

MINUTES OF A MEETING OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF NORTH BARRINGTON WHICH WAS HELD MONDAY,  
AUGUST 22, 2005 AT THE NORTH BARRINGTON VILLAGE HALL,  
111 OLD BARRINGTON ROAD

I. Call to Order and Roll Call

At 7:35 p.m. President Sauer called the Meeting to order. The Village Clerk led the Pledge of Allegiance, and then called the roll:

Present: President Sauer, Trustees Farrell, Moran, Peterson, and Pino  
Absent: Trustees Contorno and Schnure  
Also Present: J. W. Braithwaite, Village Attorney (left at 8:50 p.m.)  
Andrea Pracht, Baxter & Woodman  
Warren Nass, 107 Mohawk Road  
Joe Arizza, 109 W. Liberty, Wauconda  
Harry Burroughs, 533 North Avenue, Barrington  
Tom Klein, 1 Executive Court, Suite 1, S. Barrington  
Kyle and Clifton Chang, 582 Golfview Drive

II. Public Comment

There was no one who wished to speak.

III. Consent Agenda

Items G. Adopt Ordinance 1066 Revising Village Zoning Map and item H. Adopt Ordinance 1067 Revising Village Street & Address Map were removed from the Consent Agenda.

Motion: On motion of Trustee Pino, seconded by Trustee Peterson, moved approval of the following agenda items by a single omnibus vote:

- A. Approve Minutes of Board Meeting – 7/25/05
- B. Approve the August 22, 2005 Vouchers for payment of bills
- C. Approve the Treasurer's Report for the 3rd month of Fiscal Year 2006
- D. Approve Resolution #2381 appointing Frank Mattioli as H & S Commission Alternate Member
- E. Approve Resolution #2382 appointing Bill Bowyer as Parks & Recreation Commission Member
- F. Approve Cash Escrow Reduction – Bickerstaff Subdivision (Pattison)

Discussion: There was no discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Farrell, Moran, Peterson, and Pino, President Sauer  
Nays: None  
Absent: Trustees Contorno and Schnure  
Abstain: None

President Sauer declared the motion approved.

Items removed from the Consent Agenda for further discussion:

G. Adopt Ordinance #1066 Revising Village Zoning Map and H. Adopt Ordinance #1067 Revising Village Street & Address Map

Trustee Peterson asked what procedures are performed in order to revise the Village Maps. Village Engineer Andrea Pracht explained that the Village Maps are periodically updated to reflect the annexations and subdivisions which have occurred since the maps were last updated, in this case August of 2001. Ms. Pracht explained that Building and Zoning Officer Kelly Rafferty marks up the old maps with changes and additions, for example adding new addresses to Wynstone North and South Commercial, and the maps are then updated by Baxter and Woodman. There was further discussion.

Motion: Trustee Peterson moved to adopt Ordinance #1066 Revising the Village Zoning Map and Ordinance #1067 Revising the Village Street & Address Map; seconded by Trustee Farrell.  
Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Farrell, Moran, Peterson, and Pino  
Nays: None  
Absent: Trustees Contorno and Schnure  
Abstain: None

President Sauer declared the motion approved.

#### IV. VARIATIONS/SUBDIVISIONS/CODE AMENDMENTS

A. Ordinance #1068 Zoning Variation regarding Mr. & Mrs. Clifton Chang, 582 Golfview

President Sauer invited Zoning Board of Appeals Chair Warren Nass to address the Board and explain the variance request. Chairman Nass noted that all requirements had been met by the applicant and explained the variance to the code requested by Mr. & Mrs. Clifton Chang, 582 Golfview Drive, North Barrington, Illinois 60010.

ZR-10-1-2(B) and

ZR-10-4-2(A1b): A non-conforming building or use shall not be expanded.

The subject property is non-conforming on account of lot size and building setback.

ZR-10-6-3(A): R-3 Residential Zoning District requires that each lot have an area of at least 40,000 square feet.

The lot area of the subject property (Lots 23, 24 & 25 in Block 19 of Unit #2 of the Biltmore Country Estates) is approximately 22,500 square feet.

ZR-10-9-2(B): From each side line that does not border a road or street, the setback shall be not less than ten percent (10%) of the average width of the lot, or ten feet (10'), whichever is greater.

