

MINUTES OF THE NORTH BARRINGTON PLAN COMMISSION PUBLIC HEARING WHICH WAS HELD APRIL 12, 2004 AT THE NORTH BARRINGTON VILLAGE HALL, 111 OLD BARRINGTON ROAD, IN SAID VILLAGE

1. Call to Order and Roll Call

At 7:32 P.M. Chairman Pais called the Public Hearing to order and the Clerk called the roll:

Present: Chairman Martin Pais, Vice Chairman Gery Hermann, Bill Bishop, Denis Taillon, Daniel Nass, and Eleanor McDonnell (arriving at 7:40 p.m.)

Absent: James Archer and Terry Banach

Also Present: Kathy Nelander, Village Clerk
Trustee Sidney Bartlett
Kelly Rafferty, Building and Zoning Officer
Natalie Karney, Village Health Officer
Andrea Pracht, Village Engineer
Nancy Harbottle, Village Attorney
Susan Allman, Village Forester
Tim Pattison, 182 Kimberly Road
Terry Cahill, 2099 Stonington Ave., Hoffman Estates
Rich and Marian Bondarowicz, 944 Scarsdale Court, A.H.
Carolyn Roussel, 25120 W. Middlefork, Barrington
Deborah Ashen, 217 N. Jefferson, Chicago
Alan and Ann Morenson, 2156 Hanover Hills, Barrington
Ron and Cindy Jones, 100 Arboretum Drive
John Matthews, 130 Arboretum Drive
Harlan Hoyn, 110 Arboretum Drive

2. Legal Notice

Chairman Pais requested that a copy of the published notice of the public hearing be incorporated into record.

A legal notice for the Public Hearing was published on March 27, 2004 in the Daily Herald.

3. Bickerstaff Builders, Inc., request for Re-Zoning to R-2 District (2 Acre Residential) and proposed plat of subdivision for six single family lots, for the property commonly known as 210 Rainbow Road

Chairman Pais welcomed the audience to the meeting and gave an overview on how the Public Hearing was to proceed. Chairman Pais explained that first; a representative from Bickerstaff Builders would give a presentation on the proposed subdivision. Next, Village Staff would present their comments to the Commission, then residents and neighbors would be heard, and

finally the Plan Commission would discuss the proposed subdivision. Chairman Pais asked that anyone who wished to speak during the Hearing to be sworn in. The speakers were sworn in.

Deborah Ashen, 217 N. Jefferson St., Chicago, addressed the Commission and explained that she was the attorney for the contract purchaser of the property, Mr. Tim Pattison. Ms. Ashen said that Mr. Pattison would present the proposal to the Commission.

Tim Pattison, 182 Kimberly Road, addressed the Commission. Mr. Pattison explained that he is a North Barrington resident and currently lives in the house he grew up in at 182 Kimberly Road. Mr. Pattison explained that the property at 210 Rainbow Road is associated with many legends, and has been frequented by kids looking for a place to party for many years. Mr. Pattison explained that he approached the owner of the property, Mr. Manfred Schwan, also a North Barrington resident, about purchasing the property, and after sometime, Mr. Schwan agreed to sell the property, but for an amount that was too much for a single family home site. After some negotiating, there was an agreement that Mr. Pattison would purchase the property contingent upon getting subdivision approval for the property. He explained that, until recently, the property was in a deplorable and dangerous condition. He explained that originally, the property was a farm with about 12 buildings. Mr. Pattison explained that the original home had been used as a practice burn for the Lake Zurich Fire Department, but the rubble was never removed. He explained that other buildings were in various states of disrepair and the swimming pool was filled with stagnant water. Mr. Pattison explained that the site had since been cleared, and re-graded.

Mr. Pattison explained that the property was annexed to the Village as part of the Arboretum Subdivision and this agreement provided that the property would be divided into 17 lots. Lots 16 and 17 consist of 17.9 acres and are the property known as 210 Rainbow Road. The remaining portion was divided into an 11 lot subdivision, known as the Arboretum. Only 11 homes were built due to some lots failing to meet the Village ordinances for a septic system. Mr. Pattison noted that this Annexation Agreement is due to expire in 2007. He said that he was proposing to build 6 homes on the property, one of which would be for himself. He said that the other homes would not be spec homes, but built for individual homeowners. He said that the development would solve many outstanding problems on the property, including policing the vacant property and drainage issues. He explained that there are drainage problems when water from the current Arboretum subdivision drains into the vacant property and remains stagnant. He said that the new homes would increase the property values in the area, and that each lot would be at least two acres which followed the Village's Comprehensive Plan. He also said that the pond would have a dry hydrant and there would be a parking pad for a fire truck adjacent to the pond. He listed other advantages to the subdivision including additional income for the Village by means of tax revenue.

