LaSalle standards, and in his mind it is virtually impossible to find in opposition to the rezoning.

3.14 Consideration and discussion of an Architectural Review Board recommendation regarding the proposed exterior storefront design for a retail tenant as part of Lots E, F, G of the Lincolnshire Commons development, located at 970 Milwaukee Avenue (Bath & Body Works/Limited Brands, Inc.)

Village Planner Barksdale-Noble updated the Board on this matter. Trustee Saltiel advised that the Architectural Review Board was split. The issue had to do with the more "modern" metal awning. There are also two blade signs. He felt one blade sign would be fine. The majority of the Board felt that what was submitted was fine. There was a consensus of the Board to place this on the Consent Agenda of the next Regular Village Board Meeting for approval.

3.15 Consideration and discussion of an Architectural Review Board recommendation regarding the proposed exterior storefront design for a retail tenant as part of Lots E, F, G of the Lincolnshire Commons development, located at 970 Milwaukee Avenue (Ritual Salon & Spa).

Village Planner Barksdale-Noble updated the Board on this matter. She described the storefront design. There was a consensus of the Board to place this on the Consent Agenda of the next Regular Village Board Meeting for approval.

Public Works

3.31 Consideration and discussion of a request to extend the time to connect the residence located at 20 Westwood Lane to the Village's potable water and sanitary sewer system (Mr. Arthur W. Hektor)

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therefore no further stormwater facilities were needed. He noted one item that would need to be addressed prior to Village Board review, was all required side and rear building setback lines needed to be provided on the plat. Staff recommended approval of a two lot subdivision with the plat revision as noted.

Trustee Brandt followed that the Board also requested the building setback lines be provided on the plat, and recommended such setback lines be noted before the Committee of the Whole meeting.

Member Van de Kerckhove questioned if sufficient parking ratios were present for Lot 2. **Planner Robles** explained required parking would be determined at the time when a detailed site development plan is submitted. Since the proposed Lot 2 complies with lot requirements of the Code, adequate parking should be easily achieved. **Director McNellis** also noted that some time ago, Staff requested **Mr. Barbato** submit a concept plan showing a speculative building and parking to insure the proposed lot was adequately sized, which was shown to be the case.

There was a consensus among the members in support of this request and the following motion was read:

Member Kalina moved and Member Leider seconded a motion to recommend approval to the Village Board of a Final Plat of Subdivision for the Heathrow Drive Subdivision, as depicted in the plans prepared by Blackledge Land Surveying, Inc., dated July 2, 2013, subject to the condition presented in Staff's memorandum to provide all required side and rear building setback lines on the plat.

The motion passed unanimously by voice vote.

- 3.2 Consideration and Discussion of a proposed plat of subdivision, incorporating side lot lines for two lots not radial to curved street lines, for the seven lot single-family residential subdivision, known as Forest View Subdivision, located at 13 Half Day Road (Fidelity Builders, Inc.).

Kevin Lewis, IG Consulting, presented he was the consulting engineer for the previous subdivision request and provided a brief history of the prior subdivision request, which the current request by a new developer was a revival of what was previously discussed and approved by the Zoning Board in 2006/2007. He followed by giving an overview of the proposed subdivision and the revisions that were made based on Staff comment and changes in regulations. **Mr. Lewis** proceeded to address the Staff recommendations. The first Staff comments regarding the lot lines of Lot 6 and Lot 7 were not radial to the curve of the cul-de-sac, which is a statement of the Subdivision Code. He presented how that requirement would work and that it could be accomplished with both Lots 6 and 7. However, he noted that by doing such would create greater confusion with any future homeowners and as it was proposed would be more apparent to where the lot lines were. **Mr. Lewis** noted the developer's agreement to address Staff's recommendations for additional parkway trees and including utility easements along the side lots lines of each.

Member Van de Kerckhove questioned the inclusion of walls and split-rail fence around the detention pond, and sought clarification on if the entire pond were to be fenced. **Mr. Lewis** explained the retaining walls in the detention pond based are required based on the depth and site constraints; also the split-rail fence was required during the previous

* Pond

Village reviews. He also confirmed the north side of the pond was open since there was a gradual slope to allow access for maintenance and stormwater flow. **Planner Robles** noted the split-rail fence was an outcome from neighbor resident concerns regarding pond safety. **Engineering Supervisor Horne** explained there were also code requirements for safety fencing due to the height of the drop around the pond.

