

PLAN

REPORT OF THE PROCEEDINGS OF A PUBLIC HEARING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
PLAN COMMISSION

COMMISSION

RE: MUELLER LOT CONSOLIDATION - 318 WEST MUELLER STREET - PC #22-003
PLAT OF SUBDIVISION TO CONSOLIDATE, VARIATION

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Plan Commission Meeting taken at the Arlington Heights Village
Hall, 33 South Arlington Heights Road, 3rd Floor Board Room, Arlington Heights,
Illinois on the 22nd day of June, 2022 at the hour of 7:30 p.m.

MEMBERS PRESENT:

SUSAN DAWSON, Chairperson
LYNN JENSEN
MARY JO WARSKOW
BRUCE GREEN
TERRY ENNES
JOHN SIGALOS

ALSO PRESENT:

SAM HUBBARD, Development Planner

CHAIRPERSON DAWSON: All right, so let's call the meeting to order then.
Rise for the Pledge.

(Pledge of Allegiance recited.)

CHAIRPERSON DAWSON: Okay, roll call?

MR. HUBBARD: Commissioner Cherwin.

(No response.)

MR. HUBBARD: Commissioner Drost.

(No response.)

MR. HUBBARD: Commissioner Ennes.

COMMISSIONER ENNES: Present.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Here.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Here.

MR. HUBBARD: Commissioner Lorenzini.

(No response.)

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Here.

MR. HUBBARD: Chair Dawson.

CHAIRPERSON DAWSON: Here.

Okay, we have approval of minutes.

COMMISSIONER GREEN: I'll make the motion to approve.

COMMISSIONER WARSKOW: I'll second.

CHAIRPERSON DAWSON: All right, all in favor?

(Chorus of ayes.)

COMMISSIONER ENNES: I abstain.

CHAIRPERSON DAWSON: I abstain as well.

All right, so that brings us to the first hearing on the agenda here
which is the Mueller Lot Consolidation.

Is the Petitioner present?

MR. FILPI: Right here.

CHAIRPERSON DAWSON: Great, you're going to be providing the
presentation?

MR. FILPI: I've got my speaking points, yes.

CHAIRPERSON DAWSON: So, come on up.

Have all public notices been given?

MR. HUBBARD: Yes, they have.

CHAIRPERSON DAWSON: All right.

(Witness sworn.)

CHAIRPERSON DAWSON: All right, terrific.

Why don't you go ahead and start your presentation?

MR. FILPI: Good evening. By the way, thank you for your time and
consideration. My name is Chris Filpi, and I'm here tonight to request a plat of subdivision to
consolidate two adjacent lots which I now own. I purchased our home at the 318 Mueller address

in 2010, and in 2011 we bought an additional 25 feet of frontage of the empty lot that's adjacent to our property immediately to the east. These are the two properties that we're looking to consolidate here tonight.

This 25 feet is not built up, it remains as a side yard. We're in the middle of a renovation to our home which involves a 117 square-foot addition at the back of our house to allow for the construction of a mudroom. In applying for the permits for the project, we were informed that what we're trying to do ultimately exceeds the Village Code percentages for impervious surfaces on the 50-foot lot on which our house is situated. Our project on the 50-foot lot will be 474 square feet over the allowed impervious surface amount in code. We also learned that the Village would not include the additional lot, roughly the 25-foot of frontage by 140 feet depth when calculating the impervious surfaces, even though we own the property and they're right immediately adjacent to each other.

In order to complete our renovation project without sacrificing our existing brick patio and walkway, we would like to legally combine our two lots into one plat. Therefore, with the larger combined lot, the impervious surface requirement is, therefore, met. So, that's the first piece of business that we're discussing here, I guess.

The other part is during the lot consolidation process, consolidation falls underneath our subdivision codes. We learned that the subdivision codes have a water detention requirement and that a fee in lieu could be made to satisfy the requirement. The fee in lieu has been calculated by the Engineering Department to the amount of \$2,862. We're asking for a variation from the stormwater detention requirement or fee in lieu of. I understand the fee is based on the proportion of impermeable surface to total surface of our combined lot, and our existing home, driveway, garage, patio and walkways are all included in this calculation, not just the addition that we're making to our home. We feel that the application of the water detention for our small project is not reasonable or fair. This doesn't make sense for something so small to be considered here.