Based on an average lot width of 150.0 feet, the required side yard setback shall be not less than 15.0 feet. The existing house is and the proposed addition will be located approximately 14.9 feet from the west side property line, representing an existing and proposed side yard setback encroachment of approximately 0.1 feet. With the addition of brick veneer along the west wall, the 1st floor of the existing house and new addition will be located approximately 14.48 feet from the west property line, representing a side yard setback encroachment of approximately 0.52 feet. The west wall of the 2nd floor addition will project to approximately 12.48 feet from the west property line, representing a side yard setback encroachment of approximately 2.52 feet.

ZR-10-9-2(C): From the rear line, the setback shall not be less than forty feet (40') or twenty percent (20%) of the depth of the lot, whichever amount is larger.

Based on a lot depth of 135 feet, the required rear yard setback shall be not less than 40 feet. The rear wall of the proposed addition will be located approximately 39 feet from the rear line, representing a rear yard setback encroachment of approximately 1 foot. The proposed wood deck will be located approximately 30 feet from the rear line, representing a rear yard setback encroachment of approximately 10 feet.

Chairman Nass explained that the Zoning Board of Appeals had heard the Chang's request at their last meeting. Chairman Nass explained that the improvements to the home did not adversely affect any of the neighbors, nor were there any concerns from the neighbors. Chairman Nass noted that the ZBA had unanimously recommended approval of the variance requests. Mr. Harry Burroughs, the architect for the Chang's, addressed the Board. Mr. Burroughs explained that the existing home was small, approximately 2275 square feet, with small bedrooms, a small kitchen and dining room, and no family room. He explained that the Chang's wished to expand and modernize the house with a larger kitchen, family room and increase the size of the master bedroom, adding approximately 1360 square feet, or a little more than 50%, to the home. He explained that the only area for expansion was on the rear and side yard. Mr. Burroughs also explained that there would be a deck added to the back of the house. Mr. Burroughs also noted that the rear addition would include a basement area to achieve a useable basement. There were questions from the Board for Mr. Burroughs and the Changs. It was noted that there would have to be some tree replacement per the Village Forester.

Motion: Trustee Moran moved to adopt Ordinance #1068 allowing Mr. & Mrs. Clifton Chang to construct additions and alterations to the home at 582 Golfview Drive using the architectural plans as prepared by HBB Architectural, last dated 6/2/05; seconded by Trustee Pino.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Farrell, Moran, Peterson, and Pino  
Nays: None  
Absent: Trustees Contorno and Schnure  
Abstain: None

President Sauer declared the motion approved.

B. Ordinance #1069 Amending H&S Code (Site Plan Submittal Requirements)

President Sauer referred to the memo prepared by Village Engineer Andrea Pracht explaining that she with the Village Health Officer Natalie Karney worked together with the Village Attorney to prepare an ordinance amendment to require record drawings, which show the post-construction site conditions, for single lot developments. The current Village Code only requires record drawings of the septic system improvements and spot grades of foundation elevations. The record drawing will be required to be submitted in an electronic format, so that the Village could electronically file the drawings. The Village would not be unique in requiring this submission and guidelines will be printed out for permitting process. There were some questions from the Board for Ms. Pracht and she explained the benefits of the requirement. Trustee Moran had many questions about the format for the submittals. Trustee Moran will receive further information from the Village Engineer regarding the electronic submission format.

Motion: Trustee Moran moved to adopt Ordinance #1069 amending the Village Code to require site drawings in electronic format; seconded by Trustee Peterson.

Discussion: There was lengthy discussion.

Vote on Motion

By Roll Call: Ayes: Trustees Farrell, Moran, Peterson, and Pino  
Nays: None  
Absent: Trustees Contorno and Schnure  
Abstain: None

President Sauer declared the motion approved.

C. Ordinance #\_\_\_ Amending Code regarding Diseased Trees

President Sauer invited Village Attorney J. W. Braithwaite to explain the proposed amendments to the Village Code. Mr. Braithwaite explained that the Village Forester had questioned how to interpret the Code with regard to diseased trees and their removal. One section of the code stated that the tree must be removed on ten days notice, and another section allowed for 30

days notice. Mr. Braithwaite also explained that the State Statute says that the Village may adopt ordinances to place a lien against the property when someone fails to remove the diseased tree and the Village has to remove the tree. Notification procedures were also discussed.

President Sauer explained that there were numerous residents who had received notice to remove trees with Dutch Elm Disease and had not complied. President Sauer explained that the Village needed a way to enforce the Ordinance in order to preserve the trees and the nature of the community.

Trustee Pino asked if there were any other instances in the Code which allowed for liens. No one had an answer, without further research. Village Attorney Braithwaite explained that this was a policy issue for the Board. Mr. Braithwaite explained that the ordinance would allow the Village a relatively simple means of enforcement when forced to remove diseased trees on private property. Mr. Braithwaite explained that due to the seriousness of Dutch Elm Disease, there may be times when the Village needs to access the property and remove the trees. A lien is a means to protect the Village but also does not force the property owner to produce the funds at that time.

Trustee Peterson explained that he recently removed three large oak trees from his property due to Oak Wilt. He explained that he, as well as his neighbors have numerous Oak trees on the property which substantially adds to the property values. Trustee Peterson said that he did not think it was unreasonable for the Village to make sure these diseased trees are removed for the benefit of the residents.

Trustee Farrell said that she thought the Ordinance was overly aggressive. There was lengthy discussion. Mr. Braithwaite said that the Ordinance could have the provision that there could not be a foreclosure on a home without Village Board action. Village Attorney Braithwaite noted that the only notable addition to the Ordinance was the lien portion and that the Village currently has the ability to remove the trees. It was suggested that the Ordinance be tabled and reworked, possibly by the Environmental Commission.

Motion: Trustee Peterson moved to adopt an Ordinance amending the Village Code relative to the removal of diseased trees; seconded by Trustee Pino.

Discussion: There was lengthy discussion.

Motion: Trustee Pino moved to table the matter to the next Board meeting, providing the Environmental Commission reviews the proposed Ordinance; seconded by Trustee Peterson.

Discussion: There was no discussion.

Vote on Motion:

The voice vote was unanimous in favor.

President Sauer declared the motion approved and the matter tabled.

D. Ordinance #1070 Amending International Code (Swimming Pool Barriers)

President Sauer explained that the Board had adopted Appendix G of the 2000 International Residential Code as it applies to swimming pools at the July 25, 2005 Board meeting. President Sauer referred to the memo from Village Attorney Braithwaite explaining that Building and Zoning Officer Kelly Rafferty had pointed out that one of the requirements of Appendix G was that all doors with direct access to the pool be equipped with an alarm which produces an audible warning when the door is opened. Village staff believed that it would be extremely difficult to enforce this provision and that most people would disconnect or otherwise bypass the alarm system. President Sauer explained that this Ordinance would eliminate the requirement of this alarm.

Motion: Trustee Pino moved to adopt Ordinance #1070; seconded by Trustee Farrell.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees Farrell, Moran, Peterson and Pino
	Nays:	None
	Absent:	Trustees Contorno and Schnure
	Abstain:	None

President Sauer declared the motion approved.

V. COMMISSION AND STAFF REPORTS

President Sauer stated that the following items were contained in the Trustee's packets and that if there were any questions, to contact the corresponding Commission Chair or Village Officer.

A. Building Department Report (Kelly Rafferty - Rafferty Architects)

The Building and Zoning Department Activity Report was made available to the Board.

B. Building Inspection Report (Ray Donini)

The Building Inspection Report was made available to the Board.

C. Building Inspection Report (B&F Technical Code Services, Inc.)

The Building Inspection Report was made available to the Board.

D. Engineering Project Status Report (Andrea Pracht - Baxter & Woodman)

The Engineering Project Status Report was made available to the Board.

E. Health & Sanitation Report (Natalie Karney - Land Technology)

The Health & Sanitation Monthly Report was made available to the Board.

F. Environmental Commission Meeting Minutes (August 2005)  
The Minutes of the Meeting were made available to the Board.

G. Parks & Recreation Commission Meeting Minutes (August 2005)  
The Minutes of the Meeting were made available to the Board.

H. Plan Commission Meeting Minutes (August, 2005)  
The Minutes of the Meeting were made available to the Board.

I. Zoning Board of Appeals Meeting Minutes (August, 2005)  
The Minutes of the Meeting were made available to the Board.

VI. ADMINISTRATION – President Bruce Sauer

A. Wynstone South Commercial – Klein (Phase 2 – Preliminary Site Plan)

President Sauer invited Tom Klein to address the Board. Mr. Klein explained that he was the principal member of T.R. Klein Development, LLC, and he was before the Board to request site plan approval for the proposed development at Wynstone South Commercial. Mr. Klein referred to Preliminary Site Plan and explained that the site was approximately 7.9 acres. He explained that the development would consist of five single-story 12,500 square-foot buildings, totaling 62,500 square feet. Mr. Klein explained that the buildings would serve as office condominiums, that each building would have two entrances, and that each building would have the potential to be divided into as many as six units. Mr. Klein said that the offices would be for professional office use and would contain no retail use. Mr. Klein explained that he had appeared before the Plan Commission and had received a favorable recommendation to the submitted materials including:

1. Revised Site Plan
2. Dumpster Enclosure Detail and Picture
3. Photometric Lighting Plan
4. Ground Sign Detail and Picture
5. Landscape Plan and Pictures of the Landscaping along the West Property Line.

Mr. Klein explained that approval of the Site Plan would be subject to wetland mitigation for the four wetlands on the site. Mr. Klein explained that his firm was currently in the process of mitigating the wetlands with the Army Corps of Engineers. Mr. Klein noted that several years ago there was a proposed townhouse development for this property, and the previous owners had submitted to the Army Corps of Engineers to mitigate the wetlands and were successful in doing so. Mr. Klein said that his firm expected to receive the same considerations, and that the wetlands would be mitigated at a mitigation bank. Mr. Klein explained that these are considered isolated, low quality wetlands and do not serve as a recharge for the aquifer. These areas would be filled in and a detention area would be created on the western side of the property. He

explained that the detention pond would be planned in accordance with stormwater management practices and the Lake County Stormwater Management requirements.

Mr. Klein referred to the Revised Site Plan and explained the setbacks on the site, locations for the five buildings and dumpster enclosures, ground signage, and parking area and lot fixtures.

Mr. Klein explained the lighting for the project. He explained that each building would have residential-type, carriage lighting on either side of the building's front doors, utilizing 60 watt bulbs. Lighting on the side doors would consist of one smaller fixture using a 40 watt bulb. Mr. Klein explained that there are no doors on the back of the buildings, thus there would be no lighting fixtures. Mr. Klein explained that the 14 parking lot lighting fixtures would be 20 feet in height, and use a 320 watt metal halide bulb. Mr. Klein explained that he was using 20 foot poles in an effort to use the minimum amount of fixtures and the parking lot lights will be on a timer to go off at 10 p.m.

Mr. Klein referred to the photos of the ground signs. Mr. Klein explained that each building would have two entrances and there would be one freestanding sign in front of each door to each building, with a total of 10 ground signs. He explained that the signs would be 2 feet wide and three and a half feet tall, and contain the address to the building as well as the occupants for that particular address. Mr. Klein said that the signs would not require lighting as the lighting from the building entrance would be substantial enough to light the sign. Mr. Klein noted that while the total sign area is below the maximum permitted by the Village's Zoning Ordinance, he would need a Zoning Variance in order to be permitted two signs for each building.

Mr. Klein explained that the Village Forester had asked if any existing trees on the property could be used in the landscaping plan. Mr. Klein explained that due to the topography changes to the site including the addition of berms, mitigating the wetlands, etc., there were no trees of any consequence that could be saved. Mr. Klein said that there would be trees and shrubs planted along Route 12 as well as around the detention area. Mr. Klein explained that the landscaping plan had been modified at the request of the Plan Commission and neighboring Homeowners Association on Dunhill Lane. Mr. Klein explained that most of the proposed willow trees would be replaced with other types of trees. Mr. Klein also explained how additional landscaping was added between buildings 4 and 5, as well as to provide additional screening for the dumpster at building 5.

Mr. Klein also explained the elevations, materials used in the building design, and architectural style. There were questions from the Board and further discussion.

Motion: Trustee Pino moved approval of the preliminary site plan for Wynstone South Commercial Phase 2 as presented by Tom Klein of T. R. Klein Development, LLC subject to final engineering issues being resolved to the reasonable satisfaction of the Village Engineers as well as permitting from the Army Corps of Engineers and IDOT; seconded by Trustee Moran.  
Discussion: There was lengthy discussion.



## Vote on Motion

By Roll Call: Ayes: Trustees Farrell, Moran, Peterson and Pino  
Nays: None  
Absent: Trustees Contorno and Schnure  
Abstain: None

President Sauer declared the motion approved.

### B. Refuse/Recycling Contract

President Sauer explained that he had asked Trustee Schnure to review and present the contract to the Board, but Trustee Schnure was not in attendance. Trustee Pino said that he had spoke with Trustee Schnure and that Trustee Schnure had mentioned that he would like the Health & Sanitation Commission to review the contract. Trustee Moran had some questions about the contract. President Sauer asked Trustee Moran to contact Trustee Schnure with his concerns about the contract. Trustee Moran said that he would contact Trustee Schnure and then update the Board via memo about the discussion and action plan for the contract.

### C. EACOG (Ela Area Council of Governments)

President Sauer explained that Ela Township had contacted the Village to see if there was an interest in joining the Ela Area Council of Governments (EACOG). After some discussion, it was determined that there are enough communication measures in place with the Township and the Village would limit its membership to the Barrington Area Council of Governments (BACOG) at this time.

### D. Discussion regarding request – Illinois Route 120

President Sauer explained that the Village was contacted by the Villages of Grayslake and Round Lake to support them in the push to improve Illinois Route 120. After some discussion the Board determined that IL Route 120 did not immediately impact the Village of North Barrington nor did they have enough information to support the request at this time.

## VII. Reports by Board of Trustees

### A. Trustee Rick Contorno

As Trustee Contorno was absent, President Sauer briefly outlined recent police activity in the Village. President Sauer explained that while a major drainage project was being performed at the intersection Shady Lane and Biltmore Drive, it was noted that a majority of the vehicles did not stop at the stop signs placed at the intersection. President Sauer explained that after further investigation, he found out that the stop signs were placed there years ago after there had been a serious vehicle accident at the site, and since the signs were placed, there had been no

further incidents. President Sauer explained that he then contacted the Lake County Sheriff's Police Department to increase patrols in the area in order to control speeding and enforce compliance, resulting in over seventeen citations issued for stop sign violations. Trustee Moran had concerns about ticketing residents. There was further discussion.

B. Trustee Jane Farrell

Trustee Farrell reported on the activities of the Parks & Recreation Commission and outlined the Fall Festival's scheduled events for September 25th. Trustee Farrell said that flyers would be mailed out shortly. Trustee Farrell explained that due to the popularity of the event, the flyers would convey the message that the event was for North Barrington residents only.

C. Trustee Jim Moran

Trustee Moran reported on the activities of the Plan Commission, including the Commission's recommendations for a Redevelopment Ordinance, also known as Teardown Ordinance, which had since been reviewed by Village Staff and would probably be at the Board level later this year.

President Sauer said that he was planning on talking to the Plan Commission and involving the Commission in the analysis of the road conditions in the Village and long term planning with regard to maintenance of the roads.

D. Trustee Dave Peterson

Trustee Peterson explained that the Environmental Commission had met earlier in the month intending to hear a tree fine appeal, but the matter had to be continued to a special meeting date, September 22, 2005 at 7:30 p.m. Trustee Peterson said that since the Commission had intended to spend the entire meeting on the tree fine appeal, they were not prepared to finalize their recommendation for Flint Creek. Trustee Peterson said that the Commission would probably have a recommendation for the Board at the September meeting.

E. Trustee Al Pino

Trustee Pino commended the Zoning Board of Appeals on its efficiency and thoroughness in reviewing zoning variance requests.

F. Trustee John Schnure

Trustee Schnure was absent.

VIII. OLD BUSINESS

Trustee Moran asked if the Village's lobbyist, Milan Petrovic, had submitted a report to the Village Attorney. President Sauer explained that J.W. Braithwaite had been in contact with Mr. Petrovic and as soon as the report was available, it would be made available to the Board.

IX. NEW BUSINESS

Trustees Moran and Farrell had questions about the finances of the Village and the yearly audit. Trustee Moran said that he would like the auditors, Detterbeck & Associates, to address the Board and explain the audit process to the Board and to be available to answer the Board's questions. President Sauer explained that he had spoken with the auditors and they said that all reports could be generated in house from the existing QuickBooks program. Trustee Peterson suggested that the auditors meet with the Board members who have the specific questions beforehand, and after the audit was completed, a brief report could be addressed to the Board. There was lengthy discussion.

Motion: Trustee Moran moved to have the Village auditor, Detterbeck and Associates, complete the yearly audit and attend the subsequent Board meeting to explain what they do for the Village and present the results of the audit; seconded by Trustee Farrell.

Discussion: There was lengthy discussion.

Vote on Motion

By Roll Call:	Ayes:	Trustees Farrell, Moran, Peterson and Pino, President Sauer
	Nays:	None
	Absent:	Trustees Contorno and Schnure
	Abstain:	None

President Sauer declared the motion approved.

X. ADJOURNMENT

There being no further business to come before the Board, Trustee Peterson moved to adjourn the meeting; seconded by Trustee Pino.

The 10:00 p.m. President Sauer declared the meeting adjourned.

These Minutes were approved by the Board at a meeting held September 26, 2005.

Attest: \_\_\_\_\_

Kathy Nelander, Village Clerk

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