* POND

Neal Barg, 28 Melrose Lane, expressed concerns over the removal of trees and the decrease of screening, and the detention pond collecting water and becoming a mosquito breeding ground near his residence. **Engineering Supervisor Horne** noted the Village's mosquito abatement program and Mr. Barg could add his address to the list for future treatment. **Director McNellis** indicated a number of trees were being saved at the south end of the subdivision, which is close to Mr. Barg's home. **Trustee Brandt** questioned if additional conservancy areas could be dedicated along the south end of the property similar to the dedicated conservation areas along the east side of the subdivision. **Mr. Lewis** explained in order to construct the catch basins to assist in stormwater drainage, tree removal was necessary close to Mr. Barg's residence. If a 30' wide conservation area were to be established along the south property line, additional trees would have to be removed elsewhere.

Jerry Behrens, 24 Essex Lane, noted that with the proposed development and their associated impervious surfaces wouldn't absorb water, which the current undeveloped land absorbs the rain water. **Mr. Behrens** expressed his concern about where all the stormwater would go once the property is developed since the water flows from east to west, towards his residence. **Mr. Lewis** responded the proposed roadway was designed to function as an overland flood route to direct stormwater to the detention pond. **Mr. Behrens** expressed his disagreement with the statement that all the water would be diverted to the retention pond and continue west to his property. He also questioned that since most roads have a crown to direct water to the sides of the road, how would this not increase the water to his property. **Mr. Lewis** explained the road design was proposed to be crowned as was standard engineering design, which would assist in catching the rain water and direct towards the pond.

Karen Madigan, 28 Essex Lane, sought clarification on what trees would be removed and what additional trees would be planted. **Mr. Lewis** noted the Tree Inventory Plan and identified which trees would be protected near Ms. Madigan's property. In addition, a Burr Oak tree was proposed to be planted within the gap of two trees that would remain. Additionally, a proposed 7' tall, board on board, screen fence was proposed along the west property line. **Ms. Madigan** sought clarification that the 7' tall fence was to be installed at grade. **Mr. Lewis** confirmed such. **Ms. Madigan** expressed her concerns of the fence being installed at grade and the proposed home foundations approximately 3' above grade, only providing 4' of screening. **Ms. Lewis** explained that this situation was reviewed in great detail during the previous Village review and was the reason the fence height was increased from 6' to 7'. He also assured the 7' height would be tall enough to block vehicle headlights from the proposed homes. In response, **Ms. Madigan** proposed the fence to be 8' in height and still wanted clarification the tree removal. **Planner Robles** clarified Village Code only required trees 6" in caliper size and larger to be identified for removal; therefore, additional trees could remain from what was shown on the plan. **Ms. Madigan** further sought clarification on the development's access from Route 22 and if the Village was in support. **Planner Robles** noted the prior right-in/right-out only configuration and that IDOT had now supported a right-in/right-out/left-out configuration, which provided an improvement from before.

Further discussion ensued regarding tree preservation and the proposed stormwater basins of the subdivision.

Chairman Manion questioned why the Code requirement for lot lines that must be at straight lines or radial to the streets as it appeared irrelevant and what **Trustee Brandt's** thoughts were on the requirement. **Planner Robles** explained the reason for such was to prevent haphazard layout of lots and to encourage the most logical layout of property lines that could be sustained by the site. However, he noted the exception that permitted the use of other angles if it resulted in a better layout. **Trustee Brandt** commented the code was in place to prevent over-densification of land by developers that get greedy and put too many lots on a site, but didn't feel that was the case on the current request as she felt there was a simple solution for both lots. **Director McNellis** added that Lot 7's layout was unique based on the required detention on the site, if it weren't for the detention, such lot would have easily been layout to be radial to the cul-de-sac. To which there was an agreement of such by the Zoning Board. **Chairman Manion** expressed his agreement with Staff and commented it didn't make sense to have a lot line perpendicular to the street just for the sake of being perpendicular, especially given the proposed layout was the most logical layout. **Mr. Lewis** explained that they could include additional lot angles to comply, but he argued the reason why the exception was in place was for the reason where a better layout resulted, which he felt was being proposed.