We've got a couple of different reasons that we're thinking about here. One is that the fee is based on our existing structures as well as the very small new addition that we're making. Yes, we're adding 117 square feet to our house, but much of that 117 square feet is replacing what we had as existing walkways and patios. So, we're not adding 117 square feet to the currently existing impervious surfaces. I don't know what that differential would be. Much of the, oh, and none of the additional 117 square feet is going to be added to the smaller lot which we added, so we're not developing that side lot, the 25-foot frontage.

Additionally, our house has a walk-up, and per our architects, the depth of the basement for where the walkways would be built is going to be roughly under a four-foot grade, underneath the grade by four-foot the basement will be dug out which is, you know, less than typical new construction would be. That would be nine or 10 feet, I don't know what the numbers are, but a new construction for a basement would be deeper than the four-foot below grade that we're contemplating.

So, ultimately, the fee is calculated as if we're building a whole new house rather than having a single project that's only adding a small amount of square footage to the impermeable surfaces. So, we don't feel it's fair because of that. Secondly, we're by no means creating a subdivision or redeveloping the property. We're consolidating the lots here, it just happens to fall under the subdivision codes within the Village codes here. Again, we're only adding 117 square feet to the house, and it's being placed mainly where the existing walkways and our patio originally stood.

In their own report, the Village Staff did give us three examples where there were consolidations where fee in lieu was paid that they felt were similar to our situation. One example is the example on Dunton Street which is a project that took an existing empty lot and is building a 4,100 square-foot home. The example on Haddow that was provided resulted in roughly a 3,000 square-foot addition to the existing home. The third example on Highland, from what we can tell, it looks like there's two property owners, they split an empty lot that was in between their homes, but even with the larger lot sizes, one of the homes needed a variation that was still needed to meet the impervious surface requirement of 450 square feet by those property owners. So, that's reflected in the high fee in lieu of that's paid for that. Again, our 117 square-foot addition does not really compare to those other examples.

We understand that the Village Staff notes, they shared with us that there is a plan to improve some of the sewer and water, make improvements to those functions in our area. As 12-year residents in Arlington Heights, we've seen the increases in the water and sewer portions of our tax bill, and so we feel like we've already paid into that. We don't feel that the \$2,800 is going to make or break those improvement projects. The notion that we should be somehow made to retroactively be responsible for those sewer issues because we live in an old neighborhood, we don't think that that holds a lot of water.

Finally, we like old houses and we like our neighborhood. We bought a new house; we bought into the neighborhood and into a community with a lot of variety and that was a sign. We're trying to make renovations to our home; it's over 100 years old. It's going to need work in 21st century where we are now. We would hope that the Commission would want to support the efforts of homeowners to maintain and improve the properties because that improves all the property values across the entire neighborhood and community and that just does well for the Village of Arlington Heights. So, we feel like it's in the best interest of the community as a whole to encourage that and not charge, you know, large fees for making small improvements and additions to their homes. Also, we feel like the current process of consolidation in size was a lot of work to go through just to get to this point here to meet this evening.

So, it's for these reasons that we believe that the stormwater detention requirement does not make a lot of sense for our project. Again, we're really small and what we're adding to the existing impervious surfaces is even less than the 117 square-foot that we're adding to our home because it's being put on top of the existing or had existing patios and walkways. So, we respectfully request that our project be viewed as an effort to consolidate our small lot into the lot of our existing home and not that of a new development project, therefore, to support the request for a variation to waive the fee in lieu of onsite stormwater detention. We also encourage the Commission to work with the Village Board to make the home-owned property consolidation process easier and fairer as this will benefit future families like ours who'll want to make similar consolidation projects in the future. So, I thank you for your time.

CHAIRPERSON DAWSON: Okay, thank you for your presentation. So, have you read through the Staff report? I understand that you disagree with one condition of approval which would be number one, the fee in lieu, but --

MR. FILPI: Yes.