Mr. Pattison explained the drainage issues on the property and the measures that were to be used to correct the situation, including the digging of a new pond for retention and the controlled release of the water. He discussed the heavily wooded site, and said that he had situated the

homes and road so in order to minimize the impact on the trees. He explained that only three significant trees would have to be removed. He said that he was proposing curbs and gutters for the subdivision, rather than open ditches, in order to contain and control the water runoff as the site contains steep grades. He explained that all the lots had passed the soil survey and percolation tests. He explained that he was seeking variances from three sections of the Village Code. He explained that the Village Code allows for a maximum cul-de-sac length of 800 feet and Kaitlin's Way has a proposed length of 1198 feet. Mr. Pattison said that this variance was required due to the fact that the lot is a flag lot, and the first 420 feet of the road is just to get to the main portion of the property. Also, a variance to the required right-of-way width and easement would be required for the same portion of the road. Mr. Pattison explained that the road passes through the flag portion of the lot, and this portion is narrow. The third variance is due to the proposed expansion septic field location for Lot 2 is separated from the proposed house and proposed primary septic field by wetlands, wetland buffer and a drainage easement. The only way to connect to the expansion field is to pipe the treated effluent across the proposed drainage easement, and Village code states that no part of the system can be within 5 feet of a drainage easement.

Mr. Pattison explained the Preliminary Plat to the Commission, and pointed out the positioning of the road, houses and septic fields. He further explained the topography of the property, trees and soils on the property, and existing drain tiles.

Village Engineer Andrea Pracht addressed the Commission. She explained that their job as Village Engineers was to review the Preliminary Engineering Plan and the Preliminary Plat for compliance with the Village Code, the Watershed Development Ordinance, and general engineering practices. She said that she was still waiting on written correspondence from the Fire District approving the site layout. She also addressed the stormwater facilities at the property. She explained that detention basins and wetlands were proposed to be on private property with easements and suggested that the preliminary plat should contain a maintenance plan and identify long term maintenance responsibilities for the detention basins and wetlands. Ms. Pracht outlined what needed to be maintained and suggested a Special Service Area be set up to allow the Village to maintain the property and assess property owners to cover costs if necessary. She did note that the wetlands on the property are under the jurisdiction of the Army Corp of Engineers and that they would be the permitting authority. Ms. Pracht said, with regard to the variance required for the right-a-way width and easement, she did feel that the right of way widths would be sufficient to handle utilities. Ms. Pracht said that she felt that the curb and gutters would be appropriate for the site, although could prove to be a different maintenance issue for the Village. Mr. Pracht said that she felt that curb and gutters would be more appropriate than steep, sloped swales.

Village Health Officer Natalie Karney explained that the site had received extensive analysis, with two types of testing, percolation tests, which each lot passed, and soil information review. She said that she was satisfied with all the test results, the location of the septic systems, including their size and type. Ms. Karney reported that they reviewed the slopes to make sure

they were in line with the designs and the set back requirements. She explained that Lot 2 would require a septic variance as the secondary field was on the opposite side of a drainage easement. She explained that the secondary field's soils were adequate and accessing this field would require running a pipe from the tank system to pump the treated effluent into the secondary field. Ms. Karney said that she had no problem with this method from a technical standpoint and the variance would be reviewed by the Environmental & Health Commission.

Village Forester Susan Allman explained that she had reviewed the Site Improvement Plan with regard to stormwater management and effect on the trees on the site. She explained that 52 trees would have to be removed for the construction of Detention Pond 2, although most of the trees were not significant trees. She explained that tree replacement standards may apply when it is finally determined what trees will be removed for the development of the property.

Building and Zoning Officer Kelly Rafferty addressed the Commission. He explained that his job was to determine if the preliminary plat for the proposed six lot subdivision is in compliance with the applicable provisions of the Village Zoning Ordinance. He explained the property is currently zoned R-1 P.U.D. and the developer is seeking a rezoning to R-2, 2 acre residential district. Mr. Rafferty reported that based on his review, all 6 lots as depicted on the preliminary plat meet or exceed the minimum lot area and minimum width requirements for lots in the R-2 District. He added that the Preliminary Plat depicts all the front, side and rear building setbacks lines as required and meets or exceeds the Zoning requirements. He said that from a Zoning standpoint, the Preliminary Plat meets the requirements for a development in the R-2 District.

John Matthews, 130 Arboretum, said that he was happy to see the lot cleaned up, but was concerned about the 6 lot subdivision and the possible loss of trees on his property. He said that he felt that the proposed house on Lot 6 would be too close to his home.

Carolyn Roussel, 25120 W. Middlefork, Barrington, said that she was concerned with drainage from the property and the proposed house on Lot 3, which would be adjacent to her property. She also said that she thought 6 homes was too many for the site.

Alan Morenson, 2156 Hanover Hills, Barrington said that he had concerns about drainage from the property and felt that 6 homes was too many for the site.

Chairman Pais asked if there was anyone else who wished to speak. There were none.

4. Adjournment

Motion: Daniel Nass moved the hearing be adjourned; seconded by Eleanor McDonnell.

Discussion: There was no discussion.

Vote on Motion:

The voice vote was unanimous in favor.

At 8:20 P.M. Chairman Pais declared the Hearing adjourned.

These Minutes were approved at the Plan Commission Meeting held May 10, 2004.

ATTEST:

Kathy Nelander, Village Clerk

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