Additionally discussion ensued regarding the proposed 7' tall fence and the suggestion to increase its height.

There being no further public comments, **Chairman Manion** sought the Zoning Board's comments on the proposed subdivision. There was a consensus amongst the Board regarding the proposed limited access was not ideal, but understood IDOT's authority of Route 22, and the lot lines as proposed resulted in a better plan than to require the addition of angled lot lines to be straight or radial to the street.

There was a consensus among the members in support of this request and the following motion was read:

Member Leider moved and Member Kalina seconded a motion to recommend approval to the Village Board of a Preliminary Plat of Subdivision for the Forest View Subdivision, with a Subdivision exception to permit a side lot line not radial to a curved street lines for Lot 7, as depicted in the plans prepared by IG Consulting, Inc., received July 1, 2013, subject to following conditions:

1. *The Landscape Plan (Sheet 6) shall be revised to include additional parkway trees along Lot 2 and Lot 3, subject to the determination of Village Staff for quantity and appropriate placement.*
2. *15-foot wide utility easements shall be provided along the side lot lines of Lots 2 and 3, and Lots 4 and 5.*
3. *The proposed location of the road and all stormwater detention basins shall be staked/flagged to illustrate the extent of tree removal proposed.*
4. *Investigate adjusting the configuration of the southern stormwater compensatory storage basin to create a 30' wide landscape easement along the southern parcel line of Outlot A and to allow planting of additional evergreen trees.*
5. *Investigate the addition of evergreen trees along the west parcel line.*

The roll call vote was as follows:

Ayes: Manion, Kalina, Leider, and Van de Kerckhove

Nays:

The motion passed by roll call vote.

4.0 UNFINISHED BUSINESS

Member Kalina inquired whether or not new Zoning Board appointments have been made to fill vacancies. **Planner Robles** said no new appointments have been made.

5.0 NEW BUSINESS

Director McNellis informed the Zoning Board of the recent opening of The Fresh Market and encouraged the Members to pay a visit if they have not already. Many of the Zoning Board Members expressed their satisfaction of the new grocery store and that it was a great addition to Lincolnshire

6.0 CITIZENS COMMENTS (None)

7.0 ADJOURNMENT

There being no further business, **Chairman Manion** adjourned the meeting at 9:45 p.m.

Minutes Submitted by Stephen Robles, Planner

8/5/13
COW.

There was a consensus of the Board the requirements have been met and no further monitoring is needed.

3.12 Consideration and Discussion of Zoning Board Recommendation Regarding Preliminary Plat for Proposed 7-Lot Forest View Single Family Residential Subdivision with Subdivision Code Exceptions - 13 Half Day Road (Fidelity Builders, Inc.).

Director of Community Development McNellis noted the Zoning Board unanimously recommended approval, with conditions, of the proposed preliminary plat of subdivision for the 7-Lot Forest View development. Director of Community Development McNellis noted IDOT has now permitted all access except for a left in to the subdivision from Route 22. Fidelity Builders purchased the project and plans from the previous owner of the subdivision which was never completed.

Trustee McDonough asked how IDOT would set up the intersection to have a left out but not a left in and inquired if signage would be posted on Route 22. Director of Community Development McNellis explained Village staff has not received IDOT's sign off on the plans yet, so signage is yet to be determined. Trustee McAllister asked if this would be the same turn restrictions as Oakwood, and Director of Community Development confirmed it would be the same. Kevin Lewis, Civil Engineer for the proposed project, provided additional information on road access for the project, stating it is a controlled access point. Cars exiting can make a left turn out or a right turn going east. Entry in from Route 22 is restricted to a right-in but not a left-in. A no left turn sign will be posted as shown in the detailed packet provided to the Board. A discussion on the location of the signs and how enforceable it would be or how well the signs provide direction followed. Trustee Feldman asked if the left out/right out side of the island would only be wide enough for one car. Mr. Lewis confirmed the lane would only support one car for a right turn out.

Mr. Lewis proceeded to address Zoning Board comments and started with the recommendation for additional parkway trees to be planted in front of homes east of the roadway. Mr. Lewis noted Fidelity Builders has concerns planting trees within a proposed water and sanitary sewer easement. Fidelity staked out the east and west right-of-way lines of the proposed road to see if more screening could be added and noted this is already heavily wooded with the goal to keep large trees in this area.