CHAIRPERSON DAWSON: -- do you have any issues with the other conditions?

MR. FILPI: No.

CHAIRPERSON DAWSON: Okay. All right, thank you.

Sam, Staff report?

MR. HUBBARD: Thank you, Chair Dawson.

So, as you heard, the property is at 318 West Mueller Street and is in the R-3 Zoning District that allows single-family uses and is listed as appropriate for single-family detached dwellings on our Comprehensive Plan. The current request before you this evening is for a preliminary and final plat of subdivision approval to consolidate the two lots into one, a 50-foot wide lot and a 25-foot wide lot. There is one variation requested, as you heard, to waive the stormwater requirement and fee in lieu of for a stormwater detention on the lot.

The Petitioner did appear before the Conceptual Plan Review Committee on March 9th of this year. There was very limited discussion on the project. The view was generally favorable. There was a little bit of discussion on the potential request for waiving the fee in lieu of stormwater detention, and the Conceptual Plan Review Committee said it wouldn't hurt to make the request, and so the Petitioner has moved forward with that this evening.

Here you can see an aerial of the site. The subject property is bounded in red. The 50-foot wide lot is the lot that has the home on it. The 25-foot wide lot is the lot just to the east located here. The two combined would be a 75-foot wide lot bounded in red.

Here you can see the site plan. The existing house has a fairly large deck which is considered a pervious surface. Rainwater is allowed to seep through the deck boards and into the dirt ground below. On the side there is a patio, then the garage in the rear and the house on the front. The addition referred to is an addition in the back, and then removal of that deck with a replacement with an at-grade patio. That patio is considered to be an impervious surface, and in combination with the addition in the back, it does kick this property over the maximum allowed impervious surface coverage.

The way our code evaluates this is, absent of a consolidation, it looks at each lot independent. So, there's a 50-foot wide lot and it's allowed 50 percent impervious coverage, and there's a 25-foot wide lot allowed a 50 percent impervious coverage as well. So, unless they're consolidated, each lot has to stand on its own relative to the code requirements.

The Staff Development Committee is not supportive of the variation requested for several reasons. First of all, it does enable the impervious surfaces where they wouldn't otherwise be allowed. Again, absent of this consolidation, the subject property would have to maintain 50 percent maximum coverage and would not be allowed certain improvements that would kick it above that requirement. However, when it's consolidated and judged as a singular lot, it does conform to that overall 50 percent coverage requirement.

Older subdivisions like this property which was subdivided in 1895 were built at a time when there wasn't any formal stormwater requirements, and so that has left us with some deficiencies relative to today's needs. There has been historical flooding in some of the older parts of town. In this area there has been some basement flooding, so it is a problem here. The subdivision process, which allows this consolidation, is a trigger for updating to current code requirements, and so it's one of the means that the Village has to slowly implement improvements to our stormwater system.

Additionally, this project will increase the overall impervious coverage on the lot and that does increase the flow into the Village's storm sewers. Here it's a very small amount, but it will increase stormwater. The amount is so small that we do allow this fee in lieu of actually providing stormwater facilities on the property which would be impractical. But as a means to alleviate that requirement for onsite stormwater facilities, we do allow a fee in lieu of. So, that's the method that we would recommend in this situation.

Lastly, we don't see anything unique about this property. There are other developments, similar consolidations that have paid a fee. The Petitioner referenced three that were included in the Staff report. None of them are an exact apples-to-apples match, but the principle is still the same. You consolidate the lot, you'll be able to get more impervious coverage on the overall lot relative to what you could practically do while the lots were separated, and then you pay that fee in lieu of providing a stormwater detention on site.

So, we are supportive of the request to consolidate, we are recommending denial of the variation to waive the fee in lieu of stormwater requirements, and there are three conditions identified here. That concludes the Staff report.

CHAIRPERSON DAWSON: Thank you, Sam.

Do I have a motion to approve?

COMMISSIONER JENSEN: So moved.

COMMISSIONER ENNES: I'll second it.

