

**MINUTES OF THE NORTH BARRINGTON PLAN COMMISSION PUBLIC HEARING  
WHICH WAS HELD MONDAY, OCTOBER 12, 2009 AT THE NORTH BARRINGTON  
VILLAGE HALL, 111 OLD BARRINGTON ROAD,  
IN SAID VILLAGE**

**1. Call to Order & Roll Call**

At 7:39 P.M. Vice Bill Bishop called the public hearing to order and the Deputy Clerk called the roll:

Present: Vice Chairman Bishop, Janis Menges, Martin Pais, Denis Taillon, David Wilford  
Absent: Chairman Nass  
Also Present: Village Attorney J. W. Braithwaite  
Kelly Rafferty, Village Building and Zoning Officer  
Celma Perry, 115 Clover Hill Lane  
Desmond Perry, 115 Clover Hill Lane  
Robert Best, 70 West Madison Street, Chicago  
Jeff Keiser, 115 Clover Hill Lane  
Nicole Keiter, Deputy Village Clerk

Vice Chairman Bishop explained the protocol of the meeting to the audience.

**2. Legal Notice**

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

**3. Public Input – To Consider a Request from Education Centers Associated, Inc. for a Special Use Permit for the Continued Operation of the Montessori Children’s House of North Barrington, a Montessori School.**

Village Attorney J. W. Braithwaite swore in speakers present in the audience.

Before any input was given from either the public or the Commission members, Mr. Braithwaite gave a short history on the matter of the Montessori School. He explained that the property was annexed to the Village in 1992, along with many other properties in the Clover Hill area. Annexation Agreements were entered into and the one with the school provided for a variation to be granted to allot the school to continue its non-conforming use. While a number of variations were granted in the Clover Hill area at that time, the Village has no record that a variation was granted to the school. The Zoning Ordinance was then subsequently amended to provide that the school require a special use permit. The application for the special use permit is to correct what appears to have been an oversight by the Village dating from 1992. Mr. Braithwaite then asked

Village Building and Zoning Officer Kelly Rafferty to verify what he had explained with the minutes of the Zoning Board of Approvals from May 19, 1992. Mr. Rafferty stated that the school had received a unanimous vote of approval for variations from the Zoning Board of Approvals and that recommendation was to be sent to the Village Board of Trustees. He also stated that other Ordinances passed around the same time had no time-limit restrictions and that the School Ordinance was consistent with those other Ordinances.

Vice Chairman Bishop then asked if the public had any input. Robert Best, of K & L Gates LLP, introduced himself and his clients; Mr. Desmond Perry and Mrs. Celma Perry, owners of the Montessori School. He also introduced Jeff Keiser, acting director of the school. Mr. Best stated that the school was founded in 1973 and that the property was purchased by Mr. and Mrs. Perry in 1976. Around 1990 an outside “operator” was in charge of the school and then a couple years later the Perry’s returned and have been in charge of the school ever since. The Annexation agreement with the Village had taken place during the few years that the outside operator was in charge, and therefore the Perry’s had not been actively involved in the process.

Ms. Menges then asked if the school had changed since it was founded. How many students were currently enrolled and does anyone live in the house on the property? Mrs. Perry stated that the school receives the highest of Montessori accolades and is known internationally. She also stated that the school was in compliance with all rules and regulations set forth. In the past few years, she explained, that there have been anywhere from 75 – 150 students. On a daily basis there are approximately 75 students there throughout the day with about 8 – 10 staff members. Most students only stay for a few hours every day, and the building on the lot is only used for schooling the children; there is no one using the building as their permanent place of residence. Ms. Menges stated that she, along with Mr. Pais, live down the street from the school and every morning there is a back up of traffic. She suggested that the school consider staggering start times to reduce the traffic and back up of parked cars. Mrs. Perry stated that she thought that was a good idea and that she and the director of the school would consider that and other ways to reduce the congestion. Ms. Menges asked if there were any plans to sell the property, and if there were would the school be sold with it. Mrs. Perry stated that there were no plans to sell the property, and when her and her husband decided to retire, the property would stay within her family. Mrs. Perry stated that her daughter would be the next to care for the property and has every intention of maintaining the school as well. If for some reason the family decided to sell the property, it would be contingent upon selling the business of the school as well.

Mr. Wilford asked if the special use permit they were considering now would mirror the previous agreements and permits that had been decided previously. Mr. Braithwaite stated that in this particular case nothing would change and the permit would mirror what had been previously determined.

Mr. Pais asked what the size of the property was and how many children were allowed on the property at any given time. Mrs. Perry stated that the property was 2.9 acres and Mr. Braithwaite stated that there was nothing listed limiting the number of children allowed on the property. Mr. Pais asked if the septic system supported the number of children that were attending school and

if there was any knowledge of previous problems with the system. Mr. Rafferty stated that the Village Health and Sanitation Officer, Natalie Karney, would have that information and could further address the concern. Mrs. Perry assured the Commission that they have never had a problem with the system and that most children were only there for approximately 2.5 hours per day. Mr. Braithwaite asked what the regulations were for the number of square feet required per child. Mrs. Perry responded with 35 square feet per child. Mr. Pais suggested that a study be done on the septic system at the school as a review. There have been no complaints about the system, this would only be used as a preventative measure. Mr. Perry stated that the septic tank is pumped once a year, usually in August when the children are not in school. Mr. Braithwaite confirmed that a review by Village Health and Sanitation Officer Natalie Karney would not be a problem and that public health is always a priority of the Village.

Vice Chairman Bishop requested clarification on the time frame of the special use permit and the annexation agreement. Since the annexation agreement was approved in 1992, with a 20 year time frame, it would not be expiring until 2012. Mr. Braithwaite stated that the annexation agreement would expire in 2012; however, if the variation had been granted in 1992 it would have no expiration date.

There were no further questions from the Commission. Mr. Braithwaite requested that the records show that notices were properly mailed as required and signs were properly posted in respect to this public hearing.

#### **4. Adjournment of Public Hearing**

Motion: Martin Pais moved the Public Hearing be adjourned; seconded by David Wilford.

Discussion: There was no discussion.

Vote on Motion:

The voice vote was unanimous in favor.

At 8:21 P.M. Vice Chairman Bishop declared the Public Hearing adjourned.

These Minutes were approved at the Plan Commission Meeting held November 9, 2009.

ATTEST:

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Nicole Keiter, Deputy Village Clerk