Mr. Lewis noted the Zoning Board requested to have an additional utility easement between two of the lots and this has been added to the plan. Mr. Lewis addressed the Zoning Board request to stake and flag the location of the road and all stormwater detention basins noting this has also been done.

Mr. Lewis noted Fidelity added a landscape easement along the south boundary to address concerns regarding additional screening and to try to save existing trees due to concerns raised by the owner of 28 Melrose Lane. Fidelity Builders proposes to plant 4 White Pines within the landscape easement. Trustee Feldman asked if there would be a Homeowners Association for the maintenance of the public areas, and Mr. Lewis confirmed there would be. Trustee McDonough asked how big the additional easement in this location would be. Mr. Lewis stated the net easement depth is 15'. Director of Community Development McNellis summarized all the proposed easements.

Director of Community Development McNellis noted staff believes trees can be put in over the proposed water and sanitary easement rather than the shrubs proposed by Fidelity Builders. Mr. Lewis stated Fidelity Builders is willing to do this but mentioned he thought it would be a tight fit between the utilities and could be a maintenance issue. Trustee McDonough asked if this has been done anywhere else in the Village. Director of Public Works Hughes said this has been done; the trees are field located to verify they are not planted directly on top of pipes. Trustee Feldman expressed concern roots could become an issue. Director of Public Works Hughes noted roots typically affected older pipes, and the trees would be field located so as not to be installed over pipe.

Director of Community Development McNellis asked for direction from the Board regarding the storage basin on the south end and if it is important to put additional screening to the south? Three homes would have issues and the Zoning Board requested the pond to be moved to the north for more screening. Trustee Feldman thought the front of the property is loud and to move the pond north, resulting in additional tree loss, would create the potential for additional noise to the subdivision.

Trustee Grujanac asked about placement of the house on lot 7. Trustee McDonough noted the frontage is reduced to put the pond access in this location.

Mr. Neal Barg, resident at 28 Melrose Lane approached the Board stating his concern with the impact of the development on his property. Mr. Barg requested support from the Board regarding the landscape plan, proper screening and environmental impact regarding the detention basin located near his property. Mr. Barg presented two proposals; one was to increase the setback and add large evergreens. The second proposal was to eliminate the storage basin all together. Mr. Barg asked if an engineering study was done showing both detention basin and compensatory storage basin are required.

Mr. Lewis explained drainage on the property and what is being proposed. Trustee Feldman asked if the storage basin holds water all the time. Mr. Lewis noted the plans are for a dry basin except in very large storm events. A discussion regarding the trees for screening

* Pond

properties to the south of the development followed. Mayor Blomberg noted he and Trustees Brandt and McDonough had been on the Board during the original plan submittal and agreed to the compensatory storage basin to try and make conditions better for all homes in this area. Mayor Blomberg proposed to add additional screening at the cul-de-sac to provide more screening to 28 Melrose Lane from traffic coming into the proposed subdivision. Trustee Feldman said her concern would be headlights impacting 28 Melrose Lane. Mr. Barg requested more landscaping be put in the floodplain. Mayor Blomberg said staff could look into this but did not recommend doing this initially. Trustee McDonough asked if there could be a written agreement to put additional landscaping in at a later date. Village Attorney Simon advised an agreement could be written in the Declaration to the Homeowners Association to revisit the landscaping at future date.

Mr. Martin Klein, resident at 53 Cedar Lane came before the Board. Mr. Klein noted his concern is additional standing water on his lot. Mr. Klein noted during heavy rain his lot has standing water and at times the water has backed up the sewer system. Trustee Feldman asked Director of Public Works Hughes about compaction of the soil. Director of Public Works Hughes noted staff could check compaction in the area but confirmed the compensatory storage basin should help this lot. Trustee McDonough asked about the storm sewer affecting the lot. Director of Public Works Hughes confirmed the lot was in the line of the storm sewer and is tied to the flow going to the Des Plaines River.