CHAIRPERSON DAWSON: All in favor?

(Chorus of ayes.)

CHAIRPERSON DAWSON: All right, great.

Commissioners, do we have any initial questions? Yes, Commissioner Jensen?

COMMISSIONER JENSEN: Yes, just I want to be clear on this, Sam. So, you're saying in that transitory period before they put the two lots together, they meet the parameters where they don't have to pay a fee in lieu of. But once they get to where they want to be in a short period of time with the combined lot, they do not have, reached the period of the fee in lieu of, is that what you're telling us?

MR. HUBBARD: No, the fee in lieu of is triggered by the subdivision. So, absent of the subdivision, we wouldn't be able to allow the amount of impervious surface that they're proposing on site as part of this renovation project. So, the trigger is the subdivision to consolidate which is driven by their home improvement project.

COMMISSIONER JENSEN: Right, but once they are combined, they meet the requirement, then they would not have to pay a fee in lieu of.

MR. HUBBARD: Correct, yes. Well, the fee in lieu of is not based on the amount of, you know, whether they meet that 50 percent impervious surface coverage or not. It's based on the fact that they're consolidating the lots, but absent of the consolidation, they would not meet that 50 percent impervious surface. They do need the impervious surface coverage based on the consolidation.

COMMISSIONER JENSEN: Okay, as soon as they consolidate, they do need to meet it.

MR. HUBBARD: Correct.

COMMISSIONER JENSEN: Okay, well, I agree with the Petitioner, I have trouble understanding why in this transitory period we'd want to charge him \$2,800. He's got a 100-year-old house, it's going to be costly to do whatever he wants to do with it. So, I'm not in favor of that particular condition. Other than that, I don't have any comment or question.

CHAIRPERSON DAWSON: Commissioner Warskow?

COMMISSIONER WARSKOW: Yes, how is the fee in lieu amount determined?

MR. HUBBARD: It's based on the overall stormwater capacity that would be required. I believe it's \$1 per cubic foot of stormwater capacity that would be required.

COMMISSIONER WARSKOW: Of the entire home? Of the area? Of any new impervious surface? What?

MR. HUBBARD: In this case, it's based on the overall impervious surfaces on the lot.

COMMISSIONER WARSKOW: Yes, I would be willing to, you know, keep the conformity to the Village Code, but I think basing it on what has already been there does not make sense. If it was based on the small area that has added to the impervious surface, I could see that and that would be probably a very affordable amount.

CHAIRPERSON DAWSON: Commissioner Green, any questions?

COMMISSIONER GREEN: As an architect, I've dealt with this fee and we've always paid it. So, I think that nobody likes it but it's something we have to do. So, I would say, you know, pay the fee.

CHAIRPERSON DAWSON: Any questions, Commissioner Ennes?

COMMISSIONER ENNES: You know, I can sympathize with you as the Petitioner. I saw you at Conceptual Plan and, you know, it's nice to see that you're consolidating the lots so you'll have a bigger lot. But I'm also looking back in the history we have in town and a lot of the neighborhoods, yours being one of them, have had flooding problems. You also have a combined sewer system. I understand you have both sewer and stormwater in the same sewer system. While you might not be adding much to it, it's those older neighborhoods that did not have the adequate sewer systems that now the whole Village is sharing in the cost through our property taxes and whatnot. So, everybody is picking up some of that expense.

The amount seems, you know, it seems like a lot, \$2,800. I don't know how much the addition that you're putting on costs. But I really can't, you know, if we grant this when we haven't granted it to other people, I really have a problem waiving this because there is a need for it in town. It is a lot of the older neighborhoods with the older sewer systems that have created this situation and we're all paying for it. So, it's unfortunate but that's where I come from.

CHAIRPERSON DAWSON: Commissioner Sigalos?

COMMISSIONER SIGALOS: I have one question. Sam, can you put on the site plan that showed the addition? Yes, that's it there. If I'm correct, where you have this, right adjacent to this ground floor addition, you're putting in a new brick patio which seems larger than the addition. So, that brick paver patio, my suggestion would be could you use a pervious brick to create that patio?

MR. FILPI: We haven't really decided on the final --

COMMISSIONER SIGALOS: Well, you can certainly make it a pervious brick.

MR. FILPI: Sure.

COMMISSIONER SIGALOS: So, now that would reduce the amount of impervious area on your property, and maybe that makes that fee go away? I don't know or not. Sam?

MR. HUBBARD: I'd have to confirm that with the Engineering Division. It wouldn't make the fee go away.

COMMISSIONER SIGALOS: Right, but couldn't it reduce it?

MR. HUBBARD: It could potentially reduce it. I don't know how they evaluate pervious pavers and to what extent, you know, that would reduce the fee.

COMMISSIONER SIGALOS: I mean, we've used, when I was a general

contractor, we've use pervious pavers on commercial properties and so forth and it works. So, that's just a thought that you might want to talk to your builder about all of this, you know, to construct this patio to maybe use a pervious paver brick.

MR. FILPI: I'll take that into consideration.

COMMISSIONER GREEN: If I could just add to that, it doesn't have to be, you're limited with these pervious bricks, but you can also put the filler in between the bricks and have a pervious runoff through that so you're not limited to the brick itself having holes and things because they're not always the best looking. I just don't know if that would reduce it where that would be counted as pervious with the Building Department. As an architect, I'm doing that right now.

MR. FILPI: So, we can take the brick that we salvage --

COMMISSIONER GREEN: What you do is, the space in between, what you fill that with determines whether the water will run through and out. It's an engineering thing in that you have to take the fill underneath and provide so much collection if you will of water and route that to wherever it has to go because it will go through and move under your patio. So, it's just another way that you might be able to --

COMMISSIONER SIGALOS: These are suggestions to you that maybe you discuss with the Building Department to see if that helps you decrease the amount of impervious surface.

COMMISSIONER GREEN: Right.

COMMISSIONER ENNES: If the Petitioner has to go back to the Building Department, then do we have to continue this and he has to come back? Could we --

COMMISSIONER GREEN: Well, can we just, I don't know, I would say he has to pay the fee but maybe the fee can be --

COMMISSIONER ENNES: Reduced?

COMMISSIONER GREEN: Reconsidered, right, you know.

COMMISSIONER ENNES: Well, but what I was going to suggest is if we approve the conditions as given by Staff and then between now and when the Village Board meeting is, if Staff and the Petitioner can meet to see if that would reduce the fee or go on --

COMMISSIONER GREEN: Yes.

COMMISSIONER ENNES: That would speed up this process.

COMMISSIONER GREEN: Yes.

COMMISSIONER JENSEN: Yes, the question as I understand what you said, if we pass this motion with the requirement to pay the fee in lieu, it has to be weighed in even if he gets a change where he has to --

COMMISSIONER GREEN: Yes, maybe, in half or something.

COMMISSIONER ENNES: Well, that's up for the Village Board to make the final decision.

COMMISSIONER GREEN: Right, right, right.

COMMISSIONER ENNES: And I think they would do that interactively.

COMMISSIONER GREEN: I would look into it because it can only help.

CHAIRPERSON DAWSON: We still have to open it up to public commentary. We're still in the initial question and answer. Everyone is getting excited about coming up with solutions.

Sam, I have a quick question before we open up the public commentary which is to try and pull together all these comments. So, Commissioner Jensen is

saying if he were just doing the sub to just combining lots, would there be a fee in lieu trigger? No change, just combining lots?

MR. HUBBARD: Yes.

CHAIRPERSON DAWSON: Okay, so to that point, I don't see, I mean, it might reduce his fee a little bit but he's already got a fee because he's combining the lots.

COMMISSIONER JENSEN: He might need a new variance is what I would suggest.

CHAIRPERSON DAWSON: Right, so that's what I'm trying to put together. The combining of the lots triggers it based on the existing --

COMMISSIONER JENSEN: Well, it's based on the impervious coverage.

CHAIRPERSON DAWSON: Yes, it would be existing versus the, yes, as Sam was saying.

COMMISSIONER GREEN: If we put them together, they do the whole lot.

CHAIRPERSON DAWSON: Right.

COMMISSIONER GREEN: So, if he could reduce the impervious, you're going to help that fee.

CHAIRPERSON DAWSON: Sure, you're going to help it but not by much is what I'm saying. Look at what he already has there, right? There's that calculation, and then there's that calculation. I don't know that we're talking big differences here. You're talking about reducing it, maybe we could reduce by half, I don't think we're getting it that reduced. That's all I'm saying, that's all I'm trying to point out. It might reduce a little, but I don't see us reducing it a lot.

COMMISSIONER JENSEN: I thought Sam said that it would go away.

COMMISSIONER ENNES: No.

CHAIRPERSON DAWSON: No.

COMMISSIONER SIGALOS: No, it won't go away.

COMMISSIONER GREEN: It's triggered by the consolidation.

COMMISSIONER JENSEN: I understand that, but once they get put together, I thought they'd met the requirement and they wouldn't have to pay the fee.

MR. HUBBARD: They conform, the overall property conforms to the maximum 50 percent impervious surface coverage limitation. That's a separate zoning code requirement. You can't cover your property with more than 50 percent impervious surfaces. As it stands now, not being consolidated, we only look at the 50-foot wide lot being allowed 50 percent coverage, and a 25-foot lot 50 percent coverage, not the total 75-foot lot 50 percent coverage. So, because all the impervious surfaces are on that 50-foot wide lot, when you look at it as 50 percent of a 50-foot wide lot versus 50 percent of a 75-foot wide lot, you get a lot more impervious coverage allowance.

CHAIRPERSON DAWSON: Okay, how about we open it up for public commentary and leave another chance to ask more questions? So, I know we've got a large crowd here tonight but I'm going to go out on a limb and say it's not for this. So, could you raise your hands, or how many people just, okay. So, we're going to give public commentary a chance to come up, okay?

MR. FILPI: Should I sit?

CHAIRPERSON DAWSON: Yes, you go ahead and sit. They should be directing their questions to us, not to you directly. Sir, you have a question or a comment? Come on up, state your name, spell your last name for us, if you're willing to give us your address that's

always helpful but it's up to you.

QUESTIONS/COMMENTS FROM THE AUDIENCE

MR. BARUCH: Okay, so I hope you can hear me because I'm coming off from laryngitis. Anyway, my name is John Baruch, B-a-r-u-c-h. I live at 710 North Highland which is about a block and a half east and a block north.

I'm glad that it was brought up about the combined sewer and storm because that's a significant issue in our neighborhood. One of the Applicant's neighbors at 600 Highland last year with the Village's help, 50-50, put in about \$6,000 of personal money to put in a backwater or backflow prevention system in his front yard because it backed up, you know, into his basement.

My neighbor to the back on Chestnut started to put a basketball court, they have a 50-foot side lot, this was 15 years ago. It was okay, and then about four years ago in the other corner of that side lot, they put in a hardscape again. I had more water than I've ever seen. We're getting more rains. I met with Engineering and met with the owner, we met with the landscape company. Their solution was to channel that water and bring it to the corner of that lot which now of course I have in my lot. No, you laugh, I have videos, I'd be happy to send it.

COMMISSIONER GREEN: I only laughed because I feel your frustration.

CHAIRPERSON DAWSON: Right, I don't think anyone is laughing at your circumstances.

MR. BARUCH: It was also mentioned that, a professional comment about pervious surfaces and parking lots. Those are typically used to bring water to an underground detention/storage area. I'm not sure he wants to invest in it, but you know, from my perspective, I was glad to hear there's actually a fee for situations like this because, as you mentioned, we're all paying this to Metropolitan Water Sanitary District and it's in our tax bill. So, we really should follow the codes for good reasons and they have experience. Today, it's 117-foot addition with I believe no requirement for landscaping on surfaces in the Village, but this is something that goes on all the time and, you know, all the neighbors end up with the problem. That's all I have to say.

CHAIRPERSON DAWSON: Thank you for your comment. Anyone else for this particular agenda item?

(No response.)

CHAIRPERSON DAWSON: Okay, we're going to close public commentary and go back to questions. I'll start down here; any additional questions?

COMMISSIONER SIGALOS: I have none.

CHAIRPERSON DAWSON: Commissioner Ennes?

COMMISSIONER ENNES: I don't have any questions, but I have a comment for our audience member. I had a similar situation sitting on this Commission, I approved the expansion of a church that happens to be on my backyard. I never used to get water, now I get water, but we do have a water problem.

You mentioned the situation where somebody put in an overhead sewer or a back-check that the Village pays half of. That half comes from all the taxpayers in town and these funds help pay for that stuff. So, that's my only comment.

CHAIRPERSON DAWSON: Commissioner Green, any additional comments?

COMMISSIONER GREEN: No, I'm fine.

CHAIRPERSON DAWSON: Commissioner Warskow?

COMMISSIONER WARSKOW: I'm fine; I just want to say I, too, have a large water problem. My entire backyard would be a lake, and thanks to the Village, we did resolve that issue. So, I do see that these funds are very important. However, I still am of the thinking that it should be more based on the additional impervious surface that you're adding, not something that has been there for a 100 years. You know, not everybody is going to go into this lot consolidation situation.

Now, if they were extending past the impervious surface allotted, I could totally understand, but once consolidated, they're well within that allotment. So, that's my take on this situation.

COMMISSIONER JENSEN: Yes, I think the Commissioner has made some good points on the combined system, that's helpful to hear, but I have nothing else.

COMMISSIONER ENNES: Can I ask one more question of Sam?

Sam, I believe I read in the notes that there was mention of the possibility in the future of wanting to put an attached garage on the house and a driveway. If the Petitioner were to pay this fee in lieu of now, doing something like that in the future which would increase the lot coverage, there wouldn't be an additional fee, would there?

MR. HUBBARD: There would not, no. Actually, the way that it's currently contemplated, that actually might reduce lot coverage because their existing garage and driveway is all the way in the back of their property and their conceptual plan shows it kind of towards the side of their property, not all the way in the back. So, that could potentially reduce impervious coverage under that concept. But who knows if that would happen or what the actual development proposal would be at that time, but it would not trigger any extra stormwater fee. It would not be possible without the consolidation though.

COMMISSIONER ENNES: Okay.

CHAIRPERSON DAWSON: Okay, any further discussion?

(No response.)

CHAIRPERSON DAWSON: Anybody want to --

COMMISSIONER ENNES: I will make a motion.

A motion to recommend to the Village Board of Trustees approval of PC #22-003, a Preliminary and Final Plat of Subdivision to consolidate two lots into one lot, and denial of the variation from Chapter 29, Section 29-501F to waive the onsite stormwater detention requirement.

This recommendation for approval of the Preliminary and Final Plat of Subdivision shall be subject to the following conditions:

- 1. A fee in lieu of onsite detention in the amount of \$2,862 shall be required.**
- 2. As per applicable building code requirements, the Petitioner shall either amend their original building permit or submit a new building permit to authorize the final components of their home improvement project that are now allowed per the lot consolidation.**
- 3. The Petitioner shall comply with all federal, state, and Village codes, regulations and policies.**

CHAIRPERSON DAWSON: Do we have a second?

COMMISSIONER GREEN: I'll second it.

CHAIRPERSON DAWSON: All right, any further commentary before we go to vote?

(No response.)

CHAIRPERSON DAWSON: Sam?

MR. HUBBARD: Commissioner Ennes.

COMMISSIONER ENNES: I approve.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

MR. HUBBARD: Chair Dawson.

CHAIRPERSON DAWSON: Yes.

All right, so we approved the plat but denied the variation, just to clarify, right, as Staff had recommended, but again, we're a recommending body. You have a chance to go before the Board of Trustees, you know, work with Staff in the meantime. You have time to maybe take in some of these suggestions and see what else, what other options you have, all right? All right, thank you.

MR. FILPI: Thank you for your time.

(Whereupon, at 8:08 p.m., the public hearing on the above-mentioned petition was adjourned.)