Mayor Blomberg asked the Board to give staff direction regarding the condition to preserve existing trees, keeping the compensatory storage basin and planting additional trees or require a 30' wide landscape easement along the south boarder and creating a larger planting area which would require the reconfiguration of the storage basin and the loss of additional mature trees. It was the consensus of the Board to approve keeping the compensatory storage basin in its proposed location and planting additional trees for screening. Village Attorney Simon wanted confirmation from the Board for a Homeowners Association Declaration and Covenants to include a stipulation to revisit the landscaping. It was the consensus of the Board to include the stipulation. It was the consensus of the Board to plant deciduous trees instead of evergreens along the west property line along the fence. Director of Community Development McNellis noted staff requests Fidelity Builders plan larger evergreens, where proposed, along with the parkway trees. Fidelity agreed to 5 – 10' tall evergreens.

* Fence.

It was the consensus of the Board for Fidelity Builders to make revisions directed by the Board and bring this back to the next Regular Village Board for discussion and approval.

3.13 Consideration and Discussion of Referral of an Amendment to Existing Planned Unit Development (Ordinance #03-1864-41) to subdivide the existing Sedgebrook Retirement Community

ForestView Subdivision Requirement for Public Improvements

Ordinance No. 07-2993-21 - An Ordinance Rezoning Property Commonly Known As Forest View Subdivision (Village of Lincolnshire)

Section 4:

"That this ordinance granting a map amendment, including the relief specifically and collectively described in Sections 2 and 3, is subject to the following conditions:

- A. The Village shall not accept the conveyance or dedication of any public improvements and no building permits to erect greater than three (3) single family residences shall be granted unless and until the Applicant, its successor and assigns, constructs or causes to be constructed a seven foot (7') tall solid fence located along parts of the west property line, in substantial conformity with the Landscaping Plan and Detail prepared by IG Consulting, Inc., date stamp received March 6, 2007."

Village Code Section 7-6-6: Procedure for Approval and Acceptance of Improvements: Subsection C

"The public improvements, including the water mains, sanitary sewers, the entire above and below ground storm drainage system including detention and retention areas, curb and gutter and binder roadway surface course, and any approved landscaping, if applicable, as required by this Subdivision Code, must be fully completed and accepted by the Village Board for each separate phase or unit of a development prior to the issuance of any occupancy permits for any buildings in any phase or unit.

If building permits are requested for buildings in any phase or unit prior to the acceptance of the above listed public improvements, the building and/or developer must:

1. Secure a permit from the Public Works Department for a temporary road to serve the building or buildings under construction. The roadway must be a minimum of twenty feet (20') in width and constructed of crushed stone aggregate to a minimum compacted depth of eight inches (8"). The road must be kept in good repair during the entire period of construction of the building or buildings. If at any time the Director of Public Works is of the opinion that the roadway does not meet the requirements stated above, construction will be halted.
2. No construction work of a combustible nature shall be commenced until water mains for the entire phase have been installed and the Public Works Department has certified that they are in proper working order and can be utilized for fire fighting purposes. Prior to the completion of the water improvements and the certification by the Public Works Department, only foundation permits may be issued for any phase or unit in accordance with all the requirements in this Code.
3. No service connections shall be made to any of the above listed public improvements until the improvements have been accepted by the Village Board.

4. In a residential development the public improvements, including the water mains, sanitary sewers, the entire above and below ground storm drainage system including detention and retention areas, curb and gutter and binder roadway surface course, and any approved landscaping, must be fully completed and accepted by the Village Board of Trustees for each separate phase or unit of a phased development prior to the issuance of any building permits for buildings in any subsequent phase or unit.
5. The final roadway surface course is to be added upon substantial completion of construction within a phase. The Director of Public Works will make the determination of when the final roadway surface is to be installed based upon the size and type of development under consideration and the availability of other construction traffic routes. The purpose of this requirement is to avoid undue stress upon any roadways as a result of construction traffic.
6. Prior to the issuance of any foundation or building permits when the public improvements listed above have not been completed and accepted, the developer must provide the Public Works Department with an installation schedule for these public improvements. The developer will then be expected to adhere to this schedule unless unusual circumstances are encountered. If the developer fails to adhere to the schedule, the Village may be required to complete the public improvements utilizing the irrevocable letter of credit submitted by the developer in accordance with escrow agreement required by the subdivision regulations. (Ord. 86-